



**CITY OF HUBER HEIGHTS
STATE OF OHIO
City Council Meeting
Regular Session - Amended
May 8, 2023
6:00 P.M.**

City Hall - Council Chambers - 6131 Taylorsville Road - Huber Heights, Ohio

- 1. Call The Meeting To Order - Mayor Jeff Gore**
- 2. Invocation - Mr. Nick Brusky**
- 3. Pledge Of Allegiance**
- 4. Roll Call**
- 5. Approval Of Minutes**
 - A. City Council Meeting Minutes - April 24, 2023
- 6. Special Presentations/Announcements**
 - A. National Police Week Mayoral Proclamation Presentation To The Huber Heights Police Division - Mayor Jeff Gore
 - B. Special Recognition Mayoral Proclamation Presentation To J. Keagan Miller, Unit Commander, Miami Valley Young Marines - Mayor Jeff Gore
- 7. Citizens Comments**

8. **Citizens Registered To Speak On Agenda Items**

9. **City Manager Report**

10. **Pending Business**

- A. An Ordinance To Approve A Rezoning From Planned Commercial (PC) To Agriculture (A) For The Property Located Behind And North Of 8101 Old Troy Pike And Further Identified As Parcel Number P70 02025 0012 On The Montgomery County Auditor's Map And To Accept The Recommendation Of The Planning Commission (Case RZ 23-03).
(second reading)
- B. An Ordinance To Approve A Major Change To The Basic Development Plan For The Property Located At 7730 Brandt Pike And Further Identified As Parcel Number P70 02114 0003 On The Montgomery County Auditor's Map And To Accept The Recommendation Of The Planning Commission (Case MJC 23-07).
(second reading)
- C. An Ordinance To Approve A Rezoning From Planned Employment Park (PEP) To Planned Mixed Use (PM) For The Property Located At 7125 Executive Boulevard And Further Identified As Parcel Numbers P70 03190 0080 And P70 03190 0081 And A Basic Development Plan For Parcel Number P70 01820 0003 And Lot #1 And Lot #4 Of The Pride One Subdivision On The Montgomery County Auditor's Map And To Accept The Recommendation Of The Planning Commission (Case RZ BDP 23-08).
(second reading)
- D. An Ordinance To Approve A Rezoning From General Office (O-1) To Commercial (B-1) For The Property Located At 6740 Brandt Pike And Further Identified As Parcel Number P70 00705 0001 On The Montgomery County Auditor's Map And To Accept The Recommendation Of The Planning Commission (Case RZ 23-09).
(second reading)
- E. A Motion To Refer Case RZ BDP 22-35 Back To The Planning Commission For Additional Review And Recommendation Regarding A Rezoning To Planned Industrial (PI) And A Basic Development Plan For The Property Located At The Southeast Corner Of Technology Boulevard And Artz Road And Further Identified As Parcel Number P70 03903 0007 On The Montgomery County Auditor's Map.
- F. An Ordinance To Approve A Rezoning To Planned Industrial (PI) And Basic Development Plan For The Property Located At The Southeast Corner Of Technology Boulevard And Artz Road And Further Identified As Parcel Number P70 03903 0007 On The Montgomery County Auditor's Map And Accepting The Recommendation Of The Planning Commission (Case RZ BDP 22-35).
(third reading)

11. **New Business**

CITY COUNCIL
Anthony Rodgers, Clerk Of Council

- A. A Motion To Appoint Lee Cromer To The Property Maintenance Review Board For A Term Ending December 31, 2026.

ADMINISTRATION
Bryan Chodkowski, Interim City Manager

- B. A Resolution Waiving Huber Heights Softball Baseball Association Field Lease Fees For Calendar Year 2023.
(first reading)
- C. A Resolution Authorizing The City Manager To Enter Into An Agreement To Provide Insurance Coverage For General Liability, Property, Boiler And Machinery, Inland Marine, Automobile, Crime, Law Enforcement Liability, Public Officials' Liability, And Other Necessary Insurance Coverage For The City Of Huber Heights, Ohio, Waiving The Competitive Bidding Requirements, And To Cover The Costs Of Services Ordered By The City.
(first reading)
- D. A Resolution Authorizing The City Manager To Execute A Lease For 6015 Brandt Pike.
(first reading)
- E. An Ordinance Establishing The ARPA First Responders Grant Fund.
(first reading)
- F. An Ordinance Amending Ordinance No. 2007-O-1687 Regarding Certain Limitations In Accepting Cash Sureties To Be Deposited In The #802 Cash Surety Fund.
(first reading)
- G. An Ordinance Authorizing Transfers Between Various Funds Of The City Of Huber Heights, Ohio And Amending Ordinance No. 2022-O-2562 By Making Supplemental Appropriations For Expenses Of The City Of Huber Heights, Ohio For The Period Beginning January 1, 2023 And Ending December 31, 2023.
(first reading)
- H. A Resolution Authorizing The City Manager To Enter Into An Agreement With Plattenburg & Associates For Additional Services Relating To Compliance Under The Operations And Maintenance Agreement Between The City Of Huber Heights And Veolia Water.
(first reading)
- I. An Ordinance Amending Chapter 193 – Transient Guest Tax, Section 193.02 – State Definitions Incorporated Of The Huber Heights Codified Ordinances.
(first reading)

- J. A Resolution Authorizing The City Manager To Enter Into A Contract For Preparation Of Engineering Plans And Specifications For The Design Of New Well #7 At The Rip Rap Road Water Treatment Plant.
(first reading)
- K. A Final Resolution For ODOT To Resurface Brandt Pike (State Route 201) From The South Corporation Limit To Fishburg Road.
(first reading)
- L. A Resolution Authorizing The City Manager To Solicit, Advertise And Receive Bids From Qualified Firms For The 2023 Water Main Replacement Program.
(first reading)

12. **City Official Reports And Comments**

13. **Executive Session**

14. **Adjournment**

AI-9178

Minutes A.

City Council Meeting

Meeting Date: 05/08/2023

Approval Of Minutes - 04/24/2023

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.:

Agenda Item Description or Legislation Title

City Council Meeting Minutes - April 24, 2023

Purpose and Background

Approval of the minutes from the April 24, 2023 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

1. Call The Meeting To Order - Mayor Jeff Gore

The Huber Heights City Council met in a Regular Session on April 24, 2023. Mayor Jeff Gore called the meeting to order at 6:01 p.m.

2. Invocation - Pastor Jon Strifler Of The First Christian Church At 6114 Fishburg Road, Huber Heights, Ohio

3. Flag Ceremony - Wayne High School Junior ROTC Honor Guard

4. Pledge Of Allegiance

5. Roll Call

Present: Richard Shaw, Kathleen Baker, Mark Campbell, Glenn Otto, Anita Kitchen, Don Webb, Jeff Gore

Absent: Nancy Byrge, Ed Lyons

Mr. Webb moved to excuse the absences of Mrs. Byrge and Mr. Lyons; Mr. Otto seconded the motion. On a call of the vote, Ms. Baker, Mr. Campbell, Mr. Otto, Mrs. Kitchen, Mr. Webb, and Mr. Shaw voted yea; none voted nay. The motion passes 6-0.

6. Approval Of Minutes

A. City Council Meeting Minutes - April 10, 2023

The minutes for the April 10, 2023 City Council Meeting were approved by the Huber Heights City Council as submitted.

7. Special Presentations/Announcements

There were no Special Presentations or Announcements.

8. Citizens Comments

Mr. Kevin Carter asked if it is permitted to ask a question of all Councilmembers and get an answer.

Mayor Gore explained the process for Citizens Comments.

Mr. Carter asked how many apartments are scheduled for the development on Executive Boulevard?

Mayor Gore said between the two developments, there would be approximately 600 total units.

Mr. Carter said when Horizon Line first proposed 197 houses and that project was turned down because the area is in an entertainment district, the developer came back with a proposal all of Council approved for 532 apartments. He said then residents heard 320 apartments are coming in from RHM Real Estate and 300 from

Metropolitan Holdings. He said it was only last week during the Council Work Session that he heard Horizon Line is intermingled with the two developments, so the residents are under the impression that there will possibly be 1,152 apartments. He said if Horizon Line was originally proposing 532 apartments, how did that get jumped up to 620 apartments?

Mayor Gore explained there are only two parcels that have ever been talked about. He said one project approved is Metropolitan Holdings with roughly 300 units. He said the RHM project is the same parcel of land that Horizon Line was looking at. He said that is the project that is on the table now.

Mr. Carter said he is just trying to get clarity of what to expect.

Mayor Gore said everyone had their reasons for voting no on the original proposal, but he gathered it was because the development that was proposed was for a 55 and over crowd. He said someone from Horizon Line spoke to that issue. He said that project did not fit into an entertainment district with the Rose Music Center. He said now that Horizon Line has presented a different type of multi-family development in an entertainment district, that is a different type of living experience. He said that is why he believed that project was voted down. He said that issue was part of the discussion at the Council Work Session last time.

Mr. Carter said Council should consider allowing people to speak at the Council Work Sessions. He said if comments were allowed, there might be more clarity for everyone. He asked Council to consider allowing people to voice opinions when new developments come into play during the Council Work Sessions. He said the campground is a great idea, but the location is a problem. He said when first proposed, the developer was talking about 125 camper slots, 10 to 15 cabins, and some tent camping spots. He said when it was discussed in the Council Work Session, it changed to 250 slots, 30 or more cabins and tent parking. He said the traffic will be like trying to get out to the Outer Banks. He said the traffic study needs to be finished and discussed before thinking about adding even more things. He said regarding the water infrastructure, he was surprised to hear the tests for soil samples had not been completed. He said there is still no clarity on the service lines if they are being replaced or replaced as needed. He said he has heard concerns about the Flying Ace car wash about how much water the facility uses, and he asked if it is using more water than the additional 620 apartments.

Mayor Gore said that issue was addressed by the engineering firm which said the level of growth will not add additional strain to a pressurized water system.

Mr. Carter asked if the homes from the annexation were added to the mix?

Mr. Chodkowski said the municipal planning areas would prevail in this area, and the City of Huber Heights would only pick up approximately 25 houses.

Mr. Carter asked for clarity and more information to get out to the residents so people know what is going on with the water main repairs and replacements.

Mr. Jeff Morford defined petitions, referendums, and the other steps of annexation. He talked about an annexation in Clark County and the vote. He said Council can accept a high density development in Bethel Township, reap reward, and place a burden on Bethel Township roads and schools. He said the City of Huber Heights has a population of 40,000 and a number of schools that could absorb this influence. He said Bethel Township has one school and a population of 5,000. He said the numbers are overwhelming. He said Council is under no legal obligation to vote for this annexation and he asked Council to remember the Golden Rule.

9. Citizens Registered To Speak On Agenda Items

There were no citizens registered to speak on agenda items.

10. City Manager Report

Interim City Manager Bryan Chodkowski said the Tax Division thanked the community as the scheduled appointments and increase in electronic filing made the job easier. He said today City Staff made a presentation at Miami County for the ED/GE program regarding the expansion of PVS Plastics on Executive Boulevard. He said the grant is part of an agenda item in tonight's meeting. He said, in reference to comments made earlier under Citizens Comments, the soil borings have been completed and a final report is being drafted by Bowser Morner. He said the green footprint continues to grow in Huber Heights. He said Tesla has expressed an interest in providing an additional charging station at the Meijer property and City Staff are working with interested parties to advance that interest.

Ms. Baker asked the status of the charging stations south of town and at the Rose Music Center.

Mr. Chodkowski said those charging stations should be in and operational, but if they are not, City Staff will see that these stations are operational.

Mr. Webb said he had the opportunity to need the services of the Tax Division on Tax Day, and he was able to call and get a live person who was polite and efficient. He said online filing was a snap.

Mrs. Kitchen asked about the status of the handicap accessible door for the water company.

Mr. Chodkowski said conversations are being had with respect to Veolia Water and the landlord, and City Staff are still working through that issue to find the best way to accommodate that need.

11. Pending Business

- A. An Ordinance To Approve A Rezoning From Planned Employment Park (PEP) To Planned Commercial (PC) And A Basic Development Plan For The Property Located At 8245 Brandt Pike And Further Identified As Parcel Numbers P70 03910 0005 And P70 03910 0012 On The Montgomery County Auditor's Map And To Accept The Recommendation Of The Planning Commission (Case RZ BDP 23-04).
(second reading)

Mr. Chodkowski said this matter is to advance the development of the Sheetz at the intersection of Brandt Pike and Executive Boulevard.

Mayor Gore said the Council Work Session recommendation was to adopt this item.

Ms. Baker moved to adopt; Mr. Webb seconded the motion. On a call of the vote, Mr. Campbell, Mr. Otto, Mrs. Kitchen, Mr. Webb, Mr. Shaw, and Ms. Baker voted yea; none voted nay. The motion passes 6-0.

- B. An Ordinance To Approve A Rezoning To Planned Industrial (PI) And Basic Development Plan For The Property Located At The Southeast Corner Of Technology Boulevard And Artz Road And Further Identified As Parcel Number P70 03903 0007 On The Montgomery County Auditor's Map And Accepting The Recommendation Of The Planning Commission (Case RZ BDP 22-35).
(second reading)

Mr. Chodkowski said this matter is in regard to the creation and construction of a semi-truck parking facility and supporting facility at that location for truck maintenance and repair. He said there was no recommendation made for this item at the Council Work Session.

Mayor Gore said this item will be moved to a third reading.

12. New Business

CITY COUNCIL

Anthony Rodgers, Clerk Of Council

- A. A Motion To Direct The Clerk Of Council To Respond To The Ohio Division Of Liquor Control With No Objections In Reference To New Liquor Permit #65215090695 For Sheetz At 7550 Old Troy Pike, Huber Heights, Ohio, 45424.

Clerk of Council Anthony Rodgers said this item was discussed at the Council Work Session. He said he clarified the nature of a D1 liquor permit as that seemed to be a concern. He said a D1 liquor permit allows for on premise consumption of beer only in original sealed containers or the same for carryout until 1:00 a.m. He said wine and mixed beverages would not be permitted for on premise consumption with a D1 liquor permit.

Mayor Gore asked if there was a motion to adopt; none was made.

Mr. Rodgers said if Council does not respond, the permit will be approved automatically.

Mrs. Kitchen asked if this type of liquor permit was typical for what Sheetz does, that one can drink beer in the facility?

Mr. Rodgers said it is his understanding that Sheetz' concept is more of a restaurant with fuel pumps than a gas station with food.

Mr. Otto said he does not agree with issuing the D1 liquor permit as he does not feel it is appropriate.

Mayor Gore said he has a hard time making sense out of going into a gas station, drinking a couple of beers, and then getting back in the car.

Mr. Shaw said Council worked hard with the other gas station on Old Troy Pike and worked with the other location on Brandt Pike and Council was told nothing could be done about it. He said this application is an opportunity to make a formal objection. He said there is a lot of business growth coming up and he explained the negative effects this type of liquor permit would have. He said this point is the same argument Council brought up regarding the Marathon gas station two traffic lights away from this location and the same argument with the location in the heart of the community that still allows this type of service. He said he stated in the last Council Work Session that he would like to see a complete analysis of the current liquor permits and what is available so Council knows that either General Assembly involvement is needed or to have a State Senator or State Representative propose changes on this issue.

Mr. Rodgers said he contacted the Ohio Division of Liquor Control and made a request for a list of all liquor permits in Huber Heights as well as the quota for the different types of liquor permits in Huber Heights.

Ms. Baker said she agrees with Mr. Otto and Mr. Shaw and she asked if Council could say "no" to this liquor permit.

Mayor Gore said there would need to be a motion to direct Mr. Rodgers to file an objection.

Mr. Rodgers said an objection means Council is requesting a public hearing to make those objections known, and the Law Department would attend the hearing on the City's behalf. He said Council can make an objection to the liquor permit in general or just to the issuance of the D1 permit portion.

The motion as listed failed due to lack of a motion to adopt.

Mr. Otto moved to direct the Clerk of Council to file an objection with the Ohio

Division of Liquor Control to the D1 portion of the liquor permit for Sheetz at 7550 Old Troy Pike, Huber Heights, Ohio; Mrs. Kitchen seconded the motion.

Mrs. Kitchen asked if City Staff could have a conversation with Sheetz because the City will be dealing with this same issue with the location on Brandt Pike.

Mr. Chodkowski said City Staff will reach out to Sheetz.

Mr. Rodgers said Sheetz could also contact the Ohio Division of Liquor Control and modify the liquor permit application.

On a call of the vote, Mrs. Kitchen, Mr. Webb, Mr. Shaw, Ms. Baker, Mr. Campbell, and Mr. Otto voted yea; none voted nay. The motion passes 6-0.

- B. A Public Hearing Scheduled For April 24, 2023 By The Huber Heights City Council For Case RZ 23-03. The Applicant Is Wright Way Ohio, LLC. The Applicant Is Requesting Approval Of A Rezoning From Planned Commercial (PC) To Agriculture (A) For Property Located Behind And North Of 8101 Old Troy Pike And Further Described As Parcel Number P70 02025 0012 On The Montgomery County Auditor's Map.

