

**KETTERING CITY COUNCIL
REGULAR MEETING MINUTES
August 11, 2020**

The Council of the City of Kettering, Ohio, met in regular session on Tuesday, August 11, 2020, at 7:30 p.m. in Council Chambers at the Kettering Government Center South Building, 3600 Shroyer Road. Mayor Patterson presided and the Clerk of Council, LaShaunah D. Kaczynski, recorded. This meeting was telecast live on the cable access channel.

Council Members Present: Patterson, Klepacz, Lautar, Fisher, Scott, Duke and Wanamaker

Council Members Absent: None

Total Members Present: Seven (7)

Mayor Patterson led the audience in the Pledge of Allegiance and gave the invocation.

Mayor Patterson introduced the cable TV operator Mike Sopronyi. He thanked him for his assistance.

APPROVAL OF MINUTES

July 28, 2020- Council Meeting & Workshop Minutes

Mr. Lautar reported that he reviewed the above minutes and moved the minutes be approved. Mr. Wanamaker seconded the motion of the above minutes and there being six (6) yeas, one (1) abstain vote (Mr. Scott) and no (0) nay votes for the July 28, 2020 Council Meeting & Workshop Minutes the motion was declared carried by roll call vote.

PROCLAMATIONS, SPECIAL PRESENTATIONS, AWARDS, SPECIAL RESOLUTIONS, APPOINTMENTS TO BOARDS AND COMMISSIONS

PUBLIC HEARINGS

P.C. 20-010- Rezoning of the property located at 3233 Woodman Drive

Mayor Patterson opened the public hearing and asked that any person that intends to speak to city council about this matter should stand and take an oath. Those that planned to speak took the oath.

Ron Hundt, Zoning Administrator made the staff presentation this evening. Mr. Hundt mentioned he has been a City Planner for the City of Kettering for over 40 years and he has served as the city's Zoning Administrator for the last 12 years. This case involves the rezoning of a single lot; however this case involves some additional rezoning concerning the additional lot in this plat. This involves the AT&T plat. The principal of this request is to take the office building located at 3233 Woodman Drive which is currently zoned as industrial and rezone it to the office district. Lot 2 of the AT&T plat has another zoning designation along its western side. A portion of Lot 2 is zoned as ED-5 which has been proposed to be rezoned to the office district. North of Lot 2 is the Woodman Center store lot, which there was a previous zoning request to add to that and ED-5 was extended to the south and to the west of the northern part of Lot 1. Parts of that development did not occur and the land was not transferred from AT&T to that potential developer. These two areas are requested to be rezoned to the office district (that is part of Lot 2), and the small narrow piece of land from Lot 1 would be rezoned as industrial. This change will make the property consistent with the adjoining properties such as Beavertown Cemetery and the AT&T service yard. This is a straight forward request because the building has already been used as an office. The Master Plan for the City of Kettering calls for this area to be zoned as an office designation. The applicant in this case is considering residential development which is a permitted use in the office zoning district. Accommodating this rezoning, it can be re-used for offices (which is the current make-up of the building) or re-developed for housing. The Planning Commission reviewed all of the standards for rezoning and they found there are sufficient standards to support this request. There are some additional rezoning recommendations that apply to this application. The Zoning Code has two particular districts; a zoning district and a pattern district. In this particular case, the property in question is located in two different pattern districts. It does not make sense to have this particular lot (Lot 2) in two different zoning districts. Planning Commission made a recommendation to include the western portion of that lot. The office building at 3233 Woodman Drive will be rezoned to O-Office but there will be related rezoning of the pattern district. The remnant pieces of ED-5 that did not get developed should be designated as office for Lot 2 or industrial for Lot 1 of the AT&T plat. This might seem a little convoluted, but this is necessary to keep the zoning districts consistent. Mr. Hundt concluded that is the end of his report and he would be happy to answer any questions from city council.

Mr. Klepacz asked if the small piece of land that is located behind the cemetery that is owned by AT&T will be included in this rezoning?

Mr. Hundt clarified that piece of land is included as part of the lot, but it will not be rezoned and will remain as an industrial district. There is a long narrow strip of land that is north of that piece of land which is considered to be part of Lot 1 which is recommended to be rezoned as industrial to stay consistent with the rest of the facility. At one time, that piece of land was considered extra land that AT&T did not need and they were looking to sell it, which is why that piece of land was zoned as ED-5 district which never got developed as an expansion of the Woodman Center storage units.

Greg Smith- 3445 Newark Drive, Miamisburg, OH made the applicant presentation this evening. Mr. Smith mentioned he is in support of the zoning presentation that was presented by Mr. Hundt. The building located at 3233 Woodman Drive is under contract with intentions to use the building as senior residential use. The building structure will be repurposed. He has preliminary drawings of the facility, but he is not ready to release those drawings yet. Mr. Smith stated he would be happy to answer any questions from city council.

