

**KETTERING CITY COUNCIL
REGULAR MEETING MINUTES
October 24, 2023**

The Council of the City of Kettering, Ohio, met in regular session on Tuesday, October 24, 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

October 10, 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 October 10, 2023 Council Meeting & Workshop the motion was declared carried followed by a roll call vote.

PROCLAMATIONS, SPECIAL PRESENTATIONS, AWARDS, SPECIAL RESOLUTIONS, APPOINTMENTS TO BOARDS AND COMMISSIONS

Appointment- Regional Transit Authority- Albert Fullenkamp (Term ending 10/31/25)

Mrs. Fisher made a motion to appoint Albert Fullenkamp to the Regional Transit Authority. Mr. Klepacz seconded the motion. The motion was declared carried followed by a unanimous like sign vote to approve the appointment.

Proclamation- National Arts and Humanities Month

Mrs. Hall read the above proclamation and the proclamation was accepted by Shayna McConville, Cultural Arts Manager. Ms. McConville thanked Mayor Lehner and City Council for their support. The Rosewood Arts Center has been under renovation for the past two and a half years, and she hopes City Council will come and visit the facility. Construction and renovations are very close to being completed. She is thankful for the support and Rosewood sees thousands of adults and children in the building every year, which makes a difference in the lives of their patrons and in Kettering.

Mayor Lehner expressed if residents are unable to draw or make a piece of pottery, they should still visit Rosewood Arts Center and walk- thru the halls to see the excitement and the creativity going on in the building.

Presentation- State of the Arts

Tracy McElfresh, Arts Council Member gave the presentation. Ms. McElfresh expressed she will be presenting a review of the arts in Kettering to commemorate National Arts and Humanities Month. The Kettering Arts Council is comprised of leaders who appreciate the arts. The mission of the Kettering Arts Council is to provide access to the arts for all ages, encourage a passion for the arts and promote art appreciation and education. The Kettering Arts Council is proud to promote art education within the city by offering classes at Rosewood Arts Center. Already this year, Rosewood Arts Center has touched the lives of 1,000 participants through classes and workshops. Community members have also practiced their own work through studio spaces outside of classes. Since January, Rosewood has had over 2,000 visits to open studios including the ceramic studio as well as the dark room and dance studio.

Elom Dossa, Arts Council Member expressed people do not have to take classes to appreciate the arts. The gallery at Rosewood Arts Center is free and features contemporary art. The space features artists from the region, state and country. The Kettering Arts Council assists with public events by connecting and building relationships with gallery artists to help them feel welcomed in Kettering when they visit, and to also help and welcome the community when they come to events. Through September, the gallery has had thousands of visitors and has featured the work of hundreds of artists who worked in a diverse range of materials. Special events are a great way to connect to the Kettering community and artists. The Kettering Arts Council participated in several community events

including Arts on the Commons and gallery receptions which has allowed the arts council the opportunity to engage with artists all over the United States including Florida, Missouri and Pennsylvania. Ms. Dossa acknowledged the importance of relationships and she is proud Kettering is able to be represented as a vital, vibrant and creative community. Art is throughout the Kettering community and the public art program is exceptional and recently new art has been added throughout the community including Ridgeway Bridge and the Rosewood Arts Center mural.

Lisa Becker, Arts Council Member mentioned the arts bring people together from all walks of life. Kettering thrives on an engaging community and the city shines brighter because of the arts partnerships. One organization the city has had the opportunity to work with is the United Rehabilitation Services where the arts provide opportunities for adult clients to learn skills at the studios at Rosewood Arts Center. The legacy of Kettering exists with other nonprofit arts organizations that have been in the community for decades. The Kettering Civic Band performed concerts at Polen Farm and performed at the Kettering Community Block Party. The Kettering Children's Choir continues to perform at special events throughout the community including the upcoming Mayor's Tree Lighting. The Kettering Civic Band and the Kettering Children's Choir will be performing at a Rosewood Arts Festival on Saturday, December 2, 2023. All of these amazing activities and stories are made possible by the amazing Kettering community. Kettering demonstrates over-and-over again a commitment to a high quality of life for residents. Through shared experiences, commonalities are found that makes the community, city and region a better place.

Mayor Lehner expressed all of the programming presented is something to be proud of.

PUBLIC HEARINGS

P.C. 23-018- To rezone the property located at 1490 W. Dorothy Lane from ED-17 District to B-Business District.

