



**CITY OF HUBER HEIGHTS
STATE OF OHIO
City Council Meeting
Regular Session
July 24, 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 - Pastor John Gakwaya Of The Compassion Free Methodist Church At 6875 Old Troy Pike, Huber Heights, Ohio**
- 3. Pledge Of Allegiance**
- 4. Roll Call**
- 5. Approval Of Minutes**
 - A. City Council Meeting Minutes - July 10, 2023
- 6. Special Presentations/Announcements**
 - A. Introduction Of New Huber Heights Chamber Of Commerce Executive Director Carolyn J. Stefanik
 - B. Veolia Water 2022 Annual Report Presentation - Ms. Pam Whited, Operations Manager, Veolia Water
- 7. Citizens Comments**

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

9. **City Manager Report**

10. **Pending Business**

- A. An Ordinance Approving The Editing And Inclusion Of Certain Ordinances And/Or Resolutions As Parts Of The Various Component Codes Of The City Code Of Huber Heights, Ohio; Providing For The Adoption And Publication Of New Matter In The Updated And Revised City Code As Supplement 14; And Repealing Ordinances And Resolutions In Conflict Therewith.
(second reading)
- B. An Ordinance Providing For The Continuation Of An Existing .25 Percent Levy On Income Effective January 1, 2025 And Expiring December 31, 2034, And To Submit This Ordinance To The Electorate For Approval Or Rejection And Contingent Upon Such Election Approval, Amend Section 192.012(B) Of Chapter 192, Income Tax, Of Title 9, Taxation Part I, Administration To Reflect The Tax Continuation, And Declaring An Emergency.
(second reading)
- C. A Resolution Specifying November 7, 2023 As The Date For Submitting To The Electorate Of The City Of Huber Heights A Proposal To Provide For The Continuation Of An Existing .25% Levy On Income Effective January 1, 2025, And Expiring December 31, 2034 And Directing The Board Of Elections Of Montgomery County And Miami County, Ohio To Place The Issue On The Ballot.
(second reading)
- D. An Ordinance Amending Certain Sections Of Part Eleven, Planning And Zoning Code, Of The City Code Of Huber Heights.
(second reading)

11. **New Business**

CITY COUNCIL

Anthony Rodgers, Clerk Of Council

- A. A Motion To Appoint Ashley Berg To The Arts And Beautification Commission For A Term Ending June 30, 2026 And To Appoint Lori Woodruff To The Arts And Beautification Commission For A Term Ending June 30, 2025.

ADMINISTRATION

Bryan Chodkowski, Interim City Manager

- B. An Ordinance Approving Individual Assessments Amounts And Directing The Director Of Finance Or His/Her Designee To Certify The Amounts To The Applicable County Auditor For Collection, And Declaring An Emergency.
(first reading)
- C. A Resolution To Increase The Not To Exceed Amount For Zashin & Rich For Additional Professional Services For The City Of Huber Heights In Calendar Year 2023.
(first reading)
- D. A Resolution Approving The Plan Of Operation And Governance For The Miami Valley Communications Council Natural Gas Aggregation Program For The Purpose Of Jointly Establishing And Implementing A Natural Gas Program.
(first reading)
- E. A Resolution Authorizing The City Manager To Prepare And Submit An Application To Participate In The Ohio Public Works Commission State Capital Improvement And/Or Local Transportation Improvement Program(s) And To Execute Contracts As Required For The Powell Road S Curve Realignment Project.
(first reading)
- F. A Resolution Terminating The Lease Between The City Of Huber Heights And The Huber Heights Softball Baseball Association For Monita Field Park.
(first reading)
- G. A Resolution Authorizing The City Manager To Enter Into A Contract To Purchase Two (2) Class 7 Snowplow Dump Trucks And Appurtenant Equipment Thereto For The Public Works Division And Waiving The Formal Bidding Requirements.
(first reading)

12. **City Official Reports And Comments**

13. **Executive Session**

14. **Adjournment**

AI-9349

Minutes A.

City Council Meeting

Meeting Date: 07/24/2023

Approval Of Minutes - 07/10/2023

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 - July 10, 2023

Purpose and Background

Approval of the minutes from the July 10, 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 July 10, 2023. Mayor Jeff Gore called the meeting to order at 6:00 p.m.

2. Invocation - Pastor John Gakwaya Of The Compassion Free Methodist Church At 6875 Old Troy Pike, Huber Heights, Ohio

Pastor Randy Griffith of the Free Methodist Church gave the Invocation in Pastor Gakwaya's absence.

3. Pledge Of Allegiance

4. Roll Call

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

5. Approval Of Minutes

A. City Council Meeting Minutes - June 26, 2023

The minutes for the June 26, 2023 City Council Meeting were approved by the Huber Heights City Council as submitted.

6. Special Presentations/Announcements

A. Presentation Of Newly Hired Personnel Within The Fire Division - Fire Chief Keith Knisley And Mayor Jeff Gore

Fire Chief Keith Knisley explained the precautions that the Fire Division has taken since the beginning of the Covid 19 pandemic to now. He said a lot has happened during that time, including a new Fire Chief, two new Battalion Chiefs, four promoted Lieutenants, two new Captains, and a Medical Director. He said the Fire Division was bogged down trying to keep the wheels moving along with the hiring and onboarding of new staff. He introduced the following newly hired Firefighter/Paramedics: Zach Jones and Garrett Buttelworth, hired February 3, 2020; Michael Lewis, hired April 27, 2020; Norb Hongosh, hired March 29, 2021; Matt Pawlak, hired May 2, 2021; Emma Salisbury, hired May 3, 2021; Conner Cantrell, hired January 10, 2022; Keagan Putnam, hired February 7, 2022; Aaron Kimmel, Tim Guyer, and Ian Finch, hired January 3, 2023; Katelynn Heuing, hired January 4, 2023; Morgan Murchland, hired February 6, 2023, Danielle Walter and Samantha Stein, hired April 24, 2023; and Latasha Coleman, hired May 22, 2023. Fire Chief Knisley introduced new Fire Inspector Doug Baumgartner, hired June 28, 2021 and Captain Brendan Deere, hired June 19, 2023. Fire Chief Knisley listed the names of the newly hired Firefighters/Paramedics who could not be in attendance: Jon Pawlak, hired March 22, 2021; Damion Cook, hired August 30, 2021; Nick Kamaka, hired February 21, 2023; and Julian Gilbert, hired May 31, 2023. He said Dr. Chris McIntosh has been a volunteer for years, and through a grant that was applied for, the Fire Division was able to hire Dr. McIntosh as a full-time Wellness Coordinator and Medical Director. He introduced Mr. Mike Schuder who just retired in December, 2022 after 22 years of service.

Mayor Gore welcomed everyone and said he was glad to have them as part of the Huber Heights Fire Division.

7. Citizens Comments

Mr. Rodgers reviewed the guidelines for Citizens Comments.

Mr. Jeff Morford thanked the Councilmembers who planned to vote no to the contested annexation request and he listed many items that a no vote covers. He said the Miami County Commissioners, the Bethel Township Trustees, citizens, and many residents of Huber Heights are against the annexation. He said the annexation agreement the Bethel Township Trustees signed was signed under duress and not supported by the community. He said the agreement reminds him of a steel trap set out by the developers, and Bethel Township has its leg caught in the trap, bleeding and suffering and trying to survive. He discussed his feelings about annexation.

8. Citizens Registered To Speak On Agenda Items

There were no citizens registered to speak on agenda items.

