

CITY OF KETTERING
CITY COUNCIL
WORKSHOP MINUTES
OCTOBER 25, 2022

The Council of the City of Kettering, Ohio, met in a workshop session on Tuesday, October 25, 2022, in the Deeds Conference Room, Kettering Government Center, 3600 Shroyer Road. The meeting came to order at 6:03 p.m.

Council Members present included Vice Mayor Fisher, Mr. Duke, Ms. Duvall, Mr. Klepacz, Mrs. Hall and Mr. Scott. Mayor Lehner had an excused absence.

Staff Members present included City Manager Mark Schwieterman, Assistant City Manager Steve Bergstresser, Law Director Ted Hamer, Planning and Development Director Tom Robillard, City Planner Ryan Homsy and Community Information Manager Mary Azbill.

Mr. Sterling Abernathy was also in attendance.

Mr. Schwieterman reviewed the agenda items for tonight's Council meeting.

Resolutions

- The owner of 1301 E. Stroop Road will demolish the building on the property and upon doing so will receive matching funds up to 50% of the demolition cost, not to exceed \$25,000.
- The fire department will apply for the FM Global Fire Prevention Grant. If awarded, grant funds will be used to purchase smoke detectors that will be made available to Kettering residents who are unable to purchase one themselves. Average grant awarded is \$2,500 with no matching funds.
- The police department will apply for the OVI Task Force Grant from the Ohio Department of Public Safety using the City of Dayton the lead agency on the project. This grant will reimburse the City for overtime expenses related to 2022– 2023 OVI enforcement.

Mr. Duke asked if demolishing a building requires the owner to landscape the site. Mr. Schwieterman explained that it will be required with the re-use decision.

Supplemental Appropriations

- Strategic Plan - A supplemental appropriation of \$130,600 is requested for services provided by planningNEXT.
- OVI Task Force Grant - \$15,000 is requested.

Proclamations and Presentations

- Proclamation for the arts and Arts Advisory Committee – This will include a presentation on Rosewood Arts Center renovation update.
- Sinclair Community College Update Presentation

Dates to Remember

- Veterans Day Ceremony – November 11 at 11:00 a.m. at Veterans Plaza.
- Volunteer Luncheon – November 17 at Presidential Banquet Center where a traditional turkey dinner will be served.
- Joint Meeting with the School Board – November 29 at 6:00 p.m., at Fire Headquarters in the Community Room. Mr. Schwieterman and Mr. Bergstresser met with the superintendent and decided 15 to 20 minutes from both sides would work well.
- Round Robin is back December 16 from 11:30 to 1:00 p.m. City departments bring food, and people walk from department to department to socialize.
- Andria Perkins, housing specialist from Planning and Development, resigned for a promotion to the City of Lima. Amy Hayslip will replace her November 7.

Ms. Duvall asked if Amy will replace Andria on the Board of Community Relations. Mr. Schwieterman stated he will get a decision on that question from the new city manager.

Fiber to the Home Project – Mr. Schwieterman stated there are a number of vendors around town. One particular company is working through MVCC to be in Kettering and Centerville this year, and eventually all member cities. He asked Council members not to commit to answering inquiries regarding this and advise him or Mr. Bergstresser as they receive them.

Cox Building – Kettering Health will demolish the medical office building at the far northern edge of Kettering Medical Center (Heart Institute).

Mr. Klepacz asked if the City knows anything else about the project. Mr. Schwieterman stated demolitions are typically replaced by something else.

Short-Term Rentals – City Planner Ryan Homs presented short-term rental information to Council members to determine the level of involvement the City should have in regulating these properties. Short-term rentals are defined as rented for less than one month. A month to month or year is a standard rental. Airbnb or Vrbo are short-term rental providers. Pending State House Bill 563 would limit local regulations of short-term rentals, however, it is unknown whether the bill will be approved.

The current interpretation of the City ordinance is that short-term rentals fall under the definition of motels, and are not permitted in residentially-zoned areas. Hotels and motels are operated for transient uses and are not permitted in residentially-zoned areas.

Mr. Duke asked if hotels renting for longer than a week are considered short-term rentals. Mr. Homs stated that the rental period must be 28 days to be considered long term, and hotels and motels are considered short term.

Mr. Scott asked if Airbnb properties can be in a residential neighborhood. Mr. Homs stated if it is a month-to-month rental, it could be (i.e., for traveling nurses, contractors, etc.). Weekends and one-day rentals are considered short term.

Mr. Scott asked how many short-term rentals Kettering currently has. Mr. Homs stated approximately ten short term rentals.

Mr. Klepacz asked if citations were being given. Mr. Homs stated they are not being cited for now. Mr. Homs explained four options: 1). Do nothing or keep existing clause in place to forbid and update code to include transient and short-term criteria; 2). Modify regulations to permit short-term rentals; 3). Allow operation with strict language; and 4). Allow limited operations using licensure requirement; permit short term rentals; or Moratorium.

Mr. Homs said bed and breakfast situations are permitted.

Mr. Schwieterman asked for feedback from Council members. Mr. Duke stated he approves of short term rentals and asked what types of problems the City has had. Mr. Homs stated that there are minimal problems, just complaints about strange vehicles each weekend. Ms. Hall thinks they should be legal. Ms. Duvall recommended capping the number of short-term rentals.

Vice Mayor Fisher asked how many citations have been issued relative to short term rentals. Mr. Homs stated there have been three since he has worked for the City.

Mr. Klepacz and Ms. Hall asked about taxes. Mr. Homs stated that lodging tax and income tax may apply.

Vice Mayor Fisher summed up Council members' ideas by stating the City needs to change the current code and treat short-term rentals like any other homeowner. Mr. Schwieterman stated that short-term rentals and Airbnb properties should be kept separate in conversations as they are two separate things. He stated that staff could develop regulations and revisit with Council.

Mr. Scott asked if tracking data could help law enforcement. Mr. Schwieterman stated it could.

City staff will draft revisions to the current code to allow short term rentals with permitting regulations. This topic will be presented to Council again at a later date once the code revisions have been drafted.

Sustainability Committee – Mr. Bergstresser stated the committee has had two meetings and is looking to become more formal than the Bike Committee. The Sustainability Committee will be a recommending body for City Council that falls under public records laws with meeting minutes, agendas and public notice. The Sustainability Committee would mimic the Board of Community Relations with an ordinance, definitions for how the board was created, who served on it, terms, chair, vice chair and charters. If Council approves, the Law Department will craft an ordinance for adoption in December and officially appoint members the first meeting of January.

Mr. Duke stated there are 12 members ranging from environmental engineers, people with sustainability experience and interested residents. Dawn Kirchner is being certified in sustainability at the University of Dayton. Once a resolution is approved, the committee can begin to tackle things. Members committed to a two-year term.

Mr. Klepacz asked if Council would have a liaison. Mr. Duke stated he serves as Council liaison, Ms. Kirchner is staff liaison and Mr. Bergstresser is ex officio. Mr. Bergstresser stated the committee is not going to be a decision-making board like the Board of Zoning Appeals or Planning Commission, and is a step down from those boards by being a recommending body.

At 6:54 p.m., Mr. Duke made a motion to enter Executive Session under Section 121.06 (k) of the Codified Ordinances for purposes of Property Matters, seconded by Mr. Scott. The motion passed unanimously upon roll call.

At 7:27 p.m., the Council exited Executive Session and went back on public record.

The City Council Workshop Meeting adjourned at 7:30 p.m.

ATTEST:

JACQUE FISHER
VICE MAYOR

LASHAUNAH D. KACYNSKI
Clerk of Council