Mayor Gore opened the Public Hearing for Case RZ 23-03.

City Planner Aaron Sorrell gave a PowerPoint presentation on Case BDP 23-02. He said this is a Zoning Map amendment request for a Rezoning from Planned Commercial to Agriculture. He said the site is 67.3 acres, is fallow land, and is surrounded by properties with Planned Commercial, Planned Residential, I-1, and Agriculture zoning. He said the applicant is requesting a Rezoning to Agriculture to facilitate a campground and private recreational use. He said that is a Special Use, and this case will be heard in front of the Planning Commission if the applicant decides to move forward. He reviewed the initial site plan and he said it is under some refinement as the applicant works with the surrounding property owners. He said one third of the site is wetlands or flood protection areas, the total developable land is approximately 25 acres, and the site has shallow bedrock which further limits the development of this site. He said the Comprehensive Plan lists the appropriate land uses as conservancy/recreation, agriculture/low density residential, and commercial business, and City Staff feel this Rezoning is consistent with the Comprehensive Plan and see little to no downside in rezoning this land to Agriculture. He said details of the proposed campground will be reviewed when the applicant submits the Special Use application. He said Planning Commission recommended the Rezoning by 5-0, and City Staff recommend approval of the amendment.

Mayor Gore said the representative for Wright Way Ohio LLC was not in attendance, but he was in attendance at the Council Work Session for comments.

Mayor Gore asked if the Law Director had any comments.

Seeing none, Mayor Gore asked if there was anyone present to speak in favor of the approval of this issue.

Seeing none, Mayor Gore asked if there was anyone present to speak against the approval of this issue.

Seeing none, Mayor Gore asked if there was any member of City Council to make comments or provide additional information.

Ms. Baker asked if the City could put something in the rules that the campground could not have campfires during high winds.

Mr. Sorrell said when it gets to the point of reviewing the Special Use application, then the operational details will be addressed, including open burning. He said red flag days would be covered.

Mayor Gore asked if there were any other members of City Council to make comments or provide additional information.

Seeing none, Mayor Gore asked one last time if there was anyone to speak in favor of or against the approval of this case.

Seeing none, Mayor Gore said, barring further comments, this Public Hearing of the City Council for Case RZ 23-03 is hereby closed.

- C. A Public Hearing Scheduled For April 24, 2023 By The Huber Heights City Council For Case MJC 23-07. The Applicant Is Flying Ace Car Wash. The Applicant Is Requesting Approval Of A Major Change To The Basic Development Plan For Property Located At 7730 Brandt Pike And Further Described As Parcel Number P70 02114 0003 On The Montgomery County Auditor's Map.

Mayor Gore opened the Public Hearing for Case MJC 23-07.

City Planner Aaron Sorrell gave a PowerPoint presentation on Case MJC 23-07. He said this application is for a Major Change to the Basic Development Plan. He said the site is about 1.5 acres, currently zoned Planned Commercial, and has a vacant bank building that has surrounding zoning of Planned Commercial as well as B-3 and R-4 to the west. He said the applicant is planning to raze the building, but continue to use the existing foundation, and the car wash would be oriented in the same manner that the building already is. He reviewed the site plan and he said the transportation and circulation remains unchanged. He said additional paving material would be developed to help facilitate entrance and exit in and out of the facility, as well as vacuum stations to the west. He said most if not all of the existing landscaping will remain, as well as additional augmented landscaping along Brandt Pike to help buffer the vacuum stations. He said this car wash has a centralized vacuum system, so the noise would be low. He reviewed the landscaping and building materials. He said the proposed car wash is substantially different than the bank building previously there, so approval of a Major Change is required. He said the applicant is proposing a 4,500 square foot car wash facility which meets all of the parking, setback and yard requirements. He said landscaping will be reused and augmented. He said the existing monument sign will be reused, and the wall signs appear to meet the City Code. He said there has been significant discussion regarding traffic and accessibility. He said there has been a lot of discussion between the Planning Department and the Engineering Division as well as with the applicant. He said this site can queue 51 vehicles compared to 31 vehicles at Merily Way, and City Staff feel this additional location will improve the traffic issues at Old Troy Pike and Merily Way. He said City Staff have recommended a gate be installed along Cedar Hill Drive to clearly block the entrance on the days the site is at capacity. He said the Fire Division and the Engineering Division have approved the site plan and City Staff are extremely supportive of the Major Change to the Basic Development Plan. He said this car wash is a permitted use and it appears to meet the covenants imposed by Wal-Mart. He said City Staff strongly believes a second Flying Ace location will help address the traffic issues at Merily Way. He said the Planning Commission voted 4-1 to recommend approval of the Major Change with the condition that a gate be installed at the Cedar Hill Drive entrance. He said City Staff recommend approval of the Major Change.

Mayor Gore asked if any representatives from Flying Ace had any comments.

Mr. Jake Morrisson from Van Atta Engineering said he produced the construction documents for the Flying Ace proposal. He said he has worked closely with City Staff for several months now and the firm has been doing its best to address all of the comments provided.

Mayor Gore asked if the Law Director had any comments.

Seeing none, Mayor Gore asked if there was anyone present to speak in favor of the approval of this issue.

Seeing none, Mayor Gore asked if there was anyone present to speak against the

approval of this issue.

Seeing none, Mayor Gore asked if there was any member of City Council to make comments or provide additional information. He said he wanted to make sure Council does not lose sight of the discussion it had previously regarding the intersection and possibly some striping from Stonehurst Drive. He said he wants to make sure the Engineering Division looks at that issue and tries to make that intersection better.

Mr. Sorrell said he and Mr. Bergman discussed that issue today. He said City Staff are going to work with the Public Works Division to realign the striping which will help the visibility at that intersection.

Mr. Webb asked Mr. Morrison what the hours of operation will be.

Mr. Sorrell replied that the hours of operation are Monday through Saturday from 7:30 a.m. to 9:00 p.m. and on Sundays it opens a little later and closes earlier.

Mayor Gore asked if there were any other members of City Council to make comments or provide additional information.

Seeing none, Mayor Gore asked one last time if there was anyone to speak in favor of or against the approval of this case.

Seeing none, Mayor Gore said, barring further comments, this Public Hearing of the City Council for Case MJC 23-07 is hereby closed.

- D. A Public Hearing Scheduled For April 24, 2023 By The Huber Heights City Council For Case RZ BDP 23-08. The Applicant Is RHM Real Estate Group. The Applicant Is Requesting Approval Of A Rezoning From Planned Employment Park (PEP) To Planned Mixed Use (PM) For The Property Located At 7125 Executive Boulevard And Further Described As Parcel Numbers P70 03910 0080 And P70 03910 0081 And A Basic Development Plan For Parcel Number P70 01820 0003 And Lot #1 And Lot #4 Of The Pride One Subdivision On The Montgomery County Auditor's Map.

Mayor Gore opened the Public Hearing for Case RZ BDP 23-08.

City Planner Aaron Sorrell gave a PowerPoint presentation on Case RZ BDP 23-08. Mr. Sorrell said there are two actions for approval - a Rezoning and a Basic Development Plan. He said the current zoning is Planned Employment Park and the existing zoning is Agriculture/Public Use. He said the applicant is requesting a Rezoning of 43 acres to Planned Mixed Use and approval of a Basic Development Plan for 300 residential units and four commercial out lots. He said the Basic Development Plan is really focusing on just the zoning, the access, and the density entitlements. He reviewed the site plan and overlay. He said the initial development fits into the context with the other development in process at the Neubauer site directly across from the Rose Music Center. He reviewed the initial elevations. He said a residential open space of 31.5 percent is being proposed, and the City Code requires 25 percent. He said through the Detailed Development Plan, he believes the open space will go up slightly. He said the entrances onto Executive Boulevard align with the existing access points. He said City Staff requested pedestrian access at Loblolly Drive, and the applicant is proposing a ten-foot wide multi-use path along Executive Boulevard. He said the applicant is proposing 531 residential parking spaces. He said City Staff recommended approval of the Rezoning and the Basic Development Plan with the following conditions: the permitted uses outlined in Chapter 1179 excluding filling stations, sweepstakes cafes, convenience stores, self-storage facilities, car washes, and other uses deemed incompatible with a community entertainment district; the applicant will comply with all Fire Code requirements, and the existing trees and non-invasive vegetations that abut properties along Scatter Root Place and Loblolly Drive be preserved and maintained in a healthy manner, and dead or dying trees be replaced with species approved by the City. He said there are larger trees on the west edge which will do a better job of buffering and screening than new landscaping. He said this plan is the most basic of Basic Development Plans and there is significant work left to do in the Detailed

Development Plan phase as well. He said the Planning Commission recommended approval by 5-0, and City Staff recommended approval.

Mayor Gore asked if any representatives from RHM Real Estate Group had any comments.

Andrew Iarussi from RHM Real Estate Group (RHM) said what the company has put together is a plan and proposal which is more in line with what the City wants in terms of density and in terms of product. He said the product is attractive to millennials and fits in well in an entertainment district. He said he reviewed some of the feedback from the Council Work Session, and he can explain how the company sees this fitting in, but ultimately they want to be good partners with the City and bring something Council is happy with. He said their thought was the commercial buildings that front Executive Boulevard would serve as the continuity between what Metropolitan has proposed to the west of this development with some of the buildings in the front on Executive Boulevard. He said they have a modern look by flattening out the roofs. He said it seems that Council has a preference for RHM to emulate that deeper, and his intent is to show Council something before the next meeting that Council can review. He said essentially, RHM can continue the concept what Metropolitan Holdings is proposing. He reviewed the site plan and said there are 30 structures which are predominantly the same, the layouts of the units will change a little bit and the exterior treatments will vary to create variety. He said there are eight structures in the front and what has been talked about is basically taking those out and putting in something oriented the other way, east/west, and bigger buildings that have more of a high density count. He said the company hears Council's feedback and are open to it, and RHNH is exploring opportunities to put something at the front entrance of the development that sits directly behind the retail/commercial piece that achieves what Council is asking for.

Mayor Gore asked if the Law Director had any comments.

Seeing none, Mayor Gore asked if there were any other representatives of the City of Huber Heights to make any comments. He asked Mr. Chodkowski if he had anything to add.

Mr. Chodkowski said he wants to clarify some of the questions that came out of the Council Work Session discussion regarding the elevations and concepts that were included as part of this application and how these items relate to the interests and wants of the City Council. He said in having conversations with the City Planner as well as the Law Director, the City Planner made reference in his presentation that the Basic Development Plan has been recommended by the Planning Commission, is reflective of the access points, zoning, buffering conditions, and egress and ingress. He said the elevations and materials are conceptual in nature and are not subject to the recommendation that came out of the Planning Commission. He said Council has a desire to make sure there is a representation the City wants from this project, and the City Council has the ability to endorse elevations prior to this item moving on to the Detailed Development Plan phase where those elevations would be finalized and formalized through the approval process to make sure the City's interest as the landowner in relation to RHM's interest to develop the land as the purchasing party going forward without having to consider these modifications as an amendment to the Planning Commission's recommendation. He said the City Council has an ability at the next City Council Meeting, if this legislation moves to a second reading, to provide an endorsement for support of a specific set of elevation drawings that would then be the focus of the Detailed Development Plan. He said such an endorsement would not require a supermajority vote since Council is not amending a recommendation that has come forward from the Planning Commission. He said the applicant will have documents in advance of the Council Work Session, and those documents will be presented formally as part of the Council discussion, so if there is feedback in support of or suggestion to these documents, that would occur at the Council Work Session. He said any final elevation drawings to be supported and endorsed could be presented during the City Council Meeting on May 8, 2023 at the second reading of the legislation.

Mayor Gore recapped that this item could be moved to a second reading, Council would see new drawings and elevations at the Council Work Session on May 2, 2023, have the opportunity for input, and then a vote would take place at the May 8,

2023 at the City Council Meeting.

Mayor Gore asked if there was anyone present to speak in favor of the approval of this issue.

Seeing none, Mayor Gore asked if there was anyone present to speak against the approval of this issue.

Seeing none, Mayor Gore asked if there was any member of City Council to make comments or provide additional information.

Ms. Baker asked about the parking space count per building.

Mr. Iarussi said there are 10 apartments in each building and 12 parking spots on the ground floor of every building, and those buildings will be a mix of one and two bedroom units. He said, additionally, there is surface lot parking throughout the development that gets to the 1.77 parking spaces ratio.

Ms. Baker asked if there is a big amusement across the street, how will parking access be limited to residents and guests?

Mr. Iarussi said security has been discussed, but RHM is not sure if it wants to have a gated community with 24/7 security, but it is something that will have to be figured out. He said the boulevard will be as narrow as the Fire Division will allow to keep people from parking on the boulevard.

Mr. Campbell said what RHM originally proposed was more suburban, and Council is leaning toward the front of the development being more urban. He said the development to the west did a nice job of transitioning from urban to suburban. He asked if RHM would adopt the same concept.

Mr. Iarussi said that is what RHM is exploring now. He said the first eight buildings will be similar to what Metropolitan Holdings did. He said RHM wants to be unique and have its own product, but this plan will accomplish the same goal.

Mr. Campbell said at some point Council reviewed renderings and he asked if those renderings would be available at the Council Work Session.

Mr. Chodkowski said the renderings will be available at the Council Work Session to make a comparison to what Council has previously seen and shown support for and to what RHM has available.

Mayor Gore said what he saw a lot of support for was the building on the front page of the RHM website.

Mr. Webb said this Council as a body looked at the rendering on the RHM website from the Cleveland study, and he said it was a very urban looking design and clicked everyone's buttons on Council. He said Council was adamantly opposed to the suburban look on Executive Boulevard. He said this Council desires an entertainment district. He told Mr. Iarussi, if he is looking for a vision, to look no further than the RHM website. He said that is the vision for development along Executive Boulevard.

Mr. Iarussi said RHM has a multitude of products, and RHM does some very urban stuff where you have no choice on one acre, but to get as much density as you can. He said RHM is very sensitive and open to exploring and trying to meet that appetite, but also working within the constraints that this project is a 17-acre site.

Mayor Gore said part of the discussion was the fact that Council was okay with a much higher density product at this site to get the look and aesthetic Council desires.

Mr. Shaw said when this project was discussed with him seven months ago, he saw a design that looked extremely sexy for an entertainment district. He said he saw what was proposed three days ago, and it was quite concerning as it was not the renderings he had seen, it was not the anticipated density, and it did not have the sexiness of the commercial and residential aspect. He said he hopes what Council sees next is going

to mirror that conversation. He said if he was to vote on this tonight, it would get a no vote. He said this area is the entertainment district.

Mayor Gore asked if there were any other members of City Council to make comments or provide additional information.

Seeing none, Mayor Gore asked one last time if there was anyone to speak in favor of or against the approval of this case.

Seeing none, Mayor Gore said, barring further comments, this Public Hearing of the City Council for Case RZ BDP 23-08 is hereby closed.

- E. A Public Hearing Scheduled For April 24, 2023 By The Huber Heights City Council For Case RZ 23-09. The Applicant Is STP Holdings, LLC. The Applicant Is Requesting Approval Of A Rezoning From Office (O-1) To Commercial (B-1) For Property Located At 6740 Brandt Pike And Further Described As Parcel Number P70 00705 0001 On The Montgomery County Auditor's Map.

Mayor Gore opened the Public Hearing for Case RZ 23-09.

City Planner Aaron Sorrell gave a PowerPoint presentation on Case RZ 23-09. He said this Rezoning is a Zoning Map amendment request to go from Office (O-1) to B-1. He said the property is slightly larger than a half acre and the current zoning is General Office. He said the building is vacant, and the zoning of the surrounding properties is O-1, R-2, R-6, and Planned Commercial. He said there is also B-1 and B-2 zoning to the south. He said the applicant is requesting a Rezoning to B-1 to develop and operate a laundromat. He said the broker listing the property has stated all of the interest for this property has been for retail uses. He said the applicant is planning minor site and building improvements. He said the Rezoning is consistent with the Comprehensive Plan. He said the zoning change will broaden potential uses of an existing building on a key thoroughfare. He said the Planning Commission, voted 5-0 to recommend approval, and City Staff recommend approval of the Rezoning. He said the applicant sent him a link to a video that shows the interior of one of the facilities if anyone is interested.

Mayor Gore asked if any representatives from STP Holdings, LLC had any comments.

Mr. George Karras showed a video with narration of a laundromat he and his wife own in Kettering. Information from the video stated that the washers use 50 percent less water, use hospital grade ozone technology to kill bacteria, and have a total wash and dry time of less than 45 minutes. He said this laundromat is not like any other laundromat. He said residents would choose to do laundry in that facility due to the cleanliness and lighting. He said there will also be onsite staff.

Mayor Gore asked if the Law Director had any comments.

Seeing none, Mayor Gore asked if there was anyone present to speak in favor of the approval of this issue.

Seeing none, Mayor Gore asked if there was anyone present to speak against the approval of this issue.

Seeing none, Mayor Gore asked if there was any member of City Council to make comments or provide additional information.

Mrs. Kitchen said a different laundromat was supposed to go in that area, and the owner said it did not seem viable. She asked Mr. Karras why he thinks this laundromat will be viable.