Mayor Lehner opened the public hearing and asked that anyone who intended to speak to City Council regarding this matter should stand and take the oath; those persons present who wished to speak took the oath.

Ryan Homs, City Planner gave the staff presentation. Mr. Homs informed City Council that he has been a city planner with the City of Kettering for two years and prior to coming to the City of Kettering; Mr. Homs worked for the City of Miamisburg as a city planner for six years. Mr. Homs graduated with a bachelor's degree in urban planning from the University of Cincinnati in 2013, and he is a member of the American Institute of Certified Planners. Mr. Homs mentioned that the property in question is located at the northwest corner of the Governor's Place Development which is a 21.9 acre business park that was developed after the acquisition and demolition of the Hills and Dales Shopping Center. City Council rezoned the area into an Economic Development Overlay District in the early 2000s. The rezoning has guided the development of a business park that contains a mixture of professional and medical offices. In addition to the professional and medical office uses, banks and dine-in restaurants are also permitted. The subject site is located at the southeast corner at the intersection of West Dorothy Lane and South Dixie Drive. The property is 1.64 acres and is currently zoned Economic Development Overlay- 17 and the property is vacant. Before the property became vacant, it housed a PNC Bank that was demolished between 2018-2019. The Economic Development Overlay District was created to guide the redevelopment of a blighted area. This district permits a mixture of medical and professional offices and low intensity commercial uses such as dine-in restaurants and banks. The request before City Council is to rezone the property from ED-17 to B-Business District which would permit high density residential office uses and a wide variety of low and intense commercial uses. The request before City Council is not whether a Sheetz should be approved for the property in question, instead it's whether the rezoning of the property from ED-17 to B-Business can be supported by the factors that must be reviewed in rezoning cases. If the property is rezoned, all permitted uses in the B-Business District would become permitted on the property. Mr. Homs informed City Council that Planning Commission held their public hearing on October 2, 2023, and at that meeting staff recommended, and the Planning Commission concurred, that the rezoning request should be denied since the request did not satisfy the criteria necessary for a positive recommendation. Section 1153.12.8 of the Kettering Zoning Code outlines the role of City Council and there are seven factors that must be considered for rezoning requests and no single factor is controlling, and each must be weighed in relation to other standards. The first factor that must be considered is whether the rezoning or reclassification is consistent with the adopted Comprehensive Plan or any other plans. The Comprehensive Plan highlights the property in question as professional office and business park uses. This designation of professional office and research facilities support retail and high density housing. Kettering's Comprehensive Plan further redefined the land use designations and plans for certain areas of town that were determined to be critical at the time that the plan was adopted, which includes the Governor's Place Development. Commercial uses are delegated to the north side of West Dorothy Lane and the west side of South Dixie remained labeled as professional office and Business Park. At the time the Comprehensive Plan was established, this area had already been rezoned as EDO-17 as part of the redevelopment of the Hills and Dales Shopping Center. The requested rezoning is not consistent with the adopted Comprehensive Plan or any other plan. Factor two determines if the rezoning would have an adverse impact on neighboring lands. The property in question is bound by West Dorothy and South Dixie to the north and west and a dine-in restaurant which is permitted under the EDO-17 designation is located to the east and there

is a mixture of office uses located to the south. More intense commercial uses are focused on the north side of West Dorothy and the west side of South Dixie. City staff and the Planning Commission are concerned regarding the access to the site due to the median on West Dorothy and the one-way traffic flow on South Dixie. The site cannot obtain direct full movement access from either thoroughfare. The nearest roadway that would allow for indirect full movement access is Governor's Place Boulevard, which was designed and developed for low traffic office use and low intensity commercial uses. If the subject site is rezoned to B-Business, there would be a number of high traffic and high-intensity commercial uses that would become permitted on the site. This could push a large amount of traffic onto Governor's Place Boulevard and the professional and medical offices uses that receive access from that roadway were built with an expectation that Governor's Place would follow the adopted plans of EDO-17 and the Comprehensive Plan. Factor three is the suitability of the property as presently zoned and this factor must be weighted in relation to other standards and instances; and instances can exist in which the use for which land is zoned may be rezoned upon proof of a real public need or substantially changed conditions in the neighborhood. The current zoning allows for a mixture of office uses and light retail uses and while the office market is soft, the idea of an office or professional medical office would not be built on this property cannot be proven since no one knows what the future holds and things can change rapidly. In the past few weeks, a new medical office was approved at the corner of Culver and East Dorothy Lane at a 1.8 acre property. The current zoning district does permit some low intensity commercial uses and it's not strictly an office zoning district. For these reasons, city staff believes the property is appropriately zoned. Factor four involves the health, safety and welfare and due to the access of the site and the potential increase traffic on Governor's Place with more intense commercial traffic, is a concern of staff and the Planning Commission which could impact public health and safety. Factor five involves public policy in favor of the rezoning that may be considered. Currently, there are no public policies in favor of the rezoning which are consistent with adopted plans. There are public policies such as the plan for Governor's Place and the Comprehensive Plan which are not in favor of the rezoning. Factors six and seven are not applicable to the request which include the size and tract in relation to the affected neighboring lands, which is not applicable to the request. Other factors may be considered if deemed relevant to the rezoning application to be considered or thought of by staff, which is not applicable to the request. On October 2, 2023, the Planning Commission recommended denial of the requested rezoning due largely to the issues with the request being inconsistent with the Comprehensive Plan and issues associated with access to the site. Mr. Homsy expressed he would be happy to answer any questions.

