

**KETTERING CITY COUNCIL  
REGULAR MEETING MINUTES  
May 25, 2021**

The Council of the City of Kettering, Ohio, met in regular session on Tuesday, May 25, 2021, 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 and streamed live at mvcc.net.

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

Council Members Absent: None

Total Members Present: Six (6)

The Kettering Police Department Color Guard presented the Colors. Mayor Patterson led the audience in the Pledge of Allegiance and gave the invocation. He introduced the cable TV operator Mike Sopronyi. He thanked him for his assistance.

Mayor Patterson mentioned that the applicant in item number one on the agenda, the hearing in Planning Commission Case No 21-002- Zoning District Map Amendment, requested that the hearing be rescheduled. Is there a motion to amend the agenda by removing item number one and rescheduling it to the June 22<sup>nd</sup> city council meeting?

Mr. Klepacz moved for the agenda to be amended. Mr. Lautar seconded the motion, the motion was declared carried followed by a unanimous like sign vote.

APPROVAL OF MINUTES

May 11, 2021- 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 five (5) yea votes, one (1) abstain vote (Mrs. Fisher) and no (0) nay votes for the May 11, 2021 Council Meeting & Workshop Minutes, the motion was declared carried followed by a roll call vote.

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

Proclamation- Police Memorial Week

Mr. Klepacz read the above proclamation and same was accepted by Chief Protsman, Police Chief. Chief Protsman thanked Mayor Patterson and City Council for the proclamation this evening. He is aware that Police Week was celebrated a few weeks ago, but he still requested for the proclamation this evening to correspond with the introduction of the new police sergeants this evening. He appreciates city council being accommodating with his request. He stands here this evening with more pride and admiration for the men and women of the Kettering Police Department. For all that is going on around this country, members of the Kettering Police Department come to work with their heads held high and eager to serve. Police officers understand how important their jobs are and how many people depend on them. They are courageous, professional and ethical individuals who will not allow the outside noise stop them from protecting and serving. There are a few themes when he meets with various groups regarding the Kettering Police Department, at some point during the meeting someone tells him either privately or during the meeting that they had a run-in with a Kettering Police Officer and how impressed they were of the professionalism of the officer. Chief Protsman also mentioned he is asked quite often how he is able to build a positive relationship with the Kettering community. He often finds himself referring back to his first main point, he is able to standup in group settings and stress to officers about the importance of how they treat people the right way and to always act professionally. That doesn't mean anything until someone sees this first hand or has an experience from a family member or a friend. It is the one-on-one interactions whether it be a traffic stop, a report being taken or any other time where police services are needed. Those are the times that truly show the core value of a police department. Every day, KPD officers are working on their top priority; continuing to build strong relationships with the Kettering community. The Kettering community has always been very supportive of the Kettering Police Department and throughout this past year, the community has made it very clear how supportive they are. Residents bring in food, send thank you cards or just stop officers on the street to tell them thank you. He cannot put in words how much that means to his department. It makes an officer's job much easier when they know that the city they have been sworn to protect still supports and appreciates the job that they do. Earlier today he had the opportunity to attend Noon Optimist because they were recognizing Sergeant Morgan and Patrolman Spinks for their Officer of the Year Award. Things like that mean a lot to our officers. The Kettering Police Department also appreciates the support of city council. There has been a lot of talk throughout the country regarding defunding the police and even statements from city

leaders in various states urging not to support the police departments across this nation. During that time, city council has been very supportive and had always shown their support and appreciation.

#### Presentation- Introduction of Promoted Police Sergeants

Chief Protsman, Police Chief made the presentation this evening. Chief Protsman called Sergeant Jesika Shirver-Kelch to the podium. Jesika was hired as a patrol officer on December 29, 2003 and spent three years with the Miamisburg Police Department before coming to the City of Kettering. Jesika is an evidence technician, accident investigation technician, field training officer and instructor for de-escalation training. She has an associate's degree from Sinclair Community College in criminal justice. Jesika is married to Rachel and they have a son named Lincoln. On April 26, 2021 Sergeant Shirver-Kelch was promoted and she now works afternoons. Sergeant Shirver-Kelch wife and son pinned her badge. Sergeant Shirver-Kelch mentioned she would like to thank everyone who is here this evening. She is standing on the shoulders of many giants who have helped her get here to this moment. She is invested into this community and she wanted to be part of this community even when she was with the Miamisburg Police Department. The City of Kettering was always her goal. She considers everyone she works with her family and in this line of work, you tend to spend more time with your work family then your actual family. She appreciates the opportunity and she has done a lot of work to get to this goal.

Chief Protsman then called Sergeant Joe Ferrell down to the podium. Sergeant Ferrell was hired as a patrol officer on May 4, 2015. Joe started his career in law enforcement with the Tipp City Police Department. Sergeant Ferrell spent eleven years with the Kettering Police Department before going to the City of Oakwood. After five years, Sergeant Ferrell returned to the Kettering Police Department. Joe is a S.W.A.T. Team leader, Force Ops instructor and was the Public Information Officer before being promoted. He has a bachelor's degree in criminal justice from Bluffton College. Joe is married to Laura and they have three children, Dillon, Logan and Carissa. Sergeant Ferrell wife pinned his badge. Sergeant Ferrell mentioned this is a true honor and he is very grateful. He did not leave the City of Kettering because he was unhappy; it was more of a scheduling conflict. The Kettering Police Department is his second home and the best place he has ever worked. He has been blessed to work with the finest officers in this profession.

