

**KETTERING CITY COUNCIL  
REGULAR MEETING MINUTES  
October 12, 2021**

The Council of the City of Kettering, Ohio, met in regular session on Tuesday, October 12, 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, Lautar, Fisher and Duke

Council Members Absent: None

Total Members Present: Five (5)

Mayor Patterson led the audience in the Pledge of Allegiance and gave the invocation. He introduced the cable TV operator Mike Sopronyi and thanked him for his assistance.

APPROVAL OF MINUTES

September 28, 2021- Council Meeting & Workshop Minutes

Mr. Lautar reported that he reviewed the above minutes and moved the minutes be approved. Mrs. Fisher seconded the motion of the above minutes and there being five (5) yea votes and no (0) nay votes for September 28, 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

Appointment- Sister Cities- Joshua Weiland (Term ending 12/31/23)

Mr. Klepacz made a motion to appoint Joshua Weiland to the Sister Cities Committee. Mr. Lautar seconded the motion. The motion was declared carried followed by a unanimous like sign vote.

Proclamation- Make A Difference Day

Mr. Klepacz read the above proclamation and same was accepted by Dawn Kirchner, Volunteer Administrator. Mrs. Kirchner thanked City Council for the proclamation this evening. She is looking forward to Make A Difference Day as it is her first Make A Difference Day as Volunteer Administrator for the City of Kettering. The Volunteer Department has already distributed 52 card making kits to school children, residents and civic groups. The Volunteer Department has already received 50 completed cards and are expecting to receive 500 in advance of Make A Difference Day on October 23. Residents can visit the city's website for more information about Make A Difference Day or stop by the Volunteer Office. She is looking forward to seeing everyone at Make A Difference Day.

Mayor Patterson informed Mrs. Kirchner that members from City Council will be attending Make A Difference Day on October 23.

Presentation- Introduction of Promoted Police Sergeant

Chief Protsman, Police Chief made the presentation this evening. It is his pleasure to introduce the newest supervisor for the Kettering Police Department, Sergeant Chris Sanford. This evening, Sgt. Sanford wife Justina and his mother Christy are in the audience. Sgt. Sanford is originally from East Liverpool, Ohio and he attended Kent State where he earned a bachelor degree in criminal justice, and after graduation he returned to East Liverpool to work for the police department as a dispatcher. On July 13, 2009 Sgt. Sanford was hired by the Kettering Police Department as a patrol officer. Sgt. Sanford worked the road for the first five years of his career, then he transferred to the support division to serve as a personnel and training officer in 2015. This position is very important to the Kettering Police Department as they coordinate yearly and specialized training for all its members and maintain track of all outside trainings as well. Most of the time, this position is working with personnel so they work closely with the Human Resources Department in hiring new employees. Sgt. Sanford has had a hand in hiring almost 80 people for the police department and because of that he has built a strong relationship with a lot of employees. This position is important because they are the face of the police department during recruitment and also the first interaction applicants will have contact with in the police department. Sgt. Sanford has always displayed positive interactions. Chief Protsman expressed some positions he works very closely with and one happens to be training and personnel officers. Over the past six years, he has had the privilege to get to know Sgt. Sanford and observe his work ethic and people skills and he has always been impressed. Sgt. Stanford has always been respected by members of the Kettering Police Department, citizens and agency from across the country. Chief Protsman thanked Sgt. Sanford for all that he has done for the police department and the city, and he is looking forward to what he will do next in his new role.

Justina Sanford pinned Sgt. Sanford's badge.

Sgt. Sanford mentioned he is grateful for the opportunity he was given back in 2009 and it has been an honor to work for the City of Kettering. He is looking forward to serving the community in the future.

Award Presentation- Fire Department Citizenship Awards

Chief Robbins, Fire Chief gave the presentation this evening. Chief Robbins informed City Council that Jeffrey Saylor is feeling a little under the weather so he will not be here this evening to accept his award, and his award will be presented at a later time. The Citizenship Award recipients are not associated with the Kettering Fire Department, but have distinguished themselves from others by actions that have gone above and beyond what is expected or required from the average citizen at the scene of an emergency.

