



**CITY OF HUBER HEIGHTS
STATE OF OHIO
City Council Meeting
Regular Session
January 27, 2014
7:00 P.M.**

1. **Call The Meeting To Order - Mayor Tom McMasters**
2. **Invocation - Pastor David McClary Of The First Christian Church Of Huber Heights At 6114 Fishburg Road, Huber Heights, Ohio**
3. **Pledge Of Allegiance**
4. **Roll Call**
5. **Approval Of Minutes**
 - A. City Council Meeting Minutes - January 13, 2014
6. **Special Presentations/Announcements**
 - A. Fire Division Promotions Presentation For Firefighter/Paramedic Robert Williams To Lieutenant And Lieutenant Mike Muhl To Battalion Chief - Fire Chief Mark Ashworth And Mayor Tom McMasters
 - B. Huber Heights Arts And Beautification Commission 2013 Holiday Lighting Contest Awards Presentation - Ms. Margie Muhl, Arts And Beautification Commission City Staff Liaison
 - C. Ohio House Of Representatives District 40 Presentation - Ohio Representative Michael Henne, Ohio House District 40
 - D. Destiny Church Presentation - Pastor Eric Smith, Destiny Church
7. **Citizens Comments**
8. **Citizens Registered to Speak on Agenda Items**
9. **City Manager Report**
10. **Pending Business**

New Business**ADMINISTRATION****Rob Schommer, Interim City Manager**

- A. An Ordinance Amending Section 521.10 Of Part Five, General Offenses Code, Being Chapter 521 Health, Safety, And Sanitation Of The Huber Heights Codified Ordinances. (first reading)
- B. A Resolution Authorizing The City Manager To Purchase Vehicles For Use By The Police Division Through The Ohio Cooperative Purchasing Program, GSA AutoChoice, Or By Direct Negotiations, And Declaring An Emergency. (first reading)
- C. A Resolution Strongly Opposing The Passage Of Amended Substitute House Bill 5 By The Ohio General Assembly And Encouraging The Adoption Of Changes Recommended By The Ohio Municipal League, And Declaring An Emergency. (first reading)

ECONOMIC DEVELOPMENT DEPARTMENT**Don Jones, Assistant City Manager**

- D. A Resolution Authorizing The City Manager To Prepare, Execute, And Submit The Initial Project Application To The Ohio Department Of Transportation State Infrastructure Bank (SIB) To Provide Financing For The Construction Of A New Public Parking Facility And Associated Roads And Other Infrastructure At The Music Center At The Heights, And Declaring An Emergency. (first reading)
- E. A Resolution Authorizing The City Manager To Prepare, Execute, And Submit The Initial Project Application To The Ohio Department Of Transportation State Infrastructure Bank (SIB) To Provide Financing For The Construction Of Public Roads, Streets, And Associated Public Sewer, Water And Public Infrastructure At The Carriage Trails Development In Miami County, And Declaring An Emergency. (first reading)

FINANCE DEPARTMENT**Jim Bell, Finance Director**

- F. A Resolution Authorizing The City Manager To Expend Funds To Cover The Costs Of Various Goods And Services Ordered By City Departments/Divisions, And Declaring An Emergency. (first reading)
- G. An Ordinance Authorizing Advances and Transfers Between Various Funds Of The City Of Huber Heights, Ohio And Amending Ordinance No. 2013-O-2077 By Making Supplemental Appropriations For Expenses Of The City Of Huber Heights, Ohio For The Period Beginning January 1, 2014 And Ending December 31, 2014. (first reading)

LEGAL DEPARTMENT

Alan Schaeffer, City Attorney

- H. A Resolution Authorizing The City Manager To Take Whatever Steps Are Necessary To Obtain The Ability To Sell Beer, Wine And Any Intoxicating Liquor From The Music Center At The Heights, Located At 6800 Executive Boulevard, A Community Facility As Defined Under Section 4301.01 (B)(19)(a) Of The Ohio Revised Code, And Sunday Sales To Include The Filing Of Any Applications Or Other Documentation With The Ohio Department Of Commerce, Division Of Liquor Control, The Montgomery County Board Of Elections Or Any Other Governmental Entity Or Agency, And Declaring An Emergency.
(first reading)

PLANNING DEPARTMENT

Scott Falkowski, Assistant City Manager

- I. A Resolution Authorizing The City Manager To Enter Into A Change Order With MKSK, For Additional Services Rendered As A Result Of Changes Made To The Scope Of Work For The Recreation Facility, And Declaring An Emergency.
(first reading)
- J. A Resolution Authorizing The City Manager To Negotiate And Enter Into An Agreement With Bowser-Morner Regarding Observation, Testing And Special Inspections For The Recreational Facility, And Declaring An Emergency.
(first reading)

PUBLIC SERVICES DEPARTMENT - ENGINEERING DIVISION

Russ Bergman, City Engineer

- K. A Resolution Authorizing The City Manager To Solicit Bids For The 2014 Fire Hydrant Replacement Program, And Declaring An Emergency.
(first reading)
- L. A Resolution Authorizing The City Manager To Enter Into An Agreement To Remove Deteriorated Non-Composite Box Beams And Replace With Composite Box Beam Superstructure On Structure File Number 5709792, Bridge Number MOT-235-0177R, Within The City Of Huber Heights, Montgomery County, Ohio, And Declaring An Emergency.
(first reading)
- M. A Resolution Authorizing The City Manager To Secure Bids And Award A Contract For The Heathermere Water Main Looping Project, And Declaring An Emergency.
(first reading)

12. **City Official Reports and Comments**

13. **Executive Session**

14. **Adjournment**

AI-2137

Minutes **A.**

City Council Meeting Agenda

Meeting Date: 01/27/2014

Approval of Minutes - 1/13/14

Submitted By: Anthony Rodgers

Department: City Council

Council Committee Review?: None

Date(s) of Committee Review: N/A

Audio-Visual Needs: None **Emergency Legislation?:** No

Motion/Ordinance/ N/A

Resolution No.:

Information

Agenda Item Description or Legislation Title

City Council Meeting Minutes - January 13, 2014

Purpose and Background

Approval of the minutes from the January 13, 2014 City Council Meeting.

Fiscal Impact

Source of Funds: N/A

Cost: N/A

Recurring Cost? (Yes/No): N/A

Funds Available in Current Budget? (Yes/No): N/A

Financial Implications:

There are no financial implications to this agenda item.

Attachments

Minutes

Huber Heights City Council

In Council Chambers
6131 Taylorsville Road

January 13, 14

1. The Huber Heights City Council met in a Regular Session on January 13, 2014. Mayor Tom McMasters called the meeting to order at 7:02 p.m.
2. The Invocation was given by Pastor Randy Griffith of the Free Methodist Church located at 6875 Old Troy Pike, Huber Heights, Ohio.
3. Mayor McMasters led in the Pledge of Allegiance.
4. Councilmembers present for this meeting were: Mayor Tom McMasters, Lu Dale, Karen Kaleps, Jan Vargo, Ed Lyons, Tyler Starline, and Judy Blankenship.

Mayor McMasters stated Council is all present and accounted for except for Mark Campbell and Tracy Dudley. Mayor McMasters entertained a motion to excuse their absences.

Mrs. Kaleps moved to excuse the absences of Tracy Dudley and Mark Campbell; Mrs. Dale seconded the motion. On a call of the vote, Mrs. Kaleps, Mrs. Vargo, Mr. Lyons, Mr. Starline, Mrs. Blankenship, and Mrs. Dale voted yea; none voted nay. The motion passes 6-0.

5. **Approval of Minutes**

- A. City Council Meeting Minutes – December 9, 2013

6. **Special Presentations/Announcements**

- A. Swearing In And Oath Ceremony For Tom McMasters, Mayor – Ward 3
Councilmember Tyler Starline

Tom McMasters was sworn in as Mayor by Councilmember Tyler Starline.

- B. Swearing In And Oath Ceremony For Tyler Starline, Ward 3
Councilmember – Magistrate William Cox

Councilmember Tyler Starline was sworn in by Magistrate William Cox.

- C. Swearing In And Oath Ceremony For Judy Blankenship, Ward 4
Councilmember – Judge James Manning

Councilmember Judy Blankenship was sworn in by Judge James Manning.

- D. Swearing In And Oath Ceremony For Tracy Dudley, Ward 5
Councilmember – City Attorney Alan Schaeffer

Councilmember Tracy Dudley was out of town and could not be at the meeting. She will be sworn in at a later time.

7. **Citizens Comments**

Mark Bruns of the Huber Heights Chamber of Commerce congratulated all of the elected officials. He introduced Melissa McGhee, the new Vice President of the Huber Heights Chamber of Commerce. He said they are looking forward to a banner year in 2014.

Lori Clark, 5173 Chambersburg Road, was concerned with parents dropping off and picking up their children on Chambersburg Road. She said this could be a disaster with the students running across the street. She said an inexpensive fix for the safety of the students would be to change the “No Parking” signs to “No Standing, Stopping, or Parking”.

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Ralph Leffew, 4907 Chambersburg Road, said he misses his wife and his friend Joseph Koussa who have both passed away. He spoke of the slow traffic lights at the crossing streets of Brandt Pike and Old Troy Pike.

Barb Hawthorne, 5560 Shady Oak, said if you are a public official, being honest is very important. There were lies being told about the City Council and the former Mayor during the election regarding taking money from the schools. She said an apology needs to be made or face recall.

8. Citizens Registered to Speak on Agenda Items

There were no citizens registered to speak on Agenda Items.

9. City Manager Report

City Manager Rob Schommer said everyone has been affected by the recent weather. From January 2 through January 10, 2014 there were 377 tons of salt put on the roads. That is equivalent to about 63 dump trucks full of salt. Also, 915 gallons of brine and calcium were used to keep the roads passable and safe for traffic. There were 139.5 regular hours and 129.5 overtime hours worked. If one person were doing all of this, that would be equivalent to one person working a 33-hour day. There was a lot of time, effort and equipment resources utilized. He thanked Mike Gray for all of the efforts of the Public Works Division for keeping the streets safe and secure. Also, with the weather, some collateral things occurred as well. There were water main breaks, frozen pipes, and things of the like. With the water infrastructure, the City has people in place to take care of that. But, many residents called because their pipes had burst or they had frozen water lines. They called upon the Fire Division to help out. The Fire Division assisted with about 12 calls during that timeframe to assist people. Although it is not a fire issue, they have the ability to get in and shut the water off to prevent further damage. He also mentioned that Battalion Chief Scott Hall retired after 33 years of service and 27 of those years were here at Huber Heights. He congratulated him and thanked him for his service.

10. Pending Business

There was no Pending Business this evening.

11. New Business

CITY COUNCIL

- A. A Motion To Appoint Mrs. Tracy Dudley As The City of Huber Heights Vice Mayor For 2014.

Karen Kaleps stated Mark Campbell and Tracy Dudley are both out of town this evening. Mr. Campbell who was the 2013 Vice Mayor asked her to convey to City Council and the residents just how much he appreciated the opportunity to serve as Vice Mayor. He did represent the City and City Council at ribbon cuttings and other presentations. He was excited to learn that Tracy Dudley wanted very much to be selected for Vice Mayor in 2014. The Administrative Committee determined that it would be the recommendation of the committee that Tracy Dudley would serve as Vice Mayor in 2014.

Mrs. Kaleps so moved; Mrs. Vargo seconded the motion. On a call of the vote, Mrs. Vargo, Mr. Lyons, Mr. Starline, Mrs. Blankenship, Mrs. Dale and Mrs. Kaleps voted yea; none voted nay. The motion passes 6-0.

- B. A Motion To Designate Jan Vargo As The City Representative And Judy Blankenship As The Alternate City Representative To The Miami Valley

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Regional Planning Commission (MVRPC) And To Designate Russ Bergman As The City Representative And Scott Falkowski As The Alternate City Representative To The Miami Valley Regional Planning Commission (MVRPC) Technical Advisory Committee For 2014.

Jan Vargo of the Administration Committee stated this did come before the committee and was recommended for approval.

Mr. Starline so moved; Mrs. Dale seconded the motion. On a call of the vote, Mr. Lyons, Mr. Starline, Mrs. Blankenship, Mrs. Dale, Mrs. Kaleps, and Mrs. Vargo voted yea; none voted nay. The motion passes 6-0.

- C. A Motion To Designate Jan Vargo And Judy Blankenship As The City Representatives And Lu Dale As The Alternate City Representative To The First Tier Suburbs Consortium For 2014.

Mrs. Kaleps so moved; Mr. Lyons seconded the motion. On a call of the vote, Mr. Starline, Mrs. Blankenship, Mrs. Dale, Mrs. Kaleps, Mrs. Vargo, and Mr. Lyons voted yea; none voted nay. The motion passes 6-0.

- D. A Motion To Approve The Transfer Of Liquor Permit #60829470005 For Mohine Petroleum LLC DBA Troy Pike BP At 7888 Old Troy Pike, Huber Heights Ohio 45424 To Liquor Permit #9147943 For Umiya Petroleum LLC DBA Troy Pike BP At 7888 Old Troy Pike, Huber Heights, Ohio 45424.

Mrs. Vargo stated this did come before the Administration Committee and was recommended for approval. It is simply a transfer of the liquor license.

Mrs. Vargo so moved; Mr. Starline seconded the motion. On a call of the vote, Mrs. Blankenship, Mrs. Dale, Mrs. Kaleps, Mrs. Vargo, Mr. Lyons, and Mr. Starline voted yea; none voted nay. The motion passes 6-0.

- E. A Motion To Approve The Transfer Of Liquor Permit #88200480065 For Thomas & King Inc. At 8331 Old Troy Pike, Huber Heights Ohio 45424 To Liquor Permit #71474040050 For RMH Franchise Corporation DBA Applebees Neighborhood Grill & Bar At 8331 Old Troy Pike, Huber Heights, Ohio 45424.

Jan Vargo of the Administration Committee stated this was before the committee and was recommended for approval. This is also a transfer.

Mrs. Vargo so moved; Mrs. Blankenship seconded the motion. On a call of the vote, Mrs. Dale, Mrs. Kaleps, Mrs. Vargo, Mr. Lyons, Mr. Starline, and Mrs. Blankenship voted yea; none voted nay. The motion passes 6-0.

- F. A Resolution Appointing The Designee For Members Of The City Council Of Huber Heights, Ohio Under Ohio Revised Code Sections 149.43 And 109.43, And Declaring An Emergency.

Mrs. Vargo of the Administration Committee stated this was discussed in the committee and recommended for approval.

Mrs. Vargo moved to waive the second and third readings; Mrs. Blankenship seconded the motion. On a call of the vote, Mrs. Kaleps, Mrs. Vargo, Mr. Lyons, Mr. Starline, Mrs. Blankenship, and Mrs. Dale voted yea; none voted nay. The motion passes 6-0.

Mrs. Kaleps moved for adoption; Mr. Starline seconded the motion. On a call of the vote, Mrs. Vargo, Mr. Lyons, Mr. Starline, Mrs. Blankenship, Mrs. Dale, and Mrs. Kaleps voted yea; none voted nay. The motion passes 6-0.

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ADMINISTRATION

Rob Schommer, Interim City Manager

- G. A Resolution Authorizing The City Manager To Enter Into An Agreement To Construct A Fence On City Property.

Assistant City Manager Scott Falkowski said this resolution will allow the owners of the Taylorsville hardfill to construct a fence along the front of City property at the former Taylorsville Inn site. There has been a rash of burglaries and vandalism at the hardfill. The owners will install the fence at their cost. He asked that this be approved this evening.

Karen Kaleps, Chair of the Public Works Committee, stated the committee does recommend approval of this. This would also serve as added protection of the City's water well field area.

Mrs. Kaleps moved to waive the second and third reading; Mrs. Blankenship seconded the motion.

Mr. Starline asked for the record, if there is a lock on this gate, and will the appropriate City personnel including the Fire Division have access.