Mr. Karras said he is looking at demographics of the community, including income levels, and taking into consideration the competition. He said the demographics are similar to the Kettering location. He said it is different from other laundromats, and the machines use Google Pay and Apple Pay and customers can start the machines

with their phones.

Mr. Webb said he visited the Kettering location, and he said it was very nice and well laid out.

Mayor Gore asked if there were any other members of City Council to make comments or provide additional information.

Seeing none, Mayor Gore asked one last time if there was anyone to speak in favor of or against the approval of this case.

Seeing none, Mayor Gore said, barring further comments, this Public Hearing of the City Council for Case RZ 23-09 is hereby closed.

ADMINISTRATION

Bryan Chodkowski, Interim City Manager

- F. An Ordinance To Approve A Rezoning From Planned Commercial (PC) To Agriculture (A) For The Property Located Behind And North Of 8101 Old Troy Pike And Further Identified As Parcel Number P70 02025 0012 On The Montgomery County Auditor's Map And To Accept The Recommendation Of The Planning Commission (Case RZ 23-03).
(first reading)

Mr. Chodkowski said it is the recommendation that this item be passed to a second reading.

Mayor Gore said this item will be passed to a second reading.

- G. An Ordinance To Approve A Major Change To The Basic Development Plan For The Property Located At 7730 Brandt Pike And Further Identified As Parcel Number P70 02114 0003 On The Montgomery County Auditor's Map And To Accept The Recommendation Of The Planning Commission (Case MJC 23-07).
(first reading)

Mr. Chodkowski said this legislation pertains to the proposed reuse of the bank in front of Wal-Mart to be repurposed to a Flying Ace car wash. He said it was recommended that this item be moved to a second reading.

Mayor Gore said this item will be passed to a second reading.

- H. An Ordinance To Approve A Rezoning From Planned Employment Park (PEP) To Planned Mixed Use (PM) For The Property Located At 7125 Executive Boulevard And Further Identified As Parcel Numbers P70 03190 0080 And P70 03190 0081 And A Basic Development Plan For Parcel Number P70 01820 0003 And Lot #1 And Lot #4 Of The Pride One Subdivision On The Montgomery County Auditor's Map And To Accept The Recommendation Of The Planning Commission (Case RZ BDP 23-08).
(first reading)

Mr. Chodkowski said this matter advances the interests for multi-family housing as well as commercial interests along Executive Boulevard. He said it was the recommendation that this item be moved to a second reading.

Mayor Gore said this item will be passed to a second reading and he looks forward to seeing the updated drawings at the next Council Work Session.

- I. An Ordinance To Approve A Rezoning From General Office (O-1) To Commercial (B-1) For The Property Located At 6740 Brandt Pike And Further Identified As Parcel Number P70 00705 0001 On The Montgomery County Auditor's Map And To Accept The Recommendation Of The Planning Commission (Case RZ 23-09).
(first reading)

Mr. Chodkowski said this item allows for the Rezoning and reuse of the parcel in question. He said it was the recommendation that this item be moved to a second reading.

Mayor Gore said this item will be passed to a second reading.

- J. A Resolution Authorizing The City Manager To Enter Into A Community Reinvestment Area Agreement With PVS Plastics Technology Corporation Under Certain Terms And Conditions.
(first reading)

Mr. Chodkowski said PVS Plastics is intending to provide for a 14,000 square foot expansion and to increase its payroll by a million dollars. He said the purpose of this agreement is to support those efforts.

Mayor Gore said the Council Work Session recommendation was to adopt this item.

Mr. Otto moved to adopt; Mrs. Kitchen seconded the motion. On a call of the vote, Mr. Webb, Mr. Shaw, Ms. Baker, Mr. Campbell, Mr. Otto, and Mrs. Kitchen voted yea; none voted nay. The motion passes 6-0.

- K. A Resolution Affirming The Execution Of Participation Agreements By The City Manager, On Behalf Of The City Of Huber Heights, Related To The New National Opioid Settlements With Allergan, Teva, CVS, Walgreens, And Walmart.
(first reading)

Mr. Chodkowski said this measure affirms City Staff's application to access this settlement distribution made previously. He said this money would go towards the various qualified purposes as directed in the settlement. He said it was requested that this item be adopted this evening.

Mrs. Kitchen moved to adopt; Mr. Webb seconded the motion. On a call of the vote, Ms. Baker, Mr. Campbell, Mr. Otto, Mrs. Kitchen, Mr. Webb, and Mr. Shaw voted yea; none voted nay. The motion passes 6-0.

- L. A Resolution Authorizing The City Manager To Enter Into A Contract For The Removal Of Thorngate Drive And Waiving The Competitive Bidding Requirements.
(first reading)

Mr. Chodkowski said this project allows for the removal of a stub street which has never been developed and has turned into an impromptu retention pond. He asked that Council approve this legislation.

Mr. Campbell moved to adopt; Mr. Shaw seconded the motion. On a call of the vote, Mr. Campbell, Mr. Otto, Mrs. Kitchen, Mr. Webb, Mr. Shaw, and Ms. Baker voted yea; none voted nay. The motion passes 6-0.

- M. A Resolution Authorizing The City Manager To Enter Into Contracts For The Painting Of The Emeraldgate Water Standpipe And Waiving The Competitive Bidding Requirements.
(first reading)

Mr. Chodkowski asked Council to adopt this legislation so City Staff may proceed with the regular maintenance of this apparatus.

Mr. Webb moved to adopt; Ms. Baker seconded the motion.

Mrs. Kitchen said she hates waiving competitive bidding and she wishes the City would stop doing that. She said it is easier, but she thinks Council needs to be better stewards of City funds.

Mr. Rodgers said the waiving of the competitive bidding was only on one component.

On a call of the vote, Mr. Otto, Mrs. Kitchen, Mr. Webb, Mr. Shaw, Ms. Baker, and Mr. Campbell voted yea; none voted nay. The motion passes 6-0.

- N. A Resolution Declaring Certain City Property No Longer Needed For Municipal Purposes As Surplus And Authorizing Disposal Of Said Surplus Property.
(first reading)

Mr. Chodkowski said this legislation pertains to vehicles which are ready to be disposed of or will be ready for disposal when the replacement vehicles arrive in the future. He asked Council to adopt this legislation.

Ms. Baker moved to adopt; Mrs. Kitchen seconded the motion. On a call of the vote, Mrs. Kitchen, Mr. Webb, Mr. Shaw, Ms. Baker, Mr. Campbell, and Ms. Baker voted yea; none voted nay. The motion passes 6-0.

13. City Official Reports And Comments

There were no City Official Reports or Comments.

14. Executive Session

There was no need for an Executive Session.

15. Adjournment

Mayor Gore adjourned the Regular Session City Council Meeting at 7:35 p.m.

Clerk of Council

Date

Mayor

Date

AI-9160

Special Presentations/Announcements A.

City Council Meeting

Mayor

Meeting Date: 05/08/2023

National Police Week Mayoral Proclamation Presentation

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?: No

Motion/Ordinance/
Resolution No.:

Agenda Item Description or Legislation Title

National Police Week Mayoral Proclamation Presentation To The Huber Heights Police Division - Mayor Jeff Gore

Purpose and Background

Mayor Gore will present a mayoral proclamation in recognition of National Police Week - May 14-20, 2023.

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

Proclamation



City of Huber Heights Mayoral Proclamation National Police Week

WHEREAS, there are approximately 800,000 law enforcement officers serving in communities across the United States, including 54 sworn members of the Huber Heights Police Division; and

WHEREAS, some 61,000 assaults against law enforcement officers are reported each year, resulting in approximately 18,000 injuries; and

WHEREAS, since the first recorded death in 1786, more than 23,000 law enforcement officers in the United States have made the ultimate sacrifice and been killed in the line of duty or died of duty-related injuries, including one member of the Huber Heights Police Division; and

WHEREAS, the names of these dedicated public servants are engraved on the walls of the National Law Enforcement Officers Memorial, which was dedicated in 1991 in Washington, D.C.; and

WHEREAS, 556 names are being added to the National Law Enforcement Officers Memorial this spring, including 224 officers killed in 2021; and

WHEREAS, the service and sacrifice of all officers killed in the line of duty will be honored, and the names of the officers newly engraved on the Memorial will be formally dedicated, during the National Law Enforcement Officers Memorial Fund's Virtual Candlelight Vigil and reading of the names. This Virtual Candlelight Vigil and reading of the names can be viewed anywhere in the world on May 13, 2023; and

WHEREAS, the Virtual Candlelight Vigil is part of National Police Week, which takes place this year on May 13, 2023; and

WHEREAS, May 15, 2023 is designated as Peace Officers Memorial Day, with federal law (P.L. 103-322) directing that all flags be flown at half-staff on that date in honor of fallen officers and their families.

NOW, THEREFORE, I, Jeff Gore, Mayor of the City of Huber Heights, Ohio do hereby proclaim May 14-20, 2023 as:

National Police Week

in the City of Huber Heights, and publicly salute the service of law enforcement officers in the Huber Heights community and in communities across the nation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Huber Heights to be affixed this eighth day of May in the Year of Our Lord, Two Thousand and Twenty-Three.

JEFF GORE
MAYOR

AI-9207

Special Presentations/Announcements B.
Mayor

City Council Meeting

Meeting Date: 05/08/2023

Mayoral Proclamation Presentation - J. Keagan Miller - Miami Valley Young Marines

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?: No

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

Agenda Item Description or Legislation Title

Special Recognition Mayoral Proclamation Presentation To J. Keagan Miller, Unit Commander, Miami Valley Young Marines - Mayor Jeff Gore

Purpose and Background

Mayor Gore will present a mayoral proclamation to J. Keagan Miller, Unit Commander of the Miami Valley Young Marines, in recognition of his recent recognition with the National Distinguished Volunteer Award for the Young Marines.

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

Proclamation



City of Huber Heights Mayoral Proclamation

SPECIAL RECOGNITION FOR SIGNIFICANT ACHIEVEMENT

WHEREAS, the City of Huber Heights wishes to express its appreciation and admiration for a very special individual who is most worthy of this highest mark of our favor; and

WHEREAS, the Special Recognition for Significant Achievement is an award to individuals in the community who have brought great credit to themselves and honor to the community by an achievement of such magnitude as to warrant special recognition; and

WHEREAS, this honor is reserved for those instances where the City of Huber Heights is placed in high esteem as a result of the accomplishments of those selected to receive this award; and,

WHEREAS, J. Keagan Miller has lived his entire adult life in service to his country, serving in the United States Marine Corps and in an exceptionally distinguished 15-year role as Unit Commander of the Miami Valley Young Marines serving as a positive role model for young people; and

WHEREAS, J. Keagan Miller, through his leadership in the Miami Valley Young Marines, has embraced the Young Marines motto of “Strengthening the Lives of America’s Youth” and has demonstrated his commitment to volunteerism by working relentlessly to develop and nurture young people to become responsible citizens; and,

WHEREAS, through J. Keagan Miller’s leadership, the Miami Valley Company received national recognition for consistently outstanding achievements and were recognized as the 5th Young Marine Division Unit of the Year in a nine-state competition; and,

WHEREAS, J. Keagan Miller has served and serves in a wide range of volunteer and public service positions throughout his distinguished career to include the Miami County Veterans Services Commission, Adjutant of AmVets Post 88 in Troy, Ohio, and has extended the Miami Valley Young Marines’ influence by creating partnerships with the DEA, Families of Addicts, and the Montgomery County Drug Free Coalition; and

WHEREAS, J. Keagan Miller exemplifies the traditions of dedication to God, Family, and Country, and possesses a sense of duty and commitment to youth that shines far above all standards of excellence and which recently merited the Distinguished Volunteer Award conferred by the National Young Marines Headquarters, the highest possible award for any Young Marine Adult Volunteer.

NOW, THEREFORE, I, Jeff Gore, Mayor of the City of Huber Heights, Ohio do hereby extend our very best wishes for health, happiness, and continued success to:

Mr. J. Keagan Miller

BE IT FURTHER RESOLVED, that this recognition is sealed by presenting to this honored individual a Key to the City of Huber Heights as a token of our esteem.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Huber Heights to be affixed this eighth day of May in the Year of Our Lord, Two Thousand and Twenty-Three.

JEFF GORE
MAYOR

AI-9180

Pending Business A.

City Council Meeting

City Manager

Meeting Date: 05/08/2023

Case RZ 23-03 - Wright Way Ohio, LLC - Rezoning - Behind And North Of 8101 Old Troy Pike

Submitted By: Geri Hoskins

Department: Planning

Division: Planning

Council Committee Review?: Council Work Session

Date(s) of Committee Review: 04/20/2023

Audio-Visual Needs: SmartBoard

Emergency Legislation?: No

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

Agenda Item Description or Legislation Title

An Ordinance To Approve A Rezoning From Planned Commercial (PC) To Agriculture (A) For The Property Located Behind And North Of 8101 Old Troy Pike And Further Identified As Parcel Number P70 02025 0012 On The Montgomery County Auditor's Map And To Accept The Recommendation Of The Planning Commission (Case RZ 23-03).

(second reading)

Purpose and Background

The applicant, Wright Way Ohio, LLC, is requesting approval of a Rezoning from Planned Commercial (PC) to Agriculture (A) for a campground and resort (Case RZ-23-03).

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. 2023-O-

TO APPROVE A REZONING FROM PLANNED COMMERCIAL (PC) TO AGRICULTURE (A) FOR THE PROPERTY LOCATED BEHIND AND NORTH OF 8101 OLD TROY PIKE AND FURTHER IDENTIFIED AS PARCEL NUMBER P70 02025 0012 ON THE MONTGOMERY COUNTY AUDITOR’S MAP AND TO ACCEPT THE RECOMMENDATION OF THE PLANNING COMMISSION (CASE RZ 23-03).

WHEREAS, the citizens of Huber Heights require the efficient and orderly planning of land uses within the City; and

WHEREAS, the City Planning Commission has reviewed Case RZ 23-03 and on March 14, 2023 recommended approval by a vote of 5-0 of the Rezoning from Planned Commercial (PC) to Agriculture (A); and

WHEREAS, the City Council has considered the issue.

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

Section 1. The application requesting approval of a Rezoning from Planned Commercial (PC) to Agriculture (A) is hereby approved in accordance with the Planning Commission’s recommendation and following conditions:

- 1. Grant as requested.

Section 2. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance 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 Ordinance shall go into effect upon its passage as provided by law and the Charter of the City of Huber Heights.

Passed by Council on the _____ day of _____, 2023;
_____ Yeas; _____ Nays.

Effective Date:

AUTHENTICATION:

Clerk of Council

Mayor

Date

Date

AI-9181

City Council Meeting

**Pending Business B.
City Manager**

Meeting Date: 05/08/2023

Case MJC 23-07 - Flying Ace Car Wash - Major Change - 7730 Brandt Pike

Submitted By: Geri Hoskins

Department: Planning

Division: Planning

Council Committee Review?: Council Work
Session

Date(s) of Committee Review: 04/20/2023

Audio-Visual Needs: SmartBoard

Emergency Legislation?: No

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

Agenda Item Description or Legislation Title

An Ordinance To Approve A Major Change To The Basic Development Plan For The Property Located At 7730 Brandt Pike And Further Identified As Parcel Number P70 02114 0003 On The Montgomery County Auditor's Map And To Accept The Recommendation Of The Planning Commission (Case MJC 23-07).
(second reading)

Purpose and Background

The applicant, Flying Ace Car Wash, is requesting approval of a Major Change to the Basic Development Plan to construct a new car wash facility (Case MJC 23-07).

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. 2023-O-

TO APPROVE A MAJOR CHANGE TO THE BASIC DEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 7730 BRANDT PIKE AND FURTHER IDENTIFIED AS PARCEL NUMBER P70 02114 0003 ON THE MONTGOMERY COUNTY AUDITOR’S MAP AND TO ACCEPT THE RECOMMENDATION OF THE PLANNING COMMISSION (CASE MJC 23-07).

WHEREAS, the citizens of Huber Heights require the efficient and orderly planning of land uses within the City; and

WHEREAS, the City Planning Commission has reviewed Case MJC 23-07 and on April 11, 2023 recommended approval by a vote of 4-1 of the Major Change to the Basic Development Plan; and

WHEREAS, the City Council has considered the issue.

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

Section 1. The application requesting approval of a Major Change to the Basic Development Plan is hereby approved in accordance with the Planning Commission’s recommendation and following conditions:

1. A gate shall be installed at the Cedar Hill Drive entrance.

Section 2. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance 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 Ordinance shall go into effect upon its passage as provided by law and the Charter of the City of Huber Heights.

Passed by Council on the _____ day of _____, 2023;
_____ Yeas; _____ Nays.

Effective Date:

AUTHENTICATION:

Clerk of Council

Mayor

Date

Date

AI-9182

Pending Business C.

