

**KETTERING CITY COUNCIL
REGULAR MEETING MINUTES
August 9, 2022**

The Council of the City of Kettering, Ohio, met in regular session on Tuesday, August 9, 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 and Duke

Council Members Absent: Duvall (Excused)

Total Members Present: Six (6)

Mayor Lehner led the audience in the Pledge of Allegiance.

Mr. Scott gave the invocation.

Mayor Lehner introduced the Miami Valley Communications Council TV Operator Mike Sopronyi. She thanked him for his assistance.

APPROVAL OF MINUTES

July 26, 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 six (6) yea votes and no (0) nay votes for the July 26, 2022 Council Meeting & Workshop Minutes, the motion was declared carried followed by a roll call vote.

Mayor Lehner mentioned Ms. Duvall has an excused absence this evening.

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

Promotion Ceremony- Kettering Police Department

Chief Protsman made the presentation this evening. Chief Protsman mentioned it is his pleasure to introduce the newest Captain of the Kettering Police Department, Clint Price. Here with Captain Price this evening is his wife Tara, his daughter Gabby and his son Gavin. Gabrielle is a junior at Ohio State University and Gavin is a sophomore at Miami University and they both are in ROTC. Captain Price was raised in Warren, Ohio and after graduating high school he enlisted in the Marine Corps where he served five years. He has obtained his bachelor's degree in criminal justice from Bluefield College in Virginia. After being honorably discharged from the Marines, Captain Price was hired as a Patrol Officer for the Norfolk Police Department where he worked for five years. Captain Price made the decision to move closer to home and on April 26, 2004 he was hired by the Kettering Police Department. During the course of his career with the Kettering Police Department he held many assignments including:

- Patrol Officer
- Swat Team Member
- Swat Sniper
- Swat Team Commander
- K-9 Handler
- Field Training Officer
- Evidence Technician
- Firearms Instructor
- Internal Affairs Sergeant
- Vice Narcotics Supervisor
- Support Services Sergeant
- Patrol Commander
- Community Relations Lieutenant

Mayor Lehner expressed how does Captain Price have time to sleep.

Chief Protsman mentioned Captain Price doesn't sleep very often. Chief Protsman expressed that Captain Price has done a lot during his 18 year career with the Kettering Police Department. Captain Price has always been one of the go-to people when a project needed completed, when problems needed solved or when there was a difficult task at hand. Every time Captain Price was called upon he did an exceptional job. Captain Price is fully committed to the city and the Kettering Police Department and has always worked hard to address the top three priorities of the department; build strong relationships with the community, address drug issues affecting the community and address

traffic issues. Law enforcement is changing rapidly and is very challenging and strong leaders are needed in order to guide departments through those changes. Leaders are needed to educate citizens about why certain actions are taken; they are needed to stand up for officers when it is needed, and help those same officers understand why certain changes being made are so necessary. Captain Price is one of those leaders and the Kettering community is fortunate to have him during these uncertain and sometimes trying times. Chief Protsman expressed he has been very impressed with Captain Price over the past seven years and all that he has accomplished and he is very excited to see what the future holds for leaders like Captain Price stepping up to tackle a difficult challenge. Chief Protsman asked Gabrielle and Gavin to come to the podium to pin the badge on Captain Price.

Captain Price thanked Mayor Lehner and City Council for hosting him this evening at the Council meeting. Captain Price thanked the members of the Kettering Swat Team. Being promoted was a very difficult decision because he had to step away from their team. The Kettering Swat Team is the best in the state and he loves all members of the team. Captain Price mentioned that Gabrielle is an Airman First Class in the U.S. Military and Gavin is in ROTC and will be part of the United States Marines and he thanked both of them for their service. Captain Price thanked his wife Tara for her patience during his early morning Swat calls and also times when he would call home to say he would be home late. He also thanked all the guests who came to the City Council meeting this evening to be part of this ceremony.

Mayor Lehner expressed there are a lot of things that go on in the city and there are a lot of different departments and she can honestly say that the Kettering Police Department is the most beloved department in this city from talking to residents. Residents speak so highly of each and every officer and she is happy Captain Price has been promoted and she wishes the department all the best.

PUBLIC HEARINGS

PUBLIC COMMENT ON LEGISLATION

ORDINANCES IN SECOND READING

AN ORDINANCE
NO: 4386-22
BY: MRS.FISHER AND MR.KLEPACZ

TO REPEAL SUBSECTION 941.05(d) OF THE CODIFIED ORDINANCES REGULATING KNIVES IN PARKS

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

Mr. Hamer, Law Director gave a brief description of the ordinance.

Mr. Duke expressed that City Council went through this a few months ago regarding firearms and now knives have been included in this process. While he will support this, in his view this is another example of as a home rule city in the State of Ohio City Council in this instance doesn't have the ability to set guidelines that City Council believes benefit the Kettering residents. He does not agree that one size fits all when the state legislature passes these regulations and imposes them on jurisdictions. Every city in the State of Ohio is different and in rural communities perhaps this works just fine, but he doesn't want to endanger Kettering residents in any way. He will support this because he doesn't have a choice, but he is frankly opposed to this notion.

Mayor Lehner expressed Mr. Duke's remarks were well said.