9. City Manager Report

Interim City Manager Bryan Chodkowski said the Engineering Division has completed a typical order of events sheet for ongoing water main replacement projects. He said while the order of events will remain consistent for all projects, the time dedicated to each item on this list will vary. He said project specific sheets will be created in the future, and as a trial effort, City Staff will be loading the sheets onto the City's website next week for the current Hubbard Drive/Alter Road project and next month's Cruxten Drive project. He said the City executed an Ohio Public Works Commission agreement last week paving the way for the widening of Fishburg Road from Old Troy Pike to Tomberg Street, but limited on the south side. He said this project is the only portion of Fishburg Road between Old Troy Pike and Brandt Pike which has not yet been widened. He said this project will come before Council to authorize bidding in early August, 2023. He said this project is expected to be completed in the spring of 2024. He said with respect to Council's previous discussion on Item 11-J, L.J. DeWeese has agreed to reduce the length of the Old Troy Pike Widening Project from 570 days to 370 days. He said this commitment will be reflected in the final contract pending Council's approval of that contract. He said starting July 11, 2023, Bellefontaine Road between Shull Road and Taylorsville Road will be closed Monday through Friday from 7:00 a.m. to 5:00 p.m. to expedite the installation of new water main which will connect Center Point 70 to the rest of the City's water distribution system. He said the section of Bellefontaine Road between Taylorsville Road and Chambersburg Road is scheduled to reopen to unrestricted traffic next week.

Mr. Webb asked if City Staff had identified any other issues that might affect the residents regarding the Bellefontaine Road work. He said he noticed residents would have access to driveways even though the road is closed.

Mr. Chodkowski said no other concerns have been brought to his attention, but in the event City Staff come across information, it will be placed online as quickly as possible in order to get the relevant social media traffic.

Mr. Shaw said at the last meeting it was discussed that the Ohio Department of Transportation (ODOT) connection had been approved along with the light timing on Old Troy Pike (State Route 202). He asked for the anticipated time of completion for this work.

Mr. Chodkowski said the City Staff meeting is tomorrow, so he should have an update for Council following this meeting.

In Council Chambers
6131 Taylorsville Road

July 10, 2023

Mr. Shaw said it was mentioned during the last meeting that Rozzi Fireworks had an issue with the automated shooting system. He said in the City's agreement with Rozzi Fireworks that Council passed in 2022, the agreement authorizes a \$50,000 a year show. He said page 5 of the agreement speaks to rain dates and malfunctions. He asked if City Staff had reviewed those measures and determined what action would be taken.

Mr. Chodkowski said Fire Chief Knisley is speaking with Rozzi Fireworks about how that issue will be addressed and once City Staff has a final disposition, Council will be updated.

Mr. Shaw confirmed that Mr. Chodkowski mentioned at the last meeting that in September, 2023, Council will be receiving a complete City Staff recommendation regarding the splash pad at Thomas Cloud Park.

Mayor Gore told Mr. Shaw that people had reached out to him regarding the light signaling on Old Troy Pike (State Route 202) stating they had green lights all the way from Taylorsville Road to I-70. He said he is hoping that the syncing of the traffic lights has been completed.

10. Pending Business

There was no Pending Business.

11. New Business

CITY COUNCIL
Anthony Rodgers, Clerk Of Council

- A. A Motion To Appoint Amanda Henry To The Arts And Beautification Commission For A Term Ending June 30, 2026.

Mr. Rodgers said this appointment was the recommendation of the City's interview panel and the necessary background checks have been completed on Ms. Henry.

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

Mrs. Byrge moved to adopt; Ms. Baker seconded the motion. On a call of the vote, Ms. Baker, Mr. Campbell, Mrs. Byrge, Mr. Otto, Mr. Lyons, Mrs. Kitchen, Mr. Webb, and Mr. Shaw voted yea; none voted nay. The motion passes 8-0.

- B. An Ordinance Approving The Editing And Inclusion Of Certain Ordinances And/Or Resolutions As Parts Of The Various Component Codes Of The City Code Of Huber Heights, Ohio; Providing For The Adoption And Publication Of New Matter In The Updated And Revised City Code As Supplement 14; And Repealing Ordinances And Resolutions In Conflict Therewith.
(first reading)

Mr. Rodgers said this item is the standard legislation to codify legislation that has been passed by Council into a supplement to the City Code. He said this item is Supplement 14 which represents legislation passed from January 1, 2023 through March 31, 2023. He said appropriate legal notice of Supplement 14 has been made as required by the City Charter.

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

ADMINISTRATION
Bryan Chodkowski, Interim City Manager

- C. An Ordinance Providing For The Continuation Of An Existing .25 Percent Levy On Income Effective January 1, 2025 And Expiring December 31, 2034, And To Submit This Ordinance To The Electorate For Approval Or Rejection And Contingent Upon Such Election Approval, Amend Section 192.012(B) Of Chapter 192, Income Tax, Of Title 9, Taxation Part I, Administration To Reflect The Tax Continuation, And Declaring An Emergency.
(first reading)

Mr. Chodkowski said this matter is one of two items which is required to ensure the 0.25 percent public safety renewal levy makes the ballot in November, 2023. He asked Council to move this item to a second reading and to adopt this item as emergency legislation at the next City Council Meeting.

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

- D. A Resolution Specifying November 7, 2023 As The Date For Submitting To The Electorate Of The City Of Huber Heights A Proposal To Provide For The Continuation Of An Existing .25% Levy On Income Effective January 1, 2025, And Expiring December 31, 2034 And Directing The Board Of Elections Of Montgomery County And Miami County, Ohio To Place The Issue On The Ballot.
(first reading)

Mr. Chodkowski said this item is the companion piece to the previous item and directs the matter to be placed on the ballot in November, 2023 following Council's adoption of the ordinance previously read.

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

Mr. Shaw asked that this item be on the agenda at the next Council Work Session.

Mayor Gore directed Mr. Rodgers to add this item to the agenda at the next Council Work Session.

Mr. Lyons asked if there would be a presentation by The Impact Group at the next Council Work Session and a little more comprehensive layout from City Staff about what the November, 2023 renewal levy initiative and promotion is looking like.

Mr. Chodkowski said he will need to have a conversation with The Impact Group about its ability to be able to present that information in such a timely manner, but he said City Staff will be able to provide some additional comments at that point in time about this measure and what it would look like going forward through November, 2023.

Mr. Shaw said Mr. Chodkowski can see the importance that if Council is going to vote to put this measure on the ballot, he at least wants to hear what the City is going to do to get this renewal levy passed. He said he does not want to put something on the ballot that does not have much initiative, not much planning, and not much of a success for passing.

Mr. Otto said he asked at the Town Hall Meeting prior to the primary election in May, 2023 what type of cuts the City would be looking at if the levy had failed, and Mr. Chodkowski responded that if the levy failed, the proposed cuts would be discussed prior to the next election. He asked if the Council would be receiving that information as well.

Mr. Chodkowski said City Staff will be prepared to have City Staff recommendations for Council for budget reductions in order to accommodate the necessary operational costs should this levy fail. He said he anticipates this information being part of the discussion at the next Council Work Session.

Mayor Gore said this item will be moved on to the next Council Work Session for further discussion and it will be passed to a second reading at the next City Council

Meeting.

- E. A Resolution Imposing A Temporary Moratorium For A Period Of Three Hundred Sixty-Five Days (One Year) On The Acceptance, Consideration And/Or Granting Of Any Applications For Zoning And The Issuance Of Zoning, Occupancy, Or Other Permits For New Self-Storage Facilities Within The City Of Huber Heights, Ohio. (first reading)

Mr. Chodkowski said this legislation is brought forth pursuant to Council's request to provide an opportunity for the City Planner to review and evaluate the most appropriate locations for storage units within the City of Huber Heights.

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

Mrs. Byrge moved to adopt; Ms. Baker seconded the motion.

Mr. Otto said Council has not been told what the issues are that are being caused by the storage facilities. He said a storage facility is one of the lowest impact businesses one can have near a development. He said storage facilities have low volume, low noise, and are typically well maintained. He said he has not heard those things and until he understands what those things are, he will not be able to support this item.

Mrs. Byrge said when the storage units went in behind the Windbrooke Subdivision, there was a lot of discussion before the storage facility was built and especially after it was built. She said Council received a lot of negative comments about having that storage facility so close to the residences. She said that concern is the point of the whole moratorium, so the Planning Commission could look at all the issues associated with storage units and propose the optimum location types, not to specify any location within the City but to provide guidelines on how to approach approving storage facilities in the future. She said it would be hard for those who are not back to back with a storage facility to understand what the impact of having one would be. She said Mr. Sorrell wants to do a comprehensive look at the issue and look at other communities and come back with recommendations.

