

CITY OF KETTERING  
CITY COUNCIL  
WORKSHOP MINUTES  
October 13, 2020

The Council of the City of Kettering, Ohio met in a workshop session on Tuesday, October 13, 2020, in the Deeds Conference Room, Kettering Government Center, 3600 Shroyer Road. Mayor Patterson called the meeting to order at 6:02 p.m.

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

Staff Members Present: City Manager Mark Schwieterman, Assistant City Manager Steve Bergstresser, Economic Development Manager Gregg Gorsuch and Community Information Manager Mary Azbill. Police Chief Chip Protsman joined the meeting at 7:00 p.m.

Resident Sterling Abernathy was also in attendance.

Agenda Review – Mr. Schwieterman reviewed the agenda for this evening’s meeting with the Council members. Mr. Schwieterman explained Resolution 11 supplemental appropriations, he stated \$236,030 is being requested for the purchase of body worn cameras and redactive software for in car and body worn cameras.

Mr. Klepacz asked if Council is being asked to approve moving money from the General Fund to police funds. Mr. Schwieterman explained that Council is being asked to approve appropriating funds to KPD.

Mr. Klepacz asked about the possibility of moving money from the Cemetery Fund. Mr. Schwieterman stated that the Cemetery Fund is designated as such. When the City expends money from the Cemetery Fund for burials, revenue is charged back.

Mr. Lautar asked about the possibility of using the Cemetery Funds with legislation. Mr. Schwieterman stated that the governing body can make decisions regarding spending money from other than the General Fund. He went on to explain that there is no money in KPD’s operations budget to fund body-worn cameras, and this is the cleanest method right now. Funding was unbudgeted and will be appropriated. KPD may end up \$200,000 to the good; but at this point, the City is not ready to make that decision.

Mayor Patterson asked why 90 body-worn cameras are being purchased. Mr. Schwieterman explained that life expectancy is greater if cameras are not shared. Batteries are good for 12 hours, and KPD works 10-hour shifts. Officers will have fully-charged cameras at the start of each shift. Mayor Patterson said will staff make that clear when explaining the resolution at the Council meeting this evening, he has had several calls asking why it is costing so much per camera. Mr. Schwieterman said Chief Protsman will make sure and fully explain the purchase.

Mr. Schwieterman stated that the renewal of Business First Program five year contract with the County will be on the October 27 agenda.

Mr. Schwieterman mentioned that a resolution will also be on the next agenda for the forgiveness of the Kettering Health Network \$3.6 million forgivable loan for the bridge project. The City prefers the non-cash transaction hit the 2020 schedule rather than 2021.

Government Finance Officers Association Award – Mr. Schwieterman announced the City received the GFOA Award for the 35<sup>th</sup> consecutive year. GFOA criteria has been changed dramatically, and the 2022 and 2023 budgets will have a different look.

CARES Act Funds – Mr. Schwieterman stated the City received \$3.1 million in CARES Act Funds. Currently, expenditures for public safety personnel are in the General Fund. Finance will make a journal entry from the General Fund to CARES Fund, and the \$3.1 million will net out to zero. General Fund numbers will be \$3.1 million less than expenditures. This will show in 2020.

Mr. Klepacz asked if the agreement for Cemetery Fund could be reviewed for exact wording to find leeway to use that money for something other than the cemetery. Mr. Schwieterman agreed to check.

Little York Tavern - The Little York Tavern plans to open on Dorothy Lane. A ribbon cutting will take place during the afternoon of October 22.

Fiber Ring Project – Mr. Schwieterman reviewed the phases of the Fiber Ring Project and provided an update after meeting with Miami Valley Communications Council. Phase I of the fiber ring went live. Phase II is an over build where capacity will be added to portions of initial ring to ensure equal capacity. Phase II will cost over \$1 million. Cities contributed based on population. During Phase II, the City garnered interest from a fiber company that will partner with the member cities and cover costs. In turn, we will share the fiber in the project from Phases I and II. It has now moved to the stage of 80% contract.

Mr. Lautar asked if the company is an equal partner. Mr. Schwieterman explained that cities will continue to work with public sector and partner company will work with private while sharing revenue.

Mr. Duke asked if people are buying into the fiber ring yet. Mr. Schwieterman responded that we have entered into agreements with public sector clients. Phase II is the first significant agreement.

Mr. Lautar asked if the partnership is 50/50. Mr. Schwieterman stated the partner will keep more of the percentage; however, public sector sales will belong to member cities and will not be shared.

Mr. Lautar asked if the partner is responsible to fix network. Mr. Schwieterman stated the City would pay partner to maintain the network at between 50 and 60% of what member cities are currently paying.

