

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

The Council of the City of Kettering, Ohio, met in regular session on Tuesday, July 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 mentioned Mr. Duke has an excused absence.

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

**APPROVAL OF MINUTES**

June 13, 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 June 13, 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- Planning Commission- Troy Erbes (Term ending 12/31/27)**

Mrs. Fisher made a motion to appoint Troy Erbes to the Planning Commission. Mr. Klepacz seconded the motion. The motion was declared carried followed by a unanimous like sign vote to approve the appointment.

**Appointment- Board of Zoning Appeals- Jack Putnam (Term ending 12/31/27)**

Mrs. Fisher made a motion to appoint Jack Putnam to the Board of Zoning Appeals. Mr. Klepacz seconded the motion. The motion was declared carried followed by a unanimous like sign vote to approve the appointment.

**Proclamation- Parks and Recreation Month**

Mrs. Fisher read the above proclamation and the proclamation was accepted by MaryBeth O'Dell, Parks, Recreation and Cultural Arts Director. Mrs. O'Dell thanked Mayor Lehner and City Council for their continued support of the Parks, Recreation and Cultural Arts Department. City Council has attended many events over the past few weeks that were hosted by the Parks, Recreation and Cultural Arts Department and she is glad City Council was able to participate in various activities. There are many more activities planned this summer. As mentioned in the proclamation, PRCA spaces, places and programs promote cultural enrichment through relevant visual performing arts and environmental stewardship through a plethora of educational events and park activities. Staff members are welcoming and encourage social connectivity and facilities are clean and safe which promote healthy lifestyles and an inclusive environment for everyone in the Kettering community. PRCA brings life to lives and puts the exclamation point to home in *Kettering is Home*. Parks, Recreation and Cultural Arts is where community grows.

**Presentation- Parks and Recreation Month**

MaryBeth O'Dell, Parks, Recreation and Cultural Arts Director gave the presentation. Mrs. O'Dell expressed some may wonder what residents think about PRCA places, spaces and programs. This evening, a short video clip will be played from a few members of the Kettering community about the impact Parks, Recreation and Cultural Arts has had on their lives. A video clip was played.

Mayor Lehner expressed the video was wonderful and apologized for the technological difficulty and mentioned the video will be posted on the [www.ketteringoh.org](http://www.ketteringoh.org) website.

**PUBLIC HEARINGS**

**P.C. 23-013- To rezone the property located at 2119 E. Dorothy Lane from Economic Development Overlay District #14 to B-Business.**

Ryan Homs, City Planner gave the staff presentation. Mr. Homs informed City Council that the request for rezoning involves the property located at 2119 E. Dorothy Lane located at the northwest intersection of Woodman Drive and E. Dorothy Lane next to the former Throckmorton building which was rezoned last year. The surrounding land uses are entirely commercial which include Kroger to the north, Take 5 to the east, Speedway and Walgreens to the south and fast food restaurants and a portion of the Kroger property to the west. The building is currently vacant and it was last occupied by Aaron's Rents and the site became vacant in 2018 and it has been vacant ever since. Currently, the property is in an Economic Development Overlay District 14 and the request is to rezone the property to B-Business Zoning District which is consistent with what has been done in the past with rezoning this particular corridor. The Planning Commission held a public hearing regarding this rezoning at their June 5, 2023 meeting and at that meeting the Planning Commission recommended approval of this particular rezoning. The role of City Council is outlined in section 1153.12.8 of the Zoning Code and there are seven factors that City Council can take into consideration when determining whether or not to approve a recommended rezoning and no single factor is controlling. The first factor City Council can take into consideration is if the rezoning is consistent with the comprehensive plan of the city, and this request is consistent with that plan. This particular property falls under the sub-regional commercial category of the future land use map within the comprehensive plan. Business zoning district will accommodate a lot of the uses that are expected to be within the sub-regional commercial category. The second factor is meant to ensure that the rezoning wouldn't result in any adverse impacts on neighboring land. The surrounding land uses of this property would be consistent with the Business Zoning District which is being recommended. This is consistent with what already exists today and what is expected to be built on this property in the future. The third factor involves whether or not the property today is suitably or unsuitably zoned. EDO #14 allows a wide range of commercial and office uses which zones it into a base zoning district. The business designation would make it easier to redevelop the property in the future, but the use list will stay consistent with what it is today. Rezoning this property to business will be considered suitably zoned. There have been four rezoning's in this particular corridor from EDO districts which includes Applebee's, the former Throckmorton property, City Barbecue and the small shopping center to the east. All of these properties were rezoned out of EDO #14 into the B-Business Districts. Factor four ensures the request bears a substantial relationship to the public health, safety, morals or general welfare and in this case staff believes this request meets that requirement. Factor five ensures that the rezoning follows public policies for the area in question and in this case it is consistent with the comprehensive plan and is consistent with the city's overall goal of removing properties from EDO districts and placing them into base zoning districts as applications come in. Factor six is not applicable to this request which is City Council shall consider the size, shape, and characteristics of the tract in relation to the affected neighboring lands. Several properties in this area have been rezoned out of EDO #14 and have been placed into base zoning districts, so the request is consistent with this factor. Factor seven is a general factor that City Council may consider other factors that it deems relevant to a rezoning application. This factor isn't applicable to this particular case. Planning Commission held a public hearing regarding this rezoning at their meeting on June 5, 2023 and at that meeting they recommended approval. Mr. Homs mentioned he would be happy to answer any questions. Mr. Homs also informed City Council that a representative for the applicant isn't present at the meeting.