Chief Robbins called Ethan Huey down to the podium. At 4:25 a.m. on May 16, 2021, Ethan Huey was on his way to Pittsburg, PA. As he drove down Purdue Lane toward Dorothy Lane he noticed an orange glow that looked like fire. Ethan called 9-1-1 as he approached the site. He parked his car and went around the house to find the back deck on fire. With the dispatcher encouragement, Ethan knocked on the door until someone answered. Ethan asked the occupant if they knew their deck was on fire and the occupant replied yes, they had a bonfire last evening. Ethan then informed the occupant there was an active fire on their back deck. Thanks to Ethan's quick actions, all occupants and pets left the house safely and the Kettering Fire Department was able to extinguish the fire. Ethan didn't hesitate to call 9-1-1 or alert the occupants of the fire, this action saved the occupants and protected their home from additional fire damage. Ethan Huey is being awarded the Citizenship Award from the Kettering Fire Department that reads, "For distinguished actions of unselfishness and citizenship by taking action to help a citizen of our community your actions of calling 9-1-1 and alerting your neighbor when their house and deck were on fire embodies the citizenship that this award was designed to recognize for your actions on May 16, 2021". Chief Robbins presented Mr. Huey with the Citizenship Award.

Chief Robbins called David Vernetzky and Craig Ballard down to the podium. Chief Robbins mentioned these two people will be receiving the Citizenship Award which he read the criteria for this award prior. On the afternoon of May 10, 2021, David Vernetzky and Craig Ballard both happened to have been driving north in two separate vehicles on Shroyer Road when they both noticed smoke. Both men turned onto Mossoak Drive to investigate when they noticed fire coming out of the side window of a multi-unit apartment building. Both men quickly parked their cars and ran toward the apartment building. Neighbors began to come out of the building and Mr. Ballard informed the neighbors to call 9-1-1. A neighbor informed them that someone was still inside of the apartment unit, they opened up the apartment door and were met with heavy smoke. They found a severely injured elderly woman who was sitting in a recliner chair. Mr. Vernetzky covered her with a bed sheet while Mr. Ballard searched the apartment for other occupants. The two gentlemen then carried the woman to a safe location away from the fire. Mr. Vernetzky and Mr. Ballard continued to search the building until the Kettering Fire Department arrived on the scene. These two men bravely risked their own lives and carried a fellow citizen out of a burning apartment. Their Citizenship Awards read, "For distinguished acts of bravery and citizenship by risking your own life to help a citizen of our community the actions you took by carrying a citizen out of a burning building embodies the citizenship this award was designed to recognize for heroic and extraordinary actions taken on May, 10, 2021. Chief Robbins presented Mr. Vernetzky and Mr. Ballard with the Citizenship Award.

PUBLIC HEARINGS

P.C. 21-016- Comprehensive Plan Amendments

Mayor Patterson opened the public hearing.

Tom Robillard, Director of Planning & Development gave the staff presentation. Mr. Robillard mentioned this request is for amendments to the Comprehensive Plan. Most of the business park zoning district is categorized as professional office and research category within the Comprehensive Land Use Plan. The Land Use Plan category currently recommends professional office and research facilities exclusively only. When the Comprehensive Plan was written, typical business and research park development consisted of standalone buildings surrounding acres of landscaping. Residential or commercial buildings were usually located several miles away. Modern research park development sites are pushing for on-site or close proximity of retail, restaurants and higher density housing. These mixtures of uses help create a sense of place and is attractive for modern businesses and allows for more efficient use of land. This will also allow shared use of facilities and resources. Identifying professional office and research facilities with supportive retail and high density residential development as recommended by the Planning Commission will subsequently support changes to the Zoning Code allowing these uses in the business park district. Mr. Robillard mentioned he would be happy to answer any questions from City Council.

Mayor Patterson asked if there were any comments from the public either for or against this matter.

