

**KETTERING CITY COUNCIL
REGULAR MEETING MINUTES
April 25, 2023**

The Council of the City of Kettering, Ohio, met in regular session on Tuesday, April 25, 2023, at 7:30 p.m. in Council Chambers at the Kettering Government Center South Building, 3600 Shroyer Road. Vice Mayor Fisher 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: Fisher, Klepacz, Hall, Scott, and Duvall

Council Members Absent: Lehner and Duke (Excused)

Total Members Present: Five (5)

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

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

Vice Mayor Fisher mentioned Mayor Lehner and Mr. Duke have excused absences.

APPROVAL OF MINUTES

April 11, 2023- Council Meeting & Workshop Minutes

Mr. Klepacz reported that he reviewed the above minutes and moved the minutes be approved. Mrs. Hall seconded the motion of the above minutes and there being five (5) yea votes and no (0) nay votes for the April 11, 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

Presentation- Kettering Ice Arena Show- Circus: The Greatest Show on Ice

Shauna Lewallen, Recreation Superintendent gave the presentation. Mrs. Lewallen expressed that the Kettering Ice Arena is home to Alter and Beaver Creek High Schools hockey teams, Dayton Stealth Youth Hockey, Dayton Fangs, Women's Hockey and Huff and Puff Wonder League Hockey. This season, there have been 1,065 hours of rented ice time to these local and regional ice teams. A crown jewel at the ice arena is the ice lesson program led by Penny Carpenter. The 2023 ice season has seen over 1,100 people take lessons at the Kettering Ice Arena and for the first time since 2019 the ice season will be culminated with an ice show. Mrs. Lewallen would like to invite City Council and the entire Kettering community to Circus: The Greatest Show on Ice at 7:00 p.m. on Friday, May 5 and Saturday, May 6. This event will showcase local hockey and figure skating groups but also kids and adults who have built their skills in the lesson program. There are 101 skaters that will be in the show ranging from ages 3 up to 93. The skating production for the 93 year old participant will be something to see. Since it is a circus, there will be a fire number along with elephants, tigers and clowns. This production will truly be the greatest show on ice. Mrs. Lewallen thanked Vice Mayor Fisher and City Council for their support for recreation in the community and she hopes to see everyone at the ice show.

PUBLIC HEARINGS

PUBLIC COMMENT ON LEGISLATION

Charlene Bayless, 2422 Patterson Boulevard- Mrs. Bayless expressed George Bayless lately deceased came to Kettering through Van Buren Township and his father's presence on the 1955 incorporation committee. George valued serving the city as a volunteer in several capacities then by election to the Kettering Board of Education. The family would like to thank the community for their support in honoring George Bayless in the recent weeks. Earlier this month, there were two full pages in the Dayton Daily News regarding the further development of the Gentile space which is now Kettering Business Park. The proposed plan is to assist and encourage housing development, grant tax exemptions from real property taxation and encourage economic stability by generating jobs. For a community reinvestment to be able to work a notice and survey are needed. This project is a huge undertaking and she wishes the city well with this project. The City of Dayton has a human rights citizen initiative that Dayton would be the first Ohio human rights city. Human rights are those to which every human is entitled the basics of food, shelter and healthcare. Also the right to allow humans to develop their potential toward making a positive contribution to humankind which is expression rather than oppression. The United Nations in 1948 codified the elements of human rights and Georgia Cox of Dayton is here this evening and has worked on this initiative from the beginning and she is here to share the information and ask for City Council's awareness, alignment and undergirding toward Dayton becoming Ohio first human rights city.

Vice Mayor Fisher expressed she appreciated Mrs. Bayless comments.

ORDINANCES IN SECOND READING

AN ORDINANCE
NO: 4394-23
BY: MR.KLEPACZ AND 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)

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

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

The following votes were recorded: Mr. Klepacz, Yea; Mrs. Hall, Yea; Mr. Scott, Yea; Ms. Duvall, Yea; Vice Mayor Fisher, Yea. There being five (5) Yea votes and no (0) Nay votes, the motion was declared carried and the ordinance duly adopted.

RESOLUTIONS

A RESOLUTION
NO: 10894-23
BY: MRS.HALL AND MR.SCOTT

AUTHORIZING THE CITY MANAGER TO ENTER INTO A FAÇADE AND SITE IMPROVEMENT GRANT AGREEMENT FOR THE PROPERTY LOCATED AT 3027 WILMINGTON PIKE

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: Mr. Klepacz, Yea; Mrs. Hall, Yea; Mr. Scott, Yea; Ms. Duvall, Yea; Vice Mayor Fisher, Yea. There being five (5) Yea votes and no (0) Nay votes, the motion was declared carried and the resolution duly adopted.

A RESOLUTION
NO: 10895-23
BY: MR.SCOTT AND MS.DUVALL

TO AMEND RESOLUTION NO. 10791-22

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.

The following votes were recorded: Mr. Klepacz, Yea; Mrs. Hall, Yea; Mr. Scott, Yea; Ms. Duvall, Yea; Vice Mayor Fisher, Yea. There being five (5) Yea votes and no (0) Nay votes, the motion was declared carried and the resolution duly adopted.

A RESOLUTION
NO: 10896-23
BY: MS.DUVALL AND MR.KLEPACZ

ADOPTING RENEWED AND RECALCULATED STREET LIGHT ASSESSMENTS, AMENDED AND/OR CONSOLIDATED STREET LIGHTING DISTRICTS AND CERTIFYING THEM TO THE COUNTY AUDITOR FOR COLLECTION

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

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

The following votes were recorded: Mr. Klepacz, Yea; Mrs. Hall, Yea; Mr. Scott, Yea; Ms. Duvall, Yea; Vice Mayor Fisher, Yea. There being five (5) Yea votes and no (0) Nay votes, the motion was declared carried and the resolution duly adopted.