Mr. Falkowski replied yes, it will be under the City's control.

On a call of the vote, Mr. Lyons, Mr. Starline, Mrs. Blankenship, Mrs. Dale, Mrs. Kaleps, and Mrs. Vargo voted yea; none voted nay. The motion passes 6-0.

Mrs. Blankenship moved for adoption; Mr. Lyons seconded the motion. On a call of the vote, Mr. Starline, Mrs. Blankenship, Mrs. Dale, Mrs. Kaleps, Mrs. Vargo, and Mr. Lyons voted yea; none voted nay. The motion passes 6-0.

- H. A Resolution Authorizing The City Manager To Enter Into Change Orders With Respect To The Recreation Amenity, And Declaring An Emergency.

Assistant City Manager Scott Falkowski stated this is similar to resolutions Council has approved in the past regarding projects like this for the music center. The Messer building contract – as in the original legislation - had no additional change order language. Now, the timing is of the essence. The concrete piers are coming out, the seat walls are up, and there is a lot of construction going on. He said City Staff are asking for small change orders with a total amount not to exceed \$50,000 to give the City Manager the ability to sign off on those when they happen. He asked that this be approved this evening.

Mrs. Vargo of the Administration Committee stated this was discussed and recommended for passage because Council wants to keep this project moving forward. Section 1 in the resolution says Council will be notified if there are any changes.

Mrs. Vargo moved to waive the second and third readings; Mrs. Dale seconded the motion. On a call of the vote, Mrs. Blankenship, Mrs. Dale, Mrs. Kaleps, Mrs. Vargo, Mr. Lyons, and Mr. Starline voted yea; none voted nay. The motion passes 6-0.

Mr. Starline moved to adopt; Mrs. Kaleps seconded the motion. On a call of the vote, Mrs. Dale, Mrs. Kaleps, Mrs. Vargo, Mr. Lyons, Mr. Starline, and Mrs. Blankenship voted yea; none voted nay. The motion passes 6-0.

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- I. A Resolution Amending Resolution No. 2013-R-5904 To Increase The Not To Exceed Amount For The Taylorsville Road Northside Improvement Phase I Project, And Declaring An Emergency.

Assistant City Manager Scott Falkowski stated this will increase the not to exceed amount from \$374,000 to \$383,700 for Durst Brothers Excavating for the Taylorsville Road Northside Improvement Phase 1 Project. This was work that has been completed. He asked that this be approved this evening.

Mrs. Kaleps, Chair of the Public Works Committee, stated this was before the committee. They recommended approval so that the bill for the work that has already been completed can be paid.

Mrs. Kaleps moved to waive the second and third readings; Mrs. Blankenship seconded the motion. On a call of the vote, Mrs. Kaleps, Mrs. Vargo, Mr. Lyons, Mr. Starline, Mrs. Blankenship, and Mrs. Dale voted yea; none voted nay. The motion passes 6-0.

Mr. Lyons moved for adoption; Mr. Starline seconded the motion. On a call of the vote, Mrs. Vargo, Mr. Lyons, Mr. Starline, Mrs. Blankenship, Mrs. Dale, and Mrs. Kaleps voted yea; none voted nay. The motion passes 6-0.

- J. A Resolution Authorizing The City Manager To Accept Bids For The Construction Of Chambersburg Road/Bellefontaine Road Intersection Improvement Project, And Declaring An Emergency.

Assistant City Manager Scott Falkowski stated this legislation will allow the City to go out to bid for the Chambersburg Road/Bellefontaine Road Intersection improvement project. The intersection will be widened in every direction and will include left turn lanes, curbing, and storm sewer. The intersection will remain a four-way stop until a traffic signal is installed next year. That will be a separate project. He asked that this be approved this evening.

Mrs. Kaleps, Chair of the Public Works Committee, stated the committee reviewed this and recommended approval.

Mrs. Kaleps moved to waive the second and third readings; Mrs. Dale seconded the motion. On a call of the vote, Mr. Lyons, Mr. Starline, Mrs. Blankenship, Mrs. Dale, Mrs. Kaleps, and Mrs. Vargo voted yea; none voted nay. The motion passes 6-0.

Mrs. Kaleps moved to adopt; Mrs. Dale seconded the motion. On a call of the vote, Mr. Starline, Mrs. Blankenship, Mrs. Dale, Mrs. Kaleps, Mrs. Vargo, and Mr. Lyons voted yea; none voted nay. The motion passes 6-0.

HUMAN RESOURCES DEPARTMENT **Katie Knisley, Human Resources Manager**

- K. A Resolution Authorizing The City Manager To Enter Into A Contract With Robert E. Portune And Gottschlich & Portune, LLP To Provide Legal Representation To The City Of Huber Heights, Ohio For Labor Negotiations, And Declaring An Emergency.

Human Resources Manager Katie Knisley said the City has six collective bargaining units that are due to expire in June. This legislation will allow the City Manager to enter into an agreement with Robert Portune and his firm Gottschlich & Portune in order to provide the City with legal representation in negotiating those six contracts. This was brought before the Administration Committee. She asked that this be approved this evening.

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Mrs. Vargo said this was before the Administration Committee. The City has used this particular legal representation in the past. The committee agrees that the City should hire them again.

Mrs. Vargo moved to waive the second and third readings; Mrs. Blankenship seconded the motion. On a call of the vote, Mrs. Blankenship, Mrs. Dale, Mrs. Kaleps, Mrs. Vargo, Mr. Lyons, and Mr. Starline voted yea; none voted nay. The motion passes 6-0.

Mr. Starline moved to adopt; Mrs. Blankenship seconded the motion. On a call of the vote, Mrs. Dale, Mrs. Kaleps, Mrs. Vargo, Mr. Lyons, Mr. Starline, and Mrs. Blankenship voted yea; none voted nay. The motion passes 6-0.

FINANCE DEPARTMENT **Jim Bell, Finance Director**

- L. A Resolution Authorizing The City Manager To Expend Funds To Cover The Costs Of Various Goods And Services Ordered By City Departments/ Divisions, And Declaring An Emergency.

Finance Director Jim Bell stated this is the amnesty legislation which consists of three items that were received before getting a purchase order. He asked that this be approved this evening.

Mrs. Kaleps moved to waive the second and third readings; Mrs. Dale seconded the motion. On a call of the vote, Mrs. Kaleps, Mrs. Vargo, Mr. Lyons, Mr. Starline, Mrs. Blankenship, and Mrs. Dale voted yea; none voted nay. The motion passes 6-0.

Mrs. Vargo moved to adopt; Mr. Starline seconded the motion. On a call of the vote, Mrs. Vargo, Mr. Lyons, Mr. Starline, Mrs. Blankenship, Mrs. Dale, and Mrs. Kaleps voted yea; none voted nay. The motion passes 6-0.

- M. An Ordinance Amending Ordinance No. 2013-O-2077 By Making Supplemental Appropriations For Expenses Of The City Of Huber Heights, Ohio For The Period Beginning January 1, 2014 And Ending December 31, 2014, And Declaring An Emergency.

Finance Director Jim Bell said this is the first few changes to the budget for 2014. The higher dollar amounts are \$148,395 for the 2014 Sidewalk Program; \$500,000 for the Carriage Trails infrastructure improvements; and \$37,120 for a sanitary main extension on Chambersburg Road. He asked that this be approved this evening.

Mrs. Kaleps moved to waive the second and third readings; Mrs. Blankenship seconded the motion. On a call of the vote, Mr. Lyons, Mr. Starline, Mrs. Blankenship, Mrs. Dale, Mrs. Kaleps, and Mrs. Vargo voted yea; none voted nay. The motion passes 6-0.

Mrs. Dale moved to adopt; Mr. Starline seconded the motion. On a call of the vote, Mr. Starline, Mrs. Blankenship, Mrs. Dale, Mrs. Kaleps, Mrs. Vargo, and Mr. Lyons voted yea; none voted nay. The motion passes 6-0.

- N. A Resolution Authorizing The City Manager To Enter Into Two Five Year Postage Machine Lease Agreements With International Mailing Systems of Dayton, And Declaring An Emergency.

Finance Director Jim Bell stated the City has two postage machines which are very old and need to be replaced. One is located at the Tax Office and the other one is located at City Hall. He asked that this be approved this evening.

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Clerk of Council Tony Rodgers stated this legislation will need to be amended. At the time the packets were distributed, the actual lease agreements were not available. It has now been provided and publicly posted. Council will need to amend the legislation to include the Exhibit A which is the two leases for the postage meters at the Tax Office and at City Hall.

Jan Vargo of the Administration Committee said this was reviewed by the committee and recommended for approval.

Mrs. Vargo moved to amend the legislation to include Exhibit A; Mrs. Kaleps seconded the motion. On a call of the vote, Mrs. Blankenship, Mrs. Dale, Mrs. Kaleps, Mrs. Vargo, Mr. Lyons, and Mr. Starline voted yea; none voted nay. The motion passes 6-0.

Mr. Lyons moved to waive the second and third readings; Mrs. Blankenship seconded the motion. On a call of the vote, Mrs. Dale, Mrs. Kaleps, Mrs. Vargo, Mr. Lyons, Mr. Starline, and Mrs. Blankenship voted yea; none voted nay. The motion passes 6-0.

Mrs. Vargo moved for adoption; Mr. Starline seconded the motion. On a call of the vote, Mrs. Kaleps, Mrs. Vargo, Mr. Lyons, Mr. Starline, Mrs. Blankenship, and Mrs. Dale voted yea; none voted nay. The motion passes 6-0.

12. City Official Reports and Comments

Mrs. Dale thanked Pastor Randy Griffith for the invocation. It is always fitting at a meeting like this to get started with those spiritual words. She congratulated everyone and said she looks forward to working with them. She said as Mrs. Clark stated, she is also concerned with the traffic in front of Wayne High School and the safety of the children. She thanked all of the citizens who have come to the meeting tonight. She appreciates their interest and concern. She knows that the Police Division and Fire Division have been working diligently. All of this cold weather has really taken a toll. She wanted to compliment them on the fine job that they did. She thanked the staff as usual. This is 2014 and she wanted to compliment them again, but she is expecting even more this year than she got out of 2013. She thanked everyone and said to be safe in 2014.

Mrs. Kaleps thanked everyone for coming. It is always an honor and something to look forward to when new members to Council are sworn in and old members take on new terms. It is great to see the turnout of the friends and relatives of those receiving that honor this evening. She welcomed everyone to come back to any future meetings. She asked Mayor Tom McMasters if he was going to make his family come here to every meeting. She said it is fun learning the new job, because there are lots of exciting things that you can learn – not just about the job, but about the City that you have probably lived in for a number of years and did not know about. She said she hopes the Mayor's mom and dad are getting a real good tour of Huber Heights. She is very proud of this City. It took a long time to become a City and she thinks the City has made its mark among those in the county and in the neighboring area. She welcomed them to Huber Heights. She thanked Pastor Griffith for the opening comments and prayer. The Lord knows she can always use a prayer. She said this is supposed to be the Year of the Horse. So all she can say is "giddy up, let's go!"

Mrs. Vargo said the Chamber of Commerce had a wonderful annual meeting. She congratulated the Business of the Year as well as Member of the Year – Melissa McGhee. She said Melissa is one of the people that attend the City's meetings quite regularly, so she knows what is going on in this City. She invited everyone

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to do that. This is where the happening is – right here. She said Lu Dale mentioned Chambersburg Road. It is really important that the City get on top of that right away. She asked what Council can do about it and when.

Mrs. Kaleps said maybe it can go to the Public Services and Safety Committee.

Mrs. Vargo said she does not think it should have to go to a committee. Council can take of it. It is so important. Council should just tell the Police Chief and he can get with maybe the school board or whatever needs to be done. She cannot see dragging feet on this one. She congratulated the Councilmembers and the new Mayor. This is a new year and she has no idea what is ahead, but she for one has a very, very positive feeling that this City is going to be the happening place – Huber Heights – this is going to be it! The City has the music center coming, it has more businesses coming, and the City is filling up its vacant buildings. The City has citizens that are stepping forward to volunteer and that is so important. That is what keeps the City going. She wished everyone a Happy New Year and said to stay involved.

Mr. Lyons thanked Pastor Randy Griffith for the invocation today. It is nice to start 2014 out very similarly to 2013 with the Pastor's attendance and presence. He said Mrs. Clark mentioned people parking on both sides of Chambersburg Road. He asked Chief Schommer if that is legal?

City Manager Rob Schommer said yes and he admits that there has been some leeway during the construction. He agrees that the construction is over and it is time that the City gets with the schools and communicates through them to encourage the parents to not do that anymore. He said he will continue to work with the schools and follow up with the proper signage and enforcement activities.

Mr. Lyons said certainly this will cause a public nuisance or certainly a safety hazard. He said two more Councilmembers will probably mention it as well. He asked Chief Schommer to look into it and let Council know. He said he deliberately avoids that area at that time of day for just that reason. He said there is jaywalking involved. It sounds as if this habit during the construction has continued. He thanked Mrs. Clark for addressing that. He congratulated the new and the old members of Council – Mrs. Blankenship, Mr. Starline, and Mr. McMasters. The two members who are not here will be sworn in at a later time. He congratulated Mark Campbell and Tracy Dudley. He looks forward to working with them in the coming years.

Mr. Starline thanked Magistrate William Cox for coming to do his swearing in. He appears before Magistrate Cox quite often downtown in juvenile court. He is also a Ward 3 resident so it was a double bonus for him to do that. Mr. Starline said he appreciates all of his friends, family, and constituents for coming as well. He thanked Mike Gray in Public Works for all of the hard work, overtime and extra overtime working on the streets especially in the bitter, bitter cold and in the dark of the night. He thanked him and his crews for working hard on that. He thanked Chief Scott Hall. He served the City phenomenally. No bad words were said of him - several roasting words – but at a Fire Station, he is ok with that! The Chief's presentation for his retirement was fantastic. He will take that warmly down to Florida. He just hopes he will send some of that warmth back. He thanked the Chamber of Commerce. The annual meeting last week was a wonderful event. He appreciates the director staying under his time limits. He congratulated Melissa McGhee on her Vice Presidency. He looks forward to working with the Chamber and he has enjoyed working with them previously. Sharene King, who is here tonight, is a young lady who ended up serving in the Philippines when a typhoon came through. She survived and her story has been very inspirational. Her story has been in a couple of forms of media. He suggested Greg Smart of the Huber

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Heights Courier talk with her. She has a fantastic story. What really impresses him the most about her is that she is going back and she leaves on Wednesday. He wishes her safe travels and dry travels this time. He then said there are two events at the library coming up next week. There will be a seed lending on January 21, 2014 at 6:30 p.m. and a garden planning seminar on January 23, 2014 at 6:15 p.m. Both are at the Huber Heights Branch Library on Chambersburg Road. He said the Library Director, Kim Bishop, is here tonight. Those are exciting events. So think spring thoughts and go attend those two events!

Mrs. Blankenship said she agrees with everything that has been said. The Chamber of Commerce had a wonderful event. She thanks them so much. She always looks forward to it. She congratulated the Mayor and said he did a nice job tonight. She congratulated Tyler Starline and herself! She made it through another one! She thanked her family and friends and the Honorable Judge Jim Manning for coming and doing the swearing in ceremony tonight. He got here at the last minute, but he came right from work though. He is at the New Lebanon courts system. She wanted to comment on Ralph Leffew's idea of a skyscraper. If the City had a skyscraper, all of the businesses would want to be in it and then the City would have all of those empty store fronts! And Ralph gets very upset about empty store fronts! So she really could not do the skyscraper, so she thinks that is a no. She said she would like to know how many offices are empty in those skyscrapers. That is another thing Ralph might want to look in to. It might not all be a bed of roses. They might wish they did not have a skyscraper to take care of! She then said it has been a wonderful evening and she looks forward to 2014.

