

**KETTERING CITY COUNCIL  
REGULAR MEETING MINUTES  
March 14, 2023**

The Council of the City of Kettering, Ohio, met in regular session on Tuesday, March 14, 2023, 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 Duvall

Council Members Absent: Duke (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 Mike Sopronyi. She thanked him for his assistance.

Mayor Lehner mentioned Mr. Duke has an excused absence.

**APPROVAL OF MINUTES**

February 28, 2023- 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 February 28, 2023 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**

**Special Presentation- MLK Writing Contest Winners**

Gwen Owen, Chairperson of the Board of Community Relations made the presentation this evening. Ms. Owen mentioned she is here this evening on behalf of the Kettering Board of Community Relations to honor the winners of the Martin Luther King Jr. Writing Contest. The Board of Community Relations sponsors this contest each year to encourage students to think about the values and legacy of Dr. King. The contest is open to all students in Kettering middle and high schools. This year's prompt invited students to write a persuasive speech of 500 words or less with the goal of motivating fellow students or people in general to work together toward greater racial justice and understanding. This evening, the middle and high school winners are in the audience and will read their essays. This year, there were also three honorable mentions Violet Hamilton, Jacob Himes and Sabrina Huynh. Ms. Owen introduced Violet Wright, who is a student at Van Buren Middle School to read her award winning essay.

Violet Wright- Miss. Wright mentioned her contest entry is titled Make A Change. "Collaborate... the Latin verb col- means together. Labor is the meaning of this word's core. Together... work... together we work. We work together for more improvement in justice, happiness, and equality. Today in terms of racial equality, we have gone far from how things used to be. We have come to this point, but as I said... There is always room for more improvement.

If you look around, you can see that everyone has things in common that make them human. Everyone has a heart, brain, blood, nose, and skin. If you were to take one of these factors that make someone human, eye color for instance, and discriminate unfairly because they don't have...say, gray eyes; it would be absurd. It seems ridiculous, but this is the exact thing that happens with skin color. The color of your eyes, skin, and hair aren't something that's controlled. People flat out disrespect others because of something that is obviously out of their hands.

Picture this: A car is going 35 mph on a 35 mph speed limit road. Ear piercing sirens from a police vehicle trail behind the car. Both vehicles stop and you see a police officer go towards the car. Inside is a family that is black. This family was just driving down the road, going the speed limit, and following laws. Despite this, they still were pulled over. I've seen this happen too much. Even if I had seen it once it would've been too much. Things like this really make me angry, but it won't help anything getting upset. It won't help anything unless something is done. Something needs to be done. "Ben and Jerry's Racial Justice" really helped me realize that the solution is working together. If you see something, do something. When it's recited it gives me hope, "We invite you to join us on a journey to better understand issues of race in our country, to acknowledge the existence of systemic racism and the implicit biases that all of us carry, and to ultimately commit to what Rev. Barber called on all of us to do: join hands, and move forward together." I dream that this gives you hope as well.

Teamwork makes the dream work. This cliché saying is actually something that people can aspire to. If we're all on the same page, we can learn to accept each other and change. Life would be boring if everyone looked the same. Exact replicas would make it dull. Everyone is different in personalities and interests, but the same in value".

Mayor Lehner took a moment to recognize Miss Wright's mother and teacher who were in the audience.

Ms. Owen introduced Leah White, who is a student at Fairmont High School to read her award winning essay.

Ms. Duvall expressed that Miss White is the first two-time winner. Miss White won last year for the high school level.

Miss White mentioned the title of her essay is For Black Women. "This is a story about a Black woman named Regina Smith. Ms. Smith was born on July 14th, 1976. She is a single mother of three and has excelled in every project that she takes on. She is fierce, outgoing, independent, and most importantly, my loving mother.

Growing up I know it was hard for my mom to provide for myself, two siblings and also herself. Sometimes having to work two or three jobs just to pay for the bills and give us food to eat; I didn't know this growing up because she was so persistent in making a better life for her children than what she may have had. She always had a poker face and had to keep this confident composure, even if it was so exhausting to have to work her life away. But she did it anyway. You won't hear about her successes and her struggles and think: this lady is a superwoman. You won't hear about on top of all the jobs she was working, she also went back to college and got her degree. You won't hear any of this being in the spotlight because at the end of the day, she is a Black mother, and this is what is expected of Black women in American society.