There wasn't an applicant presentation for the rezoning request.

Mayor Lehner opened the public hearing and asked if there were any comments from the public either for or against the rezoning; none were heard.

Mayor Lehner closed the public hearing and mentioned City Council will consider legislation regarding this matter at a future City Council meeting.

#### PUBLIC COMMENT ON LEGISLATION

#### ORDINANCES IN SECOND READING

##### AN ORDINANCE

NO: 4397-23

BY: MRS.FISHER AND MR.KLEPACZ

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 4388-22

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.

RESOLUTIONS

A RESOLUTION  
NO: 10914-23  
BY: MR.KLEPACZ AND MRS.HALL

DECLARING AS SURPLUS AND APPROVING A CONTRACT TO SELL 48.19 ACRES OF CITY-OWNED PROPERTY IN RESEARCH 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: 10915-23  
BY: MRS.HALL AND MR.SCOTT

AMENDING RESOLUTION NO. 10906-23 REGARDING THE SCHOOL ZONE FLASHERS-SHROYER AND GLENGARRY PROJECT (CITY PROJECT NO. 02-007)

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: 10916-23  
BY: MR.SCOTT AND MS.DUVALL

AUTHORIZING THE CITY MANAGER TO ACCEPT A PRIORITY ONE TRAINING AND EQUIPMENT GRANT FROM THE OHIO DEPARTMENT OF PUBLIC SAFETY, DIVISION OF EMS

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.

Chief Robbins, Fire Chief mentioned the Fire Department receives this grant every year for successfully reporting electronic EMS reports to the State of Ohio through the Ohio Department of Public Safety. The grant is for a small amount and the grant amount seems to decrease every year.

Mayor Lehner expressed hopefully the grant is enough to cover what the Fire Department hopes to accomplish.

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: 10917-23  
BY: MS.DUVALL AND MRS.FISHER

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. 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.

#### ORDINANCES IN FIRST READING

AN ORDINANCE  
BY: MRS.FISHER

#### ADOPTING AMENDED CIVIL SERVICE RULES FOR THE CITY OF KETTERING

Mrs. Fisher 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.

- To nominate a neighbor for the Neighborhood Pride Program residents can visit the city's website at [www.ketteringoh.org](http://www.ketteringoh.org) or contact the Volunteer Office at 937-296-2433.
- Block party forms are available on the city's website or by contacting the Engineering Department at 937-296-2436. Certificates for ice cream are available through a sponsorship with the Board of Community Relations.
- Residents will have an opportunity to ask questions in regards to the electric aggregation program at two open houses on Monday, July 17 from 6:30-8:30 p.m. at the Lathrem Senior Center and on Tuesday, July 18 from 5:00-7:00 p.m. at Sinclair Community College Centerville Campus.
- There will be three community hot dog roasts for the summer on July 19, July 27 and August 9. The event will be held from 5:30-7:00 p.m. each evening.
- The City of Kettering will no longer be accepting new Stay-Put Rental Assistance applications after August 18.
- There will be a Styrofoam Recycling Event on Saturday, July 29 from 9:00 a.m. – 1:00 p.m. at the Montgomery County Business Solutions Center.

#### OTHER BUSINESS NOT ON WRITTEN AGENDA

Audience Participation (5 Minute Limit per Speaker)

**Sally Carls- The Villas of Kettering-** Ms. Carls mentioned she is here this evening to speak about the move of the Kettering Connection from Town & Country Shopping Center. The move will cause significant barriers for older adults who live at the Villas of Kettering and others who live within walking distance from Town & Country. The Town & Country Shopping Center has access to services and resources within the area which are easily accessible. It is also a place where all resource materials are available without having to make an appointment to see the director. The weekly blood pressure clinic is an added benefit for seniors to utilize while they are walking around Town & Country. Ms. Carls has a list of individuals who have the same opinion as she in regards to the Kettering Connection.