Mrs. Dale wanted to thank Public Works Division and the Fire Division – Mike Gray and Fire Chief Mark Ashworth. She forgot to mention them earlier. She then congratulated Melissa McGhee. She said it may not be the easiest job, but hang in there!

Mayor McMasters said this is his first time to speak as the Mayor. He said to Mrs. Clark that he drops his kids off at Wayne High School. One time he was in a rush and he left them off at the stop light. He told himself that really was not a good idea, but he left it at that. He is really appreciative when citizens see an issue as such and can go out there and help the rest of the citizens of the City. He said to Mr. Leffew that he knows he has been coming to City Council Meetings as long as he has been coming and he, too, prays for the service members overseas. Occasionally he thinks of Joseph Koussa. Mrs. Hawthorne spoke tonight as well. He said when he ran for Council against Mr. Lyons, she wrote a letter in the Huber Heights Courier talking about City business and he thought that was a great letter. He is hoping someday that she, too, will write one on his behalf. That might be a tall order, but it does also address one thing in the campaign that he was trying to get out about TIF dollars and how they are run - just so the public understands how some of the City business works. He thinks that issue is still unresolved where he did some calculations and he thought and still believes that they affect the schools in a certain way and he is waiting for the City Manager and City Staff to come back to see just how bad his numbers were or if they were accurate moving forward with that. That just bring forth another question or another comment that he needs to make. That is even though there may be a little tension and stuff, Mr. Fisher was a great public servant out here and served well. The City certainly needs his continued advice and knowledge as it goes forward and he needs that knowledge as well. He hopes that eventually he will get to the place where he can shake hands and move the City forward with that. The other lesson that he learned in a lot of years in the Air Force is that you always get commanders that come in and on the first day of the job they tell you what is going to happen, everything that

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is going to change, and how everything is going to be better. Then the secretary and the staff rein them in and the good work that was done previously still gets done. He knows a lot of the meeting today looks a lot like the meeting last month and that is the way it should be. One because the City Staff here are really good and the other is that he has a lot to learn and a lot of background knowledge to gain. He has been attending City Council Meetings for three years so he knows some of the people and how some of the things work, but there is still a lot for him to learn before he takes charge like everybody wants him to take charge. He has a good feeling that a lot of things are going to stay the same because the City does have a good staff and he looks forward to working with both the staff and Council. He then thanked everyone.

13. Executive Session

There was no need for an Executive Session this evening.

14. Adjournment

Mayor McMasters adjourned the Regular Session Council Meeting at 8:21 p.m.

Clerk of Council

Date

Mayor

Date

AI-2146

Special Presentations/Announcements **A.**
Fire

City Council Meeting Agenda

Meeting Date: 01/27/2014

Promotional Ceremony - Lieutenant Robert Williams and Battalion Chief Mike Muhl

Submitted By: Mark Ashworth

Department: Fire

Council Committee Review?: None

Date(s) of Committee Review: N/A

Audio-Visual Needs: None

Emergency Legislation?: No

**Motion/Ordinance/
Resolution No.:**

Information

Agenda Item Description or Legislation Title

Fire Division Promotions Presentation For Firefighter/Paramedic Robert Williams To Lieutenant And Lieutenant Mike Muhl To Battalion Chief - Fire Chief Mark Ashworth And Mayor Tom McMasters

Purpose and Background

As a result of recent retirements, Robert Williams will be promoted from Firefighter/Paramedic to Lieutenant and Mike Muhl will be promoted from Lieutenant to Battalion Chief. The ceremony will include being sworn in to their new rank and officially being pinned by a family member.

Fiscal Impact

Source of Funds: N/A

Cost: N/A

Recurring Cost? (Yes/No): N/A

Funds Available in Current Budget? (Yes/No): N/A

Financial Implications:

AI-2139

Special Presentations/Announcements **B.**
City Council

City Council Meeting Agenda

Meeting Date: 01/27/2014

Arts and Beautification Commission - 2013 Holiday Lighting Contest Awards

Submitted By: Margaret Muhl

Department: Planning

Council Committee Review?: None

Date(s) of Committee Review: N/A

Audio-Visual Needs: Overhead Projector **Emergency Legislation?:** No

**Motion/Ordinance/
Resolution No.:**

Information

Agenda Item Description or Legislation Title

Huber Heights Arts And Beautification Commission 2013 Holiday Lighting Contest Awards Presentation - Ms. Margie Muhl, Arts And Beautification Commission City Staff Liaison

Purpose and Background

The Arts and Beautification Commission awards will be presented for Best Use of Lighting, Best Display, and Most Creative for 2013.

Fiscal Impact

Source of Funds: N/A

Cost: N/A

Recurring Cost? (Yes/No): N/A

Funds Available in Current Budget? (Yes/No): N/A

Financial Implications:

AI-2160

Special Presentations/Announcements **C.**
City Council

City Council Meeting Agenda

Meeting Date: 01/27/2014

Representative Michael Henne Presentation

Submitted By: Anthony Rodgers

Department: City Council

Council Committee Review?: None

Date(s) of Committee Review: N/A

Audio-Visual Needs: None

Emergency Legislation?: No

**Motion/Ordinance/
Resolution No.:**

Information

Agenda Item Description or Legislation Title

Ohio House Of Representatives District 40 Presentation - Ohio Representative Michael Henne, Ohio House District 40

Purpose and Background

Rep. Henne will be making a presentation and remarks to the Huber Heights City Council and the public. Ohio Representative Michael Henne, Ohio House District 40, will address Council also to discuss HB5. For a broad overview of the measure, Rep. Henne recommends the attachments provided.

Fiscal Impact

Source of Funds: N/A

Cost: N/A

Recurring Cost? (Yes/No): N/A

Funds Available in Current Budget? (Yes/No): N/A

Financial Implications:

Attachments

Information

Information

Substitute House Bill 5 - As Passed by the House

Features & Benefits of Major Provisions

(Courtesy of the Municipal Tax Reform Coalition: The Ohio Society of CPAs, Ohio Chamber of Commerce, National Federation of Independent Business/Ohio, Ohio Council of Retail Merchants, Ohio Manufacturers' Association, Ohio Association of REALTORS, Ohio Contractors Association, Associated General Contractors of Ohio, Associated Builders and Contractors of Ohio, Ohio Trucking Association, Ohio Newspaper Association, Ohio Cable Telecommunications Association, Ohio Oil and Gas Association, Ohio Restaurant Association, Ohio Insurance Institute, Ohio Home Builders Association, The Ohio Nursery & Landscape Association, National Electrical Contractors Association - Central Ohio, Greater Cleveland, and North Central Ohio Chapters, Ohio Automobile Dealers Association, Ohio Produce Growers & Marketers Association, Ohio State Bar Association, Ohio State Medical Association, Greater Ohio Policy Center, Columbus Chamber of Commerce, COSE, Cincinnati USA Regional Chamber of Commerce, Dayton Area Chamber of Commerce, Toledo Regional Chamber of Commerce)

Topic	Bill Features	Benefits for Ohio
Net-Operating Loss (NOL)	Every city will provide a 5 year NOL carryforward period, but use of carryforwards is delayed until 2017 and then limited to 50% for 5 years. <i>(The delay was added to help cities.)</i> NOLs generated prior to law change may still be 100% used. Permits gains and losses flowing to individual taxpayers from multiple business operations and pass-through entities to offset each other in the year generated. This provision only impacts individuals in their city of residence. <i>(Disallows use of losses suspended for federal tax purposes to help cities.)</i> Creates the <i>Net Operating Loss Review Committee</i> to evaluate potential future impact and report back before next budget. Members to include 2 Senators, 2 Representatives, 3 taxpayer representatives, 3 municipal representatives, 1 representative of the Governor (chair). <i>(This provision was added to help cities.)</i>	Improves Ohio's competitiveness. Reduces unfair taxes for many business taxpayers. Municipalities will have time to adjust to new rules. General Assembly will have time to make adjustments, if necessary.
Occasional Entrant Treatment (20 Day Rule)	<i>Small employers</i> only withhold tax at their fixed location. Small employers are those with less than \$500,000 of gross receipts. <i>(This provision was recommended by cities.)</i> Other employers must withhold payroll tax to principal place of work or withhold to other municipalities beginning on the 21st day that the employee is working in the other municipality. Other employers may opt to withhold back to the first day. <i>(This provision was added to help cities.)</i> Ensures consistent treatment for most construction sites. <i>(This provision was added at the request of cities.)</i> Ensures that an employee can only be treated as working in one city for any given calendar day. Ensures that tax is almost always withheld to some municipality.	Reduces cost of compliance and administration. Minimizes lost revenue for municipalities. Helps cut paperwork burden for employers and employees.
Treatment of Pass-Through Entities, such as Partnerships and Partners	Only city of residence can tax an individual partner. All other cities must tax partnership at the entity level.	Creates single layer of tax, except in city of residence. Easier compliance and audit.

Substitute House Bill 5 - As Passed by the House

Features & Benefits of Major Provisions

Topic	Bill Features	Benefits for Ohio
Treatment of S-Corporations and Shareholders	S-Corp owners are treated the same as under current law.	Eliminates tax increases contained in original bill.
Tax Due Dates & Withholding Requirements	Establishes uniform due dates for all municipal tax returns. Establishes uniform withholding requirements for all employers. <i>(These provisions are based on city language.)</i>	Reduces costs of compliance and administration.
Apportionment of Income	Provides uniform apportionment mechanism. Allows use of alternative apportionment to better reflect business activity in a municipality. Reinstates throwback rule that is similar to current law treatment. <i>(Reinstated at request of cities.)</i>	Reduces cost of compliance and administration. Mitigates negative revenue impact to municipalities.
Consolidated Tax Returns	Allows an affiliated group of corporations to elect consolidated tax treatment, using federal tax group. <i>("Federal group" used at the request of cities.)</i> Allows group to choose whether pass-through entity income will be taxed as part of group.	Improves Ohio's competitiveness. Reduces costs of compliance and administration by reducing unnecessary returns.
Residency Test	Codifies eleven common-law elements of the domicile test and permits tax administrator and taxpayers to use other facts to show residency. <i>(This provision is based on city language and is a compromise by the Coalition.)</i>	Similar to current treatment. No negative revenue impact to municipalities.
Audit, Assessment & Appeals Procedures	Creates uniform audit and appeal procedures. <i>(These provisions primarily use city language.)</i> Adds <i>Taxpayer Bill of Rights</i> . <i>(These provisions primarily use city language.)</i>	Lowers cost of compliance and administration. Ensures fair and local enforcement of municipal tax.
Pending Tax Legal Cases	Current litigation will control treatment of SERPs and professional athletes. <i>(These provisions were added at the request of cities.)</i>	Results in no current impact on municipalities.
Penalty & Interest	Establishes standard interest rate and penalty provisions. Requires interest be paid on assessments and refunds. <i>(All these provisions use primarily use city language.)</i>	Prevents imposition of usurious interest rates. Allows municipalities to enforce their ordinances locally.



The Ohio House of Representatives

130TH GENERAL ASSEMBLY

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Ohio House Members Discuss Committee Revisions To House Bill 5

October 23, 2013

[Michael Henne Home | Michael Henne Press]



COLUMBUS - At a press conference at the Ohio Statehouse, State Representatives Cheryl Grossman (R-Grove City) and Mike Henne (R-Clayton) today unveiled the substitute bill of House Bill 5, legislation to revise laws governing the municipal income tax.

Among other provisions, Sub. H.B. 5 will:

- Consolidate tax returns to improve Ohio's competitiveness and reduce the cost of compliance and administration by reducing unnecessary returns
- Codify 11 common-law elements of the domicile test and permits the tax administrator and taxpayers to use other facts to show residency
- Amend the law pertaining to the apportionment of income to mitigate negative revenue impact to municipalities and reduce costs
- Create uniform audit and appeal procedures to ensure fair, local enforcement of municipal tax
- Enhance current LGF reporting of tax amounts collected each calendar year for publication in an effort to increase transparency
- Establish uniform due dates for all municipal tax returns and uniform withholding requirements for all employers
- Establish standard interest rate and penalty provisions to prevent imposition of usurious interest rates
- Create a single layer of tax by specifying that only a city of residence can tax an individual partner, while all other cities must tax partnership at the entity level
- Treat S-Corp owners the same as current law

Featured Posts

[Rep. Henne Hosts Teacher Appreciation Essay Contest For Local Students](#)

COLUMBUS - In celebration of Teacher Appreciation Week on May 6-10, State Representative Mike Henne (R-Clayton) has announced that he will be hosting a "Teacher Appreciation Essay Contest," which gives local students the opportunity to showcase their writing skills and show appreciation for their favorite teacher.

[\[Read Full Story \]](#)

[Rep. Henne Discusses Municipal Income Tax Uniformity](#)

[Reps. Henne, Grossman Testify In Support Of Municipal Income Tax Reform](#)

[Mike Henne Sworn In As State Representative Of The 40th House District](#)

"The municipal income tax system in Ohio is the worst in the nation," said Rep. Grossman, who sponsored Sub. H.B. 5 with Rep. Henne. "It has caused important companies to move out of Ohio to avoid dealing with this broken system. As we strive to keep and attract businesses to Ohio and provide Ohioans with much-needed employment, passage of Sub. H.B. 5 is of utmost importance to the people of Ohio."

"I hear about this issue from businesses every week," said Rep. Henne. "We need to simplify this process so business owners can concentrate on growing their businesses and putting people back to work, instead of navigating this complex, burdensome system."

Currently, Ohio has the most complicated local municipal income tax system in the nation, with more than 600 different municipalities utilizing more than 300 different tax forms. This system creates a high cost of compliance for Ohio's businesses, which hinders economic growth, discourages companies from locating in Ohio, and causes some businesses to relocate outside of Ohio. International site selectors rank Ohio's municipal income tax system as one of the main factors discouraging location to Ohio.

Sub. H.B. 5 is currently undergoing consideration in the House Ways and Means Committee. Rep. Peter Beck (R-Mason), who serves as chairman of the committee, and Rep. Gary Scherer (R-Circleville), who is a member of the committee, joined Reps. Grossman and Henne at the press conference.



AI-2155

Special Presentations/Announcements **D.**
City Council

City Council Meeting Agenda

Meeting Date: 01/27/2014

Destiny Church Presentation

Submitted By: LeeAnne Yeater

Department: City Manager

Council Committee Review?: None

Date(s) of Committee Review: N/A

Audio-Visual Needs: None **Emergency Legislation?:** No

**Motion/Ordinance/
Resolution No.:**

Information

Agenda Item Description or Legislation Title

Destiny Church Presentation - Pastor Eric Smith, Destiny Church

Purpose and Background

Presentation by Pastor Eric Smith on the programs and services that Destiny Church will be offering in the former Camp Fire USA building on Powell Road. Destiny Church is now leasing the building from the City.

Fiscal Impact

Source of Funds: N/A

Cost: N/A

Recurring Cost? (Yes/No): N/A

Funds Available in Current Budget? (Yes/No): N/A

Financial Implications:

AI-2147

New Business A.

City Council Meeting Agenda

City Manager

Meeting Date: 01/27/2014

Section 521.10 - Huber Heights Codified Ordinances - Revisions

Submitted By: Jason
Foster

Department: Police **Division:** Zoning

Council Committee Review?: Public Works Committee

Date(s) of Committee Review: 01/22/2014

Audio-Visual Needs: None **Emergency Legislation?:** No

**Motion/Ordinance/
Resolution No.:**

Information

Agenda Item Description or Legislation Title

An Ordinance Amending Section 521.10 Of Part Five, General Offenses Code, Being Chapter 521 Health, Safety, And Sanitation Of The Huber Heights Codified Ordinances.
(first reading)

Purpose and Background

An error was made in a past update to Section 521.10(c)(2). This revision corrects and clarifies this issue. The 150 foot wide strip was modified to a 15 foot wide strip and the appropriate zoning districts were specified.

