

CITY OF KETTERING
CITY COUNCIL
WORKSHOP MINUTES
November 14, 2023

The Council of the City of Kettering, Ohio, met in a workshop session on Tuesday, November 14, 2023, in the Deeds Conference Room, Kettering Government Center, 3600 Shroyer Road. The meeting came to order at 5:01 p.m.

Council members present included Mayor Lehner, Mr. Duke, Ms. Duvall, Mr. Klepacz, Mrs. Hall and Mr. Scott. Vice Mayor Fisher arrived at 6:05 p.m.

Staff members present included City Manager Matt Greeson, Assistant City Manager Steve Bergstresser, Law Director Ted Hamer, Human Resources Director Jenny Smith, Police Chief Chip Protsman, Economic Development Manager Amy Schrimpf and Community Information Manager Mary Azbill. At 6:30 p.m., Planning and Development Director Tom Robillard and Volunteer Program Administrator Dawn Kirchner joined for the Strategic Plan portion of the workshop.

Dr. Jan Duke, Mr. Bryan Suddith and Mr. Sterling Abernathy were also in attendance. At 6:30 p.m., Steering Committee Co-Chairs Bill Lautar, Susan Bodary and LaSue Juniel arrived to discuss Strategic Plan.

At 5:02 p.m., Mr. Duke made a motion to enter Executive Session under Section 121.06 (k) of the Codified Ordinances for the purposes of Labor Negotiations, seconded by Mr. Scott. The motion passed unanimously upon roll call.

At 5:17 p.m., the Council exited Executive Session and went back on public record.

Body Camera and Taser Replacement – Chief Protsman stated that the Kettering Police Department (KPD) has been evaluating options to replace body-worn cameras and Tasers for 11 months in anticipation of a necessary change in 2024. Watchguard (bought by Motorola) is KPD's current vendor for body-worn (purchased in 2020) and in-car cameras. Axon bought Taser. In-car cameras are out of warranty, and body-worn cameras will be out of warranty in 2024. Axon has a new model for Tasers, and KPD's equipment is two models behind and not supported by current batteries and cartridges. Currently, 25% of KPD's body-worn cameras required repairs due to improper battery function. Axon is the only company that sells Tasers, and will bundle the price if KPD purchases cameras through them. Redaction software is included which would trim significant manpower hours from manually redacting information for records requests. Another benefit from Axon to save manpower time is the ability for officers to download camera footage to be automatically turned into a written police report (available in 2024). Finally, of critical importance is the option for supervisors or dispatchers to monitor officers live through the cameras. Chief Protsman explained that if KPD signs with Axon, new Tasers, body-worn cameras and software updates would be provided. Axon partnered with Flock, allowing those cameras to work with in-car cameras to read license plates near the cruiser. Training will be provided, as well.

Mr. Klepacz asked if there is an additional cost to interface with this technology. Chief Protsman stated there is no cost, and storage would be cloud based rather than using servers. Tasers, Flock and body worn cameras through Axon would cost KPD \$1.7 million and \$1.5 million with Watchguard. Axon is providing a savings of over \$600,000.

Ohio Issue 2 – Legalization of Recreational Marijuana – Mr. Bergstresser presented three options for Council members to consider when determining how to regulate adult use of cannabis in Kettering. He explained that this issue would be similar to the Ohio laws set forth in 2016 regarding medical marijuana with caveats. Issue 2 allows adults to cultivate, process or sell it. The new law will not impact City policies as cannabis is prohibited. The state will control cannabis laws and permits will begin being issued in September 2024. One difference from medical marijuana is that there will be a 10% sales tax for cannabis. In 2018, Council prohibited medical marijuana operations in Kettering after a one-year moratorium was in place. Mr. Bergstresser explained the options moving forward including 1.) Allow recreational cannabis in Kettering - Medical marijuana would still be prohibited in Kettering; however, on December 7, recreational cannabis would be permitted according to state requirements. Staff does not recommend this option. 2.) Prohibit cannabis operations in Kettering - Cultivation, processing and dispensing would be prohibited. Ordinance 743 would be revised to include recreational marijuana for approval November 28. Mary: I thought there was a third option which was "Do Nothing."

Mr. Duke stated that it might be better to legalize it so that it can be more closely regulated.

Mrs. Hall stated that every Council district voted for it, and it should not be prohibited. It will provide revenue for the City. Recreational cannabis laws should coincide with alcohol provisions. Ms. Duvall agreed.