City Council Meeting

City Manager

Meeting Date: 05/08/2023

Case RZ BDP 23-08 - RHM Real Estate Group - Rezoning/Basic Development Plan - 7125 Executive Boulevard

Submitted By: Geri Hoskins

Department: Planning

Division: Planning

Council Committee Review?: Council Work Session

Date(s) of Committee Review: 04/20/2023 and 05/02/2023

Audio-Visual Needs: SmartBoard

Emergency Legislation?: No

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

Agenda Item Description or Legislation Title

An Ordinance To Approve A Rezoning From Planned Employment Park (PEP) To Planned Mixed Use (PM) For The Property Located At 7125 Executive Boulevard And Further Identified As Parcel Numbers P70 03190 0080 And P70 03190 0081 And A Basic Development Plan For Parcel Number P70 01820 0003 And Lot #1 And Lot #4 Of The Pride One Subdivision On The Montgomery County Auditor's Map And To Accept The Recommendation Of The Planning Commission (Case RZ BDP 23-08).
(second reading)

Purpose and Background

The applicant, RHM Real Estate Group, is requesting approval of a Rezoning of approximately 43 acres from Planned Employment Park (PEP) to Planned Mixed Use (PM) and a Basic Development Plan for approximately 300 residential units and four commercial out lots (Case RZ BDP 23-08). At the May 2, 2023 Council Work Session, RHM Real Estate Group provided updated renderings for the development (see attached).

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

Renderings - Updated
Ordinance

HUBER HEIGHTS

RHM REAL ESTATE GROUP
HUBER HEIGHTS, OH
SCHEMATIC DESIGN SET

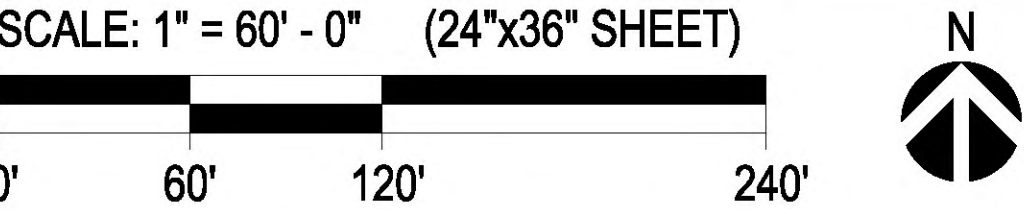




Huber Heights- PHASE I SCH I							RHM Real Estate Group	22435
UNIT TABULATION - 2 STORY BIG HOUSE								4/28/23
UNIT NAME	UNIT TYPE	NET AREA(SF)	UNIT COUNT	BED COUNT	UNIT PERCENTAGE	TOTAL AREA	% BREAKDOWN	
A1-L BH	1br/1ba	684	20	20	7%	13,680	48%	
A1-U BH	1br/1ba	760	20	20	7%	15,200		
A2 BS	1br/1ba	716	48	48	16%	34,368		
A3 BS	1br/1ba	787	16	16	5%	12,592		
A2-U BH	1br/1ba	891	40	40	13%	35,640	47%	
B1 BS	2br/2ba	1,009	16	32	5%	16,144		
B3 BS	2br/2ba	1,147	20	40	7%	22,940		
B1-U BH	2br/2ba	1,162	40	80	13%	46,480		
B2-L BH	2br/2ba	1,171	32	64	11%	37,472	5%	
B2-U BH	2br/2ba	1,287	32	64	11%	41,184		
C1-L BH	3br/2ba	1,353	8	24	3%	10,824		
C1-U BH	3br/2ba	1,450	8	24	3%	11,600		
TOTALS			300	472	100%	298,124		
UNIT AVERAGE NET SF :							994	
* NET AREA IS COMPUTED TO INCLUDE SQUARE FOOTAGE FROM EXTERIOR FACE OF ALL EXTERIOR FRAME WALLS THAT ENCLOSE A/C SPACE. IT DOES NOT INCLUDE PATIOS, BALCONIES, PATIO/BALCONY STORAGE.								
PROJECT DATA								
UNIT AVERAGE NET SF :							994 S.F.	
ACREAGE:							17.00 GROSS ACRES	
							17.60 GROSS ACRES (WITH POND)	
DENSITY:							18 UNITS/ACRE	
RESIDENTIAL PARKING:								
REQUIRED							472 SPACES	
PROVIDED							619 TOTAL SPACES	
							159 SURFACE SPACES	
							12 ACCESSIBLE SPACES	
							108 TANDEM SPACES	
							72 DETACHED GARAGES	
							28 BS ATTACHED GARAGES	
							240 BH ATTACHED GARAGES	
							2.06 SPACES/UNIT WITHOUT TANDEM	
							2.42 SPACES/UNIT WITH TANDEM	

COMERCIAL AREA PARKING
5 SPACES REQUIRED EVERY 1000 SQ FT RETAIL AREA
150 SPACES REQUIRED
178 SPACES PROVIDED

26' WIDE FIRE ACCESS DRIVE LANE
GREATER THAN 35' OUTSIDE RADIUS CURBS FOR FIRE ACCESS



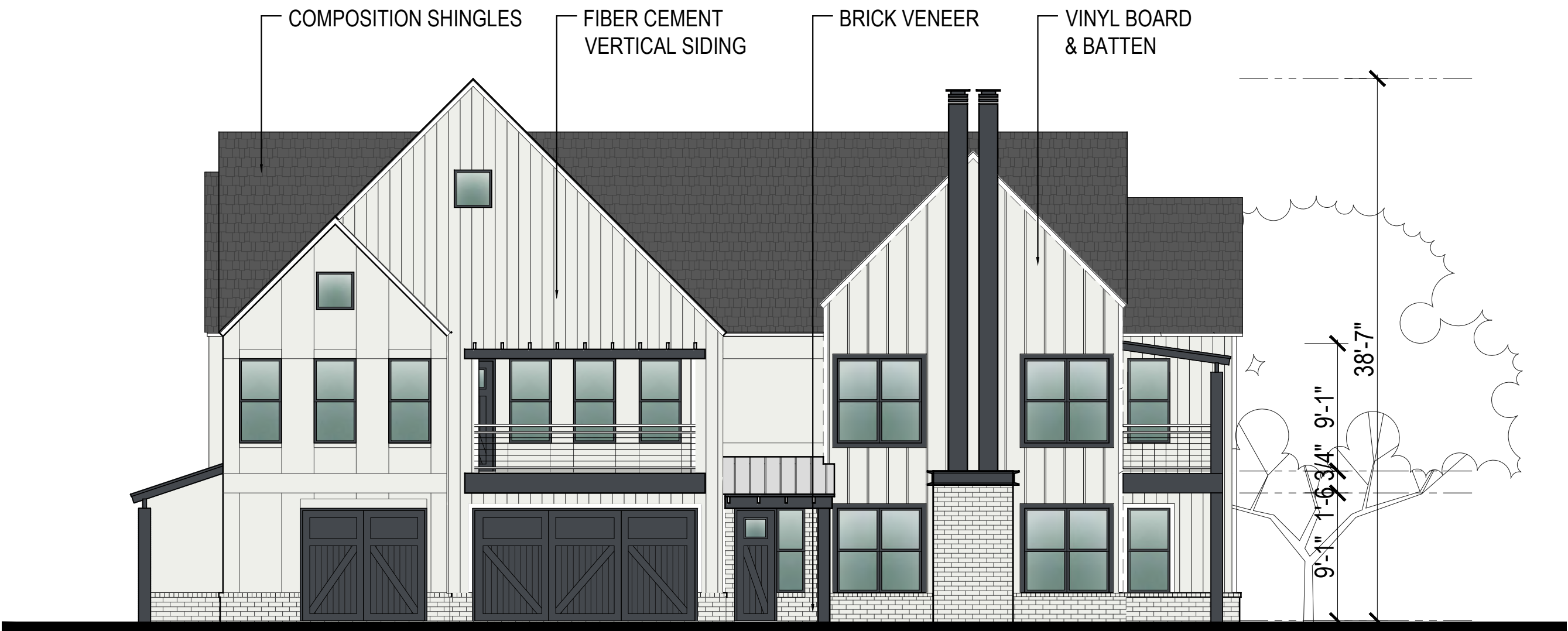






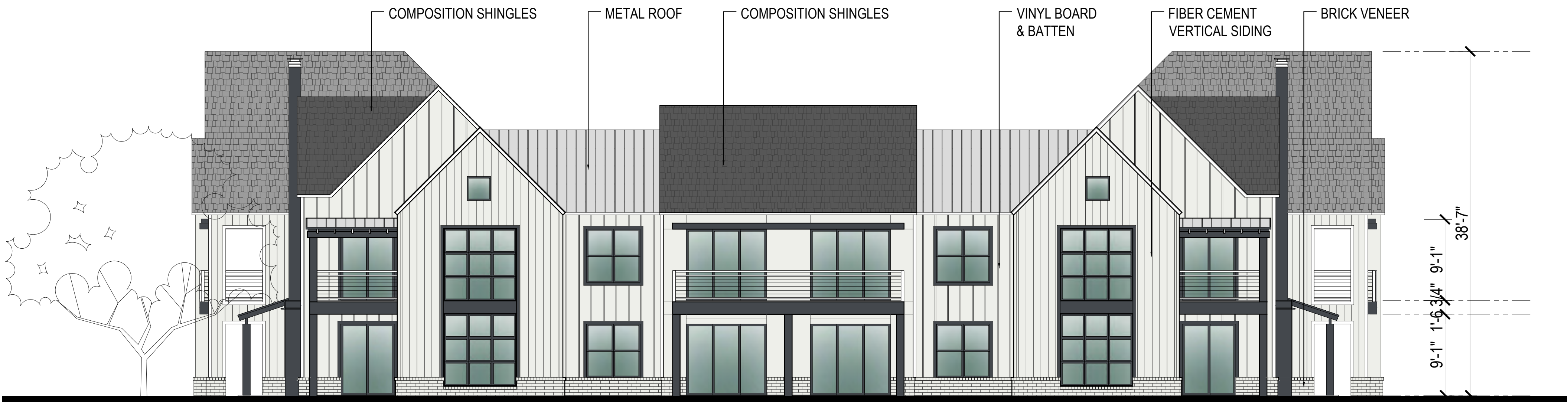
FRONT ELEVATION

BRICK VENEER: 6%



SIDE ELEVATION

BRICK VENEER: 12%



REAR ELEVATION

BRICK VENEER: 11%

SCALE: 1/16" = 1'-0" (24"x36" SHEET)

HUMPHREYS & PARTNERS ARCHITECTS, L.P.
5339 Alpha Rd., Suite 300, Dallas, TX 75240 | 972.701.9636 | www.humphreys.com

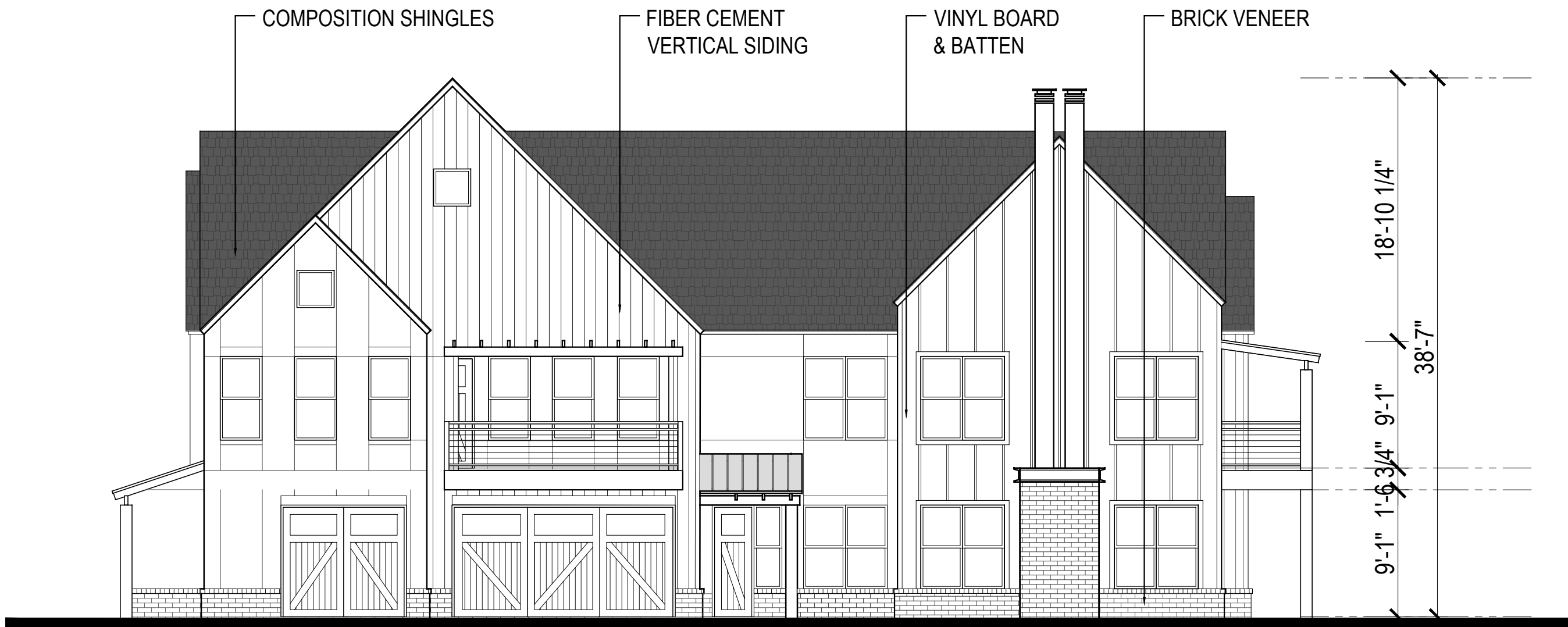
RHM REAL ESTATE GROUP
MANAGE • DEVELOP • INVEST

BLDG TYPE I - ELEVATIONS
May 2, 2023

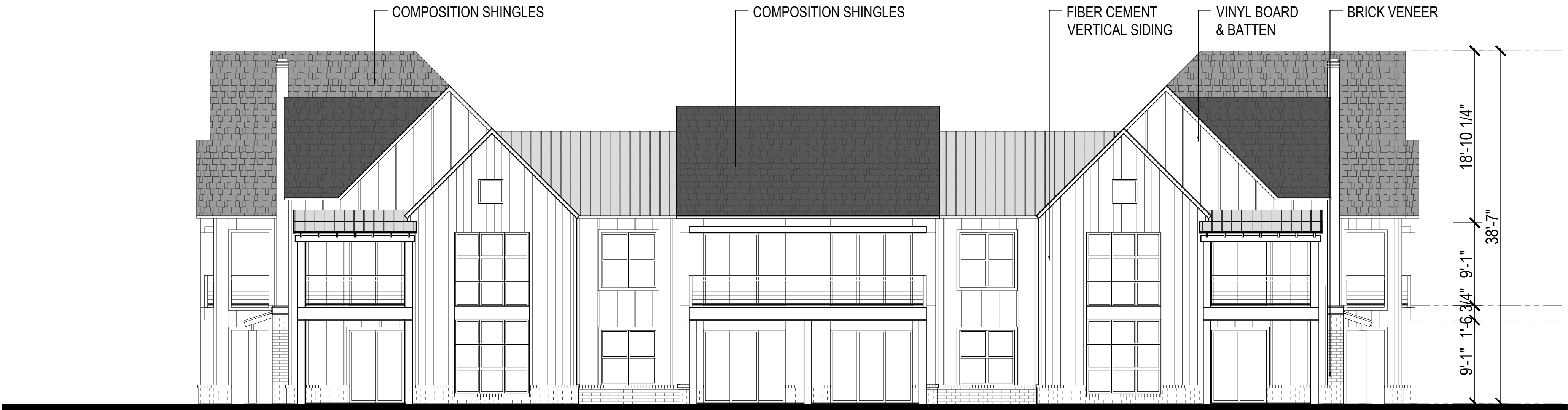
A413 OP02
Huber Heights
Huber Heights, OH
HPA# 22435



FRONT ELEVATION

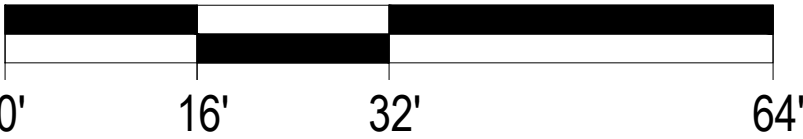


SIDE ELEVATION



REAR ELEVATION

SCALE: 1/16" = 1'-0" (24"x36" SHEET)