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

RESOLUTIONS

A RESOLUTION
NO: 10776-22
BY: MR.KLEPACZ AND MRS.HALL

AUTHORIZING THE CITY MANAGER TO CONTRACT WITH PEPSICO BEVERAGE SALES, LLC FOR THE PURCHASE OF NON-ALCOHOLIC, PEPSI PRODUCTS FOR SALE AT THE FRAZE PAVILION FOR THE 2022 SEASON

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; Mr. Duke, Yea; Mayor Lehner, 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: 10777-22
BY: MRS.HALL AND MR.SCOTT

AUTHORIZING THE CITY MANAGER TO CONTRACT WITH AMERICAN ROCK SALT CO., LLC FOR THE PURCHASE OF APPROXIMATELY 5,500 TONS OF ROAD SALT FOR THE 2022/2023 WINTER SEASON

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; Mr. Duke, Yea; Mayor Lehner, 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: 10778-22
BY: MR.SCOTT AND MR.DUKE

RATIFYING A CONTRACT FOR TRAFFIC SIGNAL MAINTENANCE AND AUTHORIZING AN ADDITIONAL EXPENDITURE OF FUNDS

Mr. Scott 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; Mr. Duke, Yea; Mayor Lehner, 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: 10779-22
BY: MR.DUKE AND MRS.FISHER

AUTHORIZING THE CITY MANAGER TO APPLY FOR FUNDING FROM THE OHIO PUBLIC WORKS COMMISSION FOR THE EAST DAVID ROAD IMPROVEMENTS PROJECT AND THE GOLF CLUB ESTATES PROJECT

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; Mr. Duke, Yea; Mayor Lehner, 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: 10780-22
BY: MRS.FISHER AND MR.KLEPACZ

AUTHORIZING THE CITY MANAGER TO ACCEPT A GRANT FROM THE OHIO ARTS COUNCIL

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; Mr. Duke, Yea; Mayor Lehner, 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: 10781-22
BY: MR.KLEPACZ AND MRS.HALL

AUTHORIZING THE CITY MANAGER TO SUBMIT THE 2022 ANNUAL ACTION PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND EXECUTE THE REQUIRED CERTIFICATIONS TO ENABLE THE CITY TO RECEIVE COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS

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

Mr. Robillard, Planning & Development Director gave a brief description of the resolution.

The following votes were recorded: Mrs. Fisher, Yea; Mr. Klepacz, Yea; Mrs. Hall, Yea; Mr. Scott, Yea; Mr. Duke, Yea; Mayor Lehner, 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.

- Coming to the Frazee:
 - The Australian Pink Floyd Show- Thursday, September 1 at 7:30 p.m. Tickets can be purchased at the Frazee Pavilion Ticket Office, Frazee FanFare, www.frazee.com, www.etix.com or charge-by-phone at 1-800-514-3849.
- Shred Day will take place on Saturday, October 1 from 9:00 a.m.-Noon at Fairmont High School.
- The Community Block Party will take place on Tuesday, August 30 at 6:00 p.m. at the Frazee Pavilion.
- The Police Department provides vacation house checks. To sign-up for this service residents should visit www.ketteringoh.org.
- County Line Road Widening Project is near completion. Final paving is underway and scheduled to be completed by Labor Day.

Mr. Klepacz asked Mr. Schwieterman to update the community regarding cardboard recycling at the Shred Day event scheduled for October 1.

Mr. Schwieterman mentioned each year during Shred Day a lot of the shredding items come in cardboard boxes. If a resident doesn't want the cardboard back it is placed with the recycling items. The amount of cardboard can become too much for the dumpster. This year, Montgomery County Environmental Services will partner with the city on Shred Day and will provide a roll-off dumpster at Shred Day. As Shred Day items are collected, the cardboard boxes will be broken down then placed into the roll-off dumpster. The county will then recycle the cardboard boxes and will remove the roll-off dumpster. The city is excited to be partnering with the county for this cardboard service for residents at Shred Day.

OTHER BUSINESS NOT ON WRITTEN AGENDA

Audience Participation (5 Minute Limit per Speaker)

COUNCIL COMMITTEE REPORTS

Mrs. Fisher reported:

- All of the community hot dog roasts were well attended and was great for the community.

Mr. Klepacz reported:

- On July 29 he attended the ribbon cutting for Kettering Barber Company.
- National Night Out was well attended and a great event hosted by the Police Department.
- Congratulations to Captain Price on his promotion.
- Welcome back Mr. Duke.
- Shop Kettering.

Mrs. Hall reported:

- National Night Out was a great event and nice to see the relationship the Police Department has with the community.
- Kettering Schools return next week; looking forward to another great school year.
- At the community hot dog roast she was glad to see kids taking their social emotional learning tools from Kettering City Schools into the community.
- Amazon is moving into Montgomery County and will provide up to 1,500 jobs.

Mr. Scott reported:

- He attended the Optimist Kids Day in the Park at Delco Park this past Saturday.

- Welcome back Mr. Duke.

Ms. Duvall reported:

- Absent.

Mr. Duke reported:

- Congratulations to Captain Price on his promotion.
- Thank you to residents and colleagues for all the words of encouragement as he recovers.

Mayor Lehner reported:

- It is great to have Mr. Duke back.
- Optimist Kids Day in the Park was a delightful event.
- She attended the 70th anniversary celebration of Kay's School of Dance.
- The community hot dog roasts were wonderful for the community.
- On August 9 she attended a luncheon that was hosted by Ohio First Lady Fran DeWine and Dolly Parton for the Imagination Library of Ohio.

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:

LaShaunah D. Kaczynski
Clerk of Council

PEGGY LEHNER, MAYOR