Mr. Otto said he has been told people have concerns about what they are seeing, but he does not know what they are seeing. He said, additionally, when this matter was discussed last year, there was discussion about City Staff looking into this issue and coming back to Council with information, but it never came back.

Mrs. Byrge said since City Staff did not do it, this moratorium will give City Staff time to do it.

Mr. Shaw said he was not at the Council Work Session, so he would like time allowed to make these comments. He said during the February 8, 2022 Council Work Session, the Law Director said it was a good idea to put a moratorium on these types of facilities as those companies will see this moratorium coming and buy up all the land. He said the Law Director said the moratorium would allow City Staff to come back to Council and say here is what was found out about storage units. He said that meeting was 517 days ago. He said the Law Director stated that you usually put a moratorium on something if you are concerned about what is being done, or it is something new and you want to take a moment to figure it out. He said at that same meeting, Mrs. Byrge, Mr. Webb, and himself directed City Staff through the Mayor requesting more action. He said at the end of the conversation, the Clerk of Council advised the Mayor of the next date of the Council Work Session which was February 22, 2022. He said Mrs. Byrge said that meeting would be an opportunity for all of Council to be present to have that discussion as some Councilmembers were missing. He said that direction was provided; however, that discussion never took place. He said Mrs. Byrge alluded to having issues with storage facilities in neighborhoods as it takes away from the peace; and Mayor Gore had stated that storage units do not add anything to the local economy and provide no tax revenue benefit to the City. He said Mayor Gore said in that same meeting that storage units are a necessity, and in the same sentence, he said storage facilities are not a desirable business. He said since that time, Council has requested research on gasoline stations that has been provided to Council in August, 2022, stating there is an above-average amount of gas stations

in this community as a community this size should only have 15, and the City has 22 with more on the way. He said the City Manager stated in that meeting due to current staffing and projects, this matter would not be a priority. He said the staffing and projects had not changed, and he asked how has this item become a priority for City Staff. He said this topic took 483 days to appear on agenda at the June 6, 2023 Council Work Session. He said during Mayor Gore's conversation with Mr. Otto on the annexation, Mayor Gore stated he cannot direct City Staff without a majority to prepare anything to bring forth to Council. He asked Mayor Gore to advise him of the five members of Council that provided City Staff direction to complete the legislation in front of Council on this topic.

Mayor Gore said there was a lack of majority objection, but there were four Councilmembers in favor.

Mr. Shaw said a majority of Council, five Councilmembers, must be able to direct City Staff on a Council item according to the Rules of Council to provide legislation and give authorization to the Law Director to review the legislation. He said Mr. Otto asked during the annexation discussion to have City Staff prepare legislation and Mr. Otto was denied the same request that Mrs. Byrge was availed. He said because this legislation was prepared incorrectly and without due diligence of the Rules of Council, he asked that the first and second on the motion for adoption be removed and this item be tabled.

Mr. Campbell discussed with Mr. Chodkowski if Mr. Sorrell were to complete his review within six months, what would happen?

Mr. Chodkowski said the City Planner would present a report to the Planning Commission and ultimately to the City Council. He said if it was determined there was information worth acting on, Council would be able to adopt an amendment to the City Code reflective of those recommendations, and the moratorium would be removed, or the report would come back and would identify the current practices meet best practices or standards and the moratorium would be removed.

After discussion, Mr. Campbell confirmed with Mr. Chodkowski that the Planning Commission could do the review and come back and tell Council everything is satisfactory.

Mayor Gore asked Mr. Chodkowski who asked Mr. Sorrell to prepare this legislation.

Mr. Chodkowski said he asked Mr. Sorrell to prepare the legislation based on the commentary at the Council Work Session regarding this matter and the fact that this item was a matter previously discussed by Council.

After discussion between Mayor Gore and Mr. Chodkowski, it was stated that Mr. Chodkowski was allowed to direct the City Planner to prepare the legislation and this direction was made due to the previous conversations Council had had on this topic.

Mrs. Kitchen confirmed with Mr. Chodkowski that Mr. Sorrell could be directed to look at this subject without placing a moratorium.

Mrs. Byrge said the risk is that more storage companies may come to the City in the meantime, and if the revised changes to the City Code come back for approval, it would not affect any business in the queue. She said that reason is why Council is asking for a moratorium. She reiterated her reasons for wanting the moratorium which she had stated in previous meetings.

Mr. Shaw restated his confusion as to how this legislation was brought forward to Council. He discussed the large amounts of gas stations and fast food chains in the City. He said storage facilities are a viable business. He said these businesses pay taxes, and these businesses may only have one employee, but nail salons and credit unions only have a few employees. He said if this Council is going to direct that a business is only viable by the amount of tax dollars or employees that the business has, it is a disingenuous precedent to set.

Mayor Gore said Mrs. Byrge is not recommending a ban, and if it were, he would not support a ban. He said he read the same article as Mrs. Byrge. He said Mr. Shaw's

comments would be disingenuous in making anyone think that this proposal is a ban.

Mr. Webb discussed the Zoning Code and the Planning Commission, and the items that do and do not go before the Planning Commission. He said there are certain businesses that do not require Planning Commission approval due to the Zoning Code.

Mayor Gore said Flying Ace is a good example of a business that was approved without Planning Commission or Council approval and the issues that were not addressed.

After lengthy discussion, Mr. Webb made a motion to call the previous question. There was no second for the motion to call the previous question.

Mr. Campbell said the concern is straight zoning that does not need to go to the Planning Commission for approval.

Mr. Chodkowski said there are five zoning districts in the City where storage facilities can be built - B-2, B-3, Employment Park, I-1 and I-2. He said those submittals go directly to City Staff for approval.

Mr. Campbell said that issue is a concern for him. He proposed a compromise with a six-month time period for the moratorium.

Mr. Rodgers said the first and second for the motion to adopt would need to be withdrawn, then a motion to amend the title and sections of the resolution to read six months or 180 days where it states one year or 365 days would be needed.

Mr. Campbell said he was not aware of the ratio of gas stations until Mr. Shaw brought it up, and he said maybe that issue needs further discussion. He said there are a lot of things that can be looked at by the Planning Commission, so Huber Heights is balanced.

Mrs. Byrge and Ms. Baker withdrew the first and second on the motion to adopt.

Mr. Campbell moved to amend the resolution to change any references in the title, sections, and body of the legislation from one year to 180 days; Ms. Baker seconded the motion.

Mrs. Kitchen said she is okay with the compromise if Council started looking at the gas station moratorium issue.

Mayor Gore said a discussion about a gas station moratorium could be added to the next Council Work Session.

Mr. Campbell said he could support that addition.

Mr. Webb agreed.

Mr. Shaw said from social media comments, chicken places, pizza places, and dollar stores have also been discussed.

On a call of the vote, Mr. Campbell, Mrs. Byrge, Mr. Otto, Mr. Lyons, Mrs. Kitchen, Mr. Webb, Mr. Shaw, and Ms. Baker voted yea; none voted nay. The motion passes 8-0.

Mr. Webb moved to adopt; Mrs. Byrge seconded the motion. On a call of the vote, Mrs. Byrge, Mrs. Kitchen, Mr. Webb, Ms. Baker, and Mr. Campbell voted yea; Mr. Otto, Mr. Lyons, and Mr. Shaw voted nay. The motion passes 5-3.

- F. An Ordinance Authorizing Advances And 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)

Mr. Chodkowski said this legislation provides for advances for two projects: the rehabilitation of the CR Dayton strip mall and the widening of Old Troy Pike from Merily Way to I-70. He asked that Council waive the second reading and adopt this legislation.

Mayor Gore said the Council Work Session recommendation was to waive the second reading and adopt this item.

Mr. Shaw moved to waive the second reading; Mr. Webb seconded the motion. On a call of the vote, Mr. Otto, Mr. Lyons, Mrs. Kitchen, Mr. Webb, Mr. Shaw, Ms. Baker, Mr. Campbell, and Mrs. Byrge voted yea; none voted nay. The motion passes 8-0.

Mr. Webb moved to adopt; Ms. Baker seconded the motion. On a call of the vote, Mr. Lyons, Mrs. Kitchen, Mr. Webb, Mr. Shaw, Ms. Baker, Mr. Campbell, Mrs. Byrge, and Mr. Otto voted yea; none voted nay. The motion passes 8-0.