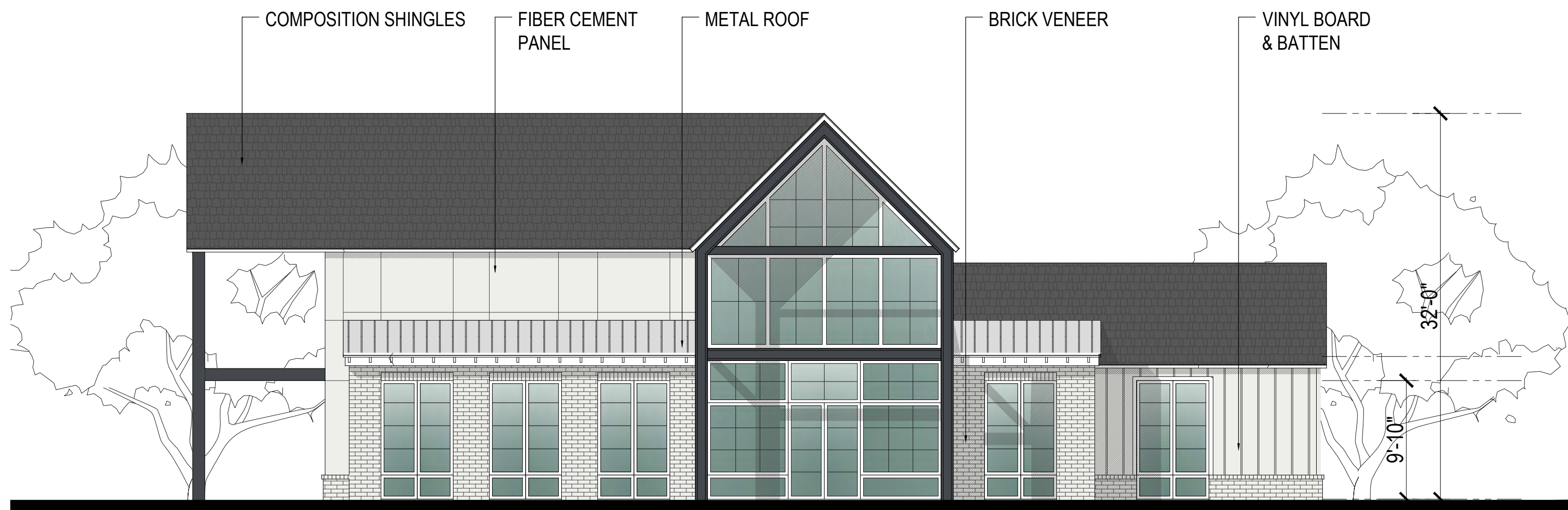
FRONT ELEVATION



SIDE ELEVATION

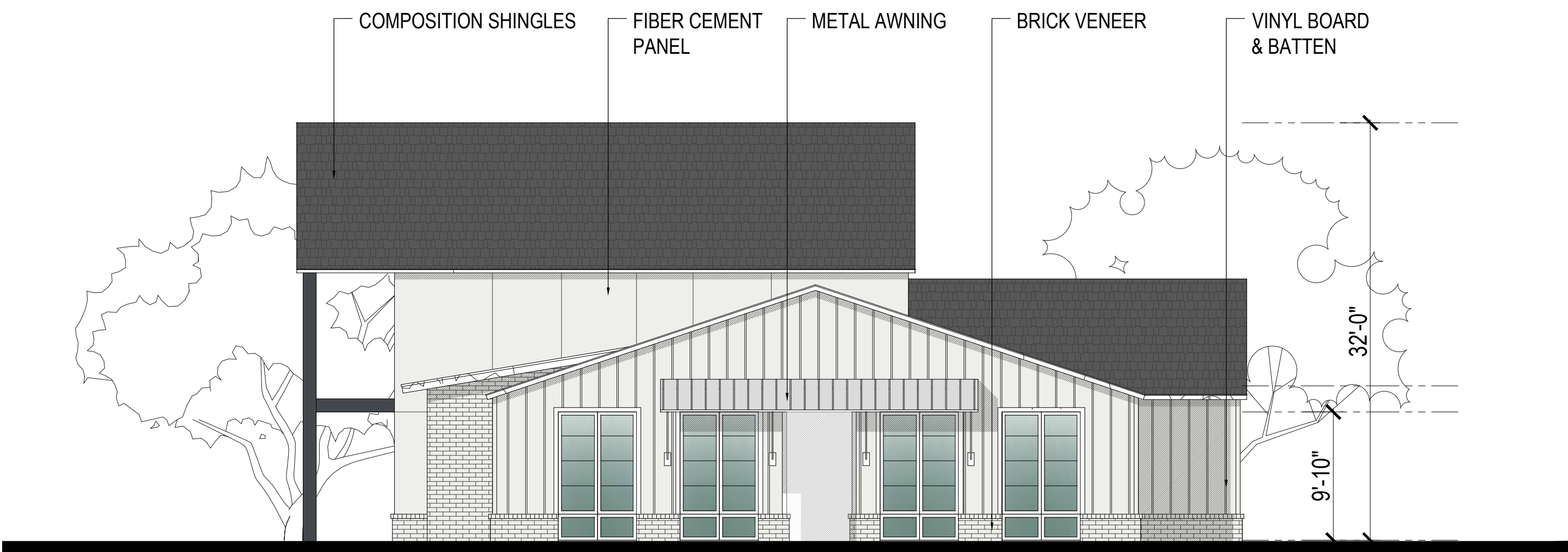


REAR ELEVATION



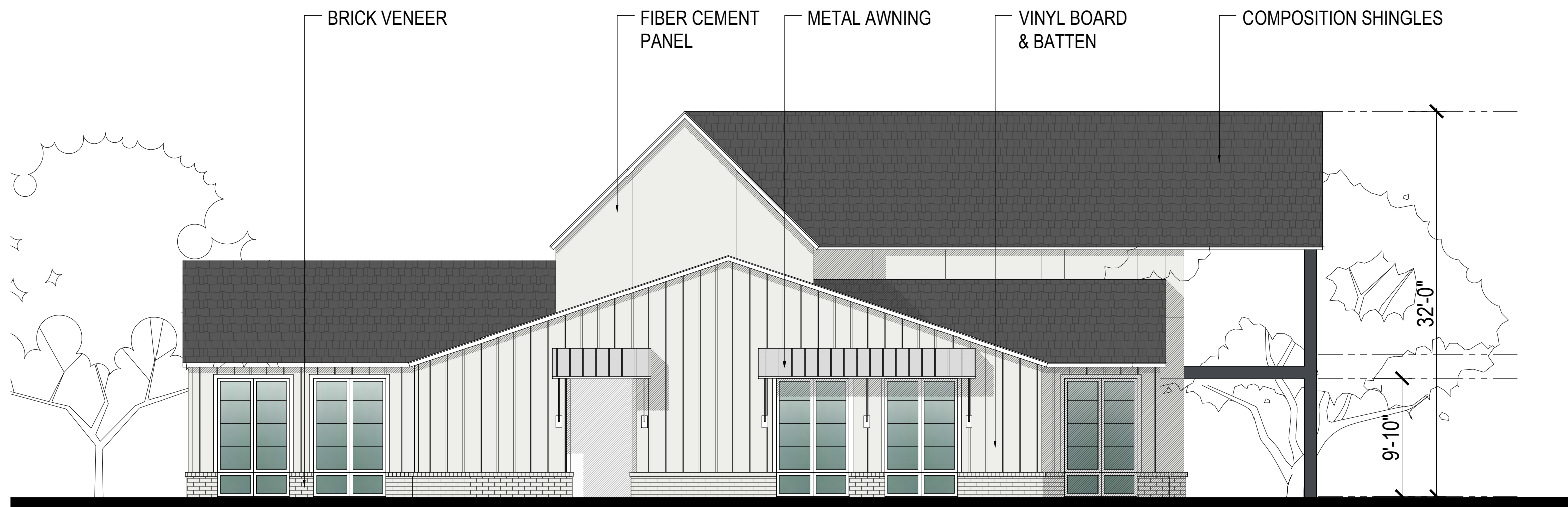
FRONT ELEVATION

BRICK VENEER: 45%



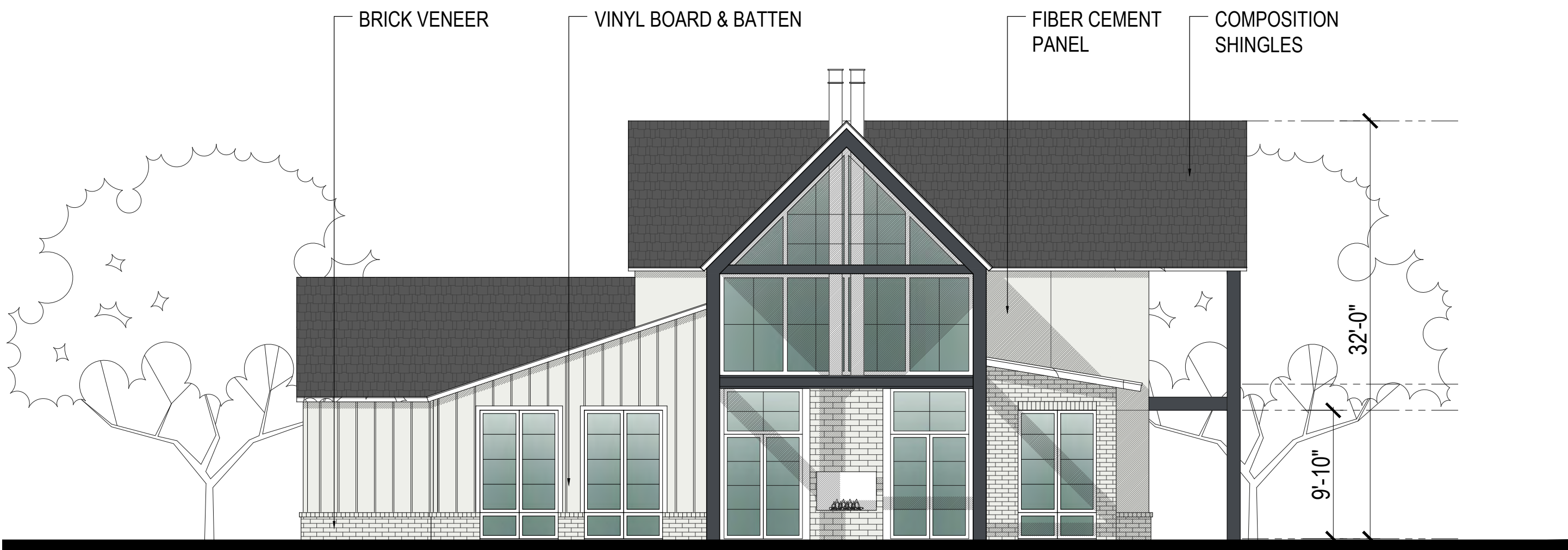
RIGHT ELEVATION

BRICK VENEER: 17%



REAR ELEVATION

BRICK VENEER: 11%



LEFT ELEVATION

BRICK VENEER: 33%

SCALE: 1/8" = 1'-0" (24"x36" SHEET)

CITY OF HUBER HEIGHTS
STATE OF OHIO

ORDINANCE NO. 2023-O-

TO APPROVE A REZONING FROM PLANNED EMPLOYMENT PARK (PEP) TO PLANNED MIXED USE (PM) FOR THE PROPERTY LOCATED AT 7125 EXECUTIVE BOULEVARD AND FURTHER IDENTIFIED AS PARCEL NUMBERS P70 03190 0080 AND P70 03190 0081 AND A BASIC DEVELOPMENT PLAN FOR PARCEL NUMBER P70 01820 0003 AND LOT #1 AND LOT #4 OF THE PRIDE ONE SUBDIVISION ON THE MONTGOMERY COUNTY AUDITOR’S MAP AND TO ACCEPT THE RECOMMENDATION OF THE PLANNING COMMISSION (CASE RZ BDP 23-08).

WHEREAS, the citizens of Huber Heights require the efficient and orderly planning of land uses within the City; and

WHEREAS, the City Planning Commission has reviewed Case RZ BDP 23-08 and on April 11, 2023 recommended approval by a vote of 5-0 of the Rezoning from Planned Employment Park (PEP) to Planned Mixed Use (PM) and a Basic Development Plan; and

WHEREAS, the City Council has considered the issue.

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

Section 1. The application requesting approval of a Rezoning from Planned Employment Park (PEP) to Planned Mixed Use (PM) and a Basic Development Plan (Case RZ BDP 23-08) is hereby approved in accordance with the Planning Commission’s recommendation and following conditions:

1. The permitted uses shall be those outlined in Chapter 1179, excluding:
 - Filling stations
 - Sweepstakes cafes
 - Convenience stores
 - Self-storage facilities
 - Car washes
 - Drive Thru or Drive Up windows
 - Other uses deemed incompatible with a community entertainment district as determined by the Planning Director
2. The applicant will comply will all Fire Code requirements, per the Huber Heights Fire Division.
3. The existing trees and non-invasive vegetation that abut properties along Scatter Root Place and Loblolly Drive shall be preserved and maintained in a healthy manner. Dead or dying trees shall be replaced with species approved by the City.

Section 2. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance 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 Ordinance shall go into effect upon its passage as provided by law and the Charter of the City of Huber Heights.

Passed by Council on the _____ day of _____, 2023;
_____ Yeas; _____ Nays.

Effective Date:

AUTHENTICATION:

Clerk of Council

Mayor

Date

Date

AI-9183

Pending Business D.

City Council Meeting

City Manager

Meeting Date: 05/08/2023

Case RZ 23-09 - STP Holdings, LLC - Rezoning - 6740 Brandt Pike

Submitted By: Geri Hoskins

Department: Planning

Council Committee Review?: Council Work Session **Date(s) of Committee Review:** 04/20/2023

Audio-Visual Needs: SmartBoard **Emergency Legislation?:** No

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

Agenda Item Description or Legislation Title

An Ordinance To Approve A Rezoning From General Office (O-1) To Commercial (B-1) For The Property Located At 6740 Brandt Pike And Further Identified As Parcel Number P70 00705 0001 On The Montgomery County Auditor's Map And To Accept The Recommendation Of The Planning Commission (Case RZ 23-09).
(second reading)

Purpose and Background

The applicant, STP Holdings, LLC, is requesting approval of a Rezoning from General Office (O-1) to Commercial (B-1) for a proposed laundromat (Case RZ 23-09).

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. 2023-O-

TO APPROVE A REZONING FROM GENERAL OFFICE (O-1) TO COMMERCIAL (B-1) FOR THE PROPERTY LOCATED AT 6740 BRANDT PIKE AND FURTHER IDENTIFIED AS PARCEL NUMBER P70 00705 0001 ON THE MONTGOMERY COUNTY AUDITOR’S MAP AND TO ACCEPT THE RECOMMENDATION OF THE PLANNING COMMISSION (CASE RZ 23-09).

WHEREAS, the citizens of Huber Heights require the efficient and orderly planning of land uses within the City; and

WHEREAS, the City Planning Commission has reviewed Case RZ 23-09 and on April 11, 2023 recommended approval by a vote of 5-0 of the Rezoning from General Office (O-1) to Commercial (B-1); and

WHEREAS, the City Council has considered the issue.

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

Section 1. The application requesting approval of a Rezoning from General Office (O-1) to Commercial (B-1) is hereby approved in accordance with the Planning Commission’s recommendation and following conditions:

- 1. Grant as requested.

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 shall go into effect upon its passage as provided by law and the Charter of the City of Huber Heights.

Passed by Council on the _____ day of _____, 2023;
_____ Yeas; _____ Nays.

Effective Date:

AUTHENTICATION:

Clerk of Council

Mayor

Date

Date

AI-9209

Pending Business E.

City Council Meeting

City Manager

Meeting Date: 05/08/2023

Case RZ BDP 22-35 - Thomas Dusa - Rezoning/Basic Development Plan - Technology Boulevard/Artz Road

Submitted By: Geri Hoskins

Department: Planning

Division: Planning

Council Committee Review?: Council Work Session
Date(s) of Committee Review: 01/17/2023 and 04/04/2023 and 04/20/2023 and 05/02/2023

Audio-Visual Needs: SmartBoard

Emergency Legislation?: No

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

Agenda Item Description or Legislation Title

A Motion To Refer Case RZ BDP 22-35 Back To The Planning Commission For Additional Review And Recommendation Regarding A Rezoning To Planned Industrial (PI) And A Basic Development Plan For The Property Located At The Southeast Corner Of Technology Boulevard And Artz Road And Further Identified As Parcel Number P70 03903 0007 On The Montgomery County Auditor's Map.

Purpose and Background

The applicant, Thomas Dusa, is requesting a Rezoning to PI (Planned Industrial) and a Basic Development Plan for a truck repair facility and drop lot (Case RZ BDP 22-35). After discussion at the May 2, 2023 Council Work Session, the City Council requested a motion be placed on the May 8, 2023 City Council Meeting agenda for consideration to refer Case RZ BDP 22-35 back to the Planning Commission for additional review and recommendation regarding the proposed Rezoning and Basic Development Plan.

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. 2023-O-

TO APPROVE A REZONING TO PLANNED INDUSTRIAL (PI) AND BASIC DEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT THE SOUTHEAST CORNER OF TECHNOLOGY BOULEVARD AND ARTZ ROAD AND FURTHER IDENTIFIED AS PARCEL NUMBER P70 03903 0007 ON THE MONTGOMERY COUNTY AUDITOR'S MAP AND ACCEPTING THE RECOMMENDATION OF THE PLANNING COMMISSION (CASE RZ BDP 22-35).

WHEREAS, the citizens of Huber Heights require the efficient and orderly planning of land uses within the City; and

WHEREAS, the City Planning Commission has reviewed Case RZ BDP 22-35 and on December 13, 2022, recommended approval by a vote of 3-0 of the Rezoning and Basic Development Plan; and

WHEREAS, the City Council has considered the issue.

