

**KETTERING CITY COUNCIL
REGULAR MEETING MINUTES
April 11, 2023**

The Council of the City of Kettering, Ohio, met in regular session on Tuesday, April 11, 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

March 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 March 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

Appointment- Volunteer Advisory Council- Richard Honneywell (Term ending 12/31/25)

Mrs. Fisher made a motion to appoint Richard Honneywell to the Volunteer Advisory Council. Mr. Klepacz seconded the motion. The motion was declared carried followed by a unanimous like sign vote to approve the appointment.

Proclamation- National Public Safety Telecommunicators Week

Ms. Duvall read the above proclamation and the proclamation was accepted by Chief Protsman, Police Chief. Chief Protsman expressed this is a special week for the Kettering Police Department because the public safety dispatchers are a special group of people who don't get noticed very often. They are the first line that people speak to when they are in trouble or need assistance. Public safety dispatchers are the lifeline for police officers and firefighters when they are in harm's way. These individuals are under a lot of stress and they deal with that while they are on the phone trying to get help to individuals. This stress continues even after they hang up the phone, or when an officer or a firefighter communication goes blank. They are tremendous individuals and he is very proud of them. He greatly appreciates the proclamation this evening.

Mayor Lehner expressed this particular proclamation is very timely given the recent shootings that have happened around the country. There is a lot of focus on the response of police departments and dispatchers play a tremendous role in making sure help is on the way which many people now have a deeper appreciation of this profession.

Proclamation- Arbor Day

Mr. Klepacz read the above proclamation and the proclamation was accepted by MaryBeth O'Dell, Parks, Recreation and Cultural Arts Director. Mrs. O'Dell thanked City Council for the proclamation. Arbor Day is made possible by the tremendous work of Gary Schussler and the Parks Department. They do marvelous work in ensuring the tree canopy remains top-notch within the Kettering community especially after the devastating loss of trees due to the emerald ash borer. Kerri Miles has done a lot of work with the Environmental Education Program to host TreeFest this upcoming Saturday, April 15 from 9:00 a.m.-Noon. This event is open to all ages and will take place at the Habitat Environmental Center and Southdale Park. This year, the city will be celebrating the 16th anniversary of TreeFest and this program has been able to sustain due to the wonderful work of the Environmental Education Program. Also, this year is a new event called Tree Love which will take place right after TreeFest. A lot of tree committees within southwest Ohio have partnered with local breweries to celebrate Arbor Day. Eudora has partnered with the Parks, Recreation and Cultural Arts Department to sponsor this family friendly event from 1:00-5:00 p.m. The kitchen will be opened and 10 percent of proceeds will go toward the Heritage Tree Program which will raise money to celebrate trees that have distinct factors within the community. The Tree Committee is very excited about this

new program. Mrs. O'Dell expressed she would like to thank Gary Schussler and Kerri Miles once again for all of their tremendous work with putting together TreeFest and Tree Love.

Mayor Lehner expressed trees are very important to the community.

Proclamation- Arab American Heritage Month

Mrs. Hall read the above proclamation and the proclamation was accepted by Tony Massoud. Mr. Massoud expressed the proclamation read this evening says it all and he is thankful for the proclamation. He is proud to be an Arab American and he thanked Mayor Lehner and City Council for the kind words within the proclamation.

Proclamation- Community Development Week

Mr. Scott read the above proclamation and the proclamation was accepted by Tom Robillard, Planning & Development Director. Mr. Robillard mentioned it is very important to recognize Community Development Block Grant Week and this year marks the 49th year of this celebration. Community Development Block Grant Programs include economic development programs, housing infrastructure and public service projects. The City of Kettering will be celebrating Community Development Block Grant Week with a Breakfast with the Businesses which will be held on Friday, April 14 from 9:00-11:00 a.m. at the Government Center. The event will include breakfast with local businesses, testimonials, presentation of checks by the U.S. Department of Housing and Urban Development along with the State of Ohio Office of Community Development.