**Doug Kohlen- 3508 Wilmington Pike-** He is the owner of Aerotech Environmental. This is a growing business and it has been experiencing some problems. Mr. Kohlen has been a resident of Kettering for over 60 years and a business owner. His business has been located at 3508 Wilmington Pike since 2007. He has invested a great deal of his time and tax dollars to the City of Kettering. Since he

is only allowed five minutes he respectfully request that all comments and questions be deferred until after his allotted time. Since moving his environmental consulting business to Kettering from West Carrollton in 2006, he has seen his neighboring property vacant for over 10 years. His north property was vacant over a year and it has just become reoccupied with no exterior improvements other than a few bags of mulch. As he travels through the community daily, he is going through a blighted community and this is not the vision he had for the City of Kettering. There are plenty of vacant buildings and vacant lands that need to be occupied. Put small businesses in those locations. He understands the city is receiving a million dollar grant from the Small Business Administration, but he is not seeing that effort or that money to support the small businesses in this community. He has been aggressively trying to grow his business but he is unable to. He doesn't have enough room in his building and he has worked with city staff to try to find an alternative location, he prefers to stay in the city but that looks like it's not going to happen. He might as well close his business doors just like all of his neighbors down the street. This is a very serious problem for the City of Kettering. There was a plan put together by at least three members of City Council who are sitting here this evening for an improvement to Wilmington Pike that was put together back in 2013. Since that time, 14 businesses have moved out and there are too many vacant buildings on Wilmington Pike. These buildings should be put to good use. He had a concept to revitalize the former Kawasaki building at 3916 Wilmington Pike but he struggled to get an occupancy permit. There have been delays and other things he has to do before he can get that permit. How can the city have good faith and accept a million dollars from the Small Business Administration when small businesses are closing. Tax dollars are not being generated due to this problem and the schools are impacted by this. He is asking the city to provide assistance for small businesses to help get an occupancy permit. He has been speaking to city staff and the city is asking for 98 trees and bushes to be placed around the building, which his landscape expert expressed that is unreasonable. The neighboring property has trees that is going to block the landscape and the building is three-story. There isn't any sunlight, so he will have dead trees which will contribute to the blighted neighborhood. There needs to be some action and he is asking for the city to support small businesses. Other businesses on the Wilmington Pike corridor are struggling and close to closing down their businesses. The city needs to instruct staff to consider and work with small businesses and not be unreasonable in trying to make this city a better place. It is wrong for the city to be applying for small business federal funding while it is not supporting small businesses specifically in the Wilmington Pike Improvement area. This plan was put together seven years ago and City Council, administration and employees have to act in good faith with the Small Business Administration and support small businesses.

Mayor Patterson asked if Mr. Kohnen address is 3508 Wilmington Pike?

Mr. Kohnen mentioned that is correct.

Mayor Patterson closed the public hearing and mentioned City Council will consider legislation regarding this matter at a future City Council meeting.

#### **P.C. 21-015- Zoning Text Amendments**

Mayor Patterson opened the public hearing.

Tom Robillard, Planning & Development Director gave the staff presentation. This particular request involves a text amendment to the Zoning Code involving three major parts. The first part is to amend the uses in the business park district to allow multi-family housing and restaurants as a conditional use in the business park zoning districts. The second part of the request is to add restrictions on those uses so they don't detract from the main purpose of a business park zoning district category. The third part is to make some corrections to the Zoning Code that city staff found over the last several months. Changes include changing the letter I to BP in several sections of the Zoning Code. The letter I refers to industrial and the letters BP refer to business park. This was simply an over sight from the last time zoning text amendment was placed before City Council. As explained in the previous public hearing regarding the comprehensive plan amendment, the business park type of development has changed over time, which made city staff evaluate the development of business park properties and how to allow for more supportive type uses. The list of permitted uses lean more toward industrial uses which are large in nature. Business park districts could have a broader mix of uses due to the large lot sizes and amounts of land available for development. Examples include the Miami Valley Research Park and the Kettering Business Park. Allowing boarder uses in a small scale business park allow for incompatible uses preventing the development of industrial type uses. An example of this would be allowing residential development next to an industrial business that had chemicals and other hazardous materials. This type of business would have to meet multiple code standards in order to run their business which would make it harder for industrial businesses within that designation. Two standards will be added for residential and restaurants, a minimum of 10 acres lot size and at least 200 units. That will push the development into a purposeful large scale development that will support the business park development. Restaurants would require a minimum of 10 acres lot size and 20,000 square feet of restaurant use. Mr. Robillard mentioned he would be happy to answer any questions from City Council.