Fiscal Impact

Source of Funds: N/A

Cost: N/A

Recurring Cost? (Yes/No): N/A

Funds Available in Current Budget? (Yes/No): N/A

Financial Implications:

Attachments

Ordinance

CITY OF HUBER HEIGHTS
STATE OF OHIO

ORDINANCE NO. 2014-O-

AMENDING SECTION 521.10 OF PART FIVE, GENERAL OFFENSES CODE, BEING CHAPTER 521 HEALTH, SAFETY AND SANITATION, OF THE HUBER HEIGHTS CODIFIED ORDINANCES.

WHEREAS, the citizens of Huber Heights require City codified ordinances that are current, up to date, and reflect the current practices and processes of the City; and

WHEREAS, the City Council has determined that revisions of Chapter 521 concerning Health, Safety, and Sanitation are necessary to enhance the effective and efficient delivery of municipal services.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Huber Heights, Ohio that:

Section 1. Chapter 521, Section 521.10 of the Huber Heights Codified Ordinances is hereby amended to read as follows:

CHAPTER 521
Health, Safety and Sanitation

521.10 DUTY TO CUT WEEDS AND GRASS; REMEDY BY CITY FOR NONCOMPLIANCE.

(a) The owner, occupant or any other person or entity having charge of any land, including any areas of easement, within the City shall cut down all weeds and grass more than eight inches in height and shall remove those cuttings from that land.

(b) The owner, occupant or any other person or entity having charge of land abutting a public right of way shall cut down all weeds and grass more than eight inches in height from any unpaved portions of the right of way abutting the land and shall remove those cuttings from the right of way and that abutting land. For the purposes of this section, the owner, occupant or any other person or entity having charge of land abutting a public right of way shall be deemed to have charge of that half of the right of way on the side of his or her land.

(c) Weeds and Grass More than Eight (8) Inches in Height. This section shall not apply to real property that meets any one of the following requirements:

(1) Real property lawfully and substantially used for agricultural purposes for profit.

(2) Real property in zoning districts; Agricultural (A), Conservancy (C), Industrial (I-1 and I-2), and Commercial (B-1, B-2, and B-3) of more than two acres where a 15 foot wide strip directly adjacent to the boundaries of such real property complies with this

section. However, compliance is not required for the portions of any boundaries of such real property that are adjacent to an undeveloped lot and which are more than 10 feet from the closest point of contact with a developed lot. Real property will be deemed "developed" if a permanent structure, including but not limited to paving, has been erected on the parcel.

(3) Any real property owned by any governmental entity and used as a park or similar recreational facility or as an educational facility.

(d) The Director of Public Service or his/her designee, shall, in the name of City Council, annually, cause a notice to be published in a newspaper of general circulation within the City, stating that weeds and grass are growing on lands within the limits of the City. Such notice shall not be required to describe the lands or to specify the name of the owner of such lands. However, such notice shall constitute notice to any owner, occupant, or any other person or entity having charge of such land upon which weeds and grass are grown that the same must be cut and destroyed within five (5) days after such publication. Such notice shall further specify that such weeds and grass shall be cut every thirty (30) days thereafter without further notice or publication in order to prevent spreading or maturing of weeds and grass. Such notice shall be published one time per year in order to constitute notice hereunder.

(e) Upon notice presented to the Director of Public Service or his/her designee, that weeds and grass are growing on land in the City, the Director or his/her designee, in the name of Council, shall in addition to the publication set forth in subsection (d) hereof, cause a placard to be conspicuously placed on the property. Said placard shall be of a size, shape and color to be clearly visible and shall contain, at a minimum, the following information:

- (1) That it is a Notice to Cut Grass and Weeds;
- (2) An order to cut or remove the weeds or grass within five days of placement of the placard;
- (3) A statement indicating that should the property owner fail to comply with the order, the City will cause the weeds or grass to be cut or removed at the owner's expense, and the City may place a lien on the property for the amount owed for the removal together with an administrative fee of two hundred fifty dollars (\$250.00);
- (4) That there are penalties provided for removing the placard before bringing the property into compliance; and
- (5) Contact information of the appropriate City agency.

Such placard shall remain on the property until the property is brought into compliance with this Section 521.10. Removal of the placard before the property complies with this Section 521.10 shall constitute a minor misdemeanor punishable under Section 501.99 of this Code. Any person convicted of wrongfully removing the placard within two years of a prior conviction of the same offense shall be guilty of a misdemeanor of the fourth degree.

In addition to the foregoing, the Director of Public Service, or his/her designee may, but shall not be required to, cause a written notice to be served upon the owner, occupant or any other person or entity having charge of such land directing that such weeds and grass growing on such land must be cut and removed pursuant to this Section 521.10.

No owner, occupant or other person or entity having charge of land shall fail to comply with the notice provided in this Section 521.10.

(f) Noncompliance; Remedy of City. In addition to any other criminal or civil remedies available to the City, if the owner, occupant or other person or entity having charge of the land fails to comply with such notice, the City may cause such weeds and grass to be cut and removed at the expense of the owner of that land, and may employ the necessary labor to carry out the provisions of this subsection. All expenses incurred, together with an administrative fee of two hundred fifty dollars (\$250.00) shall be assessed against the land.

(g) Collection of Costs.

(1) Written notice of such an assessment shall be given to the owner of the land by regular U.S. Mail or certified mail sent to the address as appears in the tax duplicate. The amount of the assessment shall be paid and delivered to the City within fifteen (15) days after notice of the assessment was so served.

(2) If the City has not received payment of the assessment within those fifteen (15) days, the City shall make a written return or certification to the County Auditor of the amount of the unpaid assessment, plus an additional administrative charge of ten percent (10%) including with that certification a proper description of the premises. The assessed amount shall be entered upon the tax duplicate and shall be a lien upon such land from and after the date of the entry and shall be collected as other taxes and returned to the City with the General Fund.

(h) Notwithstanding the City's right to have the weeds and grass cut and removed at the expense of the owner, any owner, occupant or other person or entity having charge of land that violates this section shall be guilty of a minor misdemeanor. Any person convicted of a second offense of this section within two years of the first offense shall be guilty of a misdemeanor of the fourth degree.

(Ord. 2011-0-1897. Passed 7-25-11.)

Passed by Council on the _____ day of _____, 2014;
_____ Yeas; _____ Nays.

AUTHENTICATION:

Clerk of Council

Mayor

Date

Date

AI-2143

New Business **B.**

City Council Meeting Agenda

City Manager

Meeting Date: 01/27/2014

Purchase of Vehicles - Police Division

Submitted By: Maria Beisel

Department: Police **Division:** Police

Council Committee Review?: None

Date(s) of Committee Review: N/A

Audio-Visual Needs: None **Emergency Legislation?:** Yes

**Motion/Ordinance/
Resolution No.:**

Information

Agenda Item Description or Legislation Title

A Resolution Authorizing The City Manager To Purchase Vehicles For Use By The Police Division Through The Ohio Cooperative Purchasing Program, GSA AutoChoice, Or By Direct Negotiations, And Declaring An Emergency.
(first reading)

Purpose and Background

The Police Division needs to replace four fleet vehicles recently taken out of service. The attached legislation allows for negotiation to obtain the best proposal for said vehicles.

Fiscal Impact

Source of Funds: Police Budget

Cost: \$96,000

Recurring Cost? (Yes/No): No

Funds Available in Current Budget? (Yes/No): Yes

Financial Implications:

Out of service vehicles have been disposed of or put into use elsewhere. Funding for the replacement vehicles was approved in the 2014 budget.

Attachments

Resolution

CITY OF HUBER HEIGHTS
STATE OF OHIO

RESOLUTION NO. 2014-R-

AUTHORIZING THE CITY MANAGER TO PURCHASE VEHICLES FOR USE BY THE POLICE DIVISION THROUGH THE OHIO COOPERATIVE PURCHASING PROGRAM, GSA AUTOCHOICE, OR BY DIRECT NEGOTIATIONS, AND DECLARING AN EMERGENCY.

WHEREAS, there is an ongoing need to purchase vehicles for use by the Police Division of the City of Huber Heights in order to provide continued service to the citizens; and

WHEREAS, purchases greater than \$15,000 require authorization by the City Council; and

WHEREAS, there is a current offer to purchase 2014 vehicles under the Ohio state term bid pricing, GSA pricing, or direct negotiations.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Huber Heights, Ohio that:

Section 1. The City Manager is hereby authorized to order and purchase the vehicles either through the State bidding process, GSA AutoChoice, or by direct negotiation with dealers in order to allow that the City obtain the lowest and best proposal for said vehicles.

Section 2. The City Manager is hereby authorized to contract for the purchase of four (4) vehicles for the Police Division at a cost not to exceed \$96,000.

Section 3. Consistent with the provisions of the City Charter and the Huber Heights Codified Ordinances, the competitive bidding requirements are hereby waived.

Section 4. The authorization granted herein does ratify action previously taken by City Staff to ensure these contract prices can be taken advantage of by the City.

Section 5. This Resolution is hereby declared to be an emergency measure necessary to for the immediate preservation of the public peace, health, safety and welfare and for the further reason that a proper vehicle fleet is critical to the Police Division; therefore, this Resolution shall be in full force and effect immediately upon its adoption by Council.

Passed by Council on the _____ day of _____, 2014;
_____ Yeas; _____ Nays.

AUTHENTICATION:

Clerk of Council

Mayor

Date

Date

AI-2157

New Business C.

City Council Meeting Agenda

City Manager

Meeting Date: 01/27/2014

Ohio House Bill 5 Resolution

Submitted By: LeeAnne
Yeater

Department: City Manager

Council Committee Review?: Administration Committee

Date(s) of Committee Review: 01/22/2014

Audio-Visual Needs: None **Emergency Legislation?:** Yes

**Motion/Ordinance/
Resolution No.:**

Information

Agenda Item Description or Legislation Title

A Resolution Strongly Opposing The Passage Of Amended Substitute House Bill 5 By The Ohio General Assembly And Encouraging The Adoption Of Changes Recommended By The Ohio Municipal League, And Declaring An Emergency.
(first reading)

Purpose and Background

A resolution for consideration by the City Council for opposing Amended Substitute House Bill 5 by the Ohio General Assembly

Fiscal Impact

Source of Funds: N/A

Cost: N/A

Recurring Cost? (Yes/No): N/A

Funds Available in Current Budget? (Yes/No): N/A

Financial Implications:

Attachments

Resolution

CITY OF HUBER HEIGHTS
STATE OF OHIO

RESOLUTION NO. 2014-R-

STRONGLY OPPOSING THE PASSAGE OF AMENDED SUBSTITUTE HOUSE BILL 5 BY THE OHIO GENERAL ASSEMBLY AND ENCOURAGING THE ADOPTION OF CHANGES RECOMMENDED BY THE OHIO MUNICIPAL LEAGUE, AND DECLARING AN EMERGENCY.

WHEREAS, municipalities in Ohio exist primarily as a form of self-governance that provides high quality services to the citizens which live in them and to the constituents who visit for work, entertainment, educational and economic development purposes; and

WHEREAS, municipalities agree that revenue-neutral uniformity on issues that will ease compliance burdens for businesses residing in, and potentially locating to, Ohio would be of great benefit to all of Ohio; and

WHEREAS, Amended Substitute House Bill 5 (HB5) as passed by the Ohio House of Representatives contains language that is potentially catastrophic to the financial stability of municipalities; will reduce revenue for all municipalities in Ohio; includes "unfunded mandates" which will limit the ability for municipalities to provide basic services to residents, businesses, and visitors; rewards select contributors and businesses with special tax breaks; and, creates additional state level bureaucracy; and

WHEREAS, key provisions of HB5 do not reduce the complexity or add simplicity to the process of filing and paying municipal income tax but, rather are clearly an attempt to reduce municipal income tax obligations for certain privileged businesses by reducing their tax liabilities; and

WHEREAS, the recent confiscation of Local Government Funds, elimination of the Estate Tax, and the elimination of promised reimbursement for the loss of revenues due to the repeal of the Tangible Personal Property and Public Utilities Taxes has resulted in a loss over \$1 million in annual revenue for the City of Huber Heights; and

WHEREAS, the proposals in HB5, if fully implemented, will result in significant additional loss of annual revenue of approximately \$700,000 for the City of Huber Heights; and

WHEREAS, municipalities have been responsive in the past to efforts to streamline the rules and regulations and create uniformity in the overwhelming majority of local tax codes creating a streamlined process for all taxpayers; and

WHEREAS, the Greater Dayton Mayors and Managers Association, the Dayton Area Tax Administrators, and the Ohio Municipal League have created a revenue neutral alternative to HB5 that addresses uniformity without providing for wholesale tax reform and, more egregiously, special interest tax breaks for a few select and privileged professions and businesses; and

WHEREAS, municipalities must fight to protect their single largest revenue source, which provides essential municipal services, promoting a positive quality of life that residents and businesses alike rely upon, and any forced reduction in this revenue will have a negative impact on residents and businesses, creating an environment detrimental to retaining and attracting business in Ohio.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Huber Heights, Ohio that:

Section 1. That the City of Huber Heights strongly opposes Amended Substitute House Bill 5 as passed by the Ohio House of Representatives on November 13, 2013 and urges the Ohio Senate to reject this legislation as detrimental and devastating to the City of Huber Heights and municipalities across Ohio.

Section 2. That members of the Ohio Senate should, with all due diligence and deliberation, thoroughly examine the alternative language and provisions proposed by the Ohio Municipal League, et.al., which are revenue neutral, provide uniformity across the State of Ohio, but do not provide special interest tax breaks to a few select and privileged businesses.

Section 3. That the Ohio General Assembly should focus on restoring previous funding levels to the Ohio Business Gateway and focus on correcting its multitude of programming problems and customer service issues to make that tool less cumbersome, more useful and relevant to municipalities and businesses as a simple, generic, one-stop method of filing local business income tax returns in one location.

Section 4. That this Resolution is an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the City of Huber Heights and for the further reason that there is an urgency of communicating to the Ohio Senate prior to any short sighted or harmful action being taken by the legislative body; therefore this resolution shall take effect immediately upon its adoption by Council in accordance with Section 5.07 (A) of the City Charter.

Passed by Council on the _____ day of _____, 2014;
_____ Yeas; _____ Nays.

AUTHENTICATION:

Clerk of Council

Mayor

Date

Date

AI-2156

New Business **D.**

City Council Meeting Agenda

Economic Development

Meeting Date: 01/27/2014

SIB Application Authorization - Music Center

Submitted By: Donnie
Jones

Department: Economic Development

Council Committee Review?: Administration Committee

Date(s) of Committee Review: 01/22/2014

Audio-Visual Needs: None **Emergency Legislation?:** Yes

**Motion/Ordinance/
Resolution No.:**

Information

Agenda Item Description or Legislation Title

A Resolution Authorizing The City Manager To Prepare, Execute, And Submit The Initial Project Application To The Ohio Department Of Transportation State Infrastructure Bank (SIB) To Provide Financing For The Construction Of A New Public Parking Facility And Associated Roads And Other Infrastructure At The Music Center At The Heights, And Declaring An Emergency.
(first reading)

Purpose and Background

The music center parking lots and the roads and storm sewers servicing the lots may be eligible to be financed with SIB loans or bonds funds. The interest rates on these loans or bonds is significantly less than the City could borrow on its own. In order to determine if the project qualifies for SIB financing, the City needs to apply and have the project reviewed by ODOT. This resolution allows the City Manager to submit the project, work with the reviewers at ODOT if they need additional information, and attempt to get the project approved for SIB financing. ODOT will determine how much of the project costs qualify for SIB financing. If eligible, ODOT will issue a term sheet to the City with the offer for financing and at that time the City may act to accept the financing or not. This resolution only authorizes the application, not the acceptance of financing. It is estimated that approximately \$4 million of the project costs will be eligible for SIB financing, but it may be more. This resolution authorizes the City to apply for all applicable financing as determined by the ODOT.