Proclamation- National Volunteer Week

Mrs. Fisher read the above proclamation and the proclamation was accepted by Dawn Kirchner, Volunteer Administrator. Mrs. Kirchner thanked Mayor Lehner and City Council for the proclamation. This year marks the 44th year of the City of Kettering Volunteer Program and this program was one of the first local government volunteer programs in the nation and continues to be a model for other communities. National Volunteer Week is an opportunity to recognize and thank the volunteers who lend time, talent, voice and support to causes they care about and to improve their communities. Volunteers inspire us to put the needs of others ahead of our own and during this week it is encouraged to show appreciation with thanks, including a hand shake, a written note or any general act of kindness. These simple acts perpetuate the goodwill fostered by generosity. The City of Kettering is fortunate to have a community of individuals driven by passion and kindness and so willing to help out the community in so many ways by enhancing daily operations, expanding the success of programs, events and strengthening neighborhoods. The Kettering Volunteer Program is successful not only because of the volunteers who engage but because of the city staff that work alongside them and the leadership of Mayor Lehner and City Council.

Award Presentation- Mayor's Award for Volunteer Service

Dawn Kirchner, Volunteer Administrator made the presentation this evening. Mrs. Kirchner mentioned she is here this evening to present the Mayor's Award for Volunteer Service. This award was created in 1983 as a way to honor outstanding volunteers who make valuable contributions throughout the community in a variety of volunteer services and in many categories. The recipients of this award must either be a resident of Kettering or their volunteer service should have to happen in Kettering. Tonight in celebration of National Volunteer Week there will be a youth and adult award presented, however the youth award winner is traveling out of state and unable to be here this evening. The adult volunteer award winner this year is Al Fullenkamp. Al Fullenkamp was the former Assistant City Manager and he retired in 2014 and despite his retirement, Al continues to be a representative of this city as an active volunteer and an ambassador. Al enjoys being a mail courier between city buildings, collects and delivers batteries for recycling and has been active in the Great Miami River Watershed Project and represents the City of Kettering as a member of the Greater Dayton Regional Transit Authority Board of Trustees. In addition, Al serves as the Chairperson of the Kettering Sister Cities Committee and is a member of the Kettering Development Corporation. Al has always been willing to serve the community in any capacity and his nominator states, "Al's contribution of time and talents has made every organization he serves a better place, and a member of staff noted that no matter when I'm having a bad day Al can come into a room and his infectious smile brightens my day and everyone else's". The City of Kettering is very lucky to have Mr. Fullenkamp as a volunteer. Mrs. Kirchner presented Mr. Fullenkamp with the Mayor's Award for Volunteer Service.

Mr. Fullenkamp expressed he appreciates the award and he has worked for the city for 38 years and he still cannot leave it because it keeps pulling him back in which is wonderful. Volunteerism is greatly supported and it so often starts with the family. His parents were volunteers and his wife volunteers and the City of Kettering as an organization has always supported volunteer efforts when he was an employee and was encouraged to get involved with professional societies. The city has been blessed to have had great volunteer coordinators including Joyce Connor, Bonnie Pittle, MaryLou Randolph and Dawn Kirchner. He appreciates the award and he is looking forward to continuing to volunteer.

Mayor Lehner expressed she cannot imagine the City of Kettering without Al and Sue Fullenkamp. Thank you so much for your service to the community.

Mrs. Kirchner mentioned Annabelle Hacker is unable to be here this evening but she will be featured along with Mr. Fullenkamp in the upcoming summer edition of *Contact with Kettering*. Mrs. Kirchner mentioned she will read her bio this evening. Annabelle Hacker is a senior at Alter High School and is

the president of the Key Club. Over the course of her high school career Annabelle has volunteered in a variety of capacities. During her freshman year she volunteered for a summer program in Appalachia and coached youth volleyball for several years, volunteered at the Habitat Environmental Center, and has promoted the Gem Project as part of the Hope Squad at Alter. The Gem Project was an art contest promoting suicide awareness and as a member of Hope Squad Annabelle made herself available to students who suffer with anxiety or who needed to talk. Her nominator described her as a "Young lady of impeccable integrity, kindness and authentic leadership". The City of Kettering is grateful to have Annabelle Hacker be part of the community.

Mayor Lehner mentioned Miss. Hacker is welcome to attend a future City Council meeting so she can be presented with her award.