- G. An Ordinance Amending Certain Sections Of Part Eleven, Planning And Zoning Code, Of The City Code Of Huber Heights.
(first reading)

Mr. Chodkowski said this legislation brings together several requested housekeeping items from Council and the Planning Commission. He asked Council to move this item to a second reading.

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

- H. A Resolution Authorizing The City Manager To Contract For The Purchase Of An Emergency Medical Ambulance With Horton Emergency Vehicles Utilizing The State Of Ohio Procurement Schedule And Waiving The Competitive Bidding Requirements.
(first reading)

Mr. Chodkowski said this legislation is brought forward to ensure that the City can order the medic vehicle today and have it delivered in time for its scheduled placement into the fleet. He asked Council to adopt this item. He said the vendor has been pre-qualified through the State of Ohio Department of Administrative Services.

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

Mrs. Byrge moved to adopt; Mrs. Kitchen seconded the motion. On a call of the vote, Mrs. Kitchen, Mr. Webb, Mr. Shaw, Ms. Baker, Mr. Campbell, Mrs. Byrge, Mr. Otto, and Mr. Lyons voted yea; none voted nay. The motion passes 8-0.

- I. A Resolution Authorizing The City Manager To Enter Into Contracts For The 2023 Water Main Replacement Project.
(first reading)

Mr. Chodkowski said this item authorizes the next round of water main replacement projects scheduled to begin in September, 2023.

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

Mrs. Byrge moved to adopt; Mr. Webb seconded the motion.

Mrs. Kitchen said she would like to amend the contract to state that the work on Alter Road and Chesham Drive has to be done after Memorial Day of 2024 because of proximity to schools. She said she would like that matter clearly stated in the contract because it is a big problem, if the contractor has all the equipment onsite, to try to get people moved through to get to the schools.

Mr. Rodgers said the contract is not part of the legislation, so it would be more an

issue of Mr. Chodkowski taking Council's direction regarding the contract.

Mr. Chodkowski said City Staff can work with the contractor to make sure the work being done does not impact or minimally impacts the schools. He said he had conversations with the City Engineer in particular about those roads being paved on the weekend as opposed to during the week.

Mrs. Kitchen said Mr. Chodkowski's idea of minimal impact may be different from her idea of minimal impact. She asked if this work could be completed after Memorial Day.

Mr. Chodkowski said he is happy to make that request, but not knowing what the contractor's plans are, not knowing what the schedule is going to be, and a variety of factors which may or may not impact the schedule, he cannot commit to that schedule without talking to the City Engineer. He said he can commit to putting forward every effort the City can to make sure there is minimal impact. He said it may be that the work can be done after Memorial Day, but he cannot guarantee it until he talks to the City Engineer and the contractor.

Mrs. Kitchen said she had been clear even prior to this whole process about what needed to happen. She said she is frustrated that this limitation was not part of the original contract or agreement.

Mayor Gore said his concern is that the contractor might finish everything in March, 2023 and those are the last two projects to be done, and would a contractor be willing to stop work all together and then come back to those streets later. He asked if that work would be a whole new part of a project in another phase?

Mr. Chodkowski said he cannot make any commitments because he has not spoken to the contractor; but he can say City Staff clearly heard that Council would like for City Staff to endeavor to take every effort to minimize the impact the project will have on the schools. He reiterated that he cannot promise and deliver this guarantee today. He said if this issue is a concern, Council can table the matter and City Staff can have a conversation with the contractors and come back in and try to provide more clarity.

Mr. Campbell asked if this legislation could be moved to a second reading. He said he remembers driving to Studebaker School when the water lines were being put in, and it was an absolute nightmare. He said he was trying to support Mrs. Kitchen's concern, and he asked if taking this resolution to another reading was a problem.

Mr. Chodkowski confirmed for Mrs. Kitchen that it is possible that taking this resolution to another reading will delay the work. He said at the moment it is possible, but right now the delay is pipe delivery. He said he thinks it is unlikely, but it is possible.

Mrs. Byrge confirmed a projected start date of September 1, 2023 for the project. She said this legislation does not address the wording in the contract. She said this legislation authorizes Mr. Chodkowski to enter into a contract, but he still has to finalize the contract. She gave scenarios of how to word the contracts for the work schedule to be made around Council's suggestions.

Mr. Webb asked Mr. Chodkowski when he can meet with Mr. Bergman and the contractors and come back with the pages all colored in as to what might possibly happen addressing Mrs. Kitchen's concerns.

Mr. Chodkowski explained the process and he said he would have that information by the time Council convenes again at the July 24, 2023 City Council Meeting.

Mr. Shaw said he would caution Mrs. Kitchen on any suggestion of delaying this legislation in fear of future political repercussions of delaying a water main system. He said he has heard this Council direct City Staff a multitude of times regarding Mrs. Kitchen's request regarding the work near the schools and why this discussion is at the 11th hour and Council is still having this discussion is beyond him. He cautioned Mrs. Kitchen again on any delay and he said he would pass it and hope, which is all Council can do, that this conversation will occur and the schools are not interrupted.

Mrs. Kitchen said from here on out, this consideration should not be an issue, it should be in the contract up front. She said this expectation should be made a part of the bidding process.

Mr. Campbell asked if the contract could be amended tonight.

Law Director Katie Wahl said it is her understanding that there is not a finalized agreement and this legislation is simply to provide the authorization for the City Manager to negotiate the terms of that contract. She said Mr. Chodkowski can make those proposals and requests, but if the other party to the contract does not accept the language, there is the possibility of a standstill in getting a final contract done and the approval to start work on September 1, 2023.

Mr. Campbell asked Mr. Chodkowski if this language is not in the contract because City Staff had discussed this matter with the contractor and the contractor would not agree to it?

Mr. Chodkowski said no, and he said he cannot say it is or is not in the contract. He said City Staff is aware and very cognizant of the fact that Council is concerned about interrupting and disturbing the schools' functions during operational hours. He said those issues are typically worked out through the pre-construction meeting and planning and phasing of the contracts. He said there is a more conventional method as to how construction schedules are set when projects are put together at the pre-construction meeting. He said if the will of Council is that this is specific language Council would like in the contract, City Staff will put it in the contract. He said City Staff has heard Council's request and are trying to be responsive to that request based on how a conventional process for managing construction projects goes. He said if Council is that adamant, City Staff are not objecting to placing the language in the contract.

Mrs. Byrge asked Mr. Chodkowski if Council passes the legislation tonight and the contractor has a problem with meeting that requirement, would he come back to Council and advise Council about that issue before awarding the contract?

Mr. Chodkowski said yes, that is correct, because it may delay the project. He also said the contractor may demand more money.

Mrs. Byrge said she feels the risk is low in authorizing this action and the responsibility is on the City Manager to come back before the contract is signed and let Council know the terms and if there is any impact.

Mrs. Kitchen reiterated her concern and she said she is not going to delay this project. She said there needs to be some way to write this language in the bidding and the contracts in the future.

Mayor Gore said he has heard Mr. Bergman say, every time Mrs. Kitchen asked, that City Staff will talk and try to work with the contractor to make sure the schedule could be followed. He said he has always heard City Staff say they will try to work with the contractor, but Council is tying Mr. Bergman's hands by trying to demand a specific time that the work gets done.

After lengthy discussion, Mayor Gore said Council needs to prioritize what is important.

Mr. Campbell suggested to Mr. Chodkowski, in moving forward, if he could, have the Engineering Staff spell that expectation out more clearly.

On a call of the vote, Mr. Webb, Mr. Shaw, Ms. Baker, Mr. Campbell, Mrs. Byrge, Mr. Otto, Mr. Lyons, and Mrs. Kitchen voted yea; none voted nay. The motion passes 8-0.

- J. A Resolution Authorizing The City Manager To Enter Into A Contract For The Old Troy Pike Northbound Roadway Widening Project.
(first reading)

Mr. Chodkowski said this item authorizes the completion of the most eastern northbound lane from Taylorsville Road to I-70.

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

Ms. Baker moved to adopt; Mrs. Kitchen seconded the motion.