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

Section 1. The application requesting approval of a Rezoning to Planned Industrial (PI) and Basic Development Plan (Case RZ BDP 22-35) is hereby approved in accordance with the Planning Commission's recommendation and following conditions:

1. The applicant shall comply with all provisions of the zoning code.
2. All parking and loading areas shall be asphalt or concrete.
3. The applicant shall submit a phasing plan for consideration by the Planning Commission as part of the Detailed Development Plan.
4. No activities including parking, storage or site improvements shall occur until a Detailed Development Plan is approved, building constructed, and a zoning certificate issued.
5. The exterior of building shall be 100 percent masonry unless otherwise approved by the Planning Commission through the Detailed Development Plan.

Section 2. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance 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 Ordinance shall go into effect upon its passage as provided by law and the Charter of the City of Huber Heights.

Passed by Council on the _____ day of _____, 2023;
_____ Yeas; _____ Nays.

Effective Date:

AUTHENTICATION:

Clerk of Council

Mayor

Date

Date

AI-9179

Pending Business F.

City Council Meeting

City Manager

Meeting Date: 05/08/2023

Case RZ BDP 22-35 - Thomas Dusa - Rezoning/Basic Development Plan - Technology Boulevard/Artz Road

Submitted By: Geri Hoskins

Department: Planning

Division: Planning

Council Committee Review?: Council Work Session

Date(s) of Committee Review: 01/17/2023 and 04/04/2023 and 04/20/2023 and 05/02/2023

Audio-Visual Needs: SmartBoard

Emergency Legislation?: No

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

Agenda Item Description or Legislation Title

An Ordinance To Approve A Rezoning To Planned Industrial (PI) And Basic Development Plan For The Property Located At The Southeast Corner Of Technology Boulevard And Artz Road And Further Identified As Parcel Number P70 03903 0007 On The Montgomery County Auditor's Map And Accepting The Recommendation Of The Planning Commission (Case RZ BDP 22-35).
(third reading)

Purpose and Background

The applicant, Thomas Dusa, is requesting a Rezoning to PI (Planned Industrial) and a Basic Development Plan for a truck repair facility and drop lot.

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. 2023-O-

TO APPROVE A REZONING TO PLANNED INDUSTRIAL (PI) AND BASIC DEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT THE SOUTHEAST CORNER OF TECHNOLOGY BOULEVARD AND ARTZ ROAD AND FURTHER IDENTIFIED AS PARCEL NUMBER P70 03903 0007 ON THE MONTGOMERY COUNTY AUDITOR'S MAP AND ACCEPTING THE RECOMMENDATION OF THE PLANNING COMMISSION (CASE RZ BDP 22-35).

WHEREAS, the citizens of Huber Heights require the efficient and orderly planning of land uses within the City; and

WHEREAS, the City Planning Commission has reviewed Case RZ BDP 22-35 and on December 13, 2022, recommended approval by a vote of 3-0 of the Rezoning and Basic Development Plan; and

WHEREAS, the City Council has considered the issue.

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

Section 1. The application requesting approval of a Rezoning to Planned Industrial (PI) and Basic Development Plan (Case RZ BDP 22-35) is hereby approved in accordance with the Planning Commission's recommendation and following conditions:

1. The applicant shall comply with all provisions of the zoning code.
2. All parking and loading areas shall be asphalt or concrete.
3. The applicant shall submit a phasing plan for consideration by the Planning Commission as part of the Detailed Development Plan.
4. No activities including parking, storage or site improvements shall occur until a Detailed Development Plan is approved, building constructed, and a zoning certificate issued.
5. The exterior of building shall be 100 percent masonry unless otherwise approved by the Planning Commission through the Detailed Development Plan.

Section 2. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance 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 Ordinance shall go into effect upon its passage as provided by law and the Charter of the City of Huber Heights.

Passed by Council on the _____ day of _____, 2023;
_____ Yeas; _____ Nays.

Effective Date:

AUTHENTICATION:

Clerk of Council

Mayor

Date

Date

AI-9205

**New Business A.
City Council**

City Council Meeting

Meeting Date: 05/08/2023

Property Maintenance Review Board Appointment - L. Cromer

Submitted By: Karen Powell

Department: City Council

Council Committee Review?: Council Work Session

Date(s) of Committee Review: 05/02/2023

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

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

Agenda Item Description or Legislation Title

A Motion To Appoint Lee Cromer To The Property Maintenance Review Board For A Term Ending December 31, 2026.

Purpose and Background

The City interview panel recommends the appointment of Lee Cromer to the Property Maintenance Review Board for a term ending December 31, 2026. A background check on Ms. Cromer has been processed through Human Resources.

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

Application - L. Cromer



6131 Taylorsville Road
Huber Heights, Ohio 45424
Phone: (937) 233-1423
Fax: (937) 233-1272
www.hhoh.org
An Equal Opportunity Employer

Application For City Boards and Commissions

RECEIVED ON:

MAR 29 2023

CLERK OF COUNCIL

Qualified applicants are considered for all positions without regard to race, color, religion, sex, national origin, marital or veteran status, or disability.

**PLEASE COMPLETE ALL SECTIONS AND EACH QUESTION
COMPLETELY AND ACCURATELY**

Board or Commission Applied For: Property Maintenance Review Board		Date Applied: 3.24.23	
Cromer		Lee	A
Last Name		First Name	Middle Name
4941 Stoneyview Ct. Huber Hts		OH	45424
Address		City	State
937.321.5894		← Same	lcromer911@yphoo.com
Home Phone Number		Daytime Phone Number	E-mail Address

EDUCATION

	SCHOOL	COURSE OF STUDY OR DEGREE EARNED
HIGH SCHOOL	Fairmont East	Business
COLLEGE	Sinclair	Electronics
GRADUATE SCHOOL		
OTHER (Specify)		

COMMUNITY INVOLVEMENT

Please list all civic, community, or non-profit organizations to which you have belonged or currently do belong, and your dates of service.

Organization	Dates of Service
A&B	2.22.17 to 10.21.19

EMPLOYMENT HISTORY

Name of Employer	Position(s) Held	Dates of Employment
Trimble	Assembler/ Line Co-ordinator	3.9.81 - present

REFERENCES

Cheryl Ball	4200 Macon Ave.	937.344.0589
Name	Address	Telephone Number
Megan Baumgartner	7376 Callamere Farms Dr.	515.921.4735
Name	Address	Telephone Number
Lisa Defibaugh	4279 Honeybrook Ave	937.477.2360
Name	Address	Telephone Number

STATEMENT OF INTEREST

Please tell us why you are interested in serving on this board or commission

I previously served on the Arts & Beautification Board and I enjoyed my time with them, I would like to make a difference within the city and help improve properties so our property values with rise.

REQUIREMENTS AND APPLICANT STATEMENT

Are you at least 18 years of age? ☒ Yes ☐ No

Do you currently reside in the City of Huber Heights? ☒ Yes ☐ No

Have you resided in the City of Huber Heights for at least one year prior to making this application? ☒ Yes ☐ No

Are you a registered voter? ☒ Yes ☐ No

Are you willing to sign a release to allow the City of Huber Heights to perform a background screening and criminal records check? ☒ Yes ☐ No

I certify that all of the information furnished in this application and its addenda are true and complete to the best of my knowledge. I understand that the City of Huber Heights may investigate the information I have furnished and I realize that any omissions, misrepresentation or false information in this application and/or its addenda may lead to revocation of any volunteer appointment.

I hereby acknowledge that I, voluntarily and of my own free will, have applied for a volunteer position with the City of Huber Heights with the understanding that the City may use a variety of screening procedures to evaluate my qualifications and suitability for appointment. I have been advised that these screening procedures might include, but are not limited to, interviews, criminal record checks, driving records checks and reference checks. I also acknowledge that any such screening procedures, as reasonably required by the City of Huber Heights, are prerequisites to my appointment to a volunteer position with the City of Huber Heights.

In addition, I also hereby understand that the City of Huber Heights cannot guarantee the confidentiality of the results of, or information obtained through the aforementioned screening procedures. Decisions of the Ohio Supreme Court regarding the Ohio Public Records Act indicate that, with certain enumerated exceptions, records maintained by a governmental entity are a matter of public record and, should a proper request be made by a member of the public for such records, the governmental entity would be required to make such records available to that member of the public within a reasonable time. Additionally, all information furnished in this application is subject to disclosure under the Ohio Public Records Act.

Therefore, in consideration of my application being reviewed by the City of Huber Heights, under no legal disability, and on behalf of my heirs and assigns, hereby release and agree to hold harmless the City of Huber Heights and any of its agents, employees, or related officials from any and all liability, whatever the type and nature resulting from the administration of any such screening procedures and/or release of the results therefrom.

Heidi Cromer

3.24.23

Signature

Date

AI-9196

**New Business B.
City Manager**

City Council Meeting

Meeting Date: 05/08/2023

Field Lease Fees Waiver - HHSBA

Submitted By: Bryan Chodkowski

Department: City Manager

Council Committee Review?: Council **Date(s) of Committee Review:** 05/02/2023
Work
Session

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

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

Agenda Item Description or Legislation Title

A Resolution Waiving Huber Heights Softball Baseball Association Field Lease Fees For Calendar Year 2023.
(first reading)

Purpose and Background

The City and the Huber Heights Softball Baseball Association (HHSBA) have an agreement which allows HHSBA use of the ball diamonds at Thomas Cloud Park and Monita Field. This agreement requires HHSBA to pay an annual fee of \$200 per field to the City. The total annual fees paid by HHSBA to the City totals \$2,400. The agreement also defines certain field maintenance responsibilities to HHSBA. In 2022, HHSBA - using its financial resources - made improvements to several fields. These improvements were beyond their maintenance responsibilities and were done to improve the playability of the fields. As the cost of these improvements exceeded the value of the field lease fees for 2023, HHSBA has requested the City waive the field lease fees for 2023.

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. 2023-R-

WAIVING HUBER HEIGHTS SOFTBALL BASEBALL ASSOCIATION FIELD LEASE FEES
FOR CALENDAR YEAR 2023.

WHEREAS, the City of Huber Heights (the “City”) and the Huber Heights Softball Baseball Association (HHSBA) entered into a Field Lease Agreement (the “Agreement”) for the period of January 1, 2022 through December 31, 2026 (the “Lease”); and

WHEREAS, the Lease requires HHSBA to pay a per-field fee annually to the City; and

WHEREAS, the Lease further defines HHSBA’s field maintenance responsibilities; and

WHEREAS, in 2022, HHSBA invested its resources beyond its field maintenance responsibilities to ensure field playability for its members.

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

Section 1. The City Council hereby waives HHSBA’s obligation for the per-field fee as outlined in Section 2 of the Agreement for calendar year 2023 in recognition of field improvements made by HHSBA in 2022. All other terms, conditions, and obligations in the Agreement remain unchanged.

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 shall go into effect upon its passage as provided by law and the Charter of the City of Huber Heights.

Passed by Council on the _____ day of _____, 2023;
_____ Yeas; _____ Nays.

Effective Date:

AUTHENTICATION:

Clerk of Council

Mayor

Date

Date

AI-9210

New Business C.

City Council Meeting

City Manager

Meeting Date: 05/08/2023

City Liability Insurance

Submitted By: Katie Knisley

Department: Human Resources

Council Committee Review?: Council Work Session
Date(s) of Committee Review: 05/02/2023

Audio-Visual Needs: None
Emergency Legislation?: No

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

Agenda Item Description or Legislation Title

A Resolution Authorizing The City Manager To Enter Into An Agreement To Provide Insurance Coverage For General Liability, Property, Boiler And Machinery, Inland Marine, Automobile, Crime, Law Enforcement Liability, Public Officials' Liability, And Other Necessary Insurance Coverage For The City Of Huber Heights, Ohio, Waiving The Competitive Bidding Requirements, And To Cover The Costs Of Services Ordered By The City.
(first reading)

Purpose and Background

The City's current insurance policy for property and casualty is set to expire May 11, 2023. City Staff have asked the City's current insurance company, Travelers, to provide an extension, or a continuation of coverage, of the City's insurance through July 1, 2023. The legislation is to authorize the City Manager to enter into an agreement with Travelers Insurance Company for the continuation of insurance coverage for general liability, property, boiler and machinery, inland marine, automobile, crime, law enforcement liability, public officials' liability, and other necessary insurance coverage for the City of Huber Heights through July 1, 2023 at a cost not to exceed \$65,000.

Fiscal Impact

Source of Funds: Various Funds

Cost: \$65,000

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. 2023-R-

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT TO PROVIDE INSURANCE COVERAGE FOR GENERAL LIABILITY, PROPERTY, BOILER AND MACHINERY, INLAND MARINE, AUTOMOBILE, CRIME, LAW ENFORCEMENT LIABILITY, PUBLIC OFFICIALS' LIABILITY, AND OTHER NECESSARY INSURANCE COVERAGE FOR THE CITY OF HUBER HEIGHTS, OHIO, WAIVING THE COMPETITIVE BIDDING REQUIREMENTS, AND TO COVER THE COSTS OF SERVICES ORDERED BY THE CITY.

WHEREAS, it is determined to be in the best interest of the City to continue to have insurance coverage; and

WHEREAS, liability insurance can be purchased effectively and efficiently through non-competitive procurement methods through a client services agreement; and

WHEREAS, the services to be provided are classified as professional services as defined in Section 171.12 (a)(4) in the Codified Ordinances of Huber Heights; and

WHEREAS, all purchases equal to or greater than \$25,000.00 require authorization of City Council.

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

Section 1. The City Manager is hereby authorized to enter into an Agreement to provide insurance coverage through Travelers for general liability, property, boiler and machinery, inland marine, automobile, crime, law enforcement liability, public officials' liability and other necessary insurance coverage for the City of Huber Heights through July 1, 2023 with premium costs of \$65,000.00 for Travelers, and City Council approves the expenditure of funds for such purpose including costs for services previously incurred at a cost not to exceed \$65,000.00.

Section 2. Consistent with the provisions of the City Charter and the Huber Heights Codified Ordinances, the competitive bidding requirements are hereby waived.

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 in meetings open to the public and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 4. This Resolution shall go into effect upon its passage as provided by law and the Charter of the City of Huber Heights.

Passed by Council on the _____ day of _____, 2023;
_____ Yeas; _____ Nays.

Effective Date:

AUTHENTICATION:

Clerk of Council

Mayor

Date

Date

AI-9208

**New Business D.
City Manager**

City Council Meeting

Meeting Date: 05/08/2023

Lease Approval - Vacuums & Video Games, LLC - 6015 Brandt Pike

Submitted By: Bryan Chodkowski

Department: Economic Development

Council Committee Review?: Council **Date(s) of Committee Review:** 05/02/2023
Work
Session

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

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

Agenda Item Description or Legislation Title

A Resolution Authorizing The City Manager To Execute A Lease For 6015 Brandt Pike.
(first reading)

Purpose and Background

The City's realtor for this property has recommended the execution of a lease with Vacuums & Video Games, LLC for that shopping center space identified as Unit #3 and addressed as 6015 Brandt Pike. City Council was briefed on the terms and conditions of this lease proposal in Executive Session on May 2, 2023.

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. 2023-R-

AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE FOR 6015 BRANDT PIKE.

WHEREAS, the City of Huber Heights (“City”) is the owner of the former CR Dayton shopping center property; and

WHEREAS, the City’s realtor for this property has recommended the execution of a lease with Vacuums & Video Games, LLC for that shopping center space identified as Unit #3 and addressed as 6015 Brandt Pike.

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

Section 1. The City Manager is hereby authorized and directed to execute rental agreements on behalf of the City of Huber Heights as landlord with Vacuums & Video Games, LLC for Unit #3, addressed as 6015 Brandt Pike.

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 shall go into effect upon its passage as provided by law and the Charter of the City of Huber Heights.

Passed by Council on the _____ day of _____, 2023;
_____ Yeas; _____ Nays.

Effective Date:

AUTHENTICATION:

Clerk of Council

Mayor

Date

Date

AI-9198

**New Business E.
City Manager**

City Council Meeting

Meeting Date: 05/08/2023

ARPA First Responders Grant Fund

Submitted By: Jim Bell

Department: Finance

Division: Accounting

Council Committee Review?: Council
Work
Session

Date(s) of Committee Review: 05/02/2023

Audio-Visual Needs: None

Emergency Legislation?: No

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

Agenda Item Description or Legislation Title

An Ordinance Establishing The ARPA First Responders Grant Fund.
(first reading)

Purpose and Background

This legislation will establish the ARPA First Responders Grant Fund to track all grant revenue and reimbursement of Fire Fund expenditures for personnel and behavioral health services in 2023 and 2024. The City of Huber Heights is expected to receive funding in the next month as reports are submitted detailing appropriate expenses to be reimbursed.

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. 2023-O-

ESTABLISHING THE ARPA FIRST RESPONDERS GRANT FUND.