Mr. Klepacz asked what changes legalization would bring for KPD. Chief Protsman stated there would likely be an uptick in criminal activity, and the K9 Unit would need to be evaluated for drug detection. Chief will research for facts (i.e., Beavercreek and other municipalities allowing medical marijuana).

Mr. Greeson stated that, at a minimum, a moratorium is recommended for research purposes.

Mayor Lehner asked Council members if there was an objection to a moratorium. Mrs. Hall asked for rationale. Mr. Hamer stated that the problem with waiting is losing control of commercial establishments setting up shop—once they are here, there's no turning back. It is advisable to put a moratorium in place or prohibit altogether and decide to loosen things up if research deems appropriate.

Mr. Scott stated that Kettering does not need to be a leader in dealing with a gateway drug, and it has stood strong against inappropriate businesses that are cash heavy. He stated a moratorium allows for change, and residents could go to Beavercreek or Moraine to make purchases.

Ms. Duvall stated Boonshoft money is dwindling, and the City could use the revenue.

Mr. Duke supported the moratorium.

Mayor Lehner stated research needs to be done. Moratorium legislation will be created.

Budget Document – Mr. Greeson stated that a white copy of the 2024 budget would be distributed to Council Wednesday, November 22. The following week will be the budget workshop at 5:00 p.m. He stated the City's personnel, operating, capital outlay and debt are funded by current operating revenue, while capital improvements may be funded by reserves. The City projections show a \$4 million operating margin with net reserves of \$344,840 over the operating budget after the transfer of capital improvement funds.

At 6:15 p.m., Mayor Lehner called for a brief meeting break.

At 6:28 p.m., Mayor Lehner called for the workshop to reconvene.

Strategic Plan – Mr. Greeson introduced Strategic Plan Steering Committee Co-Chairs Bill Lautar, Susan Bodary and LaSue Juniell. He then described the internal cross-departmental team including City Manager's Office, Human Resources, Planning and Development and the Volunteer Office. He reminded Council members that PlanningNext is the consultant helping to develop the new Plan. Thus far, several meetings have been held publicly, among Steering Committee members, within City departments with a three-box exercise and with 700-series employees participating in group exercises. Themes and topics were developed, along with a vision, mission, goals and objectives. Department directors were asked to provide input on the latest draft by November 16. A public open house will be held November 30 at the Wilmington-Stroop Public Library. Online engagement will launch December 1, and a road show will bring the Strategic Plan to different locations throughout the city to get public feedback including the Charles I. Lathrem Senior Center, Recreation Center and back to the North Building of the Government Center on December 15 for City staff to give feedback. Mr. Greeson stated that after December 15, the Steering Committee would take another look at the Plan. Mr. Lautar stated that the hundreds of comments prove the process has garnered adequate public engagement. Ms. Bodary expressed her appreciation to the City for listening. Ms. Juniell stated that residents' participation cultivates buy-in to the process.

Vice Mayor Fisher asked what the City is gaining from the exhibit. Mr. Greeson stated that it gives people the opportunity to have one last look and opportunity to comment.

Mr. Lautar expressed his displeasure with the words "should" and "shall" throughout the Plan rather than "will".

Mr. Duke asked if a sheet could be available at the exhibit for residents to share questions.

Mr. Klepacz was concerned that public safety was not mentioned in the Plan. Steering Committee co-chairs explained that public safety is included, but not boldly.

Mr. Duke advised that youth was not mentioned. Co-chairs showed specific goals for youth.

Mr. Scott would like to see Kettering businesses and schools mentioned in subsets within the Plan.

Mayor Lehner asked to consider Council's review of the Plan annually to discuss and prioritize. Mr. Greeson stated that retreats and planning sessions would allow for that.

Mr. Greeson reviewed the agenda items with Council members.

Mr. Hamer explained Council’s voting options in response to the Sheetz rezoning public hearing including: 1.) accepting the recommendation of the Planning Commission to deny the application, or 2.) rejecting the Planning Commission’s recommendation and directing staff to draft an ordinance that puts the zoning into effect. Council discussed the possibilities surrounding the Sheetz gas station.

The City Council Workshop Meeting adjourned at 7:25 p.m.

ATTEST:

PEGGY LEHNER
MAYOR

LASHAUNAH D. KACZYNSKI
Clerk of Council