Mr. Shaw said he will not be able to support this legislation as Section 1 of the current resolution states a cost not to exceed \$2.1 million as set forth and the timeline is set forth with the bid calculations. He said there is nothing in this resolution that holds this contractor or the City to the verbal statement the City Manager provided regarding the 370 days saving six months from the original time period of January, 2025. He said if Council would like to have unanimous support, he would like to see this item amended in Section 1, "to advise that 370 days on or before July 30, 2024."

Ms. Baker and Mrs. Kitchen withdrew the first and second on the motion to adopt.

Mr. Shaw moved to amend the resolution as stated above; Mr. Campbell seconded the motion.

Mr. Chodkowski said the language should be 370 days from the date of the contract's execution. He said the date of the execution would probably be within the next 30 days.

Mayor Gore asked Mr. Shaw and Mr. Campbell if they would be agreeable to August 15, 2024 or August 30, 2024?

Mr. Shaw said he was agreeable with this language.

Mr. Campbell asked if Mr. Chodkowski can shorten the thirty-day period to execute the contract.

Mr. Chodkowski said City Staff will go as fast as possible to get this contract done.

Mr. Campbell said he was agreeable with this language.

On a call of the vote, Mr. Shaw, Ms. Baker, Mr. Campbell, Mrs. Byrge, Mr. Otto, Mr. Lyons, Mrs. Kitchen, and Mr. Webb voted yea; none voted nay. The motion passes 8-0.

Mr. Otto moved to adopt; Mrs. Kitchen seconded the motion. On a call of the vote, Ms. Baker, Mr. Campbell, Mrs. Byrge, Mr. Otto, Mr. Lyons, Mrs. Kitchen, Mr. Webb, and Mr. Shaw voted yea; none voted nay. The motion passes 8-0.

12. City Official Reports And Comments

Mr. Otto welcomed all the new Firefighter/Paramedics and he said it was great to see all of the new faces; and he congratulated those who were elevated.

Mr. Shaw suggested that an agenda item be added to the next Council Work Session to discuss the Republic Services trash contract. He said he has been in conversation a multitude of times with the City Manager and he has recently learned as of June 29, 2023, that Republic Services has a contract time within its database of 5:00 a.m. to 5:00 p.m. He said it was also noted that the regional supervisor has been relocated and now all of the direction for Republic Services for the Huber Heights division comes out of Indianapolis. He said an unsolicited employee with Republic Services had advised him that there are major staffing issues within the Dayton market and these shortages will continue to worsen until management hires more staff. He said these are serious items that he, Mr. Webb, and others have brought up as the current contract states Republic Services cannot start trash services before 7:00 a.m. and he said that time is also in the City's Codified Ordinances. He said the City Manager has had trouble contacting Republic Services and there have been residents who had missed pickups over the holiday week who were supposed to be on a delay but

service ran on the same day. He said the City needs to have a touch point with Republic Services to make sure it is upholding its end of the contract.

Mrs. Byrge asked if that issue is not something the City Manager would arrange, as she was not sure what Council could accomplish.

Mr. Shaw said the City Manager said he had a meeting set up with an individual with Republic Services and that meeting did not take place. He said the City Manager at that time had no idea why that meeting had not taken place. He said, in his opinion, Republic Services is not adaptable to the City Manager's emails and conversations, and that the issue should be brought forth before Council. He said this matter is a serious issue that needs to be corrected.

Mr. Otto said although he has no issues with his personal service, he seconds Mr. Shaw's request that this item be added to the agenda.

Mayor Gore said the item could be added to the agenda.

Mrs. Kitchen said she sent Mr. Chodkowski a picture of her trash being picked up between 5:30 a.m. and 5:45 a.m.

Mr. Chodkowski explained the chain of events that have taken place in his communications with Republic Services. He said after a conference call was scheduled, the Operations Supervisor left the company. He said he did not receive an updated Operations Supervisor contact until Thursday or Friday last week. He said he would be following up with the new Operations Supervisor to talk about these issues and concerns. He said City Staff are continuing to advance the will of Council to address these issues.

Mayor Gore asked if this matter is a discussion Council needs to have at the next meeting, or should Council wait for Mr. Chodkowski to get information and bring it back to Council.

Mrs. Byrge said Council should give Mr. Chodkowski a chance to do what he can.

Ms. Baker asked Mr. Chodkowski to provide for Council, when this matter comes back, the length of contract, how much longer the contract has to go, and if coupling trash with water would gain any benefit, and what would it cost to break this contract.

Mr. Shaw said as three Councilmembers have compelled this item to be placed on the Council Work Session agenda, between now and then would be a great opportunity for the City Manager to provide a resolution to this issue. He said if Council receives an update that is satisfactory prior to the Council Work Session, he has no problem with having this item removed from the agenda. He said until there is an update, he would like to have this matter as an agenda item.

Mr. Webb said one issue is the trash pickup outside of specified hours, but he said there is a laundry list of items and he would not mind having the conversation and he agrees with Mr. Shaw.

Mayor Gore said Council will see this agenda item at the next Council Work Session.

13. Executive Session

Mayor Gore said there is need for an Executive Session.

Mr. Rodgers said a motion is needed to go into Executive Session to consider the employment and appointment of applicants for the Huber Heights City Manager position.

Mr. Webb made a motion to go into Executive Session to consider the employment and appointment of applicants for the Huber Heights City Manager position; Mrs. Kitchen seconded the motion. On a call of the vote, Ms. Baker, Mr. Campbell, Mrs. Byrge, Mr. Otto, Mr. Lyons, Mrs. Kitchen, Mr. Webb, and Mr. Shaw voted yea; none

voted nay. The motion passes 8-0.

The City Council entered into Executive Session at 8:11 p.m.

Mrs. Byrge left the meeting at 8:11 p.m. before the start of the Executive Session.

The City Council adjourned from Executive Session at 8:28 p.m.

Mayor Gore said there were no formal actions by the City Council after the Executive Session.

14. Adjournment

Mayor Gore adjourned the Regular Session City Council Meeting at 8:28 p.m.

Clerk of Council

Date

Mayor

Date

AI-9385

Special Presentations/Announcements A.

City Council Meeting

City Council

Meeting Date: 07/24/2023

Introduction Of New Huber Heights Chamber Of Commerce Executive Director

Submitted By: Anthony Rodgers

Department: City Council

Council Committee Review?: None

Date(s) of Committee Review: N/A

Audio-Visual Needs: None

Emergency Legislation?: No

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

Agenda Item Description or Legislation Title

Introduction Of New Huber Heights Chamber Of Commerce Executive Director Carolyn J. Stefanik

Purpose and Background

This agenda item is to introduce the new Executive Director at the Huber Heights Chamber Of Commerce, Carolyn Stefanik.

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

No file(s) attached.

AI-9347

Special Presentations/Announcements B.

City Council Meeting

City Council

Meeting Date: 07/24/2023

Veolia Water 2022 Annual Report Presentation

Submitted By: Anthony Rodgers

Department: City Council

Council Committee Review?: None

Date(s) of Committee Review: N/A

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

Motion/Ordinance/ N/A

Resolution No.:

Agenda Item Description or Legislation Title

Veolia Water 2022 Annual Report Presentation - Ms. Pam Whited, Operations Manager, Veolia Water

Purpose and Background

Veolia Water is required by its contract to provide an annual report of its operations to the City Council. The 2022 Annual Report was provided to the City in February, 2023. Pam Whited will be making an overview report presentation of this information at the City Council Meeting on July 10, 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

Presentation

Huber Heights, OH

Utility Services Partnership With Veolia
Huber Heights

2022 Annual Report

Presented by Veolia
Huber Heights

July 24, 2023



Our Veolia team is pleased to serve our Huber Heights Community's needs

Corporate & Local Management

Joseph Tackett, President
Cletus Ketter, Vice President
Pam Whited, Project Manager
Gary Bunnell, Operations Manager, Water Treatment Plant
Pat Valentine, Operations Manager, Collection & Distribution

Support Departments

Environmental, Health & Safety
Compliance – Gary Timmer
Human Resources – Eric Esendola
Procurement
Accounting & Finance – Keith Scherlog
Legal – Jonathon Prince

Water

Treatment Highlights

- Gary Bunnell earned necessary licensing and was added as the ORC with EPA.
- Plant produced 1,440,570 million gallons of water.
- Peak monthly production reached 87% of total capacity in June.
- Successfully completed 2 rounds of Lead and Copper testing

Major Maintenance

- Well #6 inspected, repaired & back up pump and motor purchased.
- Well #2 inspected, repaired
- Well # 1 repaired motor
- Cleaned all skids in Nanofiltration (NF) Building,
- Chlorine injection system revamped and replaced.
- High Service Pump #4 inspected and repaired.
- Communication upgrades were performed to enhance the Scada system
- Water Treatment Plant, Grinder pump/controls replaced.
- Residual Basin, pump/piping revamped



Water Distribution

Highlights

- Pat Valentine, earned licensing needed and assumed role of C & D Operations Manager.
- City of Huber Heights Water Integrity Study completed. A long term plan is being developed by the City.
- Water Main Breaks in 2022 were down 30% from 2021.
- Exercised 1683 Valves using Valve Maintenance Trailer.