Chief Protsman then called Sergeant Ryan Vandegrift down to the podium. Sergeant Vandegrift was hired as a patrol officer on January 22, 2008. Ryan served with the Clearcreek Township Police Department before coming to the City of Kettering. Ryan is a member of the Hostage Negotiation Team, certified in digital forensics and he served in the detectives section prior to being promoted. He holds an associate's degree from Xavier University in social sciences. Ryan is married to Diane and they have a daughter named Layla and a son named Andrew. Sergeant Vandegrift was promoted on May 10, 2021 and now works midnights. Sergeant Vandegrift wife pinned his badge. Sergeant Vandegrift mentioned he would like to thank his family who took time out of their evening to be here to support him. He appreciates the confidence that Mayor Patterson and city council has in him to serve as a sergeant of the Kettering Police Department. He would also like to thank his wife and his family for their support. He is eager to be able to continue to serve the Kettering community. The Kettering Police Department is a great department and he is honored and humbled to be part of a great group of people.

Chief Protsman mentioned that the newly promoted sergeants went through an extraneous process to be promoted and he is very proud of all of them. It is not an easy job to be a supervisor, but they have answered the call. He also thanked Mayor Patterson and city council for allowing him to make the presentation this evening.

Mayor Patterson thanked Chief Protsman for having the promotion ceremony during a council meeting. He also congratulated the newly promoted police sergeants. He mentioned the community respects and supports their profession and city council is 100% in support of the Kettering Police Department and the Kettering Fire Department. A lot of times, police officers are the face of the city, which is the reason why city council is adamant that officers do their job with a friendly face. Doing the little things will be the lasting impression Kettering residents will have as their positive interaction with the Kettering Police Department. He appreciates that the Kettering Police Department is the face of the city and the city will continue to support the department. Best of luck and as always be safe.

#### PUBLIC HEARINGS

**P.C. 21-002- Zoning Map Amendment (this item was removed from the agenda and rescheduled to the June 22, 2021 city council meeting).**

#### PUBLIC COMMENT ON LEGISLATION

#### ORDINANCES IN SECOND READING

AN ORDINANCE

NO: 4362-21

BY: MR.KLEPACZ AND MR.LAUTAR

TO ENACT CHAPTER 125 OF THE CODIFIED ORDINANCES REGARDING CITY COUNCIL  
COMPENSATION

Mr. Klepacz read the above ordinance and moved for approval. Mr. Lautar 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, Abstain; Mr. Duke, Yea; Mr. Wanamaker, Yea; Mayor Patterson, Yea. There being five (5) Yea votes, one (1) Abstain vote and no (0) Nay votes, the motion was declared carried and the ordinance duly adopted.

RESOLUTIONS

A RESOLUTION  
NO: 10572-21  
BY: MRS.FISHER AND MR.LAUTAR

AUTHORIZING THE CITY MANAGER TO ACCEPT A DONATION FROM DOR-WOOD OPTIMIST CLUB

Mrs. Fisher read the above resolution and moved for approval. Mr. Lautar 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. Duke, Yea; Mr. Wanamaker, Yea; Mayor Patterson, Yea. There being six (6) Yea votes and no (0) Nay votes, the motion was declared carried and the resolution duly adopted.

A RESOLUTION  
NO: 10573-21  
BY: MR.LAUTAR AND MR.WANAMAKER

AUTHORIZING THE CITY MANAGER TO ENTER INTO A FINAL AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR ODOT PROJECT MOT SR 835, PID 103421, WITHIN THE CITY OF KETTERING

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

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

The following votes were recorded: Mr. Klepacz, Yea; Mr. Lautar, Yea; Mrs. Fisher, Yea; Mr. Duke, Yea; Mr. Wanamaker, Yea; Mayor Patterson, Yea. There being six (6) Yea votes and no (0) Nay votes, the motion was declared carried and the resolution duly adopted.

A RESOLUTION  
NO: 10574-21  
BY: MR.WANAMAKER AND MR.DUKE

AUTHORIZING THE CITY MANAGER TO ENTER INTO AND IMPLEMENT A COLLECTIVE BARGAINING AGREEMENT WITH THE OHIO COUNCIL 8, AFSCME, AFL-CIO, LOCAL 101, WHICH IS CONSISTENT WITH A TENTATIVE AGREEMENT REACHED BY THE BARGAINING TEAMS

Mr. Wanamaker read the above resolution and moved for approval. Mr. Duke 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. Duke, Yea; Mr. Wanamaker, Yea; Mayor Patterson, Yea. There being six (6) Yea votes and no (0) Nay votes, the motion was declared carried and the resolution duly adopted.