"The most disrespected person in America is the Black woman. The most unprotected person in America is the Black woman. The most neglected person in America is the Black woman." - Malcolm X. Black women have been at the head of the civil rights movement since before the movement even began. Black women are constantly fighting for equality, justice, and respect. There is no winning in this society for the Black woman because if she speaks up she is "angry." If she speaks up she is "aggressive." If she speaks up no one will care to listen. The Black woman is supposed to provide, she is supposed to work until she has no more energy left, and even then she will still not amount to the rest of society. She will still be at the bottom and continue to be disrespected.

"Injustice anywhere is a threat to justice everywhere." - Dr. Martin Luther King Jr. We need to do better as a community. We need to come together and protect our Black woman, because at the end of the day they will always give their last for anyone. MLK spoke about injustices back in the 1950's, and we are still having the same conversation today, with little to no progress. We may be integrated in school systems, we may be using the same bathrooms, but we are more divided than ever. Ms. Smith should not feel as though the weight of the world is constantly on her shoulders; along with numerous other Black women & Black mothers that may have a similar story. We as a nation, have to support the women that do the most for us, for a better future".

Mayor Lehner recognized Miss White's mother who was in the audience. Mayor Lehner also expressed that Miss White is the President of the Black Student Union, and is a cosmetology student in the CTC program. Miss White will be attending HBCU college in the fall. Mayor Lehner wished Miss White best of luck in college.

#### Special Presentation- Kettering Police Department Swearing-In Ceremony

Chief Protsman, Police Chief made the presentation this evening. Chief Protsman expressed this evening he would like to introduce the five newest police officers of the Kettering Police Department and they will be sworn-in and he will also be introducing the two newest dispatcher supervisors. Chief Protsman will call the new officers to the podium and he will do a brief introduction.

Justin Blackwell is here this evening with his wife Hillary, daughters Eden and Hazel, mother-in-law Jennifer, brother-in-law and sister-in-law Tabat and Leanna, and his nieces May and Riley. Justin comes to the Kettering Police Department after serving three years with the Dayton Police Department. He holds an associate's arts degree from Sinclair Community College.

Jeremy Branham is here this evening with his wife Abby, his son and daughter-in-law Dylan and Megan, his son Caden, his mother Nancy, his mother-in-law Jenny and father-in-law Vince. Jeremy served one year with the Clear Creek Township Police Department and 13 years with the West Carrollton Police Department prior to joining the Kettering Police Department. Jeremy obtained the rank of Sergeant while serving with the West Carrollton Police Department.

Craig Sanders is here this evening with his wife Katie and step-son Crew. Craig comes to the Kettering Police Department after serving seven years with the Miami Township Police Department. He holds a bachelor degree of science and criminal justice from Eastern Kentucky University.

Council Minutes March 14, 2023 Page 3

Peter Nicoll is here this evening with his mother Karen, brothers Greg, John and Andrew and his sister Katie. Peter joined the Kettering Police Department after three years with the Dayton Police Department. He holds a bachelor of science degree in criminal justice from the University of Cincinnati and is a graduate of Kettering Fairmont High School. Peter also served in the United States Air Force Reserve.

Mason Bagwell is here this evening with his son Liam, his girlfriend Lindsay and her children Anthony, Chloe and Kennedy, his father Bill, his mother and step-father Susan and Ray, his brother and sister-in-law Grady and Jenny, sister and brother-in-law Nicola and Khalib, and his girlfriend's parents Gary and Patti. Mason is originally from Ohio and after high school he joined the Army Reserves where he served for four years and he also served as a volunteer firefighter with the City of Kettering. Mason joined the United States Marine Corps and served for eight years. Following his military service, Mason joined the Jacksonville Sheriff's Office in Jacksonville, Florida and served for six years before joining the Kettering Police Department.

Chief Protsman administered the new police officers Oath of Office and presented the officers with a badge.

Mayor Lehner congratulated the newest members of the Kettering Police Department and expressed the Kettering Police Department is "Ohio's Finest".

Chief Protsman expressed he would now like to introduce the newest dispatch supervisors for the Dispatch Center. Last year, City Council approved the creation of the two new positions and those positions are now filled.

