

**KETTERING CITY COUNCIL
REGULAR MEETING MINUTES
January 25, 2022**

The Council of the City of Kettering, Ohio, met in regular session on Tuesday, January 25, 2022, at 7:30 p.m. in Council Chambers at the Kettering Government Center South Building, 3600 Shroyer Road. Mayor Lehner 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: Lehner, Fisher, Klepacz, Hall, Scott, Duvall and Duke

Council Members Absent: None

Total Members Present: Seven (7)

Mayor Lehner led the audience in the Pledge of Allegiance and gave the invocation. She introduced the Miami Valley Communications Council TV Operator Mike Sopronyi. She thanked him for his assistance.

APPROVAL OF MINUTES

January 11, 2022- Council Meeting & Workshop Minutes

Mrs. Fisher reported that she reviewed the above minutes and moved the minutes be approved. Mr. Klepacz seconded the motion of the above minutes and there being seven (7) yea votes and no (0) nay votes for January 11, 2022 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

PUBLIC HEARINGS

PUBLIC COMMENT ON LEGISLATION

ORDINANCES IN SECOND READING

AN ORDINANCE
NO: 4373-22
BY: MRS.FISHER AND 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

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

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

The following votes were recorded: Mrs. Fisher, Yea; Mr. Klepacz, Yea; Mrs. Hall, Yea; Mr. Scott, Yea; Ms. Duvall, Yea; Mr. Duke, Yea; Mayor Lehner, 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: 10686-22
BY: MR.KLEPACZ AND MRS.HALL

AUTHORIZING PAYMENT OF 2022 MEMBERSHIP DUES TO MIAMI VALLEY REGIONAL PLANNING COMMISSION

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

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

The following votes were recorded: Mrs. Fisher, Yea; Mr. Klepacz, Yea; Mrs. Hall, Yea; Mr. Scott, Yea; Ms. Duvall, Yea; Mr. Duke, Yea; Mayor Lehner, 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: 10687-22
BY: MRS.HALL AND MR.SCOTT

AUTHORIZING THE CITY MANAGER, ON BEHALF OF THE CITY, TO MAKE A \$5,000.00 CONTRIBUTION TO THE 2022 NCAA FIRST FOUR HOOPLA TICKET PROGRAM

Mrs. Hall 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: Mrs. Fisher, Yea; Mr. Klepacz, Yea; Mrs. Hall, Yea; Mr. Scott, Yea; Ms. Duvall, Yea; Mr. Duke, Yea; Mayor Lehner, 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: 10688-22
BY: MR.SCOTT AND MS. DUVALL

APPOINTING PEGGY LEHNER, TONY KLEPACZ, AND BRUCE E. DUKE AS TRUSTEES OF THE KETTERING DEVELOPMENT CORPORATION

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

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

The following votes were recorded: Mrs. Fisher, Yea; Mr. Klepacz, Yea; Mrs. Hall, Yea; Mr. Scott, Yea; Ms. Duvall, Yea; Mr. Duke, Yea; Mayor Lehner, 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: 10689-22
BY: MS.DUVALL AND MR.DUKE

DECLARING THE NECESSITY OF REPAIRING SIDEWALKS, CURBS, AND DRIVE APPROACHES AS PART OF THE FORRER BOULEVARD IMPROVEMENTS-SMITHVILLE TO WOODMAN, CITY PROJECT NO. 02-140F

Ms. Duvall 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: Mrs. Fisher, Yea; Mr. Klepacz, Yea; Mrs. Hall, Yea; Mr. Scott, Yea; Ms. Duvall, Yea; Mr. Duke, Yea; Mayor Lehner, 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: 10690-22
BY: MR.DUKE AND MRS.FISHER

AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE BARGAINING AND NEGOTIATED QUOTES TO CONTRACT FOR THE DEVELOPMENT OF A STORM WATER MASTER PLAN, CITY PROJECT 03-000F

Mr. Duke 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: Mrs. Fisher, Yea; Mr. Klepacz, Yea; Mrs. Hall, Yea; Mr. Scott, Yea; Ms. Duvall, Yea; Mr. Duke, Yea; Mayor Lehner, 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: 10691-22
BY: MRS.FISHER AND MR.KLEPACZ