Fiscal Impact

Source of Funds: N/A

Cost: N/A

Recurring Cost? (Yes/No): N/A

Funds Available in Current Budget? (Yes/No): N/A

Financial Implications:

No obligations until approved.

Attachments

Resolution

Application



CITY OF HUBER HEIGHTS
STATE OF OHIO

RESOLUTION NO. 2014-R-

AUTHORIZING THE CITY MANAGER TO PREPARE, EXECUTE, AND SUBMIT THE INITIAL PROJECT APPLICATION TO THE OHIO DEPARTMENT OF TRANSPORTATION STATE INFRASTRUCTURE BANK (SIB) TO PROVIDE FINANCING FOR THE CONSTRUCTION OF A NEW PUBLIC PARKING FACILITY AND ASSOCIATED ROADS AND OTHER INFRASTRUCTURE AT THE MUSIC CENTER AT THE HEIGHTS, AND DECLARING AN EMERGENCY.

WHEREAS, the Ohio Department of Transportation (ODOT) has developed a direct loan and bond financing program known as the State Infrastructure Bank (SIB) authorized under the Ohio Revised Code, Chapter 5531, the purpose of the SIB program is to encourage economic development and public investment in public transportation facilities, to develop a variety of financing techniques to expand the availability of funding resources, reduce direct state costs, and maximize local participation in financing projects; and

WHEREAS, qualified SIB projects include among others and without limitation, construction, reconstruction, resurfacing, restoring, rehabilitation, or replacement of public transportation facilities, including public parking facilities; and

WHEREAS, the City is constructing a parking facility and associated access roads and infrastructure to support the parking facility to be located adjacent to the Music Center at the Heights which the City believes will qualify as an acceptable SIB project; and

WHEREAS, that the low cost financing provided by ODOT will save the City significant interest costs over the life of the parking facility if the project is approved for SIB program financing by the ODOT; and

WHEREAS, In order for the project to be approved for SIB program financing the City must first submit a non-binding SIB Initial Project Application to The Division of Finance & Forecasting within ODOT for review and recommendation by the ODOT financial advisor and ODOT staff.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Huber Heights, Ohio, Counties of Montgomery and Miami, State of Ohio that:

Section 1. The City Council authorizes the City Manager, or his designee, to apply to the Ohio Department of Transportation (ODOT) for SIB program financing to finance the cost of the parking facility (including access roads and other infrastructure) at the Music Center. The City Manager, or his designee, is hereby authorized to prepare, execute and submit to ODOT such documents and information as may be required by ODOT to determine the eligibility of this project to qualify for SIB program financing. Such documents shall include but not be limited to

the Initial Project Application, required financial information and Certifications by the Finance Director, plans and engineering estimates.

Section 2. It is anticipated that SIB eligible costs of the project will be approximately 4 million dollars; however, City Council authorizes the City Manager, or his designee, to apply for SIB program financing in an amount sufficient to cover 100 percent of the all eligible project costs as determined by ODOT after review of the City application.

Section 3. City Council acknowledges that the application for SIB funding for this project does not obligate ODOT to provide SIB funding or obligate the City to accept SIB funding. Should SIB funding be offered to the City additional Council action shall be required to accept such funding.

Section 4. Open Meeting. It is hereby found and determined that all formal actions of the Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and all deliberations of this Council and any of its committees that resulted in such formal action, were in open meeting to the public, in compliance with all legal requirements.

Section 5. Date Effective. This Resolution is hereby declared to be an emergency measure for the preservation of public peace, health and safety of the Issuer and its inhabitants for the reason that this Resolution must be immediately effective so that the City can begin work on the projects and take advantage of favorable interest rates; therefore, this Resolution shall take effect and be in force from and immediately after its adoption.

Passed by Council on the _____ day of _____, 2014;
_____ Yeas; _____ Nays.

AUTHENTICATION:

Clerk of Council

Mayor

Date

Date



OHIO DEPARTMENT OF TRANSPORTATION
State Infrastructure Bank
Initial Project Application

1. BORROWER INFORMATION

Legal Name

Street Address

City

County

Zip Code

Contact Person

Title

Telephone Number

Fax Number

Email Address

2. PROJECT MANAGER CONTACT

Contact Person

Title

Telephone Number

Fax Number

Email Address

3. GUARANTOR INFORMATION (if different from above Borrower Information)

Legal Name

Street Address

City

County

Zip Code

Contact Person

Title

Telephone Number

Fax Number

Email Address

4. PROJECT INFORMATION

A. General Information

Project Name:

County-Route-Section:

PID #:

Location of Project:

City/Village/Township:

Estimated Construction Start Date: [Click here to enter a date.](#)

Estimated Completion Date: [Click here to enter a date.](#)

B: Type of Project:

☐ Highway ☒ New

☐ Reconstruction

☐ Preservation

☐ Local

☐ Rail

☐ Aviation

☐ Intermodal

☐ Transit

☐ Other (Specify):

C. System Identification (Functional Classification) of the Roadway:

☐ Federal Road

☐ State Road

☐ Local Road

☐ Other (Specify):

D. Functional classification of the Roadway: 1

[To determine classification please follow this link](#)

E. Is this project included in the:

☐ Transportation Improvement Plan (TIP)

TIP # : _____

☐ State Transportation Improvement Plan (STIP)

STIP #: _____

☐ Transportation Review Advisory Council:

TRAC Funding: _____

Date request submitted to TRAC: [Click here to enter a date.](#)

TRAC Approved Date: [Click here to enter a date.](#)

Contact Person: _____

F. Is this loan to be repaid with federal funds? If so please identify source:

☐ MPO

☐ CEAO

☐ Large City

G. Detailed description of the project (attach map):

H. Status of Project Planning

Completed:

Date:

Technical Feasibility Study	☐ Yes	☐ No	Click here to enter a date.
Preliminary Design/Engineering	☐ Yes	☐ No	Click here to enter a date.
Major Investment Study	☐ Yes	☐ No	Click here to enter a date.
Traffic Study	☐ Yes	☐ No	Click here to enter a date.
Final Design	☐ Yes	☐ No	Click here to enter a date.
Environmental Clearance	☐ Yes	☐ No	Click here to enter a date.
Right of Way Acquisition	☐ Yes	☐ No	Click here to enter a date.

Project Status (brief description):

5. PROJECT FINANCING REQUEST

☐ LOAN

☐ BOND

[Click here for Bond/Loan Matrix](#)

Project Sources & Uses

SOURCES

A. SIB Request

B.

C.

D.

E.

AMOUNT

\$ _____
\$ _____
\$ _____
\$ _____
\$ _____
\$ _____

TOTAL SOURCES

\$ _____

USES

A. Preliminary Engineering

B. Environmental

C. Right-of-Way Acquisition

D. Construction (Specify)

E. Other

F. Other

AMOUNT

\$ _____
\$ _____
\$ _____
\$ _____
\$ _____
\$ _____
\$ _____

TOTAL USES

\$ _____

Term of SIB Loan or Bond Requested

(Loan, 1 - 10 years), (Bond, 1 – 20 years)

Estimated Initial drawdown of SIB funds

Estimated last disbursement date of SIB funds:

Note: Date can not exceed one year past completion date (Reference to question 4A)

Please provide a detailed breakdown of the Sources & Uses of Funds:

<u>Uses (1)</u>	<u>Date Mo/Yr (2)</u>	<u>Sources (3)</u>					<u>Total</u>
		1. SIB	2.	3.	4.	5.	
Preliminary Eng.			\$	\$	\$	\$	\$
Environmental			\$	\$	\$	\$	\$
Right of Way		\$	\$	\$	\$	\$	\$
Construction		\$	\$	\$	\$	\$	\$
Other		\$	\$	\$	\$	\$	\$
Other		\$	\$	\$	\$	\$	\$
TOTAL		\$	\$	\$	\$	\$	\$

(1) Uses are the same as specified in Section 5 above.

(2) Provide the date when each event will first occur.

(3) Sources are the same as specified in Section 5 above.

6. DEDICATED REPAYMENT SOURCE FOR SIB LOAN:

Please list the specific sources of revenue you intend to pledge to repay the SIB loan and provide evidence, if available, of these revenues, i.e. financial statements highlighting applicable revenues. Examples of revenue sources include but are not limited to, Tax-Increment Payments, State Gas Tax, Vehicle Registration Fees, Tolls, Private Donations, Local Sales Tax, Non-Tax Revenues, General Obligation, Grants, etc.

Repayment Source (Specify)	Historical Annual Average (Received)		Projected Annual Average (Expected)		
	Past 2 Years		Year 1	Year 2	Year 3
	\$	\$	\$	\$	\$
Total Revenue Source	\$	\$	\$	\$	\$

Does the applicant have any outstanding debt secured by the repayment source?

☐ Yes

☐ No

If yes, please specify the debt and amount: _____

7. APPLICATION DOCUMENTATION CHECKLIST

- Project Map ☐ Yes ☐ No
- Legislation passed by local entity ☐ Yes ☐ No
- Evidence of Bond Rating ☐ Yes ☐ No
- Bond Rating: _____
- Approved letter from grantor if a grant is noted as a project funding source ☐ Yes ☐ No
- Audited Financial Statements (2 years) ☐ Yes ☐ No
- Proof of Environmental Clearance ☐ Yes ☐ No
- Projected Construction Disbursement Schedule ☐ Yes ☐ No

8. SIGNATURES

A completed Initial Project Application and all applicable attachments may be submitted to the following for initiation of the approval process:

Melinda Lawrence
State Infrastructure Bank
Ohio Department of Transportation
1980 West Broad Street
Columbus, Ohio 43223
(614) 644-7255
(614) 887-4962 *fax*
<http://www.dot.state.oh.us/Divisions/Finance/Pages/StateInfrastructureBank.aspx>

Please sign and return to the address above.

Applicant/Borrower Signature *

Applicant/Borrower Printed Name

Title of person signing application

Date

* The representative signing this application must be authorized by law to bind the borrower to an agreement

AI-2158

New Business **E.**

City Council Meeting Agenda

Economic Development

Meeting Date: 01/27/2014

SIB Application Authorization - Carriage Trails

Submitted By: Donnie
Jones

Department: Economic Development

Council Committee Review?: Administration Committee

Date(s) of Committee Review: 01/22/2014

Audio-Visual Needs: None **Emergency Legislation?:** Yes

**Motion/Ordinance/
Resolution No.:**

Information

Agenda Item Description or Legislation Title

A Resolution Authorizing The City Manager To Prepare, Execute, And Submit The Initial Project Application To The Ohio Department Of Transportation State Infrastructure Bank (SIB) To Provide Financing For The Construction Of Public Roads, Streets, And Associated Public Sewer, Water And Public Infrastructure At The Carriage Trails Development In Miami County, And Declaring An Emergency. (first reading)

Purpose and Background

The Carriage Trails public roads, sewers, water and other public infrastructure associated with the public roads may be eligible to be financed with SIB loans or bonds funds. The interest rates on these loans or bonds is significantly less than the City could borrow on its own. In order to determine if the project qualifies for SIB financing, the City needs to apply and have the project reviewed by ODOT. This resolution allows the City Manager to submit the project, work with the reviewers at ODOT if they need additional information, and attempt to get the project approved for SIB financing. ODOT will determine how much of the project costs qualify for SIB financing. If eligible, ODOT will issue a term sheet to the City with the offer for financing and at that time the City may act to accept the financing or not. This resolution only authorizes the application, not the acceptance of financing. It is estimated that the City will apply for \$3 million in financing, but will only use as much as Council authorizes through its development agreement as the City provides funding for new public infrastructure.

Fiscal Impact

Source of Funds: N/A

Cost: N/A

Recurring Cost? (Yes/No): N/A

Funds Available in Current Budget? (Yes/No): N/A

Financial Implications:

No requirement to accept any financing. If qualified, the City will need further Council action for approval.

Attachments

Resolution

Application

CITY OF HUBER HEIGHTS
STATE OF OHIO

RESOLUTION NO. 2014-R-

AUTHORIZING THE CITY MANAGER TO PREPARE, EXECUTE, AND SUBMIT THE INITIAL PROJECT APPLICATION TO THE OHIO DEPARTMENT OF TRANSPORTATION STATE INFRASTRUCTURE BANK (SIB) TO PROVIDE FINANCING FOR THE CONSTRUCTION OF PUBLIC ROADS, STREETS, AND ASSOCIATED PUBLIC SEWER, WATER AND PUBLIC INFRASTRUCTURE AT THE CARRIAGE TRAILS DEVELOPMENT IN MIAMI COUNTY, AND DECLARING AN EMERGENCY.

WHEREAS, the Ohio Department of Transportation (ODOT) has developed a direct loan and bond financing program known as the State Infrastructure Bank (SIB) authorized under the Ohio Revised Code, Chapter 5531, the purpose of the SIB program is to encourage economic development and public investment in public transportation facilities, to develop a variety of financing techniques to expand the availability of funding resources, reduce direct state costs, and maximize local participation in financing projects; and

WHEREAS, qualified SIB projects include among others and without limitation, construction, reconstruction, resurfacing, restoring, rehabilitation, or replacement of public transportation, roads, streets and associated public water, sewer and public infrastructure; and

WHEREAS, the City is constructing a public roads, streets and public sewer and water and various public infrastructure at the Carriage Trails Development in Miami County (The Project) which the City believes will qualify as an acceptable SIB project; and

WHEREAS, that the low cost financing provided by ODOT will save the City significant interest costs over the life of The Project if approved for SIB program financing by the ODOT; and

WHEREAS, in order for the project to be approved for SIB program financing the City must first submit a non-binding SIB Initial Project Application to The Division of Finance & Forecasting within ODOT for review and recommendation by the ODOT financial advisor and ODOT staff.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Huber Heights, Ohio, Counties of Montgomery and Miami, State of Ohio that:

Section 1. The City Council authorizes the City Manager, or his designee, to apply to the Ohio Department of Transportation (ODOT) for SIB program financing to finance the cost of Public Roads, Streets, and associated Public Water and Sewer and Public Infrastructure at the Carriage Trails Development in Miami County. The City Manager, or his designee, is hereby authorized to prepare, execute and submit to ODOT such documents and information as may be required by ODOT to determine the eligibility of The Project to qualify for SIB program financing. Such documents shall include but not be limited to the Initial Project Application,

required financial information and Certifications by the Finance Director, plans and engineering estimates.

Section 2. It is anticipated that SIB eligible costs of the project will be approximately 3 million dollars over the next year; however, City Council authorizes the City Manager, or his designee, to apply for SIB program financing in an amount sufficient to cover 100 percent of the all eligible project costs as determined by ODOT after review of the City application.

Section 3. City Council acknowledges that the application for SIB funding for this project does not obligate ODOT to provide SIB funding or obligate the City to accept SIB funding. Should SIB funding be offered to the City additional Council action shall be required to accept such funding.

Section 4. Open Meeting. It is hereby found and determined that all formal actions of the Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and all deliberations of this Council and any of its committees that resulted in such formal action, were in open meeting to the public, in compliance with all legal requirements.

Section 5. Date Effective. This Resolution is hereby declared to be an emergency measure for the preservation of public peace, health and safety of the Issuer and its inhabitants for the reason that this Resolution must be immediately effective so that the City can begin work on the projects and take advantage of favorable interest rates; therefore, this Resolution shall take effect and be in force from and immediately after its adoption.

Passed by Council on the _____ day of _____, 2014;
_____ Yeas; _____ Nays.