AJ Scott, Skilken Gold Real Estate Development 4270 Morse Road, Columbus, Ohio, gave the applicant presentation. Mr. Scott expressed he is representing Sheetz in this project. Mr. Scott took a moment to introduce his team that was present:

- Nate Green, Economic Development Impact Consultant
- Kareem Amr, Skilken Gold
- Josh Long, Civil Engineer
- Aaron Hensley, Sheetz

Mr. Scott mentioned the property at question is located on the southeast corner of South Dixie and Dorothy Lane. There is a proposed drive-thru that would be located on the southeast side of the building and he is hopeful that would indicate more possibilities will take place at this location instead of only fuel stations. Sheetz was founded in 1952 by Bob Sheetz which started by selling only food products which lasted for 20 years and 14 stores were created in the Pennsylvania area. It took over 20 years for the company to establish a grab-and-go convenience food service resulting in the company to add gasoline as an additional convenience to their customers. The company was founded in the farm fields of Pennsylvania which is foundational of where Sheetz comes from. 50 years to today, they have opened their 700th store and while the company has grown immensely, it has remained completely family-owned and every store is owned by the Sheetz family. Sheetz is always looking at innovations and they have partnered with Tesla and are very forward thinking. Sheetz stores have contemporary design and high quality materials on canopies and buildings which is considered four-sided architecture. This design has been meticulously guided by Sheetz at every store. The interior provides 30 seats which is adjacent to touchpad menus which food is the heart of the Sheetz brand. The touchpad menus have allowed Sheetz to differentiate them in the market and their menu is extensive and every item is fully customizable. The drive-thru also has the touchscreen menu feature and also negates the need for a "squawk box" to place an order. Sheetz has a full kitchen and all food is made to order along with a full barista bar where custom specialty drinks are made. There is a convenience store which includes high quality and cleanly lit settings. This environment is a true testament to the Sheetz name being on every store and patrons can count on the store being clean and consistent. The menu selection is wide and there is truly something for everyone. Mr. Scott expressed patrons visit Sheetz because the food tastes great not because the gasoline tastes great. There are several community focuses that is important to Sheetz. The company prides itself on being a good neighbor. Sheetz likes to improve a site better than what they found it and they like to do whatever they can to support the community and those community partners who are adjacent. Sheetz is involved in philanthropy work including the Special Olympics of Ohio, Sheetz for the Kids, and Make-A-Wish to help children in communities in which they are engaged in. Sheetz has partnered with Feeding America and to date they have helped feed over 160,000 children in the communities in which they operate. Sheetz was founded on convenience including meeting customers where they are and giving them what they want. With every community there are concerns in different situations. A question Mr. Scott received at the public hearing of the Planning Commission

was why this particular site was selected and if the proposed location would bring more traffic to the site. Through traffic studies of other sites, he has found that Sheetz is not a traffic generator; instead they are a traffic capturer. Sheetz philosophy isn't asking for patrons to go out of their way; instead for Sheetz to meet patrons where they are at. Sheetz has over 30 security cameras on their premises and they are monitored 24/7 by real people with active communications amongst all of their stores. Mr. Scott has found that emergency services desire to stop at Sheetz locations during their night shifts. Sheetz is a 24 hour operation, which is a very important piece of their business. Sheetz will work tirelessly to fit into the community to have little or no disturbance. Due to this 24 hour model, Sheetz is able to employ 30 full-time employees who have benefits. Sheetz stands out because their per acre generation of income is significantly higher compared to other players. Mr. Scott asked Mr. Green to step forward to present on the economic impact.