WHEREAS, the State of Ohio has allocated \$70,000,000.00 in funding for the ARPA First Responder Wellness, Recruitment, Retention and Resiliency Grant Program; and

WHEREAS, the City Council of Huber Heights, Ohio authorized the application and acceptance of the aforementioned grant funds in Resolution No. 2022-R-7136; and

WHEREAS, the City of Huber Heights has been approved to receive \$547,093.34 in grant funds to hire one full-time fire fighter/paramedic and one full-time captain; and

WHEREAS, the City of Huber Heights has been approved to receive \$287,600 in grant funds for a wellness coordinator position and behavioral health services; and

WHEREAS, the City has determined the need to create the ARPA First Responders Grant Fund to account for the grant monies to be received, and to reimburse the expenses incurred in the Fire Fund for personnel expenses in 2023 and 2024 of the three new positions, in addition to the behavioral health services expenses.

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

Section 1. There is hereby created and established the new ARPA First Responders Grant Fund which shall be maintained separately from all other City funds to account for the grant revenue received and reimbursement of appropriate Fire Fund expenditures as described above.

Section 2. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance 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 Ordinance shall go into effect upon its passage as provided by law and the Charter of the City of Huber Heights.

Passed by Council on the ____ day of _____, 2023;
____ Yeas; ____ Nays.

Effective Date:

AUTHENTICATION:

Clerk of Council

Mayor

Date

Date

AI-9199

**New Business F.
City Manager**

City Council Meeting

Meeting Date: 05/08/2023

Cash Surety Fund - Amendment

Submitted By: Jim Bell

Department: Finance

Division: Accounting

Council Committee Review?: Council
Work
Session

Date(s) of Committee Review: 05/02/2023

Audio-Visual Needs: None

Emergency Legislation?: No

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

Agenda Item Description or Legislation Title

An Ordinance Amending Ordinance No. 2007-O-1687 Regarding Certain Limitations In Accepting Cash Sureties To Be Deposited In The #802 Cash Surety Fund.
(first reading)

Purpose and Background

City Council passed Ordinance No. 2007-O-1687 on February 12, 2007 establishing the Cash Surety Fund. The purpose of this fund is to provide a fund for cash surety bonds provided to the City to guarantee performance or compliance with certain City ordinances, or as surety to insure compliance with certain City ordinances. That Ordinance placed a limit of \$20,000 on a cash surety, however, there is no limitation on the amount the City can accept with respect to performance bonds or letters of credit. City Staff and the Law Director recommend amending Ordinance No. 2007-O-1687 to eliminate Section 4, thereby placing no limit on the amount of a cash surety the City will accept.

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. 2023-O-

AMENDING ORDINANCE NO. 2007-O-1687 REGARDING CERTAIN LIMITATIONS IN
ACCEPTING CASH SURETIES TO BE DEPOSITED IN THE #802 CASH SURETY FUND.

WHEREAS, on February 12, 2007, City Council passed Ordinance No. 2007-O-1687 creating the
#802 Cash Surety Fund; and

WHEREAS, the purpose of the #802 Cash Surety Fund is to provide a fund for cash surety bonds
provided to the City to guarantee performance or compliance with certain City Ordinances, or as
surety to insure compliance with certain City Ordinances; and

WHEREAS, Ordinance No. 2007-O-1687 provided that the City would not accept a cash surety in
excess of twenty thousand dollars (\$20,000.00); and

WHEREAS, there is no limitation on the amount the City can accept with respect to performance
bonds or letter of credit.

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

Section 1. Section 4 of Ordinance No. 2007-O-1687 is hereby eliminated such that there is no
limit on the amount of cash surety the City will accept and deposit in the #802 Cash Surety Fund.

Section 2. It is hereby found and determined that all formal actions of this Council concerning
and relating to the passage of this Ordinance 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 Ordinance shall go into effect upon its passage as provided by law and the Charter
of the City of Huber Heights.

Passed by Council on the _____ day of _____, 2023;
_____ Yeas; _____ Nays.

Effective Date:

AUTHENTICATION:

Clerk of Council

Mayor

Date

Date

AI-9206

City Council Meeting

**New Business G.
City Manager**

Meeting Date: 05/08/2023

Supplemental Appropriations

Submitted By: Jim Bell

Department: Finance **Division:** Accounting

Council Committee Review?: Council Work Session

Date(s) of Committee Review: 05/02/2023

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

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

Agenda Item Description or Legislation Title

An Ordinance Authorizing Transfers Between Various Funds Of The City Of Huber Heights, Ohio And Amending Ordinance No. 2022-O-2562 By Making Supplemental Appropriations For Expenses Of The City Of Huber Heights, Ohio For The Period Beginning January 1, 2023 And Ending December 31, 2023.

(first reading)

Purpose and Background

The supplemental appropriations in this ordinance are for the following purposes:

- \$65,000 for potential increase in liability insurance related to extension of due date.
- \$417,350 transfer from ARPA First Responders Grant Fund to Fire Fund for reimbursement of personnel expenses for 3 positions and behavioral health services expenses.
- \$700,000 reduction to Capital Improvement Fund balance to move Fishburg Road widening to the Issue 2 Fund.
- \$700,000 increase to Issue 2 Fund for recently approved Fishburg Road widening project.
- \$28,700 increase to Carriage Trails Infrastructure Fund for new special assessment revenue received to be paid to DEC, as per the most recent DEC Agreements approved by City Council in 2021 and 2022, plus Miami County Auditor collection fees.

Fiscal Impact

Source of Funds: Various Funds

Cost: \$93,700

Recurring Cost? (Yes/No): No

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

Financial Implications:

Attachments

Ordinance

CITY OF HUBER HEIGHTS
STATE OF OHIO

ORDINANCE NO. 2023-O-

AUTHORIZING TRANSFERS BETWEEN VARIOUS FUNDS OF THE CITY OF HUBER HEIGHTS, OHIO AND AMENDING ORDINANCE NO. 2022-O-2562 BY MAKING SUPPLEMENTAL APPROPRIATIONS FOR EXPENSES OF THE CITY OF HUBER HEIGHTS, OHIO FOR THE PERIOD BEGINNING JANUARY 1, 2023 AND ENDING DECEMBER 31, 2023.

WHEREAS, supplemental appropriations for expenses of the City of Huber Heights must be made for appropriations of funds for various 2023 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 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, 2023.

Section 2. Ordinance No. 2022-O-2562 is hereby amended as shown in Exhibit B of this Ordinance.

Section 3. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance 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 4. This Ordinance shall go into effect upon its passage as provided by law and the Charter of the City of Huber Heights.

Passed by Council on the _____ day of _____, 2023;
_____ Yeas; _____ Nays.

Effective Date:

AUTHENTICATION:

Clerk of Council

Mayor

Date

Date

EXHIBIT A

<i>Transfer:</i>			
<u>Amount</u>	<u>Fund From</u>	<u>Fund To</u>	<u>Purpose</u>
\$417,350.00	293 ARPA 1 st Responder	210 Fire	Reimburse 3 positions and behavioral health service expenses

EXHIBIT B

AMENDING ORDINANCE NO. 2022-O-2562 BY MAKING APPROPRIATIONS FOR EXPENSES OF THE CITY OF HUBER HEIGHTS, OHIO FOR THE PERIOD BEGINNING JANUARY 1, 2023 AND ENDING DECEMBER 31, 2023.

- 1) Section 1 of Ordinance No. 2022-O-2562 is hereby amended to reflect an increase in the appropriations of the 101 General Fund, as follows:
 - a. Subsection o) Human Resources, Operations and Capital of \$65,000.00
- 2) Section 50 of Ordinance No. 2022-O-2562 is hereby added to reflect an increase in the appropriations of the 293 ARPA First Responders Grant Fund, as follows:
 - a. Subsection a) Non-Departmental, Transfers of \$417,350.00.
- 3) Section 30 of Ordinance No. 2022-O-2562 is hereby amended to reflect a decrease in the appropriations of the 406 Capital Improvement Fund, as follows:
 - a. Subsection c) Capital, Operations and Capital of \$700,000.00.
- 4) Section 32 of Ordinance No. 2022-O-2562 is hereby amended to reflect an increase in the appropriations of the 421 Issue 2 Fund, as follows:
 - a. Subsection a) Capital, Operations and Capital of \$700,000.00
- 5) Section 39 of Ordinance No. 2022-O-2562 is hereby added to reflect an increase in the appropriations of the 454 Carriage Trails Infrastructure Fund, as follows:
 - a. Subsection a) Capital, Operations and Capital of \$28,700.00.

General Fund	\$65,000.00
ARPA First Responders Grant Fund	\$417,350.00
Capital Improvements Fund	\$(700,000.00)
Issue 2 Fund	\$700,000.00
Carriage Trails Infrastructure Fund	\$28,700.00

AI-9200

**New Business H.
City Manager**

City Council Meeting

Meeting Date: 05/08/2023

Veolia Water - Audit Agreement - Plattenburg & Associates

Submitted By: Jim Bell

Department: Finance **Division:** Accounting

Council Committee Review?: Council Work Session

Date(s) of Committee Review: 05/02/2023

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

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

Agenda Item Description or Legislation Title

A Resolution Authorizing The City Manager To Enter Into An Agreement With Plattenburg & Associates For Additional Services Relating To Compliance Under The Operations And Maintenance Agreement Between The City Of Huber Heights And Veolia Water.
(first reading)

Purpose and Background

Plattenburg & Associates has previously performed other audits and professional services for the City of Huber Heights in addition to the annual state audit services, and Plattenburg & Associates has audited the agreed-upon procedures for Veolia Water as part of the Operations and Maintenance Agreement between the City and Veolia since 2008. This legislation authorizes the City Manager to enter into a new five-year agreement with Plattenburg & Associates to audit agreed-upon procedures as part of the Operations and Maintenance Agreement between the City and Veolia Water with a base price ranging from \$13,900 to \$15,100 per year, as per the attached Exhibit A.

Fiscal Impact

Source of Funds: Various Funds

Cost: \$0.00 in 2023

Recurring Cost? (Yes/No): Yes

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

Financial Implications:

The contract for the Veolia Water audit is a base price of \$13,900 in 2024 increasing incrementally annually to \$15,100 in 2028.

Attachments

Resolution
Exhibit A

CITY OF HUBER HEIGHTS
STATE OF OHIO

RESOLUTION NO. 2023-R-

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH PLATTENBURG & ASSOCIATES FOR ADDITIONAL SERVICES RELATING TO COMPLIANCE UNDER THE OPERATIONS AND MAINTENANCE AGREEMENT BETWEEN THE CITY OF HUBER HEIGHTS AND VEOLIA WATER.

WHEREAS, City Council of Huber Heights authorized the City Manager to execute a Memorandum of Agreement between the City, the Auditor of State, and Plattenburg & Associates providing for Plattenburg & Associates to conduct an audit of the Combined Financial Statements of the City of Huber Heights for the Fiscal Years of January 1, 2022 through December 31, 2026 pursuant to the Memorandum of Agreement at annual amounts not to exceed those set forth in Plattenburg & Associates' Sealed Dollar Cost Bid; and

WHEREAS, Plattenburg & Associates has previously performed other audits and professional services for the City of Huber Heights in addition to the annual state audit services, and the City desires the ability to continue to use Plattenburg & Associates to perform other professional services as it relates to the Operations and Maintenance Agreement between the City and Veolia Water.

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

Section 1. The City Council of the City of Huber Heights authorizes the City Manager to enter into a five-year agreement with Plattenburg & Associates for professional services attached hereto as Exhibit A related to the Operations and Maintenance Agreement between the City and Veolia Water at a base price each year according to the following schedule:

1. \$13,900.00 for December 31, 2023
2. \$14,200.00 for December 31, 2024
3. \$14,500.00 for December 31, 2025
4. \$14,800.00 for December 31, 2026
5. \$15,100.00 for December 31, 2027.

Section 2. City Council further determines that it is in the best interest of the City and hereby authorizes the Director of Finance to assign all services provided by Plattenburg & Associates including costs for services previously incurred this year to various funds as is determined appropriate by the Director of Finance.

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 in meetings open to the public and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 4. This Resolution shall go into effect upon its passage as provided by law and the Charter of the City of Huber Heights.

Passed by Council on the _____ day of _____, 2023;
_____ Yeas; _____ Nays.

AUTHENTICATION:

Clerk of Council

Mayor

Date

Date

PLATTENBURGCertified Public Accountants

March 31, 2023

Veolia North America
City of Huber Heights
6131 Taylorsville Road
Huber Heights, OH 45424

We are pleased to confirm our understanding of the nature and limitations of the services we are to provide for Veolia North America and the City of Huber Heights.

We will apply the agreed-upon procedures which Veolia North America (the Company) and the City of Huber Heights (the City) have specified, listed in the attached schedule (appendix A) for the 5 one-year periods of January 1, 2023 through December 31, 2027. This engagement is solely to assist Veolia North America and the City of Huber Heights in complying with the requirements of their Operations and Maintenance Agreement. Our engagement to apply agreed-upon procedures will be conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. Those standards require that we obtain your written agreement to the procedures to be applied and your acknowledgment that those procedures are appropriate for the intended purpose of the engagement, as described in this letter. A refusal to provide such agreement and acknowledgment will result in our withdrawal from the engagement. No other parties will be requested to agree to the procedures and acknowledge that the procedures performed are appropriate for their purposes. We make no representation that the procedures we will perform are appropriate for the intended purpose of the engagement or for any other purpose.

Because the agreed-upon procedures do not constitute an examination or review, we will not express an opinion or conclusion on the procedures listed in the attached schedule (appendix A). In addition, we have no obligation to perform any procedures beyond those to which you agree.

We plan to begin our procedures approximately by February each year and, unless unforeseeable problems are encountered, the engagement should be completed by April each year.

We will issue a written report upon completion of our engagement that lists the procedures performed and our findings. Our report will be addressed to The City and the Company. If we encounter restrictions in performing our procedures, we will discuss the matter with you. If we determine the restrictions are appropriate we will disclose the restrictions in our report. Our report will contain a paragraph indicating that had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

There may exist circumstances that, in our professional judgment, will require we withdraw from the engagement. Such circumstances include the following:

- You refuse to provide written agreement to the procedures and acknowledge that they are appropriate for the intended purpose of the engagement.

- You fail to provide requested written representations, or we conclude that there is sufficient doubt about the competence, integrity, ethical values, or diligence of those providing the written representations, or we conclude that the written representations provided are otherwise not reliable.
- We determine that the description of the procedures performed or the corresponding findings are misleading in the circumstances of the engagement.
- We determine that restrictions on the performance of procedures are not appropriate.

An agreed-upon procedures engagement is not designed to detect instances of fraud or noncompliance with laws or regulations; however, should any such matters come to our attention, we will communicate them in accordance with professional standards and applicable law. In addition, if, in connection with this engagement, matters come to our attention that contradict the procedures listed in the attached schedule (appendix A), we will communicate such matters to you.

You are responsible for the procedures listed in the attached schedule (appendix A). In addition, you are responsible for providing us with (1) access to all information of which you or the appropriate party are aware that is relevant to the performance of the agreed-upon procedures on the subject matter, (2) additional information that we may request from the appropriate party for the purpose of performing the agreed-upon procedures, and (3) unrestricted access to persons within the entity from whom we determine it necessary to obtain evidence relating to performing those procedures.

At the conclusion of our engagement, we will require certain written representations in the form of a representation letter from management that, among other things, will confirm management's responsibility for the procedures listed in the attached schedule (appendix A) in accordance with the stated criteria.

David Minich is the engagement partner and is responsible for supervising the engagement and signing the report or authorizing another individual to sign it.

Our fixed fee each year for these services will be:

1. \$13,900 for December 31, 2023
2. \$14,200 for December 31, 2024
3. \$14,500 for December 31, 2025
4. \$14,800 for December 31, 2026
5. \$15,100 for December 31, 2027

This fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the engagement. If additional time is necessary, we will discuss it with you and arrive at a new fee estimate to cover the additional costs. Our invoices will be rendered each month as work progresses and are payable on presentation. In accordance with our firm policies, work may be suspended if your account becomes overdue and will not be resumed until your account is paid in full. If we elect to

terminate our services for nonpayment, our engagement will be deemed to have been completed upon written notification of termination even if we have not completed our report. You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket expenditures through the date of termination.

If you request additional or extended procedures not listed in the attached schedule (appendix A) such procedures will be performed as a separate engagement and covered by a separate agreement.

We appreciate the opportunity to assist you and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us. If the need for additional procedures arises, our agreement with you will need to be revised. It is customary for us to enumerate these revisions in an addendum to this letter. If additional specified parties of the report are added, we will require that they acknowledge in writing their responsibility for the sufficiency of procedures.

Sincerely,

Plattenburg & Associates, Inc.

Plattenburg & Associates, Inc.