AUTHENTICATION:

Clerk of Council

Mayor

Date

Date



OHIO DEPARTMENT OF TRANSPORTATION
State Infrastructure Bank
Initial Project Application

1. BORROWER INFORMATION

Legal Name

Street Address

City

County

Zip Code

Contact Person

Title

Telephone Number

Fax Number

Email Address

2. PROJECT MANAGER CONTACT

Contact Person

Title

Telephone Number

Fax Number

Email Address

3. GUARANTOR INFORMATION (if different from above Borrower Information)

Legal Name

Street Address

City

County

Zip Code

Contact Person

Title

Telephone Number

Fax Number

Email Address

4. PROJECT INFORMATION

A. General Information

Project Name:

County-Route-Section:

PID #:

Location of Project:

City/Village/Township:

Estimated Construction Start Date: [Click here to enter a date.](#)

Estimated Completion Date: [Click here to enter a date.](#)

B: Type of Project:

☐ Highway ☒ New

☐ Reconstruction

☐ Preservation

☐ Local

☐ Rail

☐ Aviation

☐ Intermodal

☐ Transit

☐ Other (Specify):

C. System Identification (Functional Classification) of the Roadway:

☐ Federal Road

☐ State Road

☐ Local Road

☐ Other (Specify):

D. Functional classification of the Roadway: 1

[To determine classification please follow this link](#)

E. Is this project included in the:

☐ Transportation Improvement Plan (TIP)

TIP # : _____

☐ State Transportation Improvement Plan (STIP)

STIP #: _____

☐ Transportation Review Advisory Council:

TRAC Funding: _____

Date request submitted to TRAC: [Click here to enter a date.](#)

TRAC Approved Date: [Click here to enter a date.](#)

Contact Person: _____

F. Is this loan to be repaid with federal funds? If so please identify source:

☐ MPO

☐ CEAO

☐ Large City

G. Detailed description of the project (attach map):

H. Status of Project Planning

Completed:

Date:

Technical Feasibility Study	☐ Yes	☐ No	Click here to enter a date.
Preliminary Design/Engineering	☐ Yes	☐ No	Click here to enter a date.
Major Investment Study	☐ Yes	☐ No	Click here to enter a date.
Traffic Study	☐ Yes	☐ No	Click here to enter a date.
Final Design	☐ Yes	☐ No	Click here to enter a date.
Environmental Clearance	☐ Yes	☐ No	Click here to enter a date.
Right of Way Acquisition	☐ Yes	☐ No	Click here to enter a date.

Project Status (brief description):

5. PROJECT FINANCING REQUEST

☐ LOAN

☐ BOND

[Click here for Bond/Loan Matrix](#)

Project Sources & Uses

SOURCES

A. SIB Request

B.

C.

D.

E.

AMOUNT

\$ _____
\$ _____
\$ _____
\$ _____
\$ _____
\$ _____

TOTAL SOURCES

\$ _____

USES

A. Preliminary Engineering

B. Environmental

C. Right-of-Way Acquisition

D. Construction (Specify)

E. Other

F. Other

AMOUNT

\$ _____
\$ _____
\$ _____
\$ _____
\$ _____
\$ _____
\$ _____

TOTAL USES

\$ _____

Term of SIB Loan or Bond Requested

(Loan, 1 - 10 years), (Bond, 1 – 20 years)

Estimated Initial drawdown of SIB funds

Estimated last disbursement date of SIB funds:

Note: Date can not exceed one year past completion date (Reference to question 4A)

Please provide a detailed breakdown of the Sources & Uses of Funds:

<u>Uses (1)</u>	<u>Date Mo/Yr (2)</u>	<u>Sources (3)</u>					<u>Total</u>
		1. SIB	2.	3.	4.	5.	
Preliminary Eng.			\$	\$	\$	\$	\$
Environmental			\$	\$	\$	\$	\$
Right of Way		\$	\$	\$	\$	\$	\$
Construction		\$	\$	\$	\$	\$	\$
Other		\$	\$	\$	\$	\$	\$
Other		\$	\$	\$	\$	\$	\$
TOTAL		\$	\$	\$	\$	\$	\$

(1) Uses are the same as specified in Section 5 above.

(2) Provide the date when each event will first occur.

(3) Sources are the same as specified in Section 5 above.

6. DEDICATED REPAYMENT SOURCE FOR SIB LOAN:

Please list the specific sources of revenue you intend to pledge to repay the SIB loan and provide evidence, if available, of these revenues, i.e. financial statements highlighting applicable revenues. Examples of revenue sources include but are not limited to, Tax-Increment Payments, State Gas Tax, Vehicle Registration Fees, Tolls, Private Donations, Local Sales Tax, Non-Tax Revenues, General Obligation, Grants, etc.

Repayment Source (Specify)	Historical Annual Average (Received)		Projected Annual Average (Expected)		
	Past 2 Years		Year 1	Year 2	Year 3
	\$	\$	\$	\$	\$
Total Revenue Source	\$	\$	\$	\$	\$

Does the applicant have any outstanding debt secured by the repayment source?

☐ Yes

☐ No

If yes, please specify the debt and amount: _____

7. APPLICATION DOCUMENTATION CHECKLIST

Project Map ☐ Yes ☐ No

Legislation passed by local entity ☐ Yes ☐ No

Evidence of Bond Rating ☐ Yes ☐ No

Bond Rating: _____

Approved letter from grantor if a grant is noted as a project funding source ☐ Yes ☐ No

Audited Financial Statements (2 years) ☐ Yes ☐ No

Proof of Environmental Clearance ☐ Yes ☐ No

Projected Construction Disbursement Schedule ☐ Yes ☐ No

8. SIGNATURES

A completed Initial Project Application and all applicable attachments may be submitted to the following for initiation of the approval process:

Melinda Lawrence
State Infrastructure Bank
Ohio Department of Transportation
1980 West Broad Street
Columbus, Ohio 43223
(614) 644-7255
(614) 887-4962 *fax*
<http://www.dot.state.oh.us/Divisions/Finance/Pages/StateInfrastructureBank.aspx>

Please sign and return to the address above.

Applicant/Borrower Signature *

Applicant/Borrower Printed Name

Title of person signing application

Date

* The representative signing this application must be authorized by law to bind the borrower to an agreement

AI-2145

New Business F.

City Council Meeting Agenda

Finance

Meeting Date: 01/27/2014

Amnesty

Submitted By: Crystal
Whitley

Department: Finance

Division: Accounting

Council Committee Review?: None

Date(s) of Committee Review: N/A

Audio-Visual Needs: None

Emergency Legislation?: Yes

**Motion/Ordinance/
Resolution No.:**

Information

Agenda Item Description or Legislation Title

A Resolution Authorizing The City Manager To Expend Funds To Cover The Costs Of Various Goods And Services Ordered By City Departments/Divisions, And Declaring An Emergency.
(first reading)

Purpose and Background

This legislation gives authorization to pay invoices for goods and services where a purchase order was not properly obtained in advance of the purchases.

Fiscal Impact

Source of Funds: N/A

Cost: N/A

Recurring Cost? (Yes/No): N/A

Funds Available in Current Budget? (Yes/No): N/A

Financial Implications:

Attachments

Resolution

Attachment A

Amnesty Backup

CITY OF HUBER HEIGHTS
STATE OF OHIO

RESOLUTION NO. 2014-R-

AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS TO COVER THE COSTS OF VARIOUS GOODS AND SERVICES ORDERED BY CITY DEPARTMENTS/DIVISIONS, AND DECLARING AN EMERGENCY.

WHEREAS, various City Departments/Divisions have procured goods and services from various vendors; and

WHEREAS, the Departments/Divisions either did not obtain a purchase order prior to the purchase or if a purchase order was obtained it was not sufficient to cover the costs of said goods or services; and

WHEREAS, the City of Huber Heights has a moral obligation to pay the invoices for these said goods and services since it is either in possession of the goods or it has already utilized the service; and

WHEREAS, there are sufficient funds in the respective Department/Division budgets to cover the costs incurred for the various goods and services.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Huber Heights, Ohio that:

Section 1. The City Manager is hereby authorized to approve the payments for the goods and services listed in Attachment A as moral obligations of the City.

Section 2. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare and for the further reason that the timely processing and payment of these invoices will maintain the good relationships enjoyed between the City and the various vendors; therefore, this Resolution shall take full force and effect immediately upon its adoption by Council.

Passed by Council on the _____ day of _____, 2014;
_____ Yeas; _____ Nays.

AUTHENTICATION:

Clerk of Council

Mayor

Date

Date

ATTACHMENT A

<u>Department/Division</u>	<u>Vendor</u>	<u>Total Cost</u>	<u>Cost Not Encumbered by P.O.</u>
Fire	MED3000 – purchase order after service date	\$7,082.68	\$7,082.68
Police	Aqua Falls Bottled Water – purchase order after service date	\$97.10	\$97.10
Public Works	Grismer – purchase order after service date	\$1,041.82	\$1,041.82
Management	Scarffs Nursery Inc – purchase order after service date	\$21,455.71	\$21,455.71



Huber Heights Fire Division

MEMORANDUM

Date: January 15, 2014
To: Interim City Manager, Rob Schommer
From: Mark S Ashworth, Fire Chief
Subject: Amnesty Request for PO #91478

Chief Schommer,

The attached invoice is for payment of EMS billing fees for Med3000 our EMS billing company. Due to an unanticipated increase in Medicare revenues we exceeded the original purchase order amount. Balance is to be paid from Med3000 2014 PO# 140184.

At this time, amnesty is being requested. Funding is available as indicated by the PO number that was already issued; the amnesty request is for not meeting the timeline as required by City Policy.


Respectfully Submitted,
Mark S. Ashworth
Fire Chief


Approved
Rob Schommer



P.O. Box 1236
Butler, PA 16003-1236
(412)937-8887

Invoice	0029908
Date	1/1/2014
Page	1

Bill To:

City of Huber Heights
6131 Taylorsville Road
Huber Heights OH 45424

90851 2280.07
91470 1665.37
140184 3945.44

Customer ID		Payment Terms		
OH HUBER HEIGHT		Due Upon Receipt		
Quantity	Description	UOM	Unit Price	Ext. Price
1.00	Management Fee December Net Revenue of \$191,709.31 @ 5.75%	MTH FEE	\$11,023.29	\$11,023.29
1.00	Management Fee Aged A/R - December Net Receipts of \$84.00 @ 5.75%	MTH FEE	\$4.83	\$4.83
Handwritten Signature 16 Jan 2014				
Subtotal				\$11,028.12
Misc				\$0.00
Tax				\$0.00
Total				\$11,028.12

If you have any questions regarding this invoice,
please call Marcy Lennon at (708) 342-7118 or
email Marcella_Lennon@MED3000.com

If you have any questions regarding this invoice,
please call Marcy Lennon at (708) 342-7118 or
email Marcella_Lennon@MED3000.com

Whitley, Crystal

From: Beisel, Maria
Sent: Thursday, January 16, 2014 3:37 PM
To: Whitley, Crystal
Attachments: Amnesty.pdf

Please schedule the attached invoice for the next available Council meeting. Thanks.

Maria Beisel

Police Administration
Huber Heights Police Administration
6121 Taylorsville Road
Huber Heights, Ohio 45424
937.237.3609 Direct
937.237.5851 Fax

mbeisel@hhoh.org



Find us on
Facebook

Huber Heights Police

*Approved
Whitley*

INVOICE

Aqua Falls Bottled Water
P. O. Box 98
Enon OH 45323-0098

Date: 01/09/2014 Invoice# 725014

*Direct all inquiries regarding this invoice to
our accounting department at 937-864-5495*

Bill To
City Of Huber Heights-Police
6121 Taylorsville Road
Huber Heights OH 45424
/45424218/

Ship To
City Of Huber Heights-Police
6121 Taylorsville Road
Huber Heights, OH 45424

Acct# 050847

Description	Quantity	Unit Price	Taxable	Amount
AquaFalls 5Gal	10 @	4.95		49.50
Rent Cold/room - 0213126563	1 @	4.00		4.00
Rent Cold/room - N12031335	1 @	4.00		4.00

Invoice Total : 57.50
Previous Balance: 39.80
Acct Balance : 97.10

✂ Please Return This Portion With Payment ✂

City Of Huber Heights-Police
6121 Taylorsville Road
Huber Heights OH 45424

Payment Voucher

Account # 050847 **Invoice #** 725014 **Invoice Date** 01/09/2014

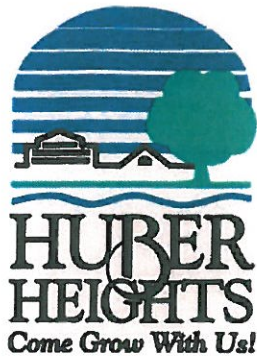
Due Date
Upon Receipt

Invoice Total 57.50 **Amount Paid**

Aqua Falls Bottled Water
P. O. Box 98
Enon OH 45323-0098

/453230098989/





**CITY OF HUBER HEIGHTS
PUBLIC WORKS DIVISION
7020 BRANDT PIKE**

Memorandum

To: Rob Schommer, City Manager
From: Mike Gray, Public Works Manager *mg*
Date: January 15, 2014
Re: Amnesty Legislation

The Public Works Department is requesting amnesty for an invoice to Grismer for \$1041.82. The service was performed after hours and was needed for snow removal. It was deemed an emergency situation. We acquired PO# 140466 after the service.

Thank you

*Approved
Rob Schommer*



COMMERCIAL DIVISION

www.grismertire.com

"Dealer of the Year"
Modern Tire
Dealer Magazine
2003

BRIDGESTONE

Firestone

DAYTON
Performance for Every Road



nokian
TYRES
Where Safety Begins



BFGoodrich

GRISMER TIRE COMPANY
900 S PERRY ST

DAYTON, OH

45402

937/224-9815

CUSTOMER: CITY OF HUBER HEIGHTS*
6131 TAYLORSVILLE RD

101433

HUBER HEIGHTS OH

45424

AD SOURCE CODE: 99 NO ADVERTISING SOURC

WORK: 937/233-1423

0

PO NUMBER: 1

SALESMAN: 00182

INVOICE DATE: 01/03/14

DUE: 02/10/14

INVOICE #: 3174079

PAGE: 1

TIME STARTED: 23:49:37

TIME CLOSED: 15:23:00

PRODUCT	MECHANIC	QUANTITY	PRICE	F.F.T.	EXTENSION
OVERTIME SERVICE CHARGE	1350	3	85.00		255.00
SERHOUROT					
11R22.5 FST FD663 RADIAL TU ST G		2	314.26		628.52
281042					
STATE OF OHIO TIRE FEE		2	1.00		2.00
DISPW					
L6. TRK. VALVE STEM		2	5.50		11.00
VALLG					
RECONDITIONED WHEELS & RIMS		2	65.00		130.00
RECON STOCK					
TRK PLOW#425 RRI RRO					
AFTER HOUR ON BRANDT/KITRIDGE					
OFF TIRES WHEELS LEFT AT GARAGE					
PS ON 3174096					
SHOP SUPPLIES / SHOP CHARGES			15.30		15.30
ENV					

MERCHANDISE: 1041.82
INVOICE TOTAL: 1041.82

CHARGE ACCOUNT

1041.82

mm

THANK YOU FOR YOUR BUSINESS

PLEASE REMEMBER - GRISMER WILL NOT HOLD RETREADS MORE THAN 30 DAYS

Cardholder acknowledges receipt of good and/or services in the amount of the Total shown hereon and agrees to perform the obligations set forth in the Cardholder's agreement with the issuer.

REMIT PAYMENTS TO
PO BOX 337
DAYTON, OH 45401

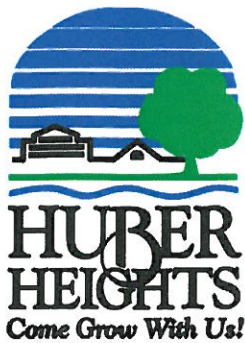
Customer Signature :

SORRY, BUT NOT RESPONSIBLE FOR LOSS OR DAMAGE TO CARS OR ARTICLES LEFT IN CARS IN CASE OF FIRE, THEFT, OR ANY OTHER CAUSE BEYOND OUR CONTROL. AN EXPRESS ARTISAN'S LIEN IS HEREBY ACKNOWLEDGED ON THE ABOVE CAR TO SECURE THE AMOUNT THEREOF.