Nate Green, The Montrose Group- 100 East Broad Street Suite 2320, Columbus, Ohio- Mr. Green expressed he works for an economic development consulting firm and he is currently working with Skilken and Sheetz. Mr. Green mentioned the property in question is a vacant lot of a former PNC Bank and the bank was demolished in 2018. Currently, Kettering Medical Center owns the parcel which they purchased in 2018, and it has remained vacant since that time. The basis for the zoning request is framed around criterion one and two that were presented by Mr. Homsy. The request does not fit in the current Comprehensive Plan but there has been a change in demand of the land that alters the information upon which the zoning map is based. In particular, there has been a change in population, consumer preference, economic indicators and socioeconomic trends. The Comprehensive Plan was put in place in 2002 and there have been updates to it, but not for the entire city and updates haven't been made to this particular area. Mr. Green believes the Comprehensive Plan is out of date and that is one reason the zoning request should be considered and another designation other than office should be considered. The Comprehensive Plan was created 22 years ago and the world has significantly changed and in the last four years the world has changed with office uses. Forbes has a statistic that 12.7% of full-time employees work from home and 28.2% of work is done from a hybrid model. In 2018, both factors were significantly less and were under 5%. Office designations are not what it is use to be or what it will be in the future. By 2025, 22% of the workforce is projected to work from home. Kettering Medical Center has owned the site for five years and they are looking to sell the site. Mr. Green expressed if Kettering Health is not interested in building a medical office on the site he isn't sure if any other company would be interested in building one. TransWestern has studied office uses over the past ten years and have determined there has been a steady decline in the construction of office. Mr. Green believes that is a trend that will continue. The Dayton Development Coalition and Co-Star have determined the South Dayton office market has a vacancy rate of 5.7% and it is projected that rate will rise to 10% within five years. There have been office buildings built since 2019, but there aren't projections for new office construction. The overall market for office has determined the highest and best use of the site isn't office but a convenience store and a fueling station. There will be 30 employees working at Sheetz and salaries will be \$1.4 million dollars which will produce an estimated \$25,000 a year in new income tax back to Kettering. The overall economic impact of the Sheetz facility is projected to generate \$2.8 million to Kettering. The gross domestic product of Kettering (income, sales tax and goods purchased) produces a GDP value of \$6 million dollars. The construction of the facility will consist of 51 people and it is estimated workers will produce an income of \$3.4 million dollars while the construction is happening. The total impact from the construction and employment will be \$1.8 million dollars on an annualized basis including income taxes, sales taxes and property taxes. When the PNC Bank was operational, there were roughly eight employees with around half million dollars in payroll which produced \$9,000 in income taxes. Sheetz will be providing up to three times more income taxes to Kettering. Mr. Green concluded the Comprehensive Plan is out of date and should be looked at for the rezoning request. Socioeconomic trends have shifted away from professional office for this particular site and all of the South Dayton market which is a reason why the site should be rezoned. Sheetz is consistent with uses to the east and west of the property and there are other fuel stations located to the west of this property that are not in Kettering's jurisdiction. There is a restaurant located to the east and Sheetz is a convenience store restaurant and it is consistent with the restaurant next door. Sheetz will have a considerable economic impact on Kettering that is larger than the former use of the site and would be larger than medical office. If the site isn't rezoned it will likely sit vacant which would result in no income being generated. The highest and best use is no longer professional office but business designation for this request.

Mr. Scott elaborated he received the denial recommendation from the Planning Commission. The staff report reflected a map amendment maybe recommended for approval if at least one documented finding can be made to the list of five criteria found within Section 8.1. As Mr. Green mentioned, the socioeconomic impact has changed the landscape for real estate since the adoption of the Comprehensive Plan. Mr. Scott expressed he believe the rezoning meets the second criteria for rezoning. Mr. Scott shared a quote from Planning Commission member Don Rethman, "The reason for the recommendation is because the mechanism for rezoning requires the Planning Commission to make one of the five findings which they didn't so at some level their hands are tied". Mr. Scott expressed he felt like during the public hearing the Planning Commission felt like they were not allowed to vote yes and therefore had to give a denial recommendation. Sheetz is excited to be part of the Kettering community and the site would have a higher positive impact compared to the other options within the EDO-17 designation. Kettering Medical Center has been unable or unwilling to build a medical office despite they are a large employer. City staff has indicated phasing out the EDO-17 zoning designations overtime. Mr. Scott expressed since the rezoning meets criterion two, the request

would be a routine zoning request and he believes it is within Kettering's best interest. Mr. Scott mentioned he would be happy to answer any questions.

