

**KETTERING CITY COUNCIL
REGULAR MEETING MINUTES
September 26, 2023**

The Council of the City of Kettering, Ohio, met in regular session on Tuesday, September 26, 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, Klepacz, Hall, Scott and Duvall

Council Members Absent: Duke and Fisher (Excused)

Total Members Present: Five (5)

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 and Mrs. Fisher have excused absences.

APPROVAL OF MINUTES

September 12, 2023- Council Meeting & Workshop Minutes

Mr. Klepacz 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 five (5) yea votes and no (0) nay votes for the September 12, 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

PUBLIC HEARINGS

PUBLIC COMMENT ON LEGISLATION

ORDINANCES IN SECOND READING

AN ORDINANCE
NO: 4400-23
BY: MR.KLEPACZ AND MRS.HALL

TO REZONE 4225 AND 4235 WILMINGTON PIKE FROM R-1 SUBURBAN RESIDENCE, R-4 VILLAGE RESIDENCE, AND BP BUSINESS PARK DISTRICTS TO R-4 VILLAGE RESIDENCE DISTRICT (PLANNING COMMISSION CASE NO. PC 23-014)

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

Mr. Greeson, 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; Mayor Lehner, 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: 10936-23
BY: MRS.HALL AND MR.SCOTT

AUTHORIZING THE CITY MANAGER TO ACCEPT A DONATION OF FOUR VEHICLES FROM THE KETTERING PARKS 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.

The following votes were recorded: Mr. Klepacz, Yea; Mrs. Hall, Yea; Mr. Scott, Yea; Ms. Duvall, Yea; Mayor Lehner, 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: 10937-23
BY: MR.SCOTT AND MS.DUVALL

AUTHORIZING THE CITY MANAGER TO PURCHASE ANNUAL SUBSCRIPTIONS AND SOFTWARE SUPPORT SERVICES FROM ESRI

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; Mayor Lehner, 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: 10938-23
BY: MS.DUVALL AND MR.KLEPACZ

AUTHORIZING AN EXPANDED SCOPE OF SERVICES UNDER THE AGREEMENT WITH VERMONT SYSTEMS, INC.

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; Mayor Lehner, 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: 10939-23
BY: MR.KLEPACZ AND MRS.HALL

AUTHORIZING THE CITY MANAGER TO RENEW MAINTENANCE AND SUPPORT AGREEMENTS WITH AT&T FOR 911 CALL HANDLING EQUIPMENT AND SERVICES

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: Mr. Klepacz, Yea; Mrs. Hall, Yea; Mr. Scott, Yea; Ms. Duvall, Yea; Mayor Lehner, 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: 10940-23
BY: MRS.HALL AND MR.SCOTT

AUTHORIZING THE CITY MANAGER TO CONTRACT WITH COMPREHENSIVE COMMUNITY CHILD CARE, INC. DBA 4C FOR CHILDREN FOR SERVICES TO HELP INCREASE THE SUPPLY OF AVAILABLE CHILDCARE IN THE CITY

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; Mayor Lehner, 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: 10941-23
BY: MR.SCOTT AND MS.DUVALL

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. 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; Mayor Lehner, 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: 10942-23
BY: MS.DUVALL AND MR.KLEPACZ

APPROVING AMENDED AND RESTATED CITY OF KETTERING HOUSING REHABILITATION PROGRAM GUIDELINES

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; Mayor Lehner, 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: 10943-23
BY: MR.KLEPACZ AND MRS.HALL

AMENDING RESOLUTION NO. 10887-23 REGARDING THE ARAGON-OAK PARK COMMUNITY REINVESTMENT AREA IN THE CITY OF KETTERING

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.

Mrs. Schrimpf, Economic Development Manager expressed the Community Reinvestment Area has been a great economic tool for other communities and she is hopeful Kettering will be successful.

Ms. Duvall asked how will informational items regarding the Community Reinvestment Area be communicated to residents in the Aragon-Oak neighborhood because this information can be confusing for residents who are not familiar with tax incentives.

Mrs. Schrimpf informed City Council information will be placed on the city's website once it has been certified by the Ohio Department of Development and there will also be a community meeting which will allow residents to talk to the city's housing officer and other staff about how this project will work.

Mayor Lehner clarified that the project is within a set neighborhood in the community.

Mrs. Schrimpf informed City Council that this project is within a certain neighborhood and there are borders that the city has to adhere to.

Mr. Greeson informed City Council that the community meeting will also be an opportunity to highlight other housing programs that are offered through the city that residents may not be familiar with and if they are not able to use the Community Reinvestment Area program, they may qualify for a different housing program.

The following votes were recorded: Mr. Klepacz, Yea; Mrs. Hall, Yea; Mr. Scott, Yea; Ms. Duvall, Yea; Mayor Lehner, 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: 10944-23
BY: MRS.HALL AND MR.SCOTT

AUTHORIZING AN ADDITIONAL EXPENDITURE OF FUNDS FOR STREET LIGHT MAINTENANCE

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.

Mr. Klepacz asked if there is a particular reason why so many traffic poles are being knocked down in the community?