Major Maintenance

- Replaced Asphalt drive at Chambersburg Water Tower
- Installed a 16" line stop and repaired 16" water line to include gate valve and box at Chippingdon & Chambersburg
- Performed a complete system flush of all fire hydrants



Wastewater Collection

Highlights

- Acoustic Inspection Program – Inspected 173,844 ft of sewer line. Only 19% of those required cleaning.
- Cleaned sewer lines where Acoustic Inspections scoring zero within 1 business day. Scores of 1-3 either were cleaned within 2 business days

Major Maintenance

- Cleaned wet wells at all Lift Stations
- Inspected and load bank tested portable generators and generators at Old Troy Pike and Shull Road Pump Stations.
- Responded to 9 Sanitary Sewer Overflow (SSO) events
- Carriage Trails LS- Replaced pump #1 of 2
- Old Troy Pike LS Replaced Pump # 2 of 4
- Vitek Lift Station – Installed new Pump #2 of 2



Customer Service

Highlights

- Sold over 983 billion gallons of water
- Collected over to \$11M in revenue for the City (Includes storm water revenues)
- Customer Care 57,836 customer interactions.
 - 37,279 visitors in office
 - 20,557 telephone assisted
- Processed 56,877 online payments
- Paperless Statements Option: 2,324 customers now registered with First Billing and receiving statement notifications via email. Another positive trend up from 2022 when only 1,944 customers were registered.
- Text & Pay: 215 customers registered
- Auto-pay: 137 customers registered.
- 200,211 Meter readings collected



City of Huber Heights Veolia Water and Wastewater			
Annual Report on Operations for 2022			
2022 Year End Financial Statistics			
	Contract Year to Date		
	Actual	Budget	Variance
REVENUE			
Recognized Revenue	\$ 3,720,765.36	\$ 3,801,249.32	\$ 80,483.96
Additional Billing	\$ 617,713.27	\$ 15,000.00	\$ (602,713.27)
Unbilled Revenue	\$ 193,093.71	\$ -	\$ (193,093.71)
TOTAL REVENUE	\$ 4,531,572.34	\$ 3,816,249.32	\$ (715,323.02)
TOTAL LABOR EXPENSES	\$ 1,467,284.90	\$ 1,548,746.92	\$ 81,462.02
OPERATING EXPENSES			
Energy	\$ 458,114.05	\$ 493,411.74	\$ 35,297.69
Chemicals	\$ 460,410.82	\$ 274,690.00	\$ (185,720.82)
Subcontractors	\$ 579,460.35	\$ 203,509.45	\$ (375,950.90)
Other	\$ 1,050,943.42	\$ 771,149.69	\$ (279,793.73)
TOTAL OPERATING EXPENSES	\$ 2,548,928.64	\$ 1,742,760.88	\$ (806,167.76)
Management Support Fees/Dep & W/O	\$ 259,446.63	\$ 14,145.18	\$ (245,301.45)
GRAND TOTAL EXPENSES	\$ 4,275,660.17	\$ 3,305,652.98	\$ (970,007.19)
MARGIN (EBIT)	\$ 255,912.17	\$ 510,596.34	

O & M Plan

2023

- ☐ Assist with renewal of the National Pollutant Discharge Elimination System Permit (NPDES)
- ☐ Conduct EPA Unregulated Contaminants Monitoring Requirements (UCMR 5) this includes additional PFAS testing
- ☐ Replace membranes in skid #1 of the Nano Filtration System.
- ☐ Rehabilitate Well # 4
- ☐ Perform Lead and Copper testing
- ☐ Assist the City in working toward compliance with the new and extensive Service Line Inventory Submittal and its ongoing requirements in real time. Due October 2024
- ☐ Painting Emeraldgate Water Standpipe
- ☐ Flushing, Repairing and Painting Hydrants
- ☐ Continue Water Valve Exercise Program.
- ☐ Continue acoustic inspection program
- ☐ Continue replacing aging fleet vehicles & equipment
 - ☐ 1 Pickup
 - ☐ 1 Large Dump Truck
 - ☐ Replace 1 backhoe with an Excavator & a Front Loader.
- ☐ Continue upgrading Monitoring Equipment at Lift Stations.
- ☐ Research AMI (Advanced Metering Infrastructure) systems

A Special Thanks to Our Veolia Crew



AI-9350

Pending Business A.

City Council Meeting

City Council

Meeting Date: 07/24/2023

City Code - Supplement 14 - Adopting Ordinance

Submitted By: Anthony Rodgers

Department: City Council

Council Committee Review?: Council Work Session

Date(s) of Committee Review: 07/05/2023

Audio-Visual Needs: None

Emergency Legislation?: No

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

Agenda Item Description or Legislation Title

An Ordinance Approving The Editing And Inclusion Of Certain Ordinances And/Or Resolutions As Parts Of The Various Component Codes Of The City Code Of Huber Heights, Ohio; Providing For The Adoption And Publication Of New Matter In The Updated And Revised City Code As Supplement 14; And Repealing Ordinances And Resolutions In Conflict Therewith.
(second reading)

Purpose and Background

This ordinance is to adopt Supplement 14 to the City Code for the period of January 1, 2023 to March 31, 2023. Appropriate legal notice of this ordinance has been advertised as required by the Huber Heights City Charter.

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-

APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AND/OR RESOLUTIONS AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CITY CODE OF HUBER HEIGHTS, OHIO; PROVIDING FOR THE ADOPTION AND PUBLICATION OF NEW MATTER IN THE UPDATED AND REVISED CITY CODE AS SUPPLEMENT 14; AND REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH.

WHEREAS, Municipal Code Corporation has completed its updating and revision of the City Code of Huber Heights, Ohio within Supplement 14; and

WHEREAS, certain provisions within the City Code of Huber Heights, Ohio were changed to conform with current State law as required by the Ohio Constitution; and

WHEREAS, various resolutions and/or ordinances of a general and permanent nature have been passed by the City Council which should be included in the City Code of Huber Heights, Ohio.

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

Section 1. The resolutions and/or ordinances of the City of Huber Heights, Ohio, of a general and permanent nature, as edited, revised, codified and re-codified, rearranged and consolidated into component codes, titles, chapters and sections within Supplement 14 to the City Code of Huber Heights, Ohio for the period of January 1, 2023 to March 31, 2023, a copy of which is available for copying and inspection in the Office of the Clerk of Council, and incorporated herein by this reference, are hereby approved and adopted.

Section 2. The provisions within the City of Huber Heights Code that mirror provisions as contained in the Ohio Revised Code as set forth within Supplement 14 to the City Code of Huber Heights, Ohio for the period of January 1, 2023 to March 31, 2023, a copy of which is available for copying and inspection in the Office of the Clerk of Council, and incorporated herein by this reference, are hereby approved and adopted to conform with current State law.