Mr. Klepacz expressed that during the presentation, it was suggested that Sheetz would not increase traffic but in two years, 22% of people will be working from home. That would result in less traffic because motorists wouldn't be fueling or charging their vehicles.

Mr. Green informed City Council that a traffic study hasn't been conducted yet and that would be the next step in the process. Mr. Green expressed he isn't able to answer that question. Even though the numbers are down due to people working from home; there aren't less people driving on the road. Mr. Green expressed he drives from Columbus often and has noticed there are more people on the roads. People will continue to grab a sandwich at Sheetz and charge their cars or get fuel.

Councilman Scott asked how many Sheetz locations are planned in the Greater Dayton Area?

Aaron Hensley, 630 Morrison Road Suite 150, Gahanna, Ohio- Mr. Hensley informed City Council there are currently 15 Sheetz locations under contract or in construction and the company is looking at roughly 25 locations in the Dayton market. The company hasn't completely defined what is considered the Dayton market and they are still exploring boundary lines.

Councilman Scott expressed when he travels to Columbus or northwest Ohio Sheetz locations are very visible and seem high density. Councilman Scott clarified that a typical Sheetz location would employ 30 workers with an approximate payroll of \$1.4 million dollars.

Mr. Hensley informed City Council there would be roughly 30-35 full-time and part-time employees.

Councilman Scott asked the approximate payroll projection would be \$1.4 million dollars?

Mr. Hensley informed City Council that projection is correct.

Councilman Scott asked what is the typical allotment for charging stations for electric vehicles?

Mr. Hensley informed City Council the number varies because Sheetz will not install the charging stations, instead they go to vendors to see if they are interested in building charging stations. If a vendor is interested, Sheetz would designate 6-10 spots and the vendor would install the charging stations. The vendor will pay to install the charging stations and Sheetz will pay the vendor every time someone uses the charging station. Sheetz doesn't own the infrastructure, they just provide the space and pay the vendor when someone charges a vehicle.

Councilman Scott asked what is the typical construction duration from the time ground is broken to when Sheetz is ready to open for business?

Mr. Hensley informed City Council average construction is five months.

Mayor Lehner expressed 15 years ago there was a drug store wars and companies were building drug stores wherever they could find parcels. She believes that pattern is now taking place with convenience stores. When a drug store goes out of business there is an opportunity to build something else on the parcel. When a gas station goes out of business it becomes a very costly process to remove the fueling tanks. When Sheetz comes into a market with a beautiful store and an average gas station is located across the street, Sheetz will put that company out of business. Sheetz competition will be existing stores and also new market stores.

Mr. Scott expressed the reason he brought up the history of Sheetz was to show they are a company that innovates when needed and adapts wherever to become a future business. Mr. Green expressed he cannot project the competition within the next 20 years but Sheetz is a company that is in it for the long haul and has proven over 70 years they will adapt whenever needed to be the one stop location that the future is looking for. Gas stations may not last forever due to the electric trend but he believes Sheetz will be moving forward.

Mr. Hensley expressed there is funding available to clean up gas stations if property owners walk away from the property.

Mrs. Fisher asked if the drive-thru would continue on the same route on Governor's Place?

Mr. Scott informed City Council that the drive-thru would wrap on the southeast side of the parcel to the back of the building.

Mrs. Fisher asked for clarification if the traffic would have to be routed onto Governor's Place.

Mr. Scott informed City Council that is correct and the access points wouldn't change.

Mrs. Fisher asked if there is any yield to the 24/7 store model because being a good neighbor means the lights are not always on while people are trying to sleep.

Mr. Hensley informed City Council that is something the company wouldn't yield on because they would like to be open for hospital workers who are changing shifts at 4:00 a.m. Sheetz is there for the community and customer but they aren't that busy most of the time. Most time is spent cleaning and stocking the store.

Ms. Duvall expressed during the presentation there was a slide that reflected minimal increase in traffic but a traffic study has not been conducted. Is there any baseline data about the traffic impact?

