

**KETTERING CITY COUNCIL
REGULAR MEETING MINUTES
December 6, 2022**

The Council of the City of Kettering, Ohio, met in regular session on Tuesday, December 6, 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, Hall, Scott, Duvall and Duke

Council Members Absent: Klepacz (Excused)

Total Members Present: Six (6)

Mayor Lehner led the audience in the Pledge of Allegiance and gave the invocation.

Mayor Lehner introduced the Miami Valley Communications Council TV Operator Liberty Lord. She thanked her for her assistance.

Mayor Lehner mentioned Mr. Klepacz has an excused absence this evening.

APPROVAL OF MINUTES

November 22, 2022- Council Meeting & Workshop Minutes

November 29, 2022- Joint School Board Meeting Minutes

Mrs. Fisher reported that she reviewed the above minutes and moved the minutes be approved. Mrs. Hall seconded the motion of the above minutes and there being six (6) yea votes and no (0) nay votes for the November 22, 2022 Council Meeting & Workshop Minutes and the November 29, 2022 Joint School Board Meeting Minutes, the motion was declared carried followed by a roll call vote.

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

Certificate of Recognition- Alter Boys Golf Team- 2022 Division II State Champions

Mayor Lehner read the above certificate and the certificate was accepted by the Alter Boys Varsity Golf Team. Mayor Lehner also presented the team with a street sign that will be displayed at Kettering jurisdiction lines throughout the city. The Alter Boys Varsity Golf Team then introduced members who were present:

- Alex Schuster (Head Coach)
- Davis Gochenouer
- Grady Tabar
- Grant Tabar
- T.J. Kreuzsch
- Finn Grawe

Mayor Lehner congratulated the golf team on their accomplishment.

Introduction Ceremony- Kettering Fire Department

Chief Robbins, Fire Chief gave the presentation this evening. Chief Robbins mentioned the five newest members of the Kettering Fire Department will be sworn-in this evening. Chief Robbins mentioned first he will give some background information for all of the new members.

Trenton Phipps was born and raised in Dayton, Ohio and he is a 2004 graduate of Vandalia-Butler High School. Trenton is a second generation firefighter and he has been in fire service for ten years; nine of which were served with the Dayton Fire Department. While serving at the Dayton Fire Department, Trenton received multiple awards including Distinguished Service Award, Firefighter of the Year from the Montgomery County Fire Chiefs Association, Certificates of Accommodation and multiple Customer Service Awards. Mr. Phipps currently holds an associate's degree in Fire EMS from Sinclair and is currently pursuing further education. He has been married for 13 years to his wife Tasha and they have three boys 13, 11 and 8. Mr. Phipps enjoys playing sports with his kids, working on cars, traveling and camping.

Craig Schultze grew up in Russia, Ohio and now lives in the Dayton area. He is engaged to Destiny and is set to get married next year. He has four kids together 7, 6, 5 and 5 months old. During his free time Craig enjoys spending time with his family and doing anything outdoors such as hunting, fishing and camping. He joined the fire service in 2009 and worked for Washington Township Fire Department, Clear Creek Township Fire Department and West Carrollton Fire Department where he also served as a volunteer firefighter until spring of 2013 when he became a full-time member of the Dayton Fire Department. He received his paramedic certification in 2019.

Chad Beekman was born and raised in Kettering, Ohio and is the son of Kenny and Dana Beekman. He is a 2010 Kettering Fairmont graduate and started his fire service in 2012 where he was a part-time firefighter with the Kettering Fire Department and Sugarcreek Township. He left Kettering to become a full-time member at Liberty Township Fire Department in March 2020. While at Liberty Township Fire Department he obtained his paramedic certification. Mr. Beekman is very thankful to be back in the City of Kettering as a career member. Mr. Beekman is continuing his education at Sinclair Community College and in his free time he enjoys going to the lake, boating, doing home projects, landscape work and playing sports. He also enjoys spending time with his family, friends, his girlfriend Camille and their two dogs and a pot belly pig.

Collin Mellendorf is married to his wife Kelsey and has two sons 3 years old and 3 months old. He has been in fire service for ten years and the previous seven as a career firefighter for Deerfield Township in Loveland, Ohio. He became interested in becoming a firefighter while seeing his uncle Kirk Mellendorf serve as a Kettering Firefighter. It has always been Mr. Mellendorf's dream to come back and work for the Kettering Fire Department and he is proud to work alongside his brother Austin Mellendorf.