Mayor Patterson asked if there were any comments from the public either for or against this matter.

**Leanne Jablonski- 1566 Crescent Boulevard-** Ms. Jablonski mentioned she is a plant ecologist and scientist and she directs the Marianist Environmental Education Center at the Mount St. John located at 4435 East Patterson Road. This is located right across the street from the proposed development. She is also the workplace neighbor where the new development is proposed in Research Boulevard. She has been at her home for over two decades. She is very thankful that City Council is allowing public comments regarding the proposed development and she is very thankful for the insightful information she received from Mark Schwieterman, City Manager prior to the council meeting this evening. As a citizen of Kettering, she is grateful for the old beautiful shady trees and green spaces in her neighborhood and other neighborhoods throughout the city. This provides value to the human spirit. In 1998, she was one of the tree planters who helped complete the now becoming mighty oaks at the Mount St. John that looks over the Research Park. She is very concerned regarding the zoning change that would allow intense housing development on the green space along the Little Beaver Creek Watershed Floodplain. The Dayton Daily News reported this proposed amendment would allow for 300 units which she can't imagine how that development will fit in that space without impeding the view. The proposed development could allow one and a half cars spaces per unit which would be 450 more cars along with increased traffic noise and pollutants. Increased cars on surface pavement would result in higher runoff, soil erosion and vehicle fuels and other waste pollutants that would end up in the Little Beaver Creek Waterway that runs through various neighborhoods and creeks that are along bike trails. She has experienced development that has negatively impacted the natural areas at Mount St. John. An example would be the when the Woolpert building was constructed, Shakertown Road was widened which took away several acres of land on the Mount St. John perimeter. She was told this was due to the retail access needed and 10 years later, there hasn't been any retail development. The landscape at Mount St. John is being restored with native species of wildflowers that attract songbirds and butterflies and other wildlife. She works hard in ensuring that the rainfall that lands on her property is retained and supports the wetlands and wildlife. Rain gardens have been created and mowed areas have been reduced which discourages geese and enhances other beautiful species. She hopes that any development that occurs on the Research Park land city would value this continuity of green space. This will show that humans and nature can co-exist enhanced by native ecosystems that require less water and no fertilization. What if this area could express this harmony by being intentionally sustainable in choices that reduce negative impacts and enhance the positive beauty. Ms. Jablonski expressed she will be willing along with her team to talk with staff about some sustainable options for the future.

**Brent Devitt- 5248 Coral Oak Circle-** Mr. Devitt mentioned he is the Chair of Cycle Kettering which is a chapter of the Bike Miami Valley organization which is an advocacy group for cycling throughout the region. He is also the Executive Director of the Bergamo Retreat Center which is one of the ministries located at Mount St. John. He is here this evening as a concerned citizen of Kettering about the proposed rezoning of the Research Park property. He has a lot of questions regarding the environmental impact this type of development would have. He shares some of the same concerns that have been addressed earlier by Ms. Jablonski. From a neighborly perspective working at Mount St. John on an adjoining property in Greene County to the east along County Line Road, there are over 8,000 guests at the Bergamo Center each year. Increased noise from County Line Road and traffic is becoming more of a concern for the retreat center and other residences and businesses near that property. Rezoning would allow as many as 300 residential units. He is concerned about the increase traffic that the high density of units would create. Mount St. John is welcoming to visitors, but recently they had to post visitor expectations and regulations at Mount St. John to remind visitors it is private property. The intersection at County Line Road and Shakertown and Research Park has been the site of a number of accidents, and he was a victim of an accident while cycling in 2011. He has witness a car versus cyclist accident and he has witness a car versus car accidents at this intersection. One of his family members has experienced a car accident at this intersection as well. He is also concerned about the possibility of new driveways that will need to be constructed along County Line Road and along the path of the Iron Horse Trail. Each driveway along the path creates an opportunity for an accident to happen against cyclist. Montgomery County Wastewater Treatment Plant and the Kettering Composting Facility have done a great job in containing odors in this area but he questions how serious a developer might be in building spaces or residential areas so close to those types of facilities. He hopes a lot of thought goes into addressing his concerns and the rezoning of this parcel of land. He is thankful for the time allotted to share his concerns to City Council.