Mr. Duke asked if the current building will be demolished or will the building be reused?

Mr. Smith informed city council that the building will be reused.

Mayor Patterson asked if there were any other comments from the public either for or against concerning this public hearing, none were heard.

Mayor Patterson closed the public hearing and explained city council will consider legislation regarding this matter at a future city council meeting.

PUBLIC COMMENT ON LEGISLATION

ORDINANCES IN SECOND READING

AN ORDINANCE
NO: 4349-20
BY: MR.KLEPACZ AND MRS.FISHER

TO AMEND THE TEXT OF VARIOUS SECTIONS OF THE CITY OF KETTERING ZONING CODE

Mr. Klepacz read the above ordinance and moved for approval. Mrs. Fisher seconded the motion.

Mr. Schwieterman, City Manager gave a brief description of the ordinance.

The following votes were recorded: Mr. Klepacz, Yea; Mr. Lautar, Yea; Mrs. Fisher, Yea; Mr. Scott, Yea; Mr. Duke, Yea; Mr. Wanamaker, 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.

RESOLUTIONS

A RESOLUTION
NO: 10467-20
BY: MRS.FISHER AND MR.SCOTT

AUTHORIZING THE PURCHASE OF ROAD SALT THROUGH AN APPROVED STATE OR LOCAL COOPERATIVE PURCHASING PROGRAM

Mrs. Fisher read the above resolution and moved for approval. Mr. Scott seconded the motion.

Mr. Schwieterman, City Manager gave a brief description of the resolution.

The following votes were recorded: Mr. Klepacz, Yea; Mr. Lautar, Yea; Mrs. Fisher, Yea; Mr. Scott, Yea; Mr. Duke, Yea; Mr. Wanamaker, 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: 10468-20
BY: MR.SCOTT AND MR.LAUTAR

AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS AND TO CONTRACT FOR THE RIDGEWAY ROAD BRIDGE REPLACEMENT PROJECT, CITY PROJECT NO. 03-904C (ODOT PROJECT MOT-RIDGEWAY ROAD BRIDGE, PID 108706)

Mr. Scott read the above resolution and moved for approval. Mr. Lautar seconded the motion.

Mr. Bergstresser, Assistant City Manager gave a brief description of the resolution.

Mr. Duke mentioned this was a long process to get this bridge approved and he would like to thank Mr. Bergstresser for the long hours and the hard work he placed into this project to ensure the city receives funding for the bridge.

The following votes were recorded: Mr. Klepacz, Yea; Mr. Lautar, Yea; Mrs. Fisher, Yea; Mr. Scott, Yea; Mr. Duke, Yea; Mr. Wanamaker, 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

CERTIFICATIONS AND PETITIONS

MANAGER'S REPORT/COMMUNITY UPDATE

Mr. Schwieterman, City Manager updated Council on upcoming and community events.

- The Kettering Connection is now open in Town & Country Shopping Center on Monday, Wednesday, and Friday from 8:30 a.m. - 12:30 p.m.
- The Ohio 133rd General Assembly has designated State Route Forty-Eight between East Stroop Road and East Dorothy Lane to be James E. Grove III Memorial Highway.
- Rosewood Arts Centre is pleased to present the Height, Width, and Depth sculpture exhibition as a virtual and in-person experience from August 16 through September 25.
- There is still time to complete the 2020 Census. The deadline to complete the 2020 Census is September 30.

Mayor Patterson mentioned he received information that the City of Trotwood had a census van at the Lowe's store in Trotwood. Is that something the City of Kettering can look into to get at Town & Country? Residents may be more receptive approaching someone in a van instead of having someone knocking on their door to get information for the census.

Mr. Schwieterman informed city council that the census liaisons at the city will look into this option for residents.

OTHER BUSINESS NOT ON WRITTEN AGENDA

Audience Participation (5 Minute Limit per Speaker)

COUNCIL COMMITTEE REPORTS

Mr. Lautar reported:

- Nothing to report.

Mr. Duke reported:

- Nothing to report.

Mr. Wanamaker reported:

- Nothing to report.

Mr. Scott reported:

- Nothing to report.

Mr. Klepacz reported:

- Continue to support local restaurants.

Mrs. Fisher reported:

- Nothing to report.

Mayor Patterson reported:

- He offered his condolences to Bob Lamb's family.
- Congratulations to Sgt. David Warren on his recent promotion.
- Enrollment has begun for fall activities and to register for classes visit playkettering.org

They're being no further business to come before this meeting of the Kettering City Council; Mayor Patterson adjourned the City Council Meeting at 7:53 p.m.

ATTEST:

DONALD E. PATTERSON, MAYOR

LaShaunah D. Kaczynski
Clerk of Council