AUTHORIZING THE CITY MANAGER TO APPLY FOR A DC FAST CHARGING GRANT FROM THE OHIO EPA DIESEL MITIGATION TRUST FUND

Mrs. Fisher 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: Mrs. Fisher, Yea; Mr. Klepacz, Yea; Mrs. Hall, Yea; Mr. Scott, Yea; Ms. Duvall, Yea; Mr. Duke, Yea; Mayor Lehner, 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: 10692-22
BY: MR.KLEPACZ AND MRS.HALL

AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE BARGAINING AND NEGOTIATED QUOTES TO CONTRACT FOR PRINTING OF THE PARKS, RECREATION AND CULTURAL ARTS (PRCA) ACTIVITIES GUIDE

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

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

The following votes were recorded: Mrs. Fisher, Yea; Mr. Klepacz, Yea; Mrs. Hall, Yea; Mr. Scott, Yea; Ms. Duvall, Yea; Mr. Duke, Yea; Mayor Lehner, 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: 10693-22
BY: MRS.HALL AND MR.SCOTT

AUTHORIZING AN AMENDMENT TO THE AGREEMENT WITH THE BOARD OF COUNTY COMMISSIONERS OF MONTGOMERY COUNTY, OHIO FOR APPLICATION PROCESSING SERVICES UNDER THE U.S. TREASURY'S EMERGENCY RENTAL ASSISTANCE PROGRAM

Mrs. Hall 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: Mrs. Fisher, Yea; Mr. Klepacz, Yea; Mrs. Hall, Yea; Mr. Scott, Yea; Ms. Duvall, Yea; Mr. Duke, Yea; Mayor Lehner, 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: 10694-22
BY: MR.SCOTT AND MS.DUVALL

AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS AND TO CONTRACT FOR PHASE 2 OF THE RENOVATION OF THE ROSEWOOD ARTS CENTER

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

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

The following votes were recorded: Mrs. Fisher, Yea; Mr. Klepacz, Yea; Mrs. Hall, Yea; Mr. Scott, Yea; Ms. Duvall, Yea; Mr. Duke, Yea; Mayor Lehner, 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: 10695-22
BY: MS.DUVALL AND MR.DUKE

AUTHORIZING THE CITY MANAGER TO ACCEPT AND ADMINISTER GRANTS FROM THE KETTERING PARKS FOUNDATION FOR IMPROVEMENTS TO THE PICKLEBALL FACILITIES AT KENNEDY PARK AND THE CHARLES I. LATHREM CENTER

Ms. Duvall 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: Mrs. Fisher, Yea; Mr. Klepacz, Yea; Mrs. Hall, Yea; Mr. Scott, Yea; Ms. Duvall, Yea; Mr. Duke, Yea; Mayor Lehner, 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: 10696-22
BY: MR.DUKE AND MRS.FISHER

AUTHORIZING THE CITY MANAGER TO PURCHASE EQUIPMENT THROUGH SEALED BIDS, NEGOTIATED QUOTES, OR A COOPERATIVE PURCHASING PROGRAM

Mr. Duke 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: Mrs. Fisher, Yea; Mr. Klepacz, Yea; Mrs. Hall, Yea; Mr. Scott, Yea; Ms. Duvall, Yea; Mr. Duke, Yea; Mayor Lehner, 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: 10697-22
BY: MRS.FISHER AND MR.KLEPACZ

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, 2022

Mrs. Fisher 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: Mrs. Fisher, Yea; Mr. Klepacz, Yea; Mrs. Hall, Yea; Mr. Scott, Yea; Ms. Duvall, Yea; Mr. Duke, Yea; Mayor Lehner, 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 indoor pool at the Kettering Recreation Complex will be closed on Tuesdays and Wednesdays from 6:00 a.m. – 1:00 p.m. for the month of February.
- Beginning in January 2022, residents of Kettering will be able to select closed captioning for a video option when watching programs on channels 5 and 6.
- 2022 dog licenses are now on sale. Dog licenses can be purchased at the Kettering Police Department and the deadline to purchase a dog license is January 31.
- Income tax forms are now available on the city's website and can also be picked up in the lobby of the Tax Department. Deadline for filing is April 18, 2022.