Nathaniel Silver has been in public service since 2010 and he started at Moorefield Township as a dispatcher and spent eight years at Springfield City Fire Department serving on various engine ladder rescue companies. He has served with many great people over the years and has gained experience and knowledge. He is accompanied by his wife Maria and his two sons Isaiah and Daniel. He enjoys his time cultivating the passions of his children through critical thinking, physical fitness and music. Mr. Silver is humbled to join the culture at the Kettering Fire Department and finish his career serving his fellow co-workers and the citizens of Kettering.

Mayor Lehner began to swear-in the above firefighters.

Chief Robbins then called family members present this evening down to the podium for the badge pinning.

PUBLIC HEARINGS

PUBLIC COMMENT ON LEGISLATION

Joe Overholser- 2924- Acorn Drive- Mr. Overholser mentioned he would like to discuss the curb, sidewalk and drive approach repair program. He wasn't aware of this project until recently until his tenant told him she received a letter in the mail about the repairs that were going to be taking place next year.

Mayor Lehner asked Mr. Overholser to hold his comments until later on in the meeting.

ORDINANCES IN SECOND READING

AN ORDINANCE
NO: 4387-22
BY: MRS.FISHER AND MRS.HALL

TO ENACT CHAPTER 949 OF THE CODIFIED ORDINANCES REGARDING PUBLIC TREE PRESERVATION

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

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

The following votes were recorded: Mrs. Fisher, Yea; Mrs. Hall, Yea; Mr. Scott, Yea; Ms. Duvall, 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: 10817-22
BY: MRS.HALL AND MR.SCOTT

AUTHORIZING THE CITY MANAGER TO CONTRACT FOR EMERGENCY HOME REPAIR SERVICES WITH MIAMI VALLEY COMMUNITY ACTION PARTNERSHIP

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

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

Mrs. Hall asked if this amount of funding stays the same from year-to-year?

Mr. Robillard informed City Council funding typically remains the same for funds used and if more funding is needed the Planning & Development Department can reprogram more funding.

Mrs. Hall asked how are residents notified that emergency home repair funds are available?

Mr. Robillard informed City Council that he will come back to City Council with more information regarding this question.

The following votes were recorded: Mrs. Fisher, Yea; Mrs. Hall, Yea; Mr. Scott, Yea; Ms. Duvall, 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: 10818-22
BY: MR.SCOTT AND MS.DUVALL

AUTHORIZING THE CITY MANAGER TO CONTRACT WITH SOUTH COMMUNITY INC. FOR CRISIS INTERVENTION PROGRAM SUPPORT SERVICES

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

Chief Protsman, Police Chief gave a brief description of the resolution.

The following votes were recorded: Mrs. Fisher, Yea; Mrs. Hall, Yea; Mr. Scott, Yea; Ms. Duvall, 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: 10819-22
BY: MS.DUVALL AND MR.DUKE

AUTHORIZING THE CITY MANAGER TO ENTER INTO A FIVE-YEAR TAX SHARING AGREEMENT WITH THE KETTERING CITY SCHOOL DISTRICT

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; Mrs. Hall, Yea; Mr. Scott, Yea; Ms. Duvall, 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: 10820-22
BY: MR.DUKE AND MRS.FISHER

DIRECTING THE FINANCE DIRECTOR TO COMMIT AN ADDITIONAL \$500,000.00 OF THE GENERAL FUND BALANCE TO BE EXPENDED FOR ECONOMIC DEVELOPMENT PURPOSES EFFECTIVE JANUARY 1, 2023

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; Mrs. Hall, Yea; Mr. Scott, Yea; Ms. Duvall, 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

AN ORDINANCE
BY: MRS.FISHER

TO PROVIDE FOR THE TABLE OF ORGANIZATION, POSITION CLASSIFICATION PLAN, COMPENSATION PLAN AND PAY SCHEDULES AND RULES AND REGULATIONS PERTAINING TO CONDITIONS OF WORK AND SUPPLEMENTAL BENEFITS FOR THE EMPLOYEES OF THE CITY OF KETTERING, OHIO, AND TO REPEAL ORDINANCE NO 4372-21

Mrs. Fisher read the above ordinance.

Mr. Schwieterman, 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 is available through December 7. Residents can schedule individual appointment by calling the Kettering Connection at 937-296-3330.
- Leaf crews have begun their final pass throughout the city and are currently working in District 1. Residents should have their leaves ready for pickup.
- Residents are able to submit their homes or businesses as part of the Holiday Tour of Lights until December 19.
- City Council meetings for the month of December will be held on:
 - Tuesday, December 13- Workshop at 6:00 p.m.
 - Tuesday, December 13- City Council Meeting at 7:30 p.m.
- Christmas Day at Polen Farm will take place on Sunday, December 25 from 1:00-4:00 p.m.