Cindy McKenzie is here this evening with her husband Justin and her sons Bryson and Xander. Cindy has been a public safety dispatcher for the City of Kettering for 18 years. During her tenure she has graduated at the top of her class from Millersville University with a master's degree in emergency management. She also obtained her registered Public Safety Leadership certification and is a certified dispatch trainer as well as an emergency medical dispatcher. Cindy serves as a system administrator who assisted with the implementation of the computer system upgrade. Chief Protsman expressed he is very thankful for Mrs. McKenzie's work.

Rachel Myers is this evening with her husband Rodney, mother Leanne, father Ron, children and grandchildren. Rachel comes from a public safety family. Her mother retired from the West Carrollton Police Department with over 20 years of service and her husband Rodney retired this past June from the Fairborn Police Department. Rachel has worked as a public safety dispatcher for the Fairborn Police Department for the last 28 years. During her years of service, she has assisted with the implementation of a new CAD system, trained new dispatchers and jailers and assisted with the implementation process for e-warrants in Greene County. Rachel and Rodney have seven children Joshua, Carissa, Zachary, Thomas, McKenna, Catherine, and Xander. They also have two sons-in-laws Ernie and Andy along with two grandchildren Wade and Josie. In her spare time, Rachel enjoys traveling and spending time with her family.

Chief Protsman expressed the tradition to being promoted to supervisors comes with the opportunity to do public speaking.

Cindy McKenzie expressed she would like to thank her husband and sons for their support. They have always understood the odd hours of a telecommunicator and how she has to selflessly share her time with the Police Department. Thank you to City Council and Chief Protsman for creating this position within the Kettering Police Department. She is looking forward to continuing the outstanding professionalism the dispatch center provides to the Kettering Police Department and the Kettering Fire Department and surrounding entities. Kettering Police Dispatch consists of a caring and impressive team of telecommunicators and she is delighted to serve alongside them. She has grown-up at KPD and she is honored that she and Rachel have been given an opportunity to collaborate with the department in their future growth. She thanked City Council for the chance to implement the overall goal of the Kettering Police Department as Ohio's Finest.

Rachel Myers expressed she would like to thank her family and her 90 year old grandmother who is in the audience this evening. She would also like to thank the City of Kettering and Chief Protsman for the opportunity of hiring her and Cindy as the dispatch supervisors. Mrs. Myers expressed she and Cindy work well together and they are looking forward to working with the other dispatchers to continue to provide the residents of Kettering with excellent service.

Mayor Lehner expressed she is proud of Mrs. McKenzie and Mrs. Myers and their promotions are well deserved.

PUBLIC HEARINGS

PUBLIC COMMENT ON LEGISLATION

ORDINANCES IN SECOND READING

A RESOLUTION  
NO: 10871-23  
BY: MRS.FISHER AND MR.KLEPACZ

AUTHORIZING THE CITY MANAGER TO PURCHASE TELEVISION, RADIO, NEWSPAPER, BILLBOARD AND INTERNET ADVERTISING FOR THE 2023 FRAZE PAVILION PERFORMANCE SEASON FROM VARIOUS SOURCES

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

Mr. Greeson, 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; 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: 10872-23  
BY: MR.KLEPACZ AND MRS.HALL

AUTHORIZING THE CITY MANAGER TO USE SEALED BIDS, COMPETITIVE BARGAINING AND NEGOTIATED QUOTES, COOPERATIVE PURCHASING PROGRAMS, OR SOLE SOURCE SUPPLIERS TO CONTRACT FOR THE CONSTRUCTION OF GENTILE PARK

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

Mr. Greeson, 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; 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: 10873-23  
BY: MRS.HALL AND MR.SCOTT

DIRECTING THE CITY ENGINEER TO PREPARE AND FILE RENEWED, RECALCULATED, AMENDED, AND/OR CONSOLIDATED ASSESSMENTS FOR STREET LIGHTING

Mrs. Hall read the above resolution and moved for approval. Mr. Scott 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; 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: 10874-23  
BY: MR.SCOTT AND MS.DUVALL

AUTHORIZING THE CITY MANAGER TO ACCEPT A DONATION FOR THE PURCHASE OF A DUAL PURPOSE POLICE CANINE AND ASSOCIATED EQUIPMENT

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; Mr. Klepacz, Yea; Mrs. Hall, Yea; Mr. Scott, Yea; Ms. Duvall, 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: 10875-23  
BY: MS.DUVALL AND MRS.FISHER

AUTHORIZING AN ADDITIONAL EXPENDITURE OF FUNDS FOR ENGINEERING SERVICES WITH HEAPY ENGINEERING, INC.