A RESOLUTION  
NO: 10575-21  
BY: MR.DUKE AND MR.KLEPACZ

ACCEPTING A TRANSFER OF LAND FROM THE CITY OF CENTERVILLE

Mr. Duke read the above resolution and moved for approval. Mr. Klepacz seconded the motion.

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

The following votes were recorded: Mr. Klepacz, Yea; Mr. Lautar, Yea; Mrs. Fisher, Yea; Mr. Duke, Yea; Mr. Wanamaker, Yea; Mayor Patterson, Yea. There being six (6) Yea votes and no (0) Nay votes, the motion was declared carried and the resolution duly adopted.

A RESOLUTION  
NO: 10576-21  
BY: MR.KLEPACZ AND MR.LAUTAR

AUTHORIZING THE CITY MANAGER TO ENTER INTO A CARES ACT GRANT AGREEMENT WITH KETTERING BACKPACK, INC.

Mr. Klepacz read the above resolution and moved for approval. Mr. Lautar 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, Abstain; Mr. Duke, Yea; Mr. Wanamaker, Yea; Mayor Patterson, Yea. There being five (5) Yea votes, one (1) Abstain vote and no (0) Nay votes, the motion was declared carried and the resolution duly adopted.

A RESOLUTION  
NO: 10577-21  
BY: MRS.FISHER AND MR.LAUTAR

AUTHORIZING THE CITY MANAGER TO ENTER INTO A CARES ACT GRANT AGREEMENT WITH BRIGID'S PATH

Mrs. Fisher read the above resolution and moved for approval. Mr. Lautar 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. Duke, Yea; Mr. Wanamaker, Yea; Mayor Patterson, Yea. There being six (6) Yea votes and no (0) Nay votes, the motion was declared carried and the resolution duly adopted.

A RESOLUTION  
NO: 10578-21  
BY: MR.LAUTAR AND MR.WANAMAKER

AUTHORIZING THE CITY MANAGER TO ENTER INTO A CARES ACT GRANT AGREEMENT WITH THE MIAMI VALLEY FAIR HOUSING CENTER

Mr. Lautar read the above resolution and moved for approval. Mr. Wanamaker 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. Duke, Yea; Mr. Wanamaker, Yea; Mayor Patterson, Yea. There being six (6) Yea votes and no (0) Nay votes, the motion was declared carried and the resolution duly adopted.

A RESOLUTION  
NO: 10579-21  
BY: MR.WANAMAKER AND MR.DUKE

TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF KETTERING, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2021

Mr. Wanamaker read the above resolution and moved for approval. Mr. Duke 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. Duke, Yea; Mr. Wanamaker, Yea; Mayor Patterson, Yea. There being six (6) 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.

- Kettering city offices will be closed on Monday, May 31 in observance of Memorial Day. Rumpke trash will be delayed by one day.
- If you or someone you know is interested in joining our Parks, Recreation & Cultural Arts team this summer please visit [www.playkettering.org](http://www.playkettering.org) for more information.
- To download a block party request form residents can visit the city's website or call the Engineering Department at 937-296-2436.
- To learn more or to nominate a neighbor for a Neighborhood Pride Award visit the city's website or call the Volunteer Office at 937-296-2433.
- Applications are now available for the Kettering Leadership Academy. Applications can be found at the city's website at [www.ketteringoh.org](http://www.ketteringoh.org).

Mr. Schwieterman also informed city council that he has information this evening regarding the public comment from the last city council meeting in regards to the city's compost being heated to the right temperature. The city's compost is heated to the recommended temperatures during the process of turning the yard debris into compost. The compost is turned several times which generates heat and then it is cooled and then delivered to Indian Riffle Park. Also mentioned at the last city council meeting was the organic nature of the city's compost. The city does not treat the compost. While it is done at the right temperature, it is not chemically treated to reduce weeds or other items that may occur.

Mr. Schwieterman also mentioned he would like to thank Chief Protsman for his presentation this evening for police memorial week and also the promotion of the three police sergeants. The Kettering Police Department has a reputation of being "Ohio's Finest", and tonight was an example of that.

### 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:

- On May 12 the Gem City Market opened on Salem Avenue in Dayton.
- Thank you to Mr. Schwieterman for hosting a state-wide meeting for local officials regarding American Rescue Plan treasury guidance.
- He offered his condolences to Mayor Patterson.

Mr. Wanamaker reported:

- Nothing to report.

Mr. Klepacz reported:

- He offered his condolences to Mayor Patterson.
- Residents should eat dinner inside at a local Kettering restaurant.

Mrs. Fisher reported:

- Nothing to report.

Mayor Patterson reported:

- Thank you to the City of Kettering family for their support during the passing of his mother.
- May 9-16 the city celebrated National Peace Officers Memorial Week.
- May 17-23 the city celebrated National EMS Week.
- Congratulations to the newly promoted police sergeants.
- On May 28 the Frazee Pavilion will announce the summer concert lineup.

They're being no further business to come before this meeting of the Kettering City Council; Mayor Patterson adjourned the City Council Meeting at 8:03 p.m.

ATTEST:

LaShaunah D. Kaczynski  
Clerk of Council

DONALD E. PATTERSON, MAYOR