OTHER BUSINESS NOT ON WRITTEN AGENDA

Audience Participation (5 Minute Limit per Speaker)

Joe Overholser- 2924 Acorn Drive- Mr. Overholser mentioned his rental property was recently notified about a curb, sidewalk and drive approach repair program. He was previously unaware of this program and he has lived in Kettering for 18 years. He lived at his rental property for 16 years. His tenant notified him that she received a letter regarding sidewalk repair. Mr. Overholser found out from a neighbor across the street they were getting an estimated bill for \$5,000 for the repair next year for the curb. Mr. Overholser contacted the Engineering Department and discovered that his estimated bill for his property will be around \$2,500. His concern is this project may be an undue burden to other homeowners in the neighborhood and with the current state of the economy a lot of people are experiencing financial troubles. There are high inflation levels and interest rates have been raised in loans which will cause the economy to hurt. This project may hurt his tenant because he may have to raise the rent. This could also impact other homeowners and tenants in the neighborhood because there are a lot of rental properties in this particular neighborhood. He wanted to address this concern this evening and he has some potential solutions he learned this evening at the workshop meeting. There is about 1 million dollars in ARPA funds that are not being used and can be used for anything for the public good. City Council should consider using some of those funds to offset those cost. Another solution would be to delay the repairs or do fewer repairs. The idea of the program is centered on safety and beautification of a neighborhood which he appreciates those efforts especially the safety aspect, and if there is anything unsafe it should be fixed. If this project is a homeowner responsibility it can be discussed but as a homeowner there isn't a lot of choice over the situation. The beautification aspect of this project is subjective and he doesn't feel that his property is unsafe under one section of the sidewalk that's a little uneven and it was like that 18 years ago when he purchased the home. Mr. Overholser has raised four kids at this property and there are a lot of kids in the neighborhood and he doesn't recall anyone ever getting injured. He appreciates being able to speak this evening regarding his concerns and the financial burden this may cause some residents of the neighborhood.

Mayor Lehner thanked Mr. Overholser for bringing this matter to her attention this evening and she is aware of this concern.

Mr. Schwieterman mentioned that Mr. Overholser's rental property is an assessment area for the upcoming concrete repair project. He and Mr. Bergstresser visited this neighborhood last week in anticipation of the upcoming project. This program is moving forward and is expected to begin in 2023 as budgeted in the Capital Improvement Program. Following the guidelines that were shared with City Council, residents in the project area were notified ahead of time in order to give them some options.

The Engineering Department will mark areas that will need to be replaced and then assessments letters are sent out. These letters are estimates and this gives the homeowner time to hire their own contractor if they so wish. If they do not choose to do that, the city contractor will complete the work and after the project is done a final assessment will be sent. This number could be lower or higher than the estimate depending on work that was done in the field. That number will not be available until 2024. At that time, a decision is made by the resident on how they would like to pay. The resident can pay by cash to the Finance Department or they can have the assessment added to their property tax bill which the resident will have up to ten years to pay off the balance. This is the typical assessment program and it has been many years since concrete repair work has been done in this particular neighborhood. This program is budgeted and will be moving forward with the program and this is the start of the program with the estimated assessments letters.

COUNCIL COMMITTEE REPORTS

Mrs. Fisher reported:

- 580 children will receive Christmas gifts as part of the city's Giving Tree program.
- This weekend the Neighbor to Neighbor Food Pantry is serving 150 families with Christmas baskets and 220 children will receive gifts.

Mr. Klepacz reported:

- Absent.

Mrs. Hall reported:

- The Mayor's Tree Lighting was a great community event.
- On November 29 she attended the Joint School Board meeting and the school district will be increasing school safety.
- Leaf collection is coming to a close for the season and this is a great program for residents.

Mr. Scott reported:

- Congratulations to the new firefighters who were sworn-in this evening.
- December 7 is Pearl Harbor Remembrance Day.

Ms. Duvall reported:

- She welcomed a Kettering Leadership Academy student who was in the audience.
- The Board of Community Relations is bringing the Undesign Redline exhibit to Fairmont High School over Martin Luther King Jr. weekend.

Mr. Duke reported:

- He attended the City BBQ ribbon cutting.
- He attended the Flying Ace Carwash ribbon cutting.

Mayor Lehner reported:

- She attended the Flying Ace Carwash ribbon cutting.
- She is excited City BBQ has a location in Kettering.
- The Mayor's Tree lighting was a great evening at Lincoln Park Civic Commons.
- On December 7 Community Tissue Services will be celebrating their 1 millionth skin grafts.

There being no further business to come before this meeting of the Kettering City Council; Mayor Lehner adjourned the City Council Meeting at 8:18 p.m.

ATTEST:

LaShaunah D. Kaczynski
Clerk of Council

PEGGY LEHNER, MAYOR