Mayor Patterson closed the public hearing and mentioned City Council will consider legislation regarding this matter at a future City Council meeting.

PUBLIC COMMENT ON LEGISLATION

ORDINANCES IN SECOND READING

RESOLUTIONS

A RESOLUTION  
NO: 10629-21  
BY: MR.KLEPACZ AND MR.LAUTAR

AUTHORIZING THE CITY MANAGER TO APPLY FOR A GRANT FROM THE OHIO DEPARTMENT  
OF NATURAL RESOURCES

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, Yea; Mr. Duke, Yea; Mayor Patterson, Yea. There being five (5) Yea votes and no (0) Nay votes, the motion was declared carried and the resolution duly adopted.

A RESOLUTION  
NO: 10630-21  
BY: MR.LAUTAR AND MRS.FISHER

AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE BARGAINING AND NEGOTIATED  
QUOTES TO CONTRACT FOR SECURITY IMPROVEMENTS FOR THE NORTH AND SOUTH  
BUILDINGS

Mr. Lautar read the above resolution and moved for approval. Mrs. Fisher 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; Mayor Patterson, Yea. There being five (5) Yea votes and no (0) Nay votes, the motion was declared carried and the resolution duly adopted.

A RESOLUTION  
NO: 10631-21  
BY: MRS.FISHER AND MR.DUKE

AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE BARGAINING AND NEGOTIATED  
QUOTES TO CONTRACT FOR THE ADDITION OF A NEW ROOF TOP HVAC UNIT AT THE  
PUBLIC SERVICE BUILDING

Mrs. Fisher 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; Mayor Patterson, Yea. There being five (5) Yea votes and no (0) Nay votes, the motion was declared carried and the resolution duly adopted.

A RESOLUTION  
NO: 10632-21  
BY: MR.DUKE AND MR.KLEPACZ

AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE BARGAINING AND NEGOTIATED  
QUOTES TO CONTRACT FOR IMPROVED SIGNAGE FOR THE NORTH BUILDING

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

A RESOLUTION  
NO: 10633-21  
BY: MR.KLEPACZ AND MR.LAUTAR

AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE BARGAINING AND NEGOTIATED  
QUOTES TO CONTRACT FOR THE CREATION OF A NEW LOCKER ROOM FOR SECURITY  
PERSONNEL AT THE MUNICIPAL COURT BUILDING

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, Yea; Mr. Duke, Yea; Mayor Patterson, Yea. There being five (5) Yea votes and no (0) Nay votes, the motion was declared carried and the resolution duly adopted.

A RESOLUTION  
NO: 10634-21  
BY: MR.LAUTAR AND MRS.FISHER

DECLARING THE NECESSITY OF REPAIRING CURBS, SIDEWALKS AND DRIVE APPROACHES AS PART OF THE SMITHVILLE ROAD RESURFACING- WILMINGTON PIKE TO NORTH CORP PROJECT (PROJECT NUMBER 02-134F)

Mr. Lautar read the above resolution and moved for approval. Mrs. Fisher 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; Mayor Patterson, Yea. There being five (5) Yea votes and no (0) Nay votes, the motion was declared carried and the resolution duly adopted.

A RESOLUTION  
NO: 10635-21  
BY: MRS.FISHER AND MR.DUKE

DECLARING THE NECESSITY OF REPAIRING CURBS, SIDEWALKS AND DRIVE APPROACHES ON VARIOUS STREETS AS PART OF THE 2022 CURB, SIDEWALK & DRIVE APPROACH REPAIR PROJECT (PROJECT NUMBER 05-122)

Mrs. Fisher read the above resolution and moved for approval. Mr. Duke 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; Mayor Patterson, Yea. There being five (5) Yea votes and no (0) Nay votes, the motion was declared carried and the resolution duly adopted.