Chicken Ordinance Survey – Mr. Schwieterman explained that, per Council's request, Planning and Development contacted Cleveland suburbs to evaluate what cities of similar size to Kettering are doing about chickens. Lakewood's chicken permits are managed by the Mayor's office. The city only allows 50 permits for the entire community. Residents requesting permits to own chickens are required to take the OSU extension course on raising poultry. There are no concerns with complaints. Cleveland Heights currently has 80 structural permits for chickens handled by their Planning and Development Department. Permits for the structure are handled by Planning and Development and the Public Health handles complaints. In Euclid, there are currently ten permits. The city stated that they have little involvement as neighbors police one another. Strongsville stated that neighbors use chickens as a complaint tool when they don't like one another. After Council discussion it was decided Mr. Schwieterman will give a report at a future Council meeting stating the City has looked into adopting an Ordinance allowing chickens in the City and has decided at this time not to move forward with an Ordinance.

Charles I. Lathrem Senior Center – Mr. Schwieterman explained that there are 1,200 CIL members, and Parks, Recreation and Cultural Arts recommended the facility stay closed to avoid testing CIL employees every two weeks and screening guests. The facility is connected to the Recreation Center, and entry ways would need to be appropriately signed and cordoned to work as two, separate facilities. Congregate meals are still unavailable due to the pandemic. Most activities and programs allowable under the guidelines of the state of Ohio are offered at the Recreation Center. Those specific to the CIL are currently not allowed under health guidelines (i.e., cards games, meals and mass gatherings). An analysis was completed on 55+ programs from July 1 to present. Of registered programs participants, 20% are over 55. Currently, 48% of visits are 55+. Overall visits are far below normal. Water workout classes, group exercise classes and track usage are mostly senior citizens. There have only been 65 transportation calls since COVID began. The plan was to open Monday through Friday from 9:00 to noon with 3 staff members. State guidelines only allow for small social gatherings. If we open, it will be for social purposes only.

Mayor Patterson asked if someone could contact the Governor's Office for more information, and explain the City's unique situation. Then, work with them to determine whether or not the City can offer specific activities if certain protocol, such as distancing tables, is followed.

Mr. Lautar recommended sending CIL members a letter explaining that the City tried to re-open the facility, but state guidelines will only allow sitting and chatting for now—no cards. Also explain that the facility is attached to the Rec Center adding more hurdles.

Staff will continue reviewing State guidelines and look at possible ways to open the CIL Senior Center. Staff will continue to keep the Council members updated on the situation.

Budget Projections – Mr. Schwieterman stated that he met with staff earlier in the day and advised that with original submissions and compilations complete, the operating margin is still negative and needs to be positive. The City needs to shave \$7-8 million from the budget. Department Directors were advised that a 5% total reduction plan was required by Thursday, October 22. The goal is to reduce the operating margin from negative to positive by making cuts

in personnel (through attrition and hiring freeze), operations and capital outlay. A final balance presentation will be available October 27. Kelly O'Connell will put together the white copy. Directors were also advised that no out-of-state travel will be approved unless certification is not offered in state.

Mr. Wanamaker asked if retired personnel would be rehired for snow removal in winter. Mr. Schwieterman advised that the all hands on deck team would handle snow removal rather than retired and part time drivers.

Additional CARES Act Money – Mr. Schwieterman announced that the City received additional CARES Act money through the Community Development Block Grant. The City has another allocation of \$261,000, and we are proposing putting out a notice of availability to social services providers to use in response to the pandemic.

Body-Worn Cameras – Chief Protsman joined the meeting to provide more information about body-worn cameras. He explained that body-worn cameras will be utilized to record while officers are engaged in their official capacity. Exceptions would be during interviews involving sensitive areas or with sexual assault victims. When on a call for service, officers will use a camera. This includes the Chief of Police and Captains.

Mr. Klepacz inquired about jailers and animal control using body-worn cameras. Chief Protsman stated that the Community Services Specialist has used a body-worn camera for 2.5 years. Jailers will not be required to use body-worn cameras as appropriate surveillance equipment in the jail is already in place.

At 7:04 p.m., Mr. Duke made a motion to enter into executive session under Section 121.06 (k) of the Codified Ordinances for purposes of Negotiations with Organizations or Individuals; the motion was seconded by Mr. Lautar. The motion passed by a unanimous roll call vote.

At 7:28 p.m., Council exited the executive session and went back on the public record.

The City Council Workshop Meeting was adjourned at 7:28 p.m.

ATTEST:

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DONALD E. PATTERSON  
MAYOR

LASHAUNAH D. KACYNSKI  
Clerk of Council