

**KETTERING CITY COUNCIL  
REGULAR MEETING MINUTES  
November 28, 2023**

The Council of the City of Kettering, Ohio, met in regular session on Tuesday, November 28, 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**

November 14, 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 November 14, 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- Sister Cities- Jennifer Yunker (Term ending 12/31/25)

Appointment- Sister Cities- Michael Moorhead (Term ending 12/31/25)

Mrs. Fisher made a motion to appoint Jennifer Yunker and Michael Moorhead to the Sister Cities Committee. Mr. Klepacz seconded the motion. The motion was declared carried followed by a unanimous like sign vote to approve the appointments.

Certificate of Recognition- Alter Boys Varsity Golf Team- 2023 Division II State Champions

Mrs. Fisher read the above certificate of recognition and the certificate was accepted by Alex Schuster, Head Coach and the Alter Boys Varsity Golf Team. Mayor Lehner presented the team with a ceremonial plaque that will be displayed at all jurisdictions lines of Kettering.

Mayor Lehner expressed she hopes to see the Alter Boys Varsity Golf Team back again next year to be recognized as state champions.

**PUBLIC HEARINGS**

**PUBLIC COMMENT ON LEGISLATION**

**ORDINANCES IN SECOND READING**

**AN ORDINANCE**

**NO: 4401-23**

**BY: MRS.FISHER AND MR.KLEPACZ**

**TO AMEND SECTION 660.20 OF THE CODIFIED ORDINANCES TO PROHIBIT ILLICIT  
DISCHARGE OF POLLUTANTS INTO THE STORM DRAINAGE SYSTEM**

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

Mr. Bergstresser, Assistant 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: 10966-23  
BY: MR.KLEPACZ AND MRS.HALL

AUTHORIZING THE CITY MANAGER TO CONTRACT WITH THE STATE OF OHIO FOR AUDIT SERVICES FOR AUDIT YEAR 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.

A RESOLUTION  
NO: 10967-23  
BY: MRS.HALL AND MR.SCOTT

AUTHORIZING THE CITY MANAGER TO CONTRACT WITH CENTRALSQUARE TECHNOLOGIES FOR SOFTWARE UPGRADES

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: 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: 10968-23  
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: 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 EMERGENCY ORDINANCE  
NO: 4402-23  
BY: MS.DUVALL AND MRS.FISHER

IMPOSING A MORATORIUM OF NINE MONTHS ON ADULT USE CANNABIS OPERATORS WITHIN THE CITY OF KETTERING, OHIO AND DECLARING AN EMERGENCY

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

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

Mr. Hamer, Law Director, informed City Council the ordinance is an emergency measure so it can go into effect prior to the effective date of State Issue 2, which is December 7. The usual ordinance

adoption process would extend beyond that. If City Council votes in favor of the ordinance, it would be effective immediately and last for a duration of nine months. City staff is recommending approval.

The following votes were recorded: Mrs. Fisher, Yea; Mr. Klepacz, Yea; Mrs. Hall, Nay; Mr. Scott, Yea; Ms. Duvall, Yea; Mayor Lehner, Yea. There being five (5) Yea votes and one (1) Nay vote, the motion was declared carried and the ordinance duly adopted.

AN EMERGENCY ORDINANCE  
NO: 4403-23  
BY: MRS.FISHER AND MR.KLEPACZ

TO APPROPRIATE PROJECT PARCEL 3-T OF THE DANUBE COURT BRIDGE REHABILITATION  
PROJECT (CITY PROJECT NO. 03-924A, ODOT PROJECT MOT-DANUBE COURT BRIDGE  
REHAB, PID NO. 114100); AND TO DECLARE AN EMERGENCY

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

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

Mayor Lehner asked why is the parcel only worth \$300?

Mr. Bergstresser informed City Council \$300 is the minimal offer that ODOT uses. The parcel is .0025 acre which is about the size of a desk, but that is the minimal offer the City is allowed to make.

Mayor Lehner expressed she is sure there was a bidding war for the .0025 acre parcel.

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.

CERTIFICATIONS AND PETITIONS

MANAGER'S REPORT/COMMUNITY UPDATE

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

- Congratulations to the Finance Department on receiving the Certificate of Achievement for Excellence in Financial Reporting for the 41<sup>st</sup> consecutive year.
- Leaf collection will continue throughout the districts in numerical order. Residents should rake their leaves to the edge of their lawn for collection.
- The community is invited to attend an open house to provide input on the new Strategic Plan on Thursday, November 30 from 5:00-7:00 p.m.
- Submissions for the Martin Luther King Jr. Writing Contest will be accepted until December 8, 2023.
- City Council meetings for the month of December will be held on the following dates:
  - Tuesday, December 5
  - Tuesday, December 12
- Mayor's Tree Lighting will take place on Friday, December 1 from 6:00-8:00 p.m. at Lincoln Park Civic Commons.
- The ribbon cutting ceremony for Rosewood Arts Center will take place on Saturday, December 2 at 10:00 a.m.
- Rosewood Holiday Arts Festival will take place on Saturday, December 2 from 11:00 a.m.-3:00 p.m.
- Christmas Day Gathering will take place on December 25 from 11:00 a.m.-2:00 p.m. at the Lathrem Senior Center.

OTHER BUSINESS NOT ON WRITTEN AGENDA

Audience Participation (5 Minute Limit per Speaker)

COUNCIL COMMITTEE REPORTS

Mrs. Fisher reported:

- On November 16 she attended the annual Volunteer Appreciation Luncheon.
- Residents should consider volunteering as a way to give back to the Kettering community.

Mr. Klepacz reported:

- On November 16 he attended the Volunteer Appreciation Luncheon; he is looking forward to more volunteers returning to the City.
- On November 18 he attended the Mid-East Cross Country Championship at Indian Riffle Park.
- Support local businesses when checking off your holiday lists, shop Kettering.

Mrs. Hall reported:

- The shooting in Beavercreek was devastating; there needs to be continued advocacy for common sense gun laws.

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- Kettering’s Homebuyer Assistance Program has helped 43 homebuyers and assistance is still available.
- Taco Johns is coming to Kettering.

Mr. Scott reported:

- The City Council took the correct action adopting a moratorium for cannabis which is a wait and see attitude to study the matter.

Ms. Duvall reported:

- The Martin Luther King Jr. Writing Contest will also accept video submissions.
- Congratulations to Bill Tschirhart and Dan Bogan who received accolades by the Ohio Parks and Recreation Association.
- She had the opportunity to represent the Kettering community at the National League of Cities Conference.

Mr. Duke reported:

- Absent.

Mayor Lehner reported:

- Residents should think about volunteering in the New Year.
- The community is invited to attend an open house to provide input on the new Strategic Plan on Thursday, November 30 from 5:00-7:00 p.m.
- At the December 12 City Council meeting Mr. Duke and Mr. Klepacz will be honored for their service to 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 8:08 p.m.

ATTEST:

LaShaunah D. Kaczynski  
Clerk of Council

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PEGGY LEHNER, MAYOR