A RESOLUTION  
NO: 10636-21  
BY: MR.DUKE AND MR.KLEPACZ

ACCEPTING THE PRUGH WOODS PLAT DEDICATION FOR PRUGH WOODS DRIVE, MIAMI VALLEY RESEARCH PARK SECTION SIX-B DEDICATION FOR DONATION CICRLE, AND SISBRO VENTURES PLAT 1-A DEDICATION FOR COLLEGE DRIVE AND CONFIRMING THE COMPLETION OF PUBLIC STREET IMPROVEMENTS SHOWN THEREON

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

A RESOLUTION  
NO: 10637-21  
BY: MR.KLEPACZ AND MR.LAUTAR

AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE BARGAINING AND NEGOTIATED QUOTES OR AN APPROVED COOPERATIVE PURCHASING PROGRAM TO PURCHASE A MEDIC

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, Yea; Mr. Duke, Yea; Mayor Patterson, Yea. There being five (5) Yea votes and no (0) Nay votes, the motion was declared carried and the resolution duly adopted.

A RESOLUTION  
NO: 10638-21  
BY: MR.LAUTAR AND MRS.FISHER

AUTHORIZING THE CITY MANAGER TO ACCEPT AND EXPEND A SUPPLEMENTAL GRANT FROM THE U.S. SMALL BUSINESS ADMINISTRATION

Mr. Lautar read the above resolution and moved for approval. Mrs. Fisher 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; Mayor Patterson, Yea. There being five (5) Yea votes and no (0) Nay votes, the motion was declared carried and the resolution duly adopted.

A RESOLUTION  
NO: 10639-21  
BY: MRS.FISHER 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

Mrs. Fisher 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; Mayor Patterson, Yea. There being five (5) Yea votes and no (0) Nay votes, the motion was declared carried and the resolution duly adopted.

ORDINANCES IN FIRST READING

AN ORDINANCE  
BY: MR.DUKE

TO AMEND THE TRAFFIC CONTROL MAP AND THE TRAFFIC CONTROL FILE OF THE CITY OF KETTERING TO ALLOW FULL PARKING ON ANDREA DRIVE, MALONE AVENUE, AND RENWOOD DRIVE BY REPEALING SECTIONS 1(D)-(E) OF ORDINANCE NO. 3977-04

Mr. Duke read the above ordinance.

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

AN ORDINANCE  
BY: MR.KLEPACZ

TO AMEND THE TRAFFIC CONTROL MAP AND THE TRAFFIC CONTROL FILE OF THE CITY OF KETTERING TO SHOW THE INSTALLATION OF TRAFFIC SIGNS ON VARIOUS CITY STREETS IN THE CITY OF KETTERING, OHIO

Mr. Klepacz read the above ordinance.

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

CERTIFICATIONS AND PETITIONS

MANAGER'S REPORT/COMMUNITY UPDATE

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

- Medicare Open Enrollment begins October 15 through December 7. Residents can schedule an individual appointment by calling the Kettering Connection at 937-296-3330.
- Leaf pickup begins Monday, October 18 in District 1. For more information regarding crew location call the leaf hotline number at 937-296-2472.
- Kettering Municipal Court will be offering amnesty weeks from October 18 to October 29. For more information call the Kettering Clerk of Court's Office at 937-296-2461.
- National Drug Takeback Day will take place on Saturday, October 23 from 10:00 a.m. - 2:00 p.m. at the Kettering Police Department.
- Make A Difference Day will take place on Saturday, October 23. For more information about events for Make A Difference Day residents should contact the Volunteer Office at 937-296-2433.
- Congratulation to Orchard Park Elementary School for receiving the 2021 National Blue Ribbon School of Excellence designation by the U.S. Department of Education.
- 2021 Beggar's Night will be on Sunday, October 31 from 6:00-8:00 p.m.

#### OTHER BUSINESS NOT ON WRITTEN AGENDA

Audience Participation (5 Minute Limit per Speaker)

**William Allen- 2025 Pauline Avenue** - He is here this evening in regards to the loud music at Hank's Pub. The music is too loud. There should be no loud music at Hank's Pub on October 31 starting at 6:00 p.m. to ensure children who are participating in Beggar's Night have a safe environment. City Council should do something about this matter.