Mr. Scott informed City Council he doesn't have exact numbers but traffic studies have been done for other sites and they have found traffic increase between 2-6%. The last project he worked on the traffic increase was 2%.

Josh Long, 2600 Corporate Exchange Drive, Columbus, Ohio- Mr. Long expressed the biggest concern from a traffic perspective is the turning movements and not necessarily more traffic to the area and about 76% of trips are bypass trips which means fueling is when someone is already in route to get to another location. Sheetz's business model is about finding sites where people are going to and from work and grabbing people who are just getting gas or would like a bite to eat. Traffic numbers would support that model but he is more concerned about movements in and out of sites. Intersections are not a concern, but access points and movements really drive the data behind the traffic study.

Mayor Lehner mentioned there is a similar store on Dorothy Lane and they have a pole which makes it hard to get in and out of the business. Is Sheetz anticipating installing a similar device?

Mr. Long informed City Council that at the proposed location of Sheetz, there are already measures in place to restrict traffic due to the median on the north side that would only allow right-in and right-out. Left-hand turns will not be allowed and on the west side there is only one-way traffic. Left turns are often the most dangerous because motorists are crossing traffic and there are more impactful accidents. The direct access points for this particular site are already restricted so there wouldn't be any additional measures.

Mayor Lehner asked Mr. Long if he were designing this project from scratch would he keep the same in-and-out pattern?

Mr. Long expressed generally, an ideal access would be one full cut access that's far away from the intersection as possible and two restricted access points that are closer to ensure traffic is able to get off the road. This site is unique because there is access through other parcels so there is both full and restricted access to the site. Full cuts close to the intersection won't work and they are not recommended. The intersection of where the proposed site is located is unique.

Mr. Klepacz expressed the request before City Council is about rezoning the parcel and not about Sheetz, but all that has been presented is about Sheetz. Should the person who requested the rezoning be present at the hearing before City Council?

Mr. Homsy informed City Council that Sheetz is an agent on behalf of Kettering Medical Center to apply for the rezoning. From the applicant perspective it's hard not to talk about the use that triggered the request but from a staff perspective all details that were provided about the operation, history and being community oriented are not relevant to the factors that are reviewed when City Council reviews rezoning.

Mayor Lehner asked if there were any comments from the public either for or against the rezoning. Those who wished to speak took the oath.

Dina Matteucci- 2919 Glenmore Avenue- Ms. Matteucci expressed she lives right behind the pancake house that is currently vacant. She wishes there could be a better use rather than something that is open 24 hours to put at the proposed location of Sheetz. It was expressed earlier about being a good neighbor and she hopes City Council takes that into consideration when making their decision. There have been issues in the past between Walmart and the neighborhood and some issues from Walmart have come over into her neighborhood. Ms. Matteucci expressed she doesn't feel this is good for right now.

Ms. Duvall thanked Ms. Matteucci for speaking at the public hearing as a resident and expressed residents are a missing piece City Council hasn't heard from.

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

PUBLIC COMMENT ON LEGISLATION

ORDINANCES IN SECOND READING

RESOLUTIONS

A RESOLUTION
NO: 10951-23
BY: MRS.FISHER AND MR.KLEPACZ

AUTHORIZE ACCEPTANCE OF A DONATION FROM AMERICAN LEGION POST 598 THROUGH THE KETTERING POLICE FOUNDATION FOR THE PURCHASE OF FOUR AUTOMATED EXTERNAL DEFILBRILLATORS

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: 10952-23
BY: MR.KLEPACZ AND MRS.HALL

AUTHORIZING ACCEPTANCE OF A DONATION FROM THE DOR-WOOD OPTIMIST CLUB THROUGH THE KETTERING POLICE FOUNDATION FOR THE RADKIDS PROGRAM

Mr. Klepacz read the above resolution and moved for approval. Mrs. Hall 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: 10953-23
BY: MRS.HALL AND MR.SCOTT

AUTHORIZING THE CITY MANAGER TO APPLY FOR AND ACCEPT AN OVI TASK FORCE GRANT FROM THE OHIO DEPARTMENT OF PUBLIC SAFETY

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, Police Chief informed City Council that the program has been used for several years and it is used to enforce and deter people from operating vehicles while under the influence.