Name

Title

APPENDIX A

AGREED-UPON PROCEDURES

City of Huber Heights and Veolia North America Engagement Letter Dated March 31, 2023

We will perform the following procedures related to the completeness and accuracy of the billing and cash receipts procedures under the agreement:

1. We will select a total of forty (40) customer billing journals. The population for the selection will include the monthly billing journals.
2. We will agree the billings from the billing journal to the remittance advice included with the cash receipt noting agreement of the customer name, account number, and billing amount.
3. We will agree the remittance advice to the daily cash entries report.
4. We will agree the total of the daily cash entries report to the validated deposit ticket.
5. We will recalculate the billings, selected above, based on the water, sewer, and storm water rates established in the city ordinance(s) provided by Veolia North America.
6. We will inquire of Veolia North America personnel as to the procedures in place to record and bill new customers and:
 - a. We will select five (5) new customers from the customer service order form files and note proper authorization for services from the customer service representative.
 - b. We will trace the new customer to the appropriate billing journal to determine the billing period coincides with the date the service began.
7. We will inquire of Veolia North America personnel as to the procedures in place to remove customers terminating service and:
 - a. We will select five (5) terminated customers from the customer service order form files and note proper authorization for the termination of services from the customer service representative.
 - b. We will obtain the appropriate billing journal for the cycle following termination of services noting that the customer is properly removed.
8. We will inquire of Veolia North America personnel as to the procedures in place for analyzing and adjusting "out-of-range" meter readings and:

- a. We will select five (5) “out-of-range” readings from the meter reading exception report that resulted in the issuance of a customer service order report and scan the customer service order for resolution of reading.
9. We will inquire of Veolia North America personnel as to the procedure for authorizing billing adjustments and:
- a. We will select five (5) adjustments from the customer service order forms and determine that billing adjustments were authorized by the appropriate personnel of Veolia North America if the adjustment falls within the parameters established by the City of Huber Heights. For those adjustments requiring additional authorization from the City of Huber Heights, we will note the existence of written authorization from the City.

We will perform the following related to the recording and allocation of expenses under the agreement:

10. For outside vendor expenses we will select twenty (20) expense amounts from the Veolia North America expense register and obtain invoices supporting payments and note authorization for payment from the on site plant manager; agree the invoice amount to the amount included in the expenditure register; and agree the amount and vendor from the report to the cancelled check.
11. For allocated labor charges:
- a. We will trace and agree the hours worked to the signed timesheets for one employee from each company for each monthly reporting period.
 - b. We will obtain wage rate information from the payroll system and recalculate the labor expense for those selected in (a) above.
12. We will agree the total expenses from Veolia North America expense register to the monthly management reports for each month in the year. We agreed the sum of the 12 monthly expenditure totals from the monthly management reports to the sum of the 12 monthly billings to the City of Huber Heights.
13. We will inquire of Veolia North America personnel as to the procedures in place regarding NSF checks.
- a. We will select six (6) customers from the NSF check listings and examine the related customer files for a copy of the letter notifying the customer of the unpaid balance and the NSF policy.
 - b. For each of the selections, we will perform procedures to verify that when applying payments to the customer’s account, the system properly notifies the user to reject check payments in accordance with the NSF policy.

AI-9197

City Council Meeting

**New Business I.
City Manager**

Meeting Date: 05/08/2023

Transient Guest Tax - Hotel Definition

Submitted By: Geri Hoskins

Department: Planning

Division: Planning

Council Committee Review?: Council Work Session
Date(s) of Committee Review: 05/02/2023

Audio-Visual Needs: None
Emergency Legislation?: No

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

Agenda Item Description or Legislation Title

An Ordinance Amending Chapter 193 – Transient Guest Tax, Section 193.02 – State Definitions Incorporated Of The Huber Heights Codified Ordinances.
(first reading)

Purpose and Background

This ordinance will update the definition of "hotel" for the Transient Guest Tax to allow the City to collect the tax on short-term rentals within Huber Heights.

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. 2023-O-

AMENDING CHAPTER 193 – TRANSIENT GUEST TAX, SECTION 193.02 – STATE DEFINITIONS INCORPORATED OF THE HUBER HEIGHTS CODIFIED ORDINANCES.

WHEREAS, the State of Ohio expanded the definition of “hotel” in 2020 to include establishments of fewer than five rooms; and

WHEREAS, the City desires to expand its definition of “hotel” for the purpose of the Transient Guest Tax; and

WHEREAS, the City Council has considered the issue.

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

Section 1. Chapter 193 – Transient Guest Tax, Section 193.02 – State Definitions Incorporated of the Huber Heights Codified Ordinances is amended to read as follows:

193.02 – State definitions incorporated

The definition of “hotel” set forth in Ohio R.C. 5739.01 and expanded by Ohio R.C. 5739.091, and the definition of “transient guest” as set forth in Ohio R.C. 5739.01 are incorporated herein by reference.

Section 2. All other provisions of Chapter 193 – Transient Guest Tax of the Huber Heights Codified Ordinances not expressly amended herein remain in full force and effect.

Section 3. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance 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 4. This Ordinance shall go into effect upon its passage as provided by law and the Charter of the City of Huber Heights.

Passed by Council on the _____ day of _____, 2023;
_____ Yeas; _____ Nays.

Effective Date:

AUTHENTICATION:

Clerk of Council

Mayor

Date

Date

AI-9201

New Business J.

City Council Meeting

City Manager

Meeting Date: 05/08/2023

Well #7 - Design - Award Contract

Submitted By: Hanane Eisentraut

Department: Engineering **Division:** Engineering

Council Committee Review?: Council Work Session **Date(s) of Committee Review:** 05/02/2023

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

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

Agenda Item Description or Legislation Title

A Resolution Authorizing The City Manager To Enter Into A Contract For Preparation Of Engineering Plans And Specifications For The Design Of New Well #7 At The Rip Rap Road Water Treatment Plant. (first reading)

Purpose and Background

City Staff solicited a Request For Qualifications and Proposals from various engineering firms to design the new Well # 7 at the Rip Rap Road Water Treatment Plant. Two proposals were received, one from Terran Corporation at a cost that ranges between \$330,235 to \$416,975, and the second was from WSP USA Environment & Infrastructure, Inc. (formerly Wood) at a cost of \$386,563. City Staff analyzed these responses and selected WSP USA Environment & Infrastructure, Inc. as the most qualified firm for this work. The City has previously worked with WSP USA Environment & Infrastructure, Inc. before for an EPA required "Source Water Protection Plan" for the existing wellfield. WSP USA Environment & Infrastructure, Inc. also performed the 72-hour well test on Well #6 that was installed three years ago. This legislation will authorize the City Manager to enter into a contract with WSP USA Environment & Infrastructure, Inc. at a cost not to exceed \$425,000. The Water Utility Reserve Fund will be utilized to cover the cost of this work.

Fiscal Impact

Source of Funds: Water Utility Reserve Fund

Cost: \$425,000

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. 2023-R-

AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR PREPARATION OF ENGINEERING PLANS AND SPECIFICATIONS FOR THE DESIGN OF NEW WELL #7 AT THE RIP RAP ROAD WATER TREATMENT PLANT.

WHEREAS, the City Council has applied for and received a grant through the Ohio Department of Development for the construction of the new Well #7 at the Rip Rap Road Water Treatment Plant (RRRWTP); and

WHEREAS, it is necessary to obtain outside engineering services to design the new Well #7; and

WHEREAS, WSP USA Environment & Infrastructure, Inc. has been determined to be the most qualified firm for the design of new Well #7.

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

Section 1. The City Manager is hereby authorized to enter into a contract for the preparation of engineering plans and specifications for the design of new Well #7 at the Rip Rap Road Water Treatment Plant (RRRWTP) with WSP USA Environment & Infrastructure, Inc. at a cost not to exceed \$425,000.00.

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 shall go into effect upon its passage as provided by law and the Charter of the City of Huber Heights.

Passed by Council on the _____ day of _____, 2023;
_____ Yeas; _____ Nays.

Effective Date:

AUTHENTICATION:

Clerk of Council

Mayor

Date

Date

AI-9202

**New Business K.
City Manager**

City Council Meeting

Meeting Date: 05/08/2023

ODOT - Final Resolution - Brandt Pike Resurfacing

Submitted By: Hanane Eisentraut

Department: Engineering **Division:** Engineering

Council Committee Review?: Council **Date(s) of Committee Review:** 05/02/2023
Work
Session

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

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

Agenda Item Description or Legislation Title

A Final Resolution For ODOT To Resurface Brandt Pike (State Route 201) From The South Corporation Limit To Fishburg Road.
(first reading)

Purpose and Background

This legislation will authorize the City Manager to enter into an agreement with the Director of Transportation of the Ohio Department of Transportation (ODOT) to resurface Brandt Pike from Fishburg Road to the south City Limit. The City's preliminary share is estimated to be \$294,624.00. ODOT will manage and supervise this project.

Fiscal Impact

Source of Funds: Street Capital Improvement

Cost: \$294,624

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. 2023-R-

FINAL RESOLUTION FOR ODOT TO RESURFACE BRANDT PIKE (STATE ROUTE 201) FROM THE SOUTH CORPORATION LIMIT TO FISHBURG ROAD.

The following Final Resolution enacted by the City of Huber Heights, Ohio, hereinafter referred to as the Legislative Authority/Local Public Agency or “LPA”, in the matter of the stated described project.

WHEREAS, on the 10th day of October, 2022, the LPA enacted legislation proposing cooperation with the Director of Transportation for the described project:

The project consists of improvements to Brandt Pike (State Route 201) from the South Corporation Limits (S.L.M. 4.48) to Fishburg Road (S.L.M. 6.12), including pavement planning, pavement repair, resurfacing, application of rejuvenating agent, and pavement marking, lying within the City of Huber Heights; and

WHEREAS, the LPA shall cooperate with the Director of Transportation in the above-described project as follows:

The City agrees to assume and bear one hundred percent (100%) of the entire cost of the improvement within the City limits, less the amount of Federal-Aid funds 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.

The share of the cost of the LPA is now estimated in the amount of Two Hundred Ninety-Four Thousand Six Hundred Twenty-Four and 00/100 Dollars (\$294,624.00), but said estimated amount is to be adjusted in order that the LPA’s ultimate share of said improvement shall correspond with said percentages of actual costs when said actual costs are determined; and

WHEREAS, the Director of Transportation has approved said legislation proposing cooperation and has caused to be made plans and specifications and an estimate of cost and expense for improving the above-described highway and has transmitted copies of the same to this legislative authority; and

WHEREAS, the LPA desires the Director of Transportation to proceed with the aforesaid highway improvement.

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

Section 1. That the estimated sum of Two Hundred Ninety-Four Thousand Six Hundred Twenty-Four and 00/100 Dollars (\$294,624.00) is hereby appropriated for the improvement described above and the Fiscal Officer is hereby authorized and directed to issue an order on the treasurer for said sum upon the requisition of the Director of Transportation to pay the cost and expense of said improvement. The City hereby agrees to assume in the first instance, the share of the cost and expense over and above the amount to be paid from Federal funds.

Section 2. That the LPA hereby requests the Director of Transportation to proceed with the aforesaid highway improvement.

Section 3. That the LPA enter into a contract with the State, and that the City Manager be, and is hereby authorized to execute said contract, providing for the payment of the LPA the sum of money set forth herein above for improving the described project.

Section 4. That the LPA transmit to the Director of Transportation a fully executed copy of this Resolution.

Section 5. 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 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 Ohio Revised Code.

Section 6. This Resolution shall go into effect upon its passage as provided by law and the Charter of the City of Huber Heights.

Passed by Council on the _____ day of _____, 2023;
_____ Yeas; _____ Nays.

Effective Date:

AUTHENTICATION:

Clerk of Council

Mayor

Date

Date

This is to certify that we have compared the foregoing copy of Resolution with the original record thereof, found in the record of the proceedings of the LPA, and which Resolution was duly passed by the LPA on the _____ day of _____ 2022, and that the same is a true and correct copy of the record of said Resolution and the action of said LPA thereon.

Clerk of Council

Mayor

Date

Date

AI-9203

**New Business L.
City Manager**

City Council Meeting

Meeting Date: 05/08/2023

2023 Water Main Replacement Program - Solicit Bids

Submitted By: Hanane Eisentraut

Department: Engineering **Division:** Engineering

Council Committee Review?: Council **Date(s) of Committee Review:** 05/02/2023
Work
Session

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

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

Agenda Item Description or Legislation Title

A Resolution Authorizing The City Manager To Solicit, Advertise And Receive Bids From Qualified Firms For The 2023 Water Main Replacement Program.
(first reading)

Purpose and Background

This legislation will allow the City Manager to receive bids for the 2023 Water Main Replacement Program. The design of this project is being finalized. The Water Fund will be utilized to construct this project.

Fiscal Impact

Source of Funds: N/A

Cost: N/A

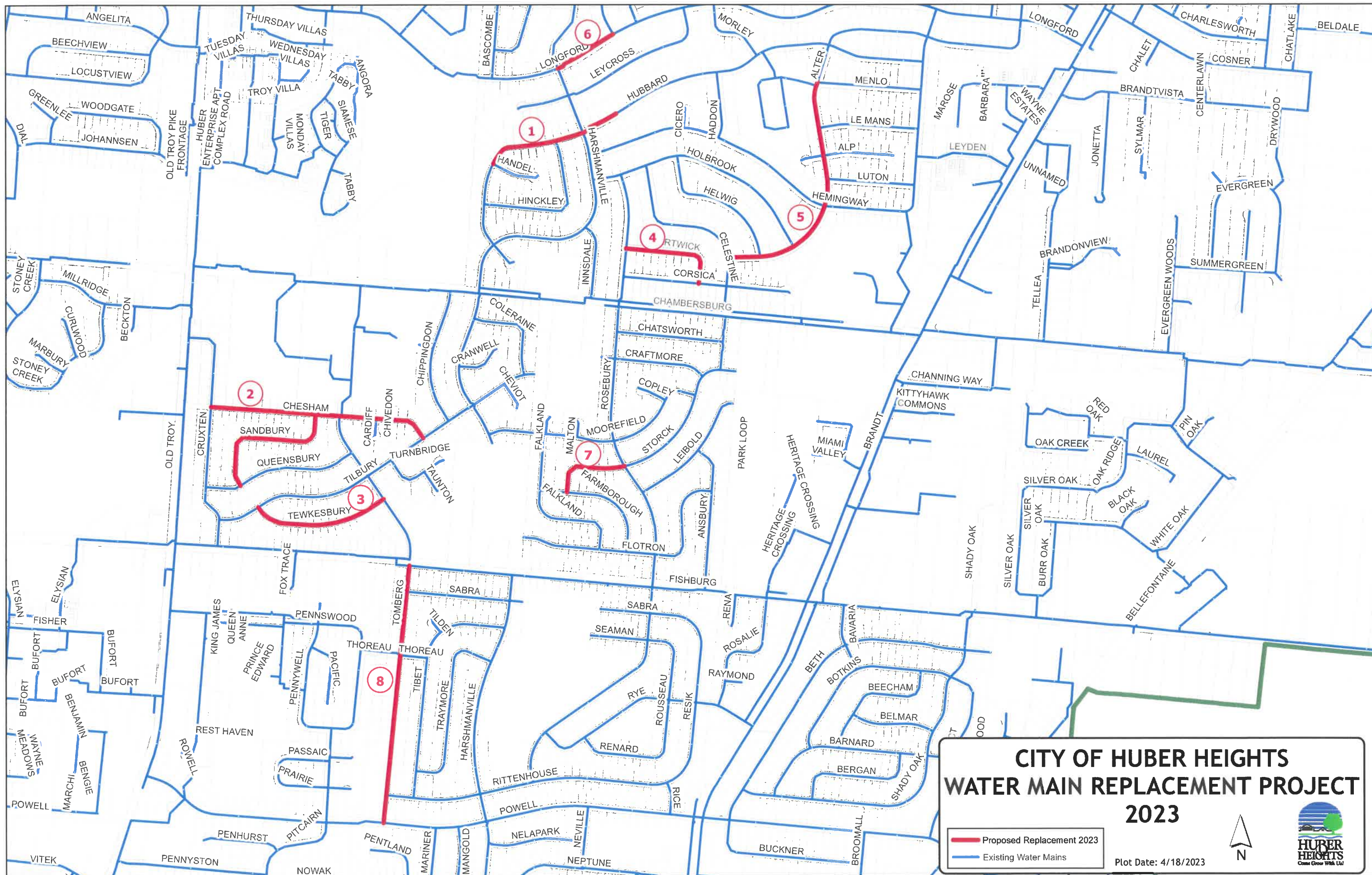
Recurring Cost? (Yes/No): N/A

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

Financial Implications:

Attachments

Map
Resolution



CITY OF HUBER HEIGHTS
STATE OF OHIO

RESOLUTION NO. 2023-R-

AUTHORIZING THE CITY MANAGER TO SOLICIT, ADVERTISE AND RECEIVE BIDS FROM QUALIFIED FIRMS FOR THE 2023 WATER MAIN REPLACEMENT PROGRAM.

WHEREAS, City Staff have identified water lines within the City which are in urgent need of replacement; and

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

WHEREAS, the Water Fund is available to cover the cost of this work.

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

Section 1. The City Manager is hereby authorized to solicit, advertise and receive responses from qualified firms for the construction of the 2023 Water Main Replacement Program at a cost not to exceed \$4,000,000.00.

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 shall go into effect upon its passage as provided by law and the Charter of the City of Huber Heights.

Passed by Council on the _____ day of _____, 2023;
_____ Yeas; _____ Nays.

Effective Date:

AUTHENTICATION:

Clerk of Council

Mayor

Date

Date