**Renee Isaacs- 2025 Pauline Avenue-** She is here this evening regarding Hank's Pub. She has expressed her concerns to City Council in the past about Hank's Pub and she has spoken to Chief Protzman prior to the meeting this evening. The loud outdoor music is constant and tiring.

**Pattie Glaze- 1701 Flesher Avenue** – The Kettering Police Department has ordered Hank's Pub to turn down the music at their establishment. Hank's Pub ignores the Police Department. She thinks it is very rude that Hank's Pub thinks they are above the law. She obeys the law.

**Joy Lucas- 1529 Flesher Avenue** – She is concerned about the parking situation at Hank's Pub. She expressed her concerns to City Council in the past regarding this issue, since then the problem has not gotten better. Now, they are parking in the front on Patterson Road making it very difficult to see if you have a clear distance to get out. Also, there is parking on sidewalks which is unacceptable. On the side of the bar, there is unloading but they are parking there for multiple hours. A few weeks ago, a beer truck was parked facing the wrong direction but he did have his hazard lights on. Cars are parking in front of stop signs, which makes it very difficult for motorist to see. Someone from Hank's Pub parks in the loading zone for five hours. She did call the police and the police told her maybe they were unloading. Ms. Lucas expressed loading shouldn't take five hours and that hazard is an accident waiting to happen. Patterson Road has a lot of traffic, if people are parking on the sidewalks in front of Hank's Pub it is an accident waiting to happen. The police department has more to do than just always going out to Hank's Pub for these instances.

**Pamela Roberts- 2001 Pauline Avenue** – Her father was the previous owner of this property but he passed away last year. Since moving into the home, she has noticed Hank's Pub has changed owners. The music has become very loud and the parking is taking over Patterson Road and other businesses and residential grass. Some patrons parked their cars in front of her home and come back the next day to retrieve their vehicle. The music is very loud, but there needs to be some kind of resolution that would be supportive of the business and the residents. A lot of neighbors have to go to bed early because of either work or school so there should be a noise restriction. If Hank's Pub is allowing live music, they should repave their parking lot so patrons won't have to park on the main roads which would solve a lot of issues. She is also concerned about safety. She doesn't know the patrons of Hank's Pub and they are walking around the neighborhoods intoxicated looking for their cars. Hank's Pub has become an issue.

#### COUNCIL COMMITTEE REPORTS

Mr. Lautar reported:

- On September 29 he attended the Optimist Installation Dinner where Officer Ed Drayton received the Friend of Youth Citizen of the Year Award.
- On September 30 he participated in the Neighborhood Pride Awards drive-thru event.

Mr. Duke reported:

- He encourages residents to wear masks and if you chose get the vaccine.

Mr. Klepacz reported:

- On October 2 he attended Shred Day at the Government Center.
- On October 9 he attended the Trunk-or-Treat at Wenzler Daycare Center.
- Support local Kettering businesses or work at a local Kettering business.
- He presented Mayor Patterson with the Dave Hobson Award he received from the Dayton Development Coalition.



Mrs. Fisher reported:

- Residents should get out and vote.
- On October 24 there will be a Trunk-or-Treat at Greenmont Church.
- She helped Fairmont children collection donations for charity, hoping to beat Centerville.

Mayor Patterson reported:

- On September 29 he presented a proclamation to Claude Duncan in recognition of his 100<sup>th</sup> birthday.
- On September 30 he attended the retirement celebration for Tracy Leach in the Fire Department.
- On September 30 he attended the Neighborhood Pride Awards drive-thru event.
- On October 2 he attended Shred Day at the Government Center.
- Thank you Mr. Klepacz for presenting him with the Dave Hobson Award.

They're being no further business to come before this meeting of the Kettering City Council; Mayor Patterson adjourned the City Council Meeting at 8:45 p.m.

ATTEST:

LaShaunah D. Kaczynski  
Clerk of Council

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DONALD E. PATTERSON, MAYOR