TERMS: 1½% PER MONTH (18% PER ANNUM) ON PAST DUE ACCOUNTS

CUSTOMER COPY

368919



CITY OF HUBER HEIGHTS
Office of the Assistant City Manager
6131 Taylorsville Road
Huber Heights, Ohio 45424

Inter Office Memorandum

To: Rob Schommer, Interim City Manager
From: Scott P. Falkowski, Assistant City Manager *S.F.*
Date: January 23, 2014
Re: **Amnesty Legislation**

Management is requesting amnesty for an invoice to Scarffs Nursery for \$21,455.71. The service was completed prior to the PO being obtained.

Thank you

*Approved
Schommer*



411 North State Route 235
New Canaan, Ohio 44444-2149
Phone (337) 845-3100
Fax (337) 845-0711
www.sealls.com

DATE

JOB NO. PAGE

1

10/17/13

0091262-00

INVOICE

HOME PHONE	WORK PHONE
FAX 233-1272	233-1423

902500-000
CITY OF HUBER HEIGHTS*
6131 TAYLORSVILLE RD.

HUBER HEIGHTS OH 45424

PROPOSED BY: BILL DUFF

PROJECT

902500-000
MEIJER PLANTING SCREEN
PER ARCHITECTS DRAWING

QTY	MATERIALS	UNIT PRICE	AMOUNT
10	LONDON PLANETREE 2.5" ✓		
29	BLACK HILLS SPRUCE 5' ✓		
73	GRO-LOW FRAGRANT SUMAC #3 ✓		
55	LIMELIGHT HYDRANGEA #7 ✓		
60	SHREDDED HARDWOOD MULCH - CY		
** MATERIAL TOTAL			11814.78
PLANTING LABOR			
MULCH INSTALLATION			
CLEANUP AND DISPOSAL FEE			
EQUIPMENT CHARGE			
** LABOR TOTAL			9640.93
** JOB TOTAL			21455.71
*** JOB TOTAL DUE			21455.71 ✓

WORK REVIEWED BY MKSK:

MATTHEW BENSUM 11.7.2013

Scott L. Bell
12/15/13 ✓

BY MR ADDED
DEC 11 2013

This price is based on cash payment upon completion. If you choose to use a credit card for payment, an additional 2.5% will be added to the amount due. Thank you!

AI-2159

New Business G.

City Council Meeting Agenda

Finance

Meeting Date: 01/27/2014

2014 Supplemental Appropriations

Submitted By: Jim Bell

Department: Finance **Division:** Accounting

Council Committee Review?: None

Date(s) of Committee Review: N/A

Audio-Visual Needs: None **Emergency Legislation?:** No

**Motion/Ordinance/
Resolution No.:**

Information

Agenda Item Description or Legislation Title

An Ordinance Authorizing Advances and Transfers Between Various Funds Of The City Of Huber Heights, Ohio And Amending Ordinance No. 2013-O-2077 By Making Supplemental Appropriations For Expenses Of The City Of Huber Heights, Ohio For The Period Beginning January 1, 2014 And Ending December 31, 2014.

(first reading)

Purpose and Background

The supplemental appropriations are for the following purposes:

- \$400 decrease in Finance overtime charged to General Fund
- \$66,000 transfer to Special Assessment Bond Retirement Fund changed from Motor Vehicle Fund to City Permissive Tax Fund
- \$144,500 decrease in advances from Motor Vehicle Fund to Miami County TIF Fund & Miami County TIF(DEC) Fund
- \$244,500 advance from Gas Tax Fund to Miami County TIF(DEC) Fund
- \$50,000 decrease in advance from County Permissive Tax Fund to Miami County TIF(DEC) Fund
- \$50,000 decrease in advance from City Permissive Tax Fund to Miami County TIF(DEC) Fund
- \$100 increase in Finance overtime charged to Local Street Operating Fund
- \$100 increase in Finance overtime charged to Capital Improvement Fund
- \$259,608 return of advance from Issue 2 Fund to Gas Tax Fund
- \$2,100 for Water Fund portion of Interim City Manager health insurance
- \$100 increase in Finance overtime charged to Water Fund
- \$2,100 for Sewer Fund portion of Interim City Manager health insurance
- \$100 increase in Finance overtime charged to Sewer Fund

Fiscal Impact

Source of Funds: Water and Sewer Funds

Cost: \$4,200

Recurring Cost? (Yes/No): No

Funds Available in Current Budget? (Yes/No): Yes

Financial Implications:

This supplemental appropriation ordinance contains several items, however, nearly all of them are of a housekeeping nature in that expenses are being adjusted from one account to another or one fund to another. The only true increase in expenses are in the Water and Sewer Funds.

Attachments

Ordinance

CITY OF HUBER HEIGHTS
STATE OF OHIO

ORDINANCE NO. 2014-O-

AUTHORIZING ADVANCES AND TRANSFERS BETWEEN VARIOUS FUNDS OF THE CITY OF HUBER HEIGHTS, OHIO AND AMENDING ORDINANCE 2013-O-2077 BY MAKING SUPPLEMENTAL APPROPRIATIONS FOR EXPENSES OF THE CITY OF HUBER HEIGHTS, OHIO FOR THE PERIOD BEGINNING JANUARY 1, 2014 AND ENDING DECEMBER 31, 2014.

WHEREAS, supplemental appropriations for expenses of the City of Huber Heights must be made to reflect advances and transfers and for appropriations of funds for various 2014 operating and project funding;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Huber Heights, Ohio that:

Section 1. Authorization is hereby given to advance and transfer certain monies up to amounts not exceeding those shown and for the purposes cited in Exhibit A, and such authorization applies to any and all such advances and transfers necessary and effected after January 1, 2014.

Section 2. Ordinance 2013-O-2077 is hereby amended as shown in Exhibit B of this Ordinance.

Passed by Council on the _____ day of _____, 2014;
_____ Yeas; _____ Nays.

AUTHENTICATION:

Clerk of Council

Mayor

Date

Date

EXHIBIT A

Advances:

<u><i>Amount</i></u>	<u><i>Fund From</i></u>	<u><i>Fund To</i></u>	<u><i>Purpose</i></u>
\$ 259,608	421 Issue 2	203 Gasoline Tax	Return of advance
\$(123,082)	202 Motor Vehicle	243 Miami County TIF	Decrease budgeted advance
\$ (21,418)	202 Motor Vehicle	244 Miami Cty TIF(DEC)	Decrease budgeted advance
\$ (50,000)	216 County Perm Tax	244 Miami Cty TIF(DEC)	Decrease budgeted advance
\$ (50,000)	217 City Perm Tax	244 Miami Cty TIF(DEC)	Decrease budgeted advance
\$ 244,500	203 Gasoline Tax	244 Miami Cty TIF(DEC)	Increased budgeted advance

Transfers:

<u><i>Amount</i></u>	<u><i>Fund From</i></u>	<u><i>Fund To</i></u>	<u><i>Purpose</i></u>
\$ (66,000)	202 Motor Vehicle	305 S.A. Bond Retirement	Decrease budgeted transfer
\$ 66,000	217 City Perm Tax	305 S.A. Bond Retirement	Increase budgeted transfer

EXHIBIT B

AMENDING ORDINANCE NO. 2013-O-2077 BY MAKING APPROPRIATIONS FOR EXPENSES OF THE CITY OF HUBER HEIGHTS, OHIO FOR THE PERIOD BEGINNING JANUARY 1, 2014 AND ENDING DECEMBER 31, 2014.

- 1) Section 1 of Ordinance No. 2013-O-2077 is hereby amended to reflect changes in the appropriations of the #101 General Fund, as follows:
 - a) Subsection k) Accounting, Personnel decrease of \$400.00
- 2) Section 2 of Ordinance No. 2013-O-2077 is hereby amended to reflect decreases in the appropriations of the #202 Motor Vehicle Fund, Transfers of \$66,000.00 and Advances of \$144,500.00.
- 3) Section 3 of Ordinance No. 2013-O-2077 is hereby amended to reflect an increase in the appropriation of the #203 Gasoline Tax Fund, Advances of \$244,500.00.
- 4) Section 10 of Ordinance No. 2013-O-2077 is hereby amended to reflect a decrease in the appropriation of the #216 County Permissive Fund, Advances of \$50,000.00.
- 5) Section 11 of Ordinance No. 2013-O-2077 is hereby amended to reflect changes in the appropriation of the #217 City Permissive Fund, Transfers increase of \$66,000.00 and Advances decrease of \$50,000.00.
- 6) Section 15 of Ordinance No. 2013-O-2077 is hereby amended to reflect changes in the appropriations of the #226 Local Street Operating Fund, as follows:
 - b) Subsection e) Finance, Personnel increase of \$100.00
- 7) Section 23 of Ordinance No. 2013-O-2077 is hereby added to reflect an increase in the appropriation of the #406 Capital Improvements Fund, Personnel of \$100.00.
- 8) Section 24 of Ordinance No. 2013-O-2077 is hereby amended to reflect an increase in the appropriation of the #421 Issue 2 Fund, Advances of \$259,608.00.
- 9) Section 32 of Ordinance No. 2013-O-2077 is hereby amended to reflect increases in the appropriations of the #501 Water Fund, as follows:
 - c) Subsection b) Management, Personnel of \$2,100.00
 - d) Subsection c) Finance, Personnel of \$100.00
- 10) Section 36 of Ordinance No. 2013-O-2077 is hereby amended to reflect increases in the appropriations of the #551 Sewer Fund, as follows:
 - e) Subsection b) Management, Personnel of \$2,100.00
 - f) Subsection c) Finance, Personnel of \$100.00

AI-2153

New Business **H.**

City Council Meeting Agenda

Legal

Meeting Date: 01/27/2014

Music Center - Liquor Permit

Submitted By: Anthony
Rodgers

Department: City Council

Council Committee Review?: Administration Committee

Date(s) of Committee Review: 01/07/2014
and
01/22/2014

Audio-Visual Needs: None **Emergency Legislation?:** Yes

**Motion/Ordinance/
Resolution No.:**

Information

Agenda Item Description or Legislation Title

A Resolution Authorizing The City Manager To Take Whatever Steps Are Necessary To Obtain The Ability To Sell Beer, Wine And Any Intoxicating Liquor From The Music Center At The Heights, Located At 6800 Executive Boulevard, A Community Facility As Defined Under Section 4301.01 (B)(19)(a) Of The Ohio Revised Code, And Sunday Sales To Include The Filing Of Any Applications Or Other Documentation With The Ohio Department Of Commerce, Division Of Liquor Control, The Montgomery County Board Of Elections Or Any Other Governmental Entity Or Agency, And Declaring An Emergency. (first reading)

Purpose and Background

This legislation allows the City Manager to take the necessary steps to acquire a liquor license for the music center.

Fiscal Impact

Source of Funds: N/A

Cost: N/A

Recurring Cost? (Yes/No): N/A

Funds Available in Current Budget? (Yes/No): N/A

Financial Implications:

Attachments

Resolution

CITY OF HUBER HEIGHTS
STATE OF OHIO

RESOLUTION NO. 2013-R-

AUTHORIZING THE CITY MANAGER TO TAKE WHATEVER STEPS ARE NECESSARY TO OBTAIN THE ABILITY TO SELL BEER, WINE AND ANY INTOXICATING LIQUOR FROM THE MUSIC CENTER AT THE HEIGHTS, LOCATED AT 6800 EXECUTIVE BOULEVARD, A COMMUNITY FACILITY AS DEFINED UNDER SECTION 4301.01 (B)(19)(a) OF THE OHIO REVISED CODE, AND SUNDAY SALES TO INCLUDE THE FILING OF ANY APPLICATIONS OR OTHER DOCUMENTATION WITH THE OHIO DEPARTMENT OF COMMERCE, DIVISION OF LIQUOR CONTROL, THE MONTGOMERY COUNTY BOARD OF ELECTIONS OR ANY OTHER GOVERNMENTAL ENTITY OR AGENCY, AND DECLARING AN EMERGENCY.

WHEREAS, City Council is pursuing the construction and operation of The Music Center at The Heights, (the "Music Center") located at 6800 Executive Blvd., A Community Facility; and

WHEREAS, City Council believes it is imperative to the successful operation of the Music Center that the sale of beer, wine and intoxicating liquor from the Music Center, including Sunday sales be permissible and specifically requests the submission of this issue to the electors of the City of Huber Heights pursuant to Section 4301.356 of the Ohio Revised Code.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Huber Heights, Ohio that:

Section 1. After due deliberation, the City Council authorizes the City Manager to take whatever action is necessary to ensure that the Music Center will have the ability to sell beer, wine and other intoxicating liquor at the Music Center, located within the City at 6800 Executive Boulevard, a Community Facility, and Sunday sales to include the filing of any applications or other documentation with the Ohio Department of Commerce, Division of Liquor Control, the Montgomery County Board of Elections or any other governmental entity or agency.

Section 2. With regard to any ballot issue requiring the signature of the City of Huber Heights the ballot issue shall read substantially as follows:

"Shall the sale of beer and intoxicating liquor be permitted on days of the week other than Sunday and between the hours of eleven a.m. and midnight on Sunday, at The Music Center at the Heights, a community facility as defined by section 4301.01 of the Revised Code, and located at 6800 Executive Boulevard, Huber Heights, Ohio?"

Section 3. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its Committees that resulted in such formal action were taken in meetings open to the public and in conformance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 4. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of public peace, health, safety and welfare and for the further reason that filing deadlines for obtaining the necessary approvals with the Department of Commerce, Division of Liquor Control and the Montgomery County Board of Elections is on or before February 5, 2014; therefore this Resolution shall take effect immediately upon its adoption by Council.

Passed by Council on the _____ day of _____, 2014;
_____ Yeas; _____ Nays.

AUTHENTICATION:

Clerk of Council

Mayor

Date

Date

AI-2151

New Business |.

City Council Meeting Agenda

Planning

Meeting Date: 01/27/2014

Music Center - Signage Change Order - MKSK

Submitted By: Scott
Falkowski

Department: Planning

Council Committee Review?: Administration Committee

Date(s) of Committee Review: 01/22/2014

Audio-Visual Needs: None **Emergency Legislation?:** Yes

**Motion/Ordinance/
Resolution No.:**

Information

Agenda Item Description or Legislation Title

A Resolution Authorizing The City Manager To Enter Into A Change Order With MKSK, For Additional Services Rendered As A Result Of Changes Made To The Scope Of Work For The Recreation Facility, And Declaring An Emergency.
(first reading)

Purpose and Background

MKSK has made a proposal for wayfinding and signage with a request to move forward with the final design of said signage for the music center. This is the proper time to bring this forward for approval and fits within the General Conditions section of the original budget.

Fiscal Impact

Source of Funds: Music Center

Cost: \$49,980

Recurring Cost? (Yes/No): No

Funds Available in Current Budget? (Yes/No): Yes

Financial Implications:

Attachments

Resolution

CITY OF HUBER HEIGHTS
STATE OF OHIO

RESOLUTION NO. 2014-R-

AUTHORIZING THE CITY MANAGER TO ENTER INTO A CHANGE ORDER WITH MKSK, FOR ADDITIONAL SERVICES RENDERED AS A RESULT OF CHANGES MADE TO THE SCOPE OF WORK FOR THE RECREATION FACILITY, AND DECLARING AN EMERGENCY.

WHEREAS, the scope of work for the Municipal Multi-Purpose Recreation Facility was increased by changes made during the construction process necessitating MKSK to provide additional services in the performance of the work for the Municipal Multi-Purpose Recreation Facility resulting in the need for a Change Order, and;

WHEREAS, City Council has reviewed the change order requested and finds that it is legitimate, necessary, not excessive and proper.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Huber Heights, Ohio that:

Section 1. Council authorizes additional expenditures being in the nature of a change order to the MKSK contract previously approved by Council in Ordinance No. 2013-O-2039 in an amount not to exceed \$49,980 for additional services.