Special Presentation- Fire Department Citizenship Awards

Chief Robbins, Fire Chief made the presentation. On October 13, 2022 the Kettering Fire Department Engine 36, Medic 36 and Battalion 30 were dispatched for a report of a possible full arrest at the Kettering Recreation Center. Crews arrived on scene to find a 75 year old male patient lying on the ground after playing basketball. Upon arrival of the crews, they found Kettering Rec Center staff Lindsey Curry, Tiffany Williams and Scott Sehmman providing CPR to the patient including rescue breathing with a protective mask and an automated external defibrillator (AED). Staff members told fire crews that the patient had been shocked six to seven times by the AED. Bystanders initially began CPR and called for staff to help. The three staff members reacted quickly by taking over patient care and calling 9-1-1. This EMS alarm embodies the chain of survival for emergency medical response starting with citizens and city staff taking the initiative to attend a CPR class and calling 9-1-1. Emergency medical dispatchers, emergency medical services and hospital care showed what training and a sense of duty can be accomplished. This evening Lindsey Curry, Tiffany Williams and Scott Sehmman will be receiving the Kettering Fire Department Citizenship Award for their heroic actions of at the Kettering Rec Center by saving a life. This award is awarded to citizens other than members of the Kettering Fire Department who distinguish themselves by performing acts or duties that are deemed above what is normally required or expected to set them apart from their peers at the scene of an emergency. They all performed an act in a manner deemed above normally expected and set them apart from their peers. The award plaque reads, "For distinguished acts of unselfishness and citizenship by taking action which contributed to saving the life of a citizen of our community. Your actions embody the citizenship that this award was designed to recognize for life-saving actions on October 13, 2022". Chief Robbins presented the recipients with their Citizenship Award.

Special Presentation- Police Department Citizenship Awards

Chief Protsman, Police Chief gave the presentation. The Kettering community is very special because residents care about one another and they look out for each other. When law enforcement and the fire department are not around, there are still citizens who are willing to get involved and to help each other. On December 24, 2022 at 11:37 p.m. Matthew Lynch was leaving a friend's house when he noticed the subject lying on a snow-covered sidewalk next to a vehicle in twelve degree weather. The subject was laying in the dark in such a position that it would be difficult for a passing motorist to have seen him. Mr. Lynch noticed him and called 9-1-1 after finding the subject unresponsive. Responding officers discovered the male subject was likely suffering from a narcotic overdose and it had been unknown how long he had been laying there. The Kettering Fire Department responded and treated the subject with narcan before transporting him to the hospital. Hospital staff treated the subject for hypothermia and as well as an overdose. Hospital staff stated, "The subject will likely have permanent damage to his body as a result of prolonged exposure to the cold. Without Mr. Lynch's attentiveness and going out of his way to check on the subject it is unlikely he would have survived much more exposure in the twelve degree weather". Chief Protsman thanked Mr. Lynch for his heroic acts and presented him with the Citizenship Award.

Mayor Lehner expressed there are some people in the audience this evening who didn't receive an award for what they have done but residents care about each other and that is evident in the awards that were presented this evening.

PUBLIC HEARINGS

PUBLIC COMMENT ON LEGISLATION

ORDINANCES IN SECOND READING

AN ORDINANCE

NO: 4392-23

BY: MRS.FISHER AND MR.KLEPACZ

ADOPTING AMENDED CIVIL SERVICE RULES FOR THE CITY OF KETTERING

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

Mr. Greeson, 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; Mayor Lehner, Yea. There being six (6) Yea votes and no (0) Nay votes, the motion was declared carried and the ordinance duly adopted.

AN ORDINANCE
NO: 4393-23
BY: MR.KLEPACZ AND MRS.HALL

TO REZONE 2025-2061 EAST DOROTHY LANE FROM ECONOMIC DEVELOPMENT OVERLAY DISTRICT NO. 14 TO B-BUSINESS DISTRICT (PLANNING COMMISSION CASE NO. PC 22-024)

Mr. Klepacz 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; 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 ordinance duly adopted.

RESOLUTIONS

A RESOLUTION
NO: 10889-23
BY: MRS.HALL AND MR.SCOTT

APPOINTING DELEGATES TO THE MIAMI VALLEY COMMUNICATIONS COUNCIL AGGREGATION ASSEMBLY

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.

A RESOLUTION
NO: 10890-23
BY: MR.SCOTT AND MS.DUVALL

AUTHORIZING THE CITY MANAGER TO ACCEPT A DONATION OF CARBON MONOXIDE DETECTORS FROM FIREFIGHTERS & COMPANY FEDERAL CREDIT UNION

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

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

Mayor Lehner encouraged residents to contact the city if they do not have a carbon monoxide detector within their home.