OTHER BUSINESS NOT ON WRITTEN AGENDA

Audience Participation (5 Minute Limit per Speaker)

Charlene Bayless- 2422 Patterson Boulevard- She would like to thank previous members of City Council who have served the Kettering community; Mayor Patterson, First Lady Maureen Patterson, Amy Schrimpf, Rob Scott, Joe Wanamaker and Bill Lautar. She would also like to thank those members of City Council who are continuing to serve and lead the Kettering Community; Tony Klepacz and Bruce Duke who were recently joined by recent elected members Mayor Lehner, Jyl Hall-Smith, Bob Scott and Lisa Duvall. She wishes City Council all the best at serving the Kettering

community. Foundational in Kettering was the Van Buren Township and its grounding. The City of Kettering is well positioned and will continue to serve as a leader in the region, state and beyond. Through city leadership elected, administrative, public servants and volunteers all play a major role in keeping Kettering well positioned. After the estate tax was no longer in effect through a windfall of several million dollars, Kettering remained well positioned. Beyond the divided States of America and a judicial system at the state and national levels continue to create havoc for local jurisdiction's commissions, councils and board of education rooms throughout the country. The population at large has displayed divisiveness, disruption, discord and disunity. Never before happenings are now commonplace occurrences and truth is dispensable. Corporations are people, elections are not allowed to stand and election officials are asked to change results and are becoming threatened. Legislation at federal and state levels nationwide is introduced, amended, then amended again to be passed in the night. First amendment right to protest could result in a jail or a fine to individuals or organizations. Second amendment guns, General Eisenhower feared military industrial complexes in place. People are encouraged to tattle on a personal decision for a bounty and textbooks reflect slaves as day workers. The capital of the United States of America is under siege by those who should be serving its citizens. Driving the nation's wealth inequity and resulting evils is a technochasm between the haves and have-nots. Inequality is nature's law of exponential progress in this 21st century world of technology and invention. Even though the nation is coming apart at the seams, she would like to thank those who serve with dedication, excellence, honor and wisdom in Kettering's governance and administration.

Mayor Lehner thanked Mrs. Bayless for her comments this evening and expressed Mrs. Bayless lives by example. She and Mrs. Bayless have not always agreed in the past, but Mrs. Bayless and her husband have been shining examples of citizens who care about the community and engaged in thoughtful discussion. Mayor Lehner thanked Mrs. Bayless for everything she has done for the Kettering community over the years.

COUNCIL COMMITTEE REPORTS

Mrs. Fisher reported:

- Congratulations to Mr. Klepacz for all his work with Mayor Patterson's retirement.
- On January 25 she spoke to all the social studies classes at Fairmont about local government.

Mr. Klepacz reported:

- Wear your mask, social distance, get your shots and shop Kettering.

Mrs. Hall reported:

- She was excited to learn that the Kettering Parks, Recreation and Cultural Arts Department is a gold medal award winner for best recreation program in the country, and have nationally been accredited five times with three gold medals.
- The Kettering community has been awarded a bronze medal for being a bicycle friendly community.

Mr. Scott reported:

- Over the Martin Luther King Jr. weekend, he attended the Flyin' to the Hoop basketball tournament at the Trent Arena.

Ms. Duvall reported:

- Nothing to report.

Mr. Duke reported:

- 42 percent of residents in Montgomery County are not vaccinated. Please encourage people who are not vaccinated to get the vaccine.

Mayor Lehner reported:

- We are in a crisis and it is critical to do what you can to help beat this pandemic.

They're being no further business to come before this meeting of the Kettering City Council; Mayor Lehner adjourned the City Council Meeting at 8:07 p.m.

ATTEST:

PEGGY LEHNER, MAYOR

LaShaunah D. Kaczynski
Clerk of Council