Section 2. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its Committees that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 3. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of public peace, health, safety and welfare and for the further reason that keeping the work moving is necessary to meet the date of completion of the Municipal Multi-Purpose Recreation Facility; therefore, this Resolution shall take effect immediately upon its adoption by Council.

Passed by Council on the _____ day of _____, 2014;
_____ Yeas; _____ Nays.

AUTHENTICATION:

Clerk of Council

Mayor

Date

Date

AI-2152

New Business **J.**
Planning

City Council Meeting Agenda

Meeting Date: 01/27/2014

Music Center - Special Inspections

Submitted By: Scott
Falkowski

Department: Planning

Council Committee Review?: Administration Committee

Date(s) of Committee Review: 01/22/2014

Audio-Visual Needs: None **Emergency Legislation?:** Yes

**Motion/Ordinance/
Resolution No.:**

Information

Agenda Item Description or Legislation Title

A Resolution Authorizing The City Manager To Negotiate And Enter Into An Agreement With Bowser-Morner Regarding Observation, Testing And Special Inspections For The Recreational Facility, And Declaring An Emergency.
(first reading)

Purpose and Background

This agreement with Bowser-Morner is for observation and testing to include the special inspection requirements for the music center project. The funding is part of the General Conditions and is within the original budget.

Fiscal Impact

Source of Funds: Music Center

Cost: \$53,910

Recurring Cost? (Yes/No): No

Funds Available in Current Budget? (Yes/No): Yes

Financial Implications:

Attachments

Resolution

Exhibit A

CITY OF HUBER HEIGHTS
STATE OF OHIO

RESOLUTION NO. 2014-R-

AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND ENTER INTO AN AGREEMENT WITH BOWSER-MORNER REGARDING OBSERVATION, TESTING AND SPECIAL INSPECTIONS FOR THE RECREATIONAL FACILITY, AND DECLARING AN EMERGENCY.

WHEREAS, City Council by Ordinance No. 2013-O-2025 determined to proceed with a multi-purpose municipal recreation facility in the north west quadrant of I-70 and State Route 201, which amenity will feature a covered, open air facility to be used primarily as a 4500+/- seat music center venue, and include among other things, concession facilities, restrooms, parking facilities, all driveways, roads and other necessary appurtenances (the “Recreational Facility”); and

WHEREAS, City Council by Ordinance No. 2013-O-2045 set forth certain processes and procedures relating to construction bidding, change orders and construction management of the Recreation Facility Project; and

WHEREAS, there is need to have observation and testing to include special inspection requirements for the Recreation Facility project.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Huber Heights, Ohio, that:

Section 1. The City Manager is hereby authorized to negotiate and enter into an agreement with Bowser-Morner for observation and testing to include special inspection requirements for the Recreation Facility, which shall be substantially upon the terms in the proposal attached hereto as Exhibit A and in an amount not to exceed \$53,910.00; formal bidding is waived pursuant to Huber Heights Codified Ordinances Section 171.12.

Section 2. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its Committees that resulted in such formal action were taken in meetings open to the public and in conformance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 3. This Resolution is hereby declared to be an emergency measure immediately necessary for the immediate preservation of the public peace, health, safety and welfare, and for the further reason that awarding the contract at the earliest possible time is necessary to keep the Recreational Facility Project construction on schedule; therefore, this Resolution shall take effect immediately upon its adoption by Council.

Passed by Council on the _____ day of _____, 2014;
_____ Yeas; _____ Nays.

AUTHENTICATION:

Clerk of Council

Mayor

Date

Date

EXHIBIT A



4518 Taylorsville Road
P.O. Box 51
Dayton, OH 45401-0051
937-236-8805
937-233-2016 FAX
www.bowser-morner.com

January 14, 2014

Mr. Ken Conaway
City of Huber Heights
6131 Taylorsville Road
Huber Heights, Ohio 45424

Re: Estimated Budget for Music Center at the
Heights, 680 Executive Boulevard, Huber
Heights, Ohio

Document No.: 162521

Dear Mr. Conaway,

We are pleased to submit our estimated budget for observation and testing to include the special inspection requirements for the Music Center project. This budget is for the building structure plaza and the completion of the parking lots and driveways. This budget is based on a construction schedule provided by Messer Construction.

We will invoice for the services based on our Proposal No. 990-9704 dated July 25, 2013 for this work.

Budget Estimated for Music Center:

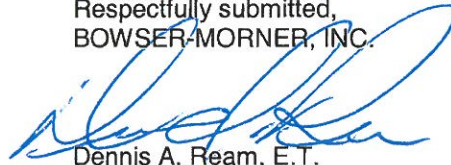
Concrete	Footings, Columns, Slabs on Grade, Rebar, & Exterior Concrete	\$26,360.00
Earthwork	Aggregate Bases, Backfill Utilities	\$15,800.00
Structural Steel	Bolts and Welds	\$2,600.00
Precast	Double Ties and Precast Panels	\$1,800.00
Masonry	Grout, Mortar, and Rebar	\$2,200.00
Asphalt Paving	Product Sampling and Laboratory Testing Note: It is assumed the Huber Heights Representatives will perform the on-site paving observations	\$2,650.00
Misc. Site Work	Aggregate Basis and Concrete and Contingency for Delays or Resolution of Unforeseen Problems	<u>\$2,500.00</u>
Total Estimated Budget		<u>\$53,910.00</u>

ANALYTICAL SCIENCES • GEO-ENVIRONMENTAL SERVICES • CONSTRUCTION SERVICES

DAYTON • TOLEDO • CINCINNATI • LEXINGTON • SPRINGFIELD • BIRMINGHAM

We are looking forward to serving you, and if you have any questions or if we can help you in any way, please contact us.

Respectfully submitted,
BOWSER-MORNER, INC.



Dennis A. Ream, E.T.
Vice President and Manager
Field Services Department

DAR/ddh
Quote Form B
2-Addressee
1-File

Accepted: City of Huber Heights

Signature

Name

Title

Date

AI-2148

**New Business K.
Engineering**

City Council Meeting Agenda

Meeting Date: 01/27/2014

2014 Fire Hydrant Program - Solicit Bids

Submitted By: Hanane
Eisentraut

Department: Engineering **Division:** Water and Sewer

Council Committee Review?: Public Works Committee

Date(s) of Committee Review: 01/21/2014

Audio-Visual Needs: None **Emergency Legislation?:** Yes

**Motion/Ordinance/
Resolution No.:**

Information

Agenda Item Description or Legislation Title

A Resolution Authorizing The City Manager To Solicit Bids For The 2014 Fire Hydrant Replacement Program, And Declaring An Emergency.
(first reading)

Purpose and Background

This legislation allows the City Manager to secure bids for the 2014 Fire Hydrant Replacement Program. The Water Fund will be utilized for this project at a cost not to exceed \$200,000.00. Plans and specifications will be prepared by the Engineering Division. Upon completion of the bidding process, the final award for the contractor will be brought back to City Council for approval.

Fiscal Impact

Source of Funds: Water Fund

Cost: \$200,000

Recurring Cost? (Yes/No): No

Funds Available in Current Budget? (Yes/No): Yes

Financial Implications:

Attachments

Resolution

CITY OF HUBER HEIGHTS
STATE OF OHIO

RESOLUTION NO. 2014-R-

AUTHORIZING THE CITY MANAGER TO SOLICIT BIDS FOR THE 2014 FIRE HYDRANT REPLACEMENT PROGRAM, AND DECLARING AN EMERGENCY.

WHEREAS, City Staff have identified certain fire hydrants within the City which are in urgent need of replacement; and

WHEREAS, sufficient funds are available for the replacement of the fire hydrants.

NOW, THEREFORE BE IT RESOLVED by the City Council of Huber Heights, Ohio that:

Section 1. The City Manager is hereby authorized to solicit bids for the 2014 Fire Hydrant Replacement at a cost not to exceed \$200,000.00.

Section 2. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare and for the further reason that it is imperative that bids be secured in a timely manner for this important project in order to quickly begin reconstruction work to improve the fire flow and can be completed in a timely manner; therefore, this Resolution shall be in full force and effect immediately upon its adoption by Council.

Passed by Council on the _____ day of _____, 2014;
_____ Yeas; _____ Nays.

AUTHENTICATION:

Clerk of Council

Mayor

Date

Date

AI-2149

New Business **L.**

City Council Meeting Agenda

Engineering

Meeting Date: 01/27/2014

ODOT Preliminary Legislation - Bridge Work - State Routes 4/235

Submitted By: Hanane
Eisentraut

Department: Engineering **Division:** Engineering

Council Committee Review?: Public Works Committee

Date(s) of Committee Review: 01/21/2014

Audio-Visual Needs: None **Emergency Legislation?:** Yes

**Motion/Ordinance/
Resolution No.:**

Information

Agenda Item Description or Legislation Title

A Resolution Authorizing The City Manager To Enter Into An Agreement To Remove Deteriorated Non-Composite Box Beams And Replace With Composite Box Beam Superstructure On Structure File Number 5709792, Bridge Number MOT-235-0177R, Within The City Of Huber Heights, Montgomery County, Ohio, And Declaring An Emergency.
(first reading)

Purpose and Background

The Ohio Department of Transportation (ODOT) is planning to remove deteriorated non-composite box beam and replace with composite box beam superstructure on Structure File Number 5709792, Bridge Number MOT-235-0177R. This bridge is located on State Route 4/235 just south of I-70 crossing over Dry Lick Run. The project is scheduled for bid letting in state fiscal year 2018. ODOT requests to obtain consent legislation from the City to initiate the project programming. ODOT will provide all of the funding to finance this project.

Fiscal Impact

Source of Funds: N/A

Cost: N/A

Recurring Cost? (Yes/No): N/A

Funds Available in Current Budget? (Yes/No): N/A

Financial Implications:

Attachments

Resolution

CITY OF HUBER HEIGHTS
STATE OF OHIO

RESOLUTION NO. 2014 R-

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT TO REMOVE DETERIORATED NON-COMPOSITE BOX BEAMS AND REPLACE WITH COMPOSITE BOX BEAM SUPERSTRUCTURE ON STRUCTURE FILE NUMBER 5709792, BRIDGE NUMBER MOT-235-0177R, WITHIN THE CITY OF HUBER HEIGHTS, MONTGOMERY COUNTY, OHIO, AND DECLARING AN EMERGENCY.

WHEREAS, the State has identified the need for the described project:

To remove deteriorated non-composite box beams and replace with composite box beam superstructure on Structure File Number 5709792, Bridge Number MOT-235-0177R, within the City Of Huber Heights, Montgomery County, Ohio. Said project is further identified as MOT SR 235 1.77 R.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Huber Heights, Ohio that:

Section 1. Being in the public interest, the City gives its consent to the Director of Transportation to complete the above described project.

Section 2. The City shall cooperate with the Director of Transportation in the above described project as follows:

The City has no obligation for costs for the Project. ODOT will provide all Federal-aid and State funds as set aside by the Director of Transportation for the financing of this improvement from funds allocated by the Federal Highway Administration, U.S. Department of Transportation.

In addition, the City also agrees to pay One-Hundred Percent (100%) of those features requested by the City which are determined by the State and Federal Highway Administration to be unnecessary for the Project.

If curb ramps are constructed by ODOT in compliance with the Americans with Disabilities Act, future maintenance of installed sidewalk curb ramps shall be the responsibility of the City. The City shall adjust any existing castings, as required, with City forces.

Section 3. The City agrees that all right-of-way (if applicable) required for the project will be acquired and/or made available in accordance with current State and Federal regulations. The City also understands that right-of-way costs include eligible utility costs. The City agrees to be responsible for all utility accommodation, relocation and reimbursement and will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

Section 4. Upon completion of the Project, and unless otherwise agreed, the City shall: (1) provide adequate maintenance for the Project in accordance with all applicable state and federal law, including, but not limited to, Title 23, U.S.C. Section 116; (2) provide ample financial provisions, as necessary, for such maintenance of the Project; (3) maintain the right-of-way, keeping it free of obstructions; and, (4) hold said right-of-way inviolate for public highway purposes.

Section 5. The City Manager of said City of Huber Heights is hereby empowered on behalf of the City of Huber Heights to enter into contracts with the Director of Transportation necessary to complete the Project.

Section 6. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare and for the further reason to expedite the highway project(s) and to promote highway safety; therefore, this Resolution shall take effect immediately upon its adoption by Council.

Passed by Council on the _____ day of _____ , 2014;
_____ Yeas; _____ Nays.

AUTHENTICATION:

Clerk of Council

Mayor

Date

Date

AI-2150

**New Business M.
Engineering**

City Council Meeting Agenda

Meeting Date: 01/27/2014

Heathermere Water Main Looping - Solicit Bids

Submitted By: Hanane
Eisentraut

Department: Engineering **Division:** Water and Sewer

Council Committee Review?: Public Works Committee

Date(s) of Committee Review: 01/22/2014

Audio-Visual Needs: None **Emergency Legislation?:** Yes

**Motion/Ordinance/
Resolution No.:**

Information

Agenda Item Description or Legislation Title

A Resolution Authorizing The City Manager To Secure Bids And Award A Contract For The Heathermere Water Main Looping Project, And Declaring An Emergency.
(first reading)

Purpose and Background

This legislation will permit the City to solicit bid proposals and award a contract to improve the domestic and fire flow in the Heathermere Subdivision and surrounding area. Surveying and design of this project has already been completed by Norfleet, Brown & Petkewicz. The Water Fund will be utilized to construct this project at a cost not to exceed \$74,900.00.

Fiscal Impact

Source of Funds: Water Fund

Cost: \$74,900

Recurring Cost? (Yes/No): No

Funds Available in Current Budget? (Yes/No): Yes

Financial Implications:

Attachments

Resolution

CITY OF HUBER HEIGHTS
STATE OF OHIO

RESOLUTION NO. 2014-R-

AUTHORIZING THE CITY MANAGER TO SECURE BIDS AND AWARD A CONTRACT FOR THE HEATHERMERE WATER MAIN LOOPING PROJECT, AND DECLARING AN EMERGENCY.

WHEREAS, City Council has determined that there is a need to improve the domestic and fire flow in the Heathermere Subdivision and surrounding area; and

WHEREAS, engineering plans, specifications and cost estimates are being finalized.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Huber Heights, Ohio that:

Section 1. The City Manager is hereby authorized to seek bids and award a contract for the construction of the Heathermere Water Main Looping project in the City of Huber Heights at a cost not to exceed \$74,900.

Section 2. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare and for the further reason that it is imperative that bids be secured in a timely manner for this important project in order to quickly begin reconstruction work to improve the domestic and fire flow and can be completed in a timely manner; therefore, this Resolution shall be in full force and effect immediately upon its adoption by Council.

Passed by Council on the _____ day of _____, 2014;
_____ Yeas; _____ Nays.

AUTHENTICATION:

Clerk of Council

Mayor

Date

Date

City Official Reports and Comments

A. Mayor Tom McMasters will begin the City Official Reports and Comments by addressing the City budget and tax levy issues. Examination of the City's 2014 budget caused the Finance Director to recommend starting a discussion on how best to raise revenues. One option for raising revenues is a tax levy. Which election, if any, City Council will choose for a tax levy has not been determined. However, the May 6, 2014 election is a possibility prompting Mayor McMasters to present the considerations that need to be addressed in order to decide the details of a ballot measure. These include:

1. Is a tax levy necessary?
2. If a tax levy is necessary, at which election should a tax levy appear?
3. If a tax levy is necessary, which is better - an income tax or property tax?
4. If a tax levy is necessary, how much revenue will the City seek?
5. If a tax levy is necessary, what is the duration of the levy?

After the introduction by Mayor McMasters, City Staff and citizens will be invited to provide their input and thoughts. The standard procedure which asks residents to sign up in advance to speak on agenda items is encouraged. However, an open invitation to speak will also be given. Please plan to observe the five minute guideline for each speaker.

B. City Official Reports and Comments - All Councilmembers.