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: 10954-23
BY: MR.SCOTT AND MS.DUVALL

AUTHORIZING THE CITY MANAGER TO CONTRACT WITH THE HOMEOWNERSHIP CENTER OF GREATER DAYTON TO PROVIDE COUNSELING SERVICES AS PART OF THE CITY'S HOUSING AND FORECLOSURE PREVENTION PROGRAMS

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

Mr. Robillard, Planning and Development Director 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: 10955-23
BY: MS.DUVALL AND MRS.FISHER

AUTHORIZING THE CITY MANAGER TO CONTRACT WITH THE MIAMI VALLEY FAIR HOUSING CENTER FOR OPERATION OF THE CITY'S FAIR HOSUING PROGRAM

Ms. Duvall read the above resolution and moved for approval. Mrs. Fisher seconded the motion.

Mr. Robillard, Planning and Development Director 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: 10956-23
BY: MRS.FISHER AND MR.KLEPACZ

AUTHORIZING THE CITY MANAGER TO PURCHASE COURTROOM AUDIO/VIDEO RECORDING EQUIPMENT FROM JUSTICE AV SOLUTIONS

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: 10957-23
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

CERTIFICATIONS AND PETITIONS

MANAGER'S REPORT/COMMUNITY UPDATE

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

- Medicare Open Enrollment begins October 15 through December 7.
- Leaf collection will continue throughout the districts in numerical order. Residents should rake their leaves to the edge of their lawn for collection.
- Accessibility grants are available, for more information residents can contact the Planning & Development Department at (937) 296-3308.
- Stay-On Pandemic Utility Assistance program is available to homeowners and renters in the community. For more information residents can contact (937) 296-3247.
- Make A Difference Day will take place on Saturday, October 28. If residents are interested in participating they should contact the Volunteer Office at 937-296-2433.
- DEA Drug Takeback Day will take place on Saturday, October 28 from 10:00 a.m.-2:00 p.m. at the Kettering Police Department.
- Beggar's Night will take place on Tuesday, October 31 from 6:00-8:00 p.m. This event will take place rain or shine.
- City Council meetings for the month of December will take place on the following dates:

- Tuesday, December 5- Budget Workshop at 5:00 p.m.
- Tuesday, December 5- City Council Meeting at 7:30 p.m.
- Tuesday, December 12- Workshop at 6:00 p.m.
- Tuesday, December 12- City Council Meeting at 7:30 p.m.
- Wednesday, November 1- Joint School Board Meeting at 6:00 p.m.
- Daylight savings ends at 2:00 a.m. on Sunday, November 5.
- Veterans Day Ceremony will take place on Saturday, November 11 at 11:00 a.m. at Delco Park.

OTHER BUSINESS NOT ON WRITTEN AGENDA

Audience Participation (5 Minute Limit per Speaker)

COUNCIL COMMITTEE REPORTS

Mrs. Fisher reported:

- Shred Day was a wonderful event and the lines were very efficient.
- On October 19 she attended Light the Night and Chloe Adkins was honored at the event.
- Residents should get out and vote on November 7.

Mr. Klepacz reported:

- On October 19 he attended Supper Club at Fairmont High School.
- The best deals are in your backyard, shop Kettering.

Mrs. Hall reported:

- Residents should get out and vote on November 7.
- Residents should be mindful of children and pedestrians on Beggar’s Night.
- She spoke to a representative at Dayton Children’s Hospital and they are seeing more children for suicide and malnutrition; Kettering City Schools has resource guidelines for families.

Mr. Scott reported:

- Nothing to report.

Ms. Duvall reported:

- Kettering Leadership Academy participated in Government Day and she is thankful for the members of staff who presented.
- She welcomed Rick Armstrong who is a member of the Kettering Leadership Academy who attended the City Council meeting.
- The Board of Community Relations has two openings for board members and they are currently accepting essay and video submissions for the Martin Luther King Jr. Writing Contest.
- Council Chambers will receive audio and equipment upgrades in 2024 as part of the Miami Valley Communications Council proposed budget.

Mr. Duke reported:

- Absent.

Mayor Lehner reported:

- She attended the Kettering Leadership Academy Government Day.
- She attended the Kiwanis Chili Cook-Off.
- She attended a hockey game for the University of Dayton at the Kettering Ice Arena; there is always something to do in the Kettering community.

There being no further business to come before this meeting of the Kettering City Council; Mayor Lehner adjourned the City Council Meeting at 9:02 p.m.

ATTEST:

PEGGY LEHNER, MAYOR

LaShaunah D. Kaczynski
Clerk of Council