Mayor Lehner thanked Ms. Carls for her comments and mentioned she would like to have a copy of the names of seniors who have the same opinion. She is hopeful the transition to move the Kettering Connection will work out for seniors overtime. The walking is still available to seniors who wish to exercise at Town & Country and the city is looking into if there is any feasibility in offering blood pressure checks in a way that seniors are able to access them. Mayor Lehner understands this service is important and she has been encouraging staff to look into this matter.

Ms. Carls expressed there is a lot of information that is available at the Kettering Connection office.

Mr. Bergstresser, Assistant City Manager informed City Council that currently, the city is leasing space at Town & Country for the Kettering Connection. The lease has already expired and currently the city is on a month-to-month basis until the end of July and there will be no renewal for the space. Mr. Bergstresser thanked Ms. Carls for her comments and concern regarding the relocation and it was a difficult decision whether or not to remain at the current location at Town & Country or move it to the Government Center. The convenience of the Town & Shopping Center is very important but the staff support of having a single employee out at Town & Country has been difficult for years now. Vickie Carraher, former senior services coordinator was concerned about staff support and security. The city will continue to do everything possible to make the transition convenient for seniors and it is anticipated there will be better office hours at the Government Center because there will be staff available in the building when it's open. A lot of the senior services coordinator responsibilities have shifted over the years in the sense when the Kettering Connection opened over 20 years ago, there

was a model that seniors were expected to come to the Kettering Connection for services and also service providers. Service providers have shifted their models and they no longer want to come to the Kettering Connection due to funding and other various reasons. Also, the service model has shifted significantly now that the senior services coordinator is doing home visits and much of her time is spent doing home visits and she is unable to be physically present at the Kettering Connection. Volunteers help staff office hours and the volunteers will be accommodated at the Government Center as well. The shift to home visits has been the biggest change over the last 20 years which in return has changed the service model and now seniors expect the senior services coordinator to visit them in their homes and see the problems they are facing so they can stay in their homes rather than seniors coming to the Kettering Connection and explaining what is going on in their homes. Those are some of the reasons why the decision was made to move the Kettering Connection and Mr. Bergstresser mentioned he appreciates the comments regarding the Kettering Connection.

Mrs. Fisher mentioned Ms. Carls will get the same amount of resources by visiting the Government Center but will she be able to receive free blood pressure screening?

Mr. Bergstresser informed City Council that he will discuss that service with the senior services coordinator to see if that is a service that could be offered at the Government Center. Services will not be changing just shifting locations.

Mayor Lehner expressed the senior services program has always been something that the city is proud of and she worked with creating the program which is an important amenity for seniors.

Ms. Carls asked what is the percentage of seniors living in Kettering?

Mayor Lehner said 18%.

Mr. Bergstresser informed City Council seniors are 1/5<sup>th</sup> of the Kettering population.

Mayor Lehner mentioned 20 years ago; Kettering was ahead of the curve and had more seniors than most communities. Today, Kettering is average in senior population rate.

#### COUNCIL COMMITTEE REPORTS

Mrs. Fisher reported:

- She attended the retirement celebration for Patti Houser in the Human Resources Department.
- She attended the community Strategic Plan meeting.
- She attended Go 4<sup>th</sup> at Delco Park.
- On July 5 she volunteered to pick up trash at Delco Park from the Go 4<sup>th</sup> celebration.

Mr. Klepacz reported:

- On June 21 he attended Spass Nacht at the Frazee.
- On June 25 he attended the grand opening celebration of the new pickleball courts.
- Go 4<sup>th</sup> had great weather and a wonderful crowd.
- By shopping in Kettering, you can create local jobs, keep money in the local economy, invest in new entrepreneurs and develop a sense of community; shop Kettering.

Mrs. Hall reported:

- Nothing to report.

Mr. Scott reported:

- He attended the Strategic Plan open house and he was glad to see that residents were engaged.
- On June 25 he attended the grand opening celebration of the new pickleball courts.
- On July 4 he attended the Go 4<sup>th</sup> celebration at Delco Park.
- On July 4 he visited the Adventure Reef Water Park with his wife and grandchildren.

Ms. Duvall reported:

- There was a great turnout from the community at the Juneteenth celebration.
- Go 4<sup>th</sup> was a wonderful event.
- Thank you to all the volunteers who went to Delco Park on July 5 to clean up after the Go 4<sup>th</sup> celebration.
- Applications are now available for the Kettering Leadership Academy.

Mr. Duke reported:

- Absent.

Mayor Lehner reported:

- She visited Steyr as part of the 50<sup>th</sup> anniversary of the Treaty of Friendship.
- The youth group is still in Steyr visiting.

There being no further business to come before this meeting of the Kettering City Council; Mayor Lehner adjourned the City Council Meeting at 8:14 p.m.

ATTEST:

LaShaunah D. Kaczynski  
Clerk of Council

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PEGGY LEHNER, MAYOR