Ms. Duvall 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; 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: 10876-23  
BY: MRS.FISHER AND MR.KLEPACZ

AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE BARGAINING AND NEGOTIATED QUOTES TO CONTRACT FOR AUDIO VISUAL UPGRADES AT KETTERING RECREATION COMPLEX

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

Mr. Greeson, 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; 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: 10877-23  
BY: MR.KLEPACZ AND MRS.HALL

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

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

Mr. Greeson, 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; 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: 10878-23  
BY: MRS.HALL AND MR.SCOTT

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, 2023

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

Mr. Greeson, 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; 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: MR. SCOTT

TO LEVY SPECIAL ASSESSMENTS FOR THE CONSTRUCTION AND REPAIR OF CURBS, SIDEWALKS, DRIVE APPROACHES, AND RELATED APPURTENANCES FOR THE SMITHVILLE ROAD RESURFACING- WILMINGTON PIKE TO NORTH CORP PROJECT (CITY PROJECT NUMBER 02-134F)

Mr. Scott read the above ordinance.

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

CERTIFICATIONS AND PETITIONS

Certification- Planning Commission is recommending approval of P.C. 23-001- Zoning Text Amendment. A public hearing regarding this request will be held on Tuesday, March 28, 2023 at the Kettering City Council meeting.

MANAGER'S REPORT/COMMUNITY UPDATE

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

- Coming to the Frazee:
  - I Love the 90s Tour- Saturday, June 10 at 8:00 p.m.
  - The Menus- Friday, June 23 at 8:00 p.m.
  - Richard Marx- Saturday, June 24 at 8:00 p.m.

Tickets can be purchased at Frazee FanFare at Town & Country Shopping Center, [www.fraze.com](http://www.fraze.com), [www.etix.com](http://www.etix.com) or by phone at 1-800-514-3849.

- Beginning March 20 traffic will be impacted on East Dorothy Lane for the installation of water services on the new water main and roadway restoration.
- Various companies are currently installing communications infrastructure throughout the Kettering community. This will provide options for ultra-fast internet.
- The deadline to submit 2022 income tax returns are April 18, 2023.

OTHER BUSINESS NOT ON WRITTEN AGENDA

Audience Participation (5 Minute Limit per Speaker)

**Jennifer Corcoran- 4513 Nowak Avenue, Huber Heights-** Ms. Corcoran expressed she is here this evening with her son Matthew Helton representing Changing Spaces which is a national campaign and they are here to bring awareness and advocate for adult height adjustable changing tables. Ms. Corcoran expressed when she and her son goes to a public restroom, there isn't adult changing tables. As she is running her daily errands it is hard to go bowling or go to Kroger when you know there isn't a place to go to use the restroom at these facilities. This is an issue and this is something that she doesn't expect people to know about unless she brings awareness about adult height adjustable changing tables. She has been advocating for this since 2014 and she has worked through legislation and had three bills within the Senate and one within the House as late as 2020. In 2020, the International Code Council has begun working with her and she has been able to assist with writing building codes and specs so that adult height adjustable changing tables will be included in the international building code in 2024. This doesn't mean that they have reached the path yet because the State of Ohio has to adopt the building code and she is in the process of doing that. The Governor has placed these universal tables in the proposed budget. They are called universal tables because they can assist babies up to adults. Ms. Corcoran informed City Council she will be at the State House tomorrow testifying her support for the proposed budget and she will be in front of the Ohio Building Board next week because they are in the process of adopting the building code into Ohio Building Code. She has no reason to believe that they will not be adopted. She is still bringing awareness to this issue and she has contracted with the Montgomery County Board of Developmental Disability Services because the county was awarded ARPA Funds to install universal tables in Montgomery County and she has been working closely with county officials to decide where these tables would be installed. In Kettering, the Rosewood Arts Center is working with her and it looks like a table will be installed in that building. She wanted to bring this information before City Council this evening. Changing Spaces is a national campaign and she co-leads the Ohio campaign which is extremely active. The Changing Spaces website has a lot of information and she urges the City of Kettering to share this information with builders as they are working on projects within the city. It is much easier to install tables at the beginning of construction compared to a retrofit which is a little bit more difficult. Without awareness this problem this will not be resolved. In order for she and Matthew to be able to go into public, they either have to isolate if Matthew needs to use to restroom or he has to be humiliated and be changed on the floor or in back of the van. She asked that City Council please considers her request and she is thankful for the opportunity to bring this matter to their attention.