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: 10891-23
BY: MS.DUVALL AND MRS.FISHER

AUTHORIZING THE CITY MANAGER TO CONTRACT WITH BRUMBAUGH CONSTRUCTION FOR PHASE III OF THE ROSEWOOD ARTS CENTER RENOVATION PROJECT

Ms. Duvall read the above resolution and moved for approval. Mrs. Fisher 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: 10892-23
BY: MRS.FISHER AND MR.KLEPACZ

AUTHORIZING THE CITY MANAGER TO USE SEALED BIDDING, COMPETITIVE BARGAINING AND NEGOTIATED QUOTES, AND/OR AN APPROVED COOPERATIVE PURCHASING PROGRAM TO PURCHASE FURNITURE, FIXTURES, AND EQUIPMENT FOR THE PHASE III AND THEATER PORTIONS OF THE ROSEWOOD ARTS CENTER RENOVATION PROJECT

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.

Mayor Lehner expressed the Rosewood Arts Center will be a world-class facility once it is completed.

A RESOLUTION
NO: 10893-23
BY: MR.KLEPACZ AND MRS.HALL

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

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.

ORDINANCES IN FIRST READING

AN ORDINANCE
BY: MRS.HALL

TO LEVY SPECIAL ASSESSMENTS FOR THE CONSTRUCTION AND REPAIR OF CURBS, SIDEWALKS, DRIVE APPROACHES, AND RELATED APPURTENANCES FOR THE FORRER BOULEVARD IMPROVEMENTS- SMITHVILLE TO WOODMAN PROJECT (CITY PROJECT NUMBER 02-140F)

Mrs. Hall read the above ordinance.

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

CERTIFICATIONS AND PETITIONS

Mr. Greeson gave an additional description regarding the supplemental appropriation resolution.

MANAGER'S REPORT/COMMUNITY UPDATE

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

- Coming to the Frazee:
 - Stronger Together- Friday, May 19 at 8:00 p.m.
 - Dustin Lynch- Thursday, June 1 at 8:00 p.m.
 - 38 Special & Loverboy- Saturday, June 3 at 8:00 p.m.

Tickets can be purchased at Frazee FanFare at Town & Country Shopping Center, www.frazee.com, www.etix.com or by phone at 1-800-514-3849.

- Leaf compost and mulch will be available to Kettering residents starting the week of April 10 at Indian Riffle Park.
- East Dorothy Lane will be closed to through traffic between Far Hills Avenue and Shroyer Road April 10-14 from 9:00 a.m. to 4:00 p.m.

Council Minutes April 11, 2023 Page 6

- TreeFest will take place on Saturday, April 15 from 9:00 a.m.-Noon at Southdale Woods.
- Spring leaf pickup begins Monday, April 17. Crews will make one pass throughout the city.
- The deadline to submit 2022 income tax returns are April 18, 2023.
- Prescription Drug Takeback Day will take place on Saturday, April 22 from 10:00 a.m.-2:00 p.m.
- Kettering Block Party will take place at the Frazee Pavilion on May 31 from 6:00-8:00 p.m.

OTHER BUSINESS NOT ON WRITTEN AGENDA

Audience Participation (5 Minute Limit per Speaker)

COUNCIL COMMITTEE REPORTS

Mrs. Fisher reported:

- She has been working with small businesses to collect silent auction gifts for the Party with a Purpose charity event on May 13.

Mr. Klepacz reported:

- Sister Cities will be hosting their annual dinner on Thursday, April 20.
- Local businesses reinvest nearly 70 percent of their profits back into their local economies; shop Kettering.

Mrs. Hall reported:

- There has been a lot of gun violence nationwide in the past few weeks; state and federal leaders need to do more to implement gun safety laws.
- On Sunday, April 16 Fairmont High School will be hosting a Walk for Hope.
- Partners for Healthy Youth was recognized nationally for taking social emotional learning out in the community.
- She gave brief remarks to honor the anniversary of the Armenian Genocide on April 24.

Mr. Scott reported:

- Nothing to report.

Ms. Duvall reported:

- Nothing to report.

Mr. Duke reported:

- Absent.

Mayor Lehner reported:

- She will be going to Washington, D.C. next week to participate in the Dayton Development Coalition Fly-In.
- Mayor's Party with a Purpose will be on May 13 and proceeds will go to Brigid's Path.

There being no further business to come before this meeting of the Kettering City Council; Mayor Lehner adjourned the City Council Meeting at 8:37 p.m.

ATTEST:

PEGGY LEHNER, MAYOR

LaShaunah D. Kaczynski
Clerk of Council