Section 3. All ordinances and resolutions or parts thereof that are in conflict or inconsistent with any provision of the new matter adopted in Section 1 or 2 of this ordinance are hereby repealed as of the effective date of this ordinance except as follows:

(a) The enactment of such sections shall not be construed to affect a right or liability accrued or incurred under any legislative provision prior to the effective date of such enactment, or an action or proceeding for the enforcement of such right or liability. Such enactment shall not be construed to relieve any person from punishment for an act committed in violation of any such legislative provision, nor to affect an indictment or prosecution therefor. For such purposes, any such legislative provision shall continue in full force notwithstanding its repeal for the purposes of revision and recodification.

(b) The repeal provided above shall not affect any legislation enacted subsequent to March 31, 2023.

Section 4. Pursuant to Section 5.08(B) of the Huber Heights City Charter, the Clerk of Council shall cause a notice of this proposed adopting Ordinance to be published one time in a newspaper of general circulation in the City at least seven days prior to adoption and no further publication shall be necessary. Such publication shall constitute sufficient notice of all new material contained therein.

Section 5. 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 6. 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-9351

Pending Business B.

City Council Meeting

City Manager

Meeting Date: 07/24/2023

City Renewal Levy - Ballot Measure - Ordinance

Submitted By: Anthony Rodgers

Department: City Council

Council Committee Review?: Council Work Session

Date(s) of Committee Review: 07/05/2023

Audio-Visual Needs: None

Emergency Legislation?: Yes

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

Agenda Item Description or Legislation Title

An Ordinance Providing For The Continuation Of An Existing .25 Percent Levy On Income Effective January 1, 2025 And Expiring December 31, 2034, And To Submit This Ordinance To The Electorate For Approval Or Rejection And Contingent Upon Such Election Approval, Amend Section 192.012(B) Of Chapter 192, Income Tax, Of Title 9, Taxation Part I, Administration To Reflect The Tax Continuation, And Declaring An Emergency. (second reading)

Purpose and Background

Pursuant to the wishes of Council, this legislation will authorize the placement of a renewal of the 0.25% income tax for public safety service, which expires on December 31, 2024, before the electorate at the November 7, 2023 general election. This ordinance authorizes the continuation of the current levy, 0.25% for a period of 10 years, at the same rate of 0.25% for an additional 10-year period.

To meet Board of Election timelines, it is recommended that Council adopt this ordinance as emergency legislation at the second reading at the July 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:

Attachments

Ordinance

CITY OF HUBER HEIGHTS
STATE OF OHIO

ORDINANCE NO. 2023-O-

PROVIDING FOR THE CONTINUATION OF AN EXISTING .25 PERCENT LEVY ON INCOME EFFECTIVE JANUARY 1, 2025 AND EXPIRING DECEMBER 31, 2034, AND TO SUBMIT THIS ORDINANCE TO THE ELECTORATE FOR APPROVAL OR REJECTION AND CONTINGENT UPON SUCH ELECTION APPROVAL, AMEND SECTION 192.012(B) OF CHAPTER 192, INCOME TAX, OF TITLE 9, TAXATION PART I, ADMINISTRATION TO REFLECT THE TAX CONTINUATION, AND DECLARING AN EMERGENCY.

WHEREAS, at the general election on November 4, 2014, a majority of the electors of the City of Huber Heights voted to approve a .25% levy on income, effective January 1, 2015, for a 10-year period expiring December 31, 2024, in order to provide for police and fire public safety and support, which did not tax social security benefits, pensions, interest payments, inheritance and other items excluded by the City income tax ordinance; and

WHEREAS, after deliberation the Council of the City of Huber Heights seeks to continue the existing .25% income tax rate of income tax beyond December 31, 2024, for an additional ten years; and

WHEREAS, pursuant to Section 10.04 of the Charter of the City of Huber Heights, Ohio, and the Ohio Revised Code, City Council must submit this issue to the electorate of the City for approval or rejection.

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

Section 1. Subject to approval of the electors of the City of Huber Heights Ohio, a continuation of an existing .25% levy on income to provide for police and fire public safety and support, which shall not tax social security benefits, pensions, interest payments, inheritance and other items excluded by the City income tax ordinance effective January 1, 2025 and expiring December 31, 2034 is adopted.

Section 2. The proposed continuation in the rate of income tax shall be submitted by ballot to the electorate of the City for approval or rejection, on November 7, 2023, the date of the general election.

Section 3. If a majority of the electors voting thereon approve the proposed continuation in the rate of income tax, the income tax levy shall be so continued effective January 1, 2025, through December 31, 2034.

Section 4. Contingent upon such election approval, Section 192.012(B) of Chapter 192 Income Tax, of Title 9, Taxation Part 1, Administration of the Ordinances of the City of Huber Heights, Ohio shall be amended by adding the following language at the end of Section 192.012 (B):

“Beginning January 1, 2025, the income tax of .25% shall remain in effect for ten years to provide for police and fire public safety and support, as approved by the voters on November 7, 2023.”

Section 5. The levy of the annual income tax continuation is made in accordance with Chapter 718 of the Ohio Revised Code, the same being incorporated herein, and pursuant to said Chapter 718, the annual tax continuation authorized herein shall be levied on the income of every person residing in or earning or receiving income in the City of Huber Heights and shall be measured by municipal taxable income and shall be subject to the credit for taxes paid to other municipalities as is provided in Section 192.081 of the Huber Heights Codified Ordinances.

Section 6. The Clerk of Council is directed to certify a copy of this Ordinance to the Board of Elections of Montgomery County and Miami County and to take all steps necessary to place this issue on the ballot.

Section 7. 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 taken in meetings open to the public and in conformance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 8. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare and for the further reason that the deadline for filing this ordinance with the Boards of Elections requires that this Ordinance is effective immediately; therefore, this Ordinance shall take full force and effect immediately upon its adoption by Council.

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

Effective Date:

AUTHENTICATION:

Clerk of Council

Mayor

Date

Date

AI-9352

Pending Business C.

City Council Meeting

City Manager

Meeting Date: 07/24/2023

City Renewal Levy - Ballot Measure - Resolution

Submitted By: Anthony Rodgers

Department: City Council

Council Committee Review?: Council Work Session

Date(s) of Committee Review: 07/05/2023

Audio-Visual Needs: None

Emergency Legislation?: No

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

Agenda Item Description or Legislation Title

A Resolution Specifying November 7, 2023 As The Date For Submitting To The Electorate Of The City Of Huber Heights A Proposal To Provide For The Continuation Of An Existing .25% Levy On Income Effective January 1, 2025, And Expiring December 31, 2034 And Directing The Board Of Elections Of Montgomery County And Miami County, Ohio To Place The Issue On The Ballot.
(second reading)

Purpose and Background

This legislation directs the Boards of Elections to place the renewal of the 0.25% income tax to fund public safety services expiring December 31, 2024 on the November 7, 2023 general election ballot for consideration by the electorate.

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-

SPECIFYING NOVEMBER 7, 2023 AS THE DATE FOR SUBMITTING TO THE ELECTORATE OF THE CITY OF HUBER HEIGHTS A PROPOSAL TO PROVIDE FOR THE CONTINUATION OF AN EXISTING .25% LEVY ON INCOME EFFECTIVE JANUARY 1, 2025, AND EXPIRING DECEMBER 31, 2034 AND DIRECTING THE BOARD OF ELECTIONS OF MONTGOMERY COUNTY AND MIAMI COUNTY, OHIO TO PLACE THE ISSUE ON THE BALLOT.

WHEREAS, Ordinance No. 2023-O _____, passed concurrently with the adoption of this Resolution, provides for submitting to the electorate of the City of Huber Heights a proposal to continue the existing .25% levy on income, effective January 1, 2025; and

WHEREAS, Huber Heights Charter and Section 718.04 of the Ohio Revised Code requires that any income tax in excess of 1% shall not be levied without first having been approved by a majority of the electors voting on the issue.

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

Section 1. November 7, 2023 is specified as the date of the election to be held to submit to the electors of the City of Huber Heights for their approval Ordinance No. 2023-O-_____ which provides for the continuation of an existing .25% levy on income, effective January 1, 2025 for a 10-year period expiring December 31, 2034, in order to provide for police and fire public safety and support, which will not tax social security benefits, pensions, interest payments, inheritance and other items excluded by the city income tax ordinance.