Mayor Lehner expressed the first piece of legislation she introduced in the state legislature was to build universal tables and it is great to finally see that after years and years of work something is being done. This matter was first brought to her attention by a group of 30-40 students at the STEM

School because they heard about this issue and took it on as a project. The STEM School students did an awesome job but unfortunately since they were students, Mayor Lehner felt that the bill wasn't taken serious. It was seen as an exercise in government and not as a critical need. She has seen Ms. Corcoran fight this battle for many years but what she doesn't seem to understand is if the international code has recognized universal changing tables, why does Ohio code have to adopt it?

Ms. Corcoran informed City Council that every state has building code but they don't have to adopt the most recent. The State of Ohio is currently using 2017 or 2018 building code. She was able to petition the state to get this moving through the legislature. Ms. Corcoran was on the committee at the state level that wrote the specs for the universal changing tables and she spent a year and a half of research to come up with specs that would meet the needs of most people. By the time it reaches the state, the process has been worked on for some time that state officials look at this project as the work has already been done. She was talking to Montgomery County Commissioners and as many people as she can to advocate for change. There are now three billboards throughout Montgomery County that she and Matthew are on that brings awareness to this issue through April 2. She is doing everything she can to educate people on what are universal changing tables because that is the first step to bring about change.

**Terry Welker- 15 Napoleon Drive-** Mr. Welker mentioned he is here this evening to express his opinion regarding the proposed demolition of the Dwight L. Barnes building. He is here to publicly state why the D.L. Barnes building shouldn't be demolished and propose a call to action. The main driver to demolish great buildings such as the D.L. Barnes building is usually centered around money. To renovate the building for the use as a school by today's standards would be cost prohibitive, but that does not mean there are no legitimate options for saving the structure. Private developers are able to adaptively reuse the building as housing or senior housing because they are eligible for a variety of state and federal tax credits in the reconstruction process in a manner that makes it financially feasible. This vision will require experience, talent and imagination but it is within the realm of possibility to create a revived productive community resource. This would require the sale of the building and land. The D.L. Barnes building is eligible for the National Register of Historic Places and is already listed on the Ohio Historic Inventory created by the Ohio Historic Preservation Office. The Barnes building has masonry and terracotta and is a supreme example of the Chicago School also known as the commercial style made popular in the late 19<sup>th</sup> and early 20<sup>th</sup> century architecture. This is a manageable process and requires willingness to preserve the property. Demolition of the building would not be received as a wise decision regardless of the cause for its gradual depreciation by past neglect. The decision of demolition would reflect most poorly on the school and city administrations because once the building is torn down it would be gone forever. Current and future generations of Kettering and residents of Ohio would look at this decision as betrayal of public trust because there are legitimate alternatives. Future school levies and property tax initiatives would suffer serious challenges. There is a strict separation of purpose, responsibility and governance between the school system and city government but most people in the community conflate the school system and local city government. If the Kettering Board of Education makes a publicly visible decision to tear down the Barnes building their reputation will be stained as well as the City of Kettering. The city sits quietly by to only witness without reaction to this process simply because it's the school board decision to make. Citizens of the community can easily blame the city for not taking a position. The Kettering Board of Education and City Council have had a very harmonious relationship for decades and this could be jeopardized. Mr. Welker expressed his call to action would be for Kettering City Council to publicly reach out to the Kettering Board of Education to meet, listen, learn and discuss their concerns related to the Barnes building. City Council should help the Kettering Board of Education find an alternative in a shared path forward that respects the community shared values. City Council should pass a resolution to make it clear where the city stands on historic preservation within the Kettering community. Kettering City Council should also pass legislation to establish Kettering as an Ohio certified local government to fortify the process of preservation and make it eligible for state grants. The Planning & Development Department and the Ohio Historic Preservation Office can assist with this process. Kettering City Council should also consider passing local historic preservation legislation. As a city that was founded on progress, Kettering must demonstrate pride in the past and care and concern for the forefathers and friends with millions of shared experiences and stories about places such as the Barnes building.