A RESOLUTION
NO: 10897-23
BY: MR.KLEPACZ AND MRS.HALL

AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS AND TO CONTRACT FOR THE GOLF CLUB ESTATES-PHASE 1 PROJECT, CITY PROJECT NO. 03-607B

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

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

The following votes were recorded: Mr. Klepacz, Yea; Mrs. Hall, Yea; Mr. Scott, Yea; Ms. Duvall, Yea; Vice Mayor Fisher, Yea. There being five (5) Yea votes and no (0) Nay votes, the motion was declared carried and the resolution duly adopted.

A RESOLUTION
NO: 10898-23
BY: MRS.HALL AND MR.SCOTT

AUTHORIZING THE CITY MANAGER TO ACCEPT A DONATION FROM AMERICAN LEGION POST 598 THROUGH THE KETTERING POLICE FOUNDATION

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.

Chief Protsman mentioned that the American Legion reached out to the Police Foundation regarding a donation and if there were any needs of the Police Department. The Kettering Police Department is very grateful for the donation from the American Legion.

The following votes were recorded: Mr. Klepacz, Yea; Mrs. Hall, Yea; Mr. Scott, Yea; Ms. Duvall, Yea; Vice Mayor Fisher, Yea. There being five (5) Yea votes and no (0) Nay votes, the motion was declared carried and the resolution duly adopted.

A RESOLUTION
NO: 10899-23
BY: MR.SCOTT AND MS.DUVALL

AUTHORIZING ACCEPTANCE OF A BEQUEST FROM THE ESTATE OF CHARLES L. SIMON

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.

The following votes were recorded: Mr. Klepacz, Yea; Mrs. Hall, Yea; Mr. Scott, Yea; Ms. Duvall, Yea; Vice Mayor Fisher, Yea. There being five (5) Yea votes and no (0) Nay votes, the motion was declared carried and the resolution duly adopted.

A RESOLUTION
NO: 10900-23
BY: MS.DUVALL AND MR.KLEPACZ

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

Ms. Duvall 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: Mr. Klepacz, Yea; Mrs. Hall, Yea; Mr. Scott, Yea; Ms. Duvall, Yea; Vice Mayor Fisher, Yea. There being five (5) Yea votes and no (0) Nay votes, the motion was declared carried and the resolution duly adopted.

ORDINANCES IN FIRST READING

AN EMERGENCY ORDINANCE
NO: 4395-23
BY: MR.KLEPACZ AND MRS.HALL

TO APPROPRIATE PROJECT PARCELS 45-WD AND 45-T OF THE EAST DAVID ROAD IMPROVEMENTS PROJECT (CITY PROJECT NO. 02-116R, ODOT PROJECT MOT-E. DAVID RD. IMPROVEMENTS, PID NO. 110254); AND TO DECLARE AN EMERGENCY

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

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

The following votes were recorded: Mr. Klepacz, Yea; Mrs. Hall, Yea; Mr. Scott, Yea; Ms. Duvall, Yea; Vice Mayor Fisher, Yea. There being five (5) Yea votes and no (0) Nay votes, the motion was declared carried and the ordinance duly adopted.

AN ORDINANCE
BY: MRS.HALL

TO AMEND THE TEXT OF VARIOUS SECTIONS OF THE CITY OF KETTERING ZONING CODE

Mrs. Hall read the above ordinance.

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

CERTIFICATIONS AND PETITIONS

MANAGER'S REPORT/COMMUNITY UPDATE

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

- Coming to the Frazee:
 - We The Kingdom- Monday, July 24 at 7:30 p.m.
 - Donny Osmond- Wednesday, July 26 at 8:00 p.m.
 - Queen Blvd- Friday, July 28 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.

- Art on the Playground will take place on May 6 from 11:00 a.m.-3:00 p.m. at the Habitat Environmental Center.
- Montgomery County is moving into the next phase of the water main replacement of Dorothy Lane near Hathaway and Delaine. Traffic pattern is anticipated to change.
- Congratulation to the Finance Department who received the Distinguished Budget Presentation Award from the Government Finance Officers Association of the United State and Canada.
- 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:

- On April 22 she attended Drug Takeback Day at the Police Department and they collected 65 pounds of drugs.

Mr. Klepacz reported:

- On April 16 he attended Walk 4 Hope at Fairmont High School.
- On April 20 he attended the Sister Cities annual dinner.
- When you buy local someone does a happy dance; shop Kettering.

Mrs. Hall reported:

- On April 27 there will be a full service grocery store from 2-4 p.m. at the Trails of Oakcreek.

Mr. Scott reported:

- On April 14 he attended Breakfast with the Businesses.

Ms. Duvall reported:

- Congratulations to Mrs. Hall for bringing the mobile grocery store to the Trails of Oakcreek.
- On April 20 she attended the Sister Cities annual dinner.
- Thank you to the American Legion for their donation to the Kettering Police Department.
- On Earth Day she picked up trash at Delco Park.
- Kettering Leadership Academy participants will be graduating on May 11.

Mr. Duke reported:

- Absent.

Mayor Lehner reported:

- Absent.

There being no further business to come before this meeting of the Kettering City Council; Vice Mayor Fisher adjourned the City Council Meeting at 8:07 p.m.

ATTEST:

JACQUE FISHER, VICE MAYOR

LaShaunah D. Kaczynski
Clerk of Council