Chief Protsman, Police Chief informed City Council he does not have any additional information regarding the increase in traffic poles being knocked down due to traffic accidents.

The following votes were recorded: Mr. Klepacz, Yea; Mrs. Hall, Yea; Mr. Scott, Yea; Ms. Duvall, Yea; Mayor Lehner, 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: 10945-23
BY: MR.SCOTT AND MS.DUVALL

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. 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; Mayor Lehner, 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

CERTIFICATIONS AND PETITIONS

MANAGER'S REPORT/COMMUNITY UPDATE

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

- Kettering's Board of Community Relations encourages residents to learn more about Hispanic Heritage this month-and any time- because Kettering is home to all.
- The Yard Debris Center will have winter hours starting Saturday, December 2- March 2, 2024:
 - Saturdays 9:00 a.m. - 3:00 p.m.
- Fall leaf pickup will begin on Monday, October 16 in District 1.
- Shred Day will take place on October 21 from 9:00 a.m.-Noon in the Fairmont High School Parking Lot.
- DEA Drug Takeback will take place on Saturday, October 28 from 10:00 a.m. - 2:00 p.m. at the Kettering Police Department. Chief Protsman noted that this is a big event for the Kettering Police Department and this is also a safety concern for all the addiction due to prescription drugs and children having access to them and also flushing drugs down the toilet. There is a drug drop box located in the lobby of the Police Department that is open every day.
- Beggar's Night will take place on Tuesday, October 31 from 6:00-8:00 p.m. rain or shine.

OTHER BUSINESS NOT ON WRITTEN AGENDA

Audience Participation (5 Minute Limit per Speaker)

Joe Overholser- 2024 Acorn Drive- Mr. Overholser expressed he is a candidate for City Council for District 1 and he would like to bring up a few reasons why is running for City Council. One reason he is running for City Council is the issue with communicating with residents regarding housing developments, particularly the development behind Meijer. There wasn't good outreach to the community and he recently had a meeting with some local real estate investors and to this day, they don't have a lot of information regarding what type of housing it is. Mr. Overholser believes it is income restricted housing and he believes there needs to be better communication. Mr. Overholser expressed he would also like to address, which is also related to housing, an exhibit that the Kettering

Board of Community Relations put on several months ago at Fairmont High School titled Undesign the Redline. This is a very divisive concept that the city should not be involved with and especially at the high school. He believes the exhibit has critical race theory concepts behind it and having this exhibit at the school is not a good idea being it's a controversial topic. He feels like it's kind of underhanded as well...

Mayor Lehner informed Mr. Overholser that this point in the program is not to give a campaign speech and she has let him go further than what she probably ought to and this procedure will be the same for any candidate who would like to speak. Mayor Lehner informed Mr. Overholser if he has additional items that he would like to talk about that are not related to the campaign or a campaign platform....

Mr. Overholser expressed he is still a citizen and it's not a campaign speech and these are concerns that he has.

Mayor Lehner asked that Mr. Overholser frame his comments as concerns.

Mr. Overholser expressed he feels that he is entitled to his five minutes to speak about his concerns and the fact that he is a candidate for City Council doesn't mean he doesn't have a right to speak about these items. The exhibit has to do with making housing more affordable and there are great programs for that. He was happy to hear about the housing rehabilitation program that has been expanded and he personally would expand that program more. There are a lot of ways to help people in need without being divisive and boards that are associated with Kettering should not be involved with that.

COUNCIL COMMITTEE REPORTS

Mrs. Fisher reported:

- Absent.

Mr. Klepacz reported:

- He attended EcoFest at the Frazee Pavilion and there was great weather.
- Kettering Sister Cities will welcome new members who are high school teachers at Fairmont; looking forward to planning upcoming youth trips.
- Nothing beats shopping in your backyard; Shop Kettering.

Mrs. Hall reported:

- The UAW strike may be coming to an end since there is acceptance to implement cost-of-living increases. She appreciates the right to organize within the city and the country.
- She is excited that legislation passed this evening will provide housing within the community.
- She is excited for the grant the city will be applying for to increase childcare in the Kettering community.
- The Kettering community is accomplishing some great tasks which are reflected in the agenda this evening.

Mr. Scott reported:

- He attended the 2nd annual Kettering Business Walk that encompassed Bigger Road and Whipp Road.
- He and his wife attended the Hispanic Heritage celebration at Riverscape.

Ms. Duvall reported:

- She appreciated the feedback business owners provided during the Business Walk.
- Congratulations to Shiloh Colon who received the Kiwanis Police Officer of the Year Award.
- Residents are encouraged to come to City Council meetings and speak to City Council about their concerns.

Mr. Duke reported:

- Absent.

Mayor Lehner reported:

- Congratulations to Shiloh Colon for receiving the Police Officer of the Year Award

There being no further business to come before this meeting of the Kettering City Council; Mayor Lehner adjourned the City Council Meeting at 8:09 p.m.

ATTEST:

PEGGY LEHNER, MAYOR

LaShaunah D. Kaczynski
Clerk of Council