Mayor Lehner expressed that the City of Kettering does not own the Barnes building.

Mr. Welker mentioned he spent 22 years as the Chief Building Official for the City of Kettering and he is aware of that separation between the city and school but the public perception is different. He has people coming to him asking what they can do about this matter. If you don't take a stand then silence speaks volumes. He has spoken to the business manager at the Board of Education and he was able to express his concerns. He is aware of developers who are able to do housing with tax credits. Windsor Development is working in downtown Dayton and building housing. Developers would approach a project like this to make it financially possible to save the building. He doesn't want to see the building being turned into a parking lot. The property is too valuable and it would be like a missing tooth in the city if it comes down.

Mrs. Hall asked if the proposal is to replace the building with a parking lot?

Mr. Welker informed City Council it would be to demolish the building and to hold the land just in case they would like to build a building in the future. The building is expensive but to say you ran out of money so therefore it will be torn down is not the answer. Due to his years of experience, he knows how this process can work and it is entirely feasible but it takes some public will to save the building.

Mayor Lehner mentioned one complication is that state law requires the Kettering Board of Education to first offer the building to a charter school before they could sell the property.

Mr. Welker informed City Council he discussed that matter with the Kettering Board of Education but to use the building as a school would be cost prohibitive. Even though they would offer it to charter school the likelihood of that happening is about zero.

Mayor Lehner asked for a motion to amend the agenda by adding an executive session after City Council Report for the purposes of Personnel Matters. Mrs. Fisher moved that the motion be approved. The motion was seconded by Mr. Klepacz. The following votes were recorded: Mrs. Fisher, Yea; Mr. Klepacz, Yea; Mrs. Hall, Yea; Mr. Scott, Yea; Ms. Duvall, Yea; Mayor Lehner, Yea. There being six (6) Yea votes and no (0) Nay votes, the motion was declared carried and the motion to enter into executive session was duly adopted.

#### COUNCIL COMMITTEE REPORTS

Mrs. Fisher reported:

- This Friday is St. Patrick's Day people should be careful while out celebrating.
- Harrigan's Tavern has selected Neighbor-to Neighbor food pantry as the charity of choice for those who will be celebrating St. Patrick's Day at their restaurant.

Mr. Klepacz reported:

- On March 10 he attended the ribbon cutting for Let Them Be Wild at Oak Creek Shopping Plaza.
- He was elected to the Miami Valley Regional Planning Commission Executive Committee.
- On March 9 Mr. Greeson was the guest speaker at the Dor-Wood Optimist meeting.
- St. Patrick's Day is a great day to wear green and shop Kettering.

Mrs. Hall reported:

- Residents are encouraged to take the community housing survey. The survey dictates housing dollars that are received from the federal government are allocated toward housing development.
- Frazee shows are a sure sign that summer is right around the corner.

Mr. Scott reported:

- There are significant financial obstacles for the Barnes Building but it is one of few buildings in the community that have historical heritage.
- Congratulations to the new officers and supervisors that were presented this evening.
- There is a lot of progress going on in the community including fiber to homes, construction of housing units and revitalizing distressed properties.
- Dor-Wood Optimist is hosting the Tri-Star Basketball event on March 22.

Ms. Duvall reported:

- The Stay-Put Program has helped over 330 households from being evicted.
- Thank you to Chief Protsman and Chief Robbins for helping with Kettering Leadership Academy on public safety day.

Mr. Duke reported:

- Absent.

Mayor Lehner reported:

- She would like to thank the 80 applicants who applied to serve on the Strategic Plan Steering Committee.
- She attended the Reynolds & Reynolds employee hockey game.
- She wished Mr. Duke a speedy recovery.

There being no further business to come before this meeting of the Kettering City Council; Kettering City Council entered executive session at 8:50 p.m.

Kettering City Council exited executive session and went back on public record at 9:19 p.m.

Mayor Lehner adjourned the City Council meeting at 9:19 p.m.

ATTEST:

\_\_\_\_\_  
PEGGY LEHNER, MAYOR

LaShaunah D. Kaczynski  
Clerk of Council