Section 2. The Clerk of Council is directed to certify a copy of this Resolution to the Board of Elections of Montgomery County and Miami County, Ohio, together with a copy of said Ordinance 2023-O-_____ and to take all steps necessary to place this issue on the ballot.

Section 3. The Board of Elections of Montgomery County and Miami County, Ohio, are directed to place on the ballot, in the election to be held on November 7, 2023 for submission to the electorate of the City of Huber Heights, the question of whether Ordinance No 2023-O-_____ shall be approved. The form of the ballot to be cast at such election shall read substantially as follows, subject to any required changes by the Secretary of State or Board of Elections:

Shall the Ordinance providing for the continuation of an existing .25% levy on income effective January 1, 2025, and expiring December 31, 2034, to provide for police and fire public safety and support be passed?

FOR THE INCOME TAX _____

AGAINST THE INCOME TAX _____

Section 4. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its Committees that resulted in such formal action were taken in meetings open to the public and in conformance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 5. 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-9353

Pending Business D.

City Council Meeting

City Manager

Meeting Date: 07/24/2023

City Code Amendments - Part Eleven - Planning And Zoning Code

Submitted By: Anthony Rodgers

Department: City Council

Council Committee Review?: Council Work
Session

Date(s) of Committee Review: 07/05/2023

Audio-Visual Needs: None

Emergency Legislation?: No

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

Agenda Item Description or Legislation Title

An Ordinance Amending Certain Sections Of Part Eleven, Planning And Zoning Code, Of The City Code Of Huber Heights.
(second reading)

Purpose and Background

This ordinance contains revisions to Part Eleven - Planning and Zoning Code that were recommended by the Ordinance Review Commission and/or the Planning Commission and City Staff.

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 CERTAIN SECTIONS OF PART ELEVEN, PLANNING AND ZONING CODE, OF THE CITY CODE OF HUBER HEIGHTS.

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

WHEREAS, as part of the Ordinance Review Commission process, the Ordinance Review Commission has identified provisions within the Planning and Zoning Code that require updating or other changes; and

WHEREAS, the City Council has determined that revisions in Chapters 1103, 1109, 1171, 1121, 1123, 1172, 1175, 1181, 1185, 1199 are necessary to enhance the effective and efficient delivery of municipal services.

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

Section 1. Part Eleven, Planning and Zoning, Chapter 1103 – Definitions, Section 1103.39 - Person is hereby deleted and removed in its entirety:

~~1103.39 – Person.~~

~~Person means any natural person, firm, partnership, association or corporation, but this definition does not include governmental units.~~

~~(Ord. 83-O-124, Passed 7-11-83)~~

Section 2. Part Eleven, Planning and Zoning, Chapter 1103 – Definitions, Section 1103.54(c) - Thoroughfare, Street Or Road is hereby amended to read as follows:

1103.54 Thoroughfare, street or road.

(c) *Collector street* means a thoroughfare, whether within a residential, industrial, commercial or other type of development, which primarily carries traffic from local streets to arterial streets, including the ~~principle~~ principal entrance and circulation routes within residential subdivisions.

Section 3. Part Eleven, Planning and Zoning, Chapter 1109 – Subdivision Design Standards, Section 1109.12 - Special Street Types is hereby amended to read as follows:

1109.12 Special street types.

The following requirements shall apply to special street types:

(a) Permanent dead-end streets shall not be permitted. Temporary-dead end streets shall be permitted only as part of a continuing street plan.

Permanent dead-end streets shall be allowed at the City's corporation lines for streets which were in existence at the time of incorporation. These streets are defined as roadways which would be impacted adversely if a through connection were made. These streets include:

Powell Road (East)
Jansin Place
Lehar Place
Hilgeford Drive
Harshmanville Road

(b) Dedication of new half-streets shall not be permitted. Where a dedicated or platted half-street exists adjacent to the tract being subdivided, the other half shall be platted.

(c) Where a subdivision abuts or contains an existing or proposed arterial street (82 to 120 [feet] right-of-way widths) the City Planning Commission may require marginal access streets, reverse frontage with screen planting contained in a nonaccess reservation along the rear property line, or other such treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic. There shall be no direct vehicular access from residential lots to such arterial streets or highways.

(d) Alleys shall not be approved in residential subdivisions, except where justified by extreme conditions. Alleys may be required in commercial and industrial districts if other provisions cannot be made for adequate service access. The minimum widths for alleys shall be 20 feet for the right-of-way and 18 feet for the pavement width.

(e) Gated streets shall be allowed in order to separate public streets from private streets. These streets include:

Corby Way

~~(Ord. 2012-O-1939, Passed 2-13-12)~~

Section 4. Part Eleven, Planning and Zoning, Chapter 1113 – Flood Hazard Areas, Section 1113.05 - Building Site Improvements is hereby amended to read as follows:

1113.05 Building site improvements.

(a) No subdivision or part thereof shall be approved if proposed subdivision development in a floodway will, individually or collectively, significantly increase flood flows, heights or damages.

(b) No subdivision or part thereof shall be approved for floodway or floodway fringe areas which will substantially affect the storage capacity of the flood plain.

(c) Building sites, residences, motels, resorts and similar uses for human occupation shall not be permitted in floodway areas. Sites for those uses may be permitted outside the floodway if the sites are elevated to a height at least one foot above the elevation of the regional flood or provisions otherwise made for elevating or adapting structures to achieve the same result. Required fill areas shall extend 15 feet beyond the limits of intended structures and, if the subdivision is not to be sewerred, shall include areas for waste disposal.

(d) Building sites for structures other than residences outside of floodway areas shall ordinarily be filled as provided in subsection (c) hereof. However, the City Planning Commission may allow subdivisions of areas for commercial and industrial use at a lower elevation if the subdivider agrees to protect the uses through structural flood-proofing as specified in Section 1113.10.

(e) When the Commission determines that only part of a proposed plat can be safely developed, it shall limit development to that part and shall require that the method of development is consistent with its determination.

(f) When the subdivider does not intend to develop the plat ~~himself~~, and the Commission determines that limitations are required to ensure safe development, it may require the subdivider to impose appropriate deed restrictions on the land. Such deed restrictions shall be inserted in every deed and noted on the face of the final recorded plat.

(Ord. 83-O-124, Passed 7-11-83)

Section 5. Part Eleven, Planning and Zoning, Chapter 1117 – Fees, Variances, and Enforcement, Section 1117.99 - Penalty is hereby amended to read as follows:

1117.99 Penalty.

The following penalties shall apply to the violations of these regulations:

(a) Whoever violates any rule or regulation adopted by Council for the purpose of setting the standards and requiring and securing the construction of improvements within a subdivision or fails to comply with any order pursuant thereto is creating a public nuisance and the creation thereof may be enjoined and maintenance thereof may be abated by action at suit of the County or any citizen thereof. Whoever violates these regulations shall forfeit and pay not less than \$100.00 nor more than \$1,000.00. Such sum may be recovered with costs in a civil action brought in the Court of Common Pleas of Montgomery County.

~~(b) — A County Recorder who records a plat contrary to the provisions of these regulations shall be held in violation of Ohio R.C. 711.12.~~

~~(e)~~(b) The owner or agent of the owner of any land within or without a municipal corporation who transfers any lot, parcel or tract of such land from or in accordance with a plat of a subdivision before such plat has been recorded in the office of the County Recorder, shall forfeit and pay the sum of not less than \$100.00 nor more than \$500.00 for each lot, parcel or tract of land so sold. The description of such lot, parcel or tract by metes and bounds in the deed or transfer shall not serve to exempt the seller from the forfeiture provided in this section. If such land is within a municipal corporation, such sum may be recovered in a civil action brought in the Court of Common Pleas of Montgomery County by the City Attorney in the name of the City.

~~(d)~~(c) Any person who disposes of, offers for sale or lease for a time exceeding five years any lot or any part of a lot in a subdivision before provisions of these regulations are complied with shall forfeit and pay the sum of not less than \$100.00 nor more than \$500.00 for each lot or part of a lot so sold, offered for sale or leased, to be recovered with costs in a civil action, in the name of the City Treasurer for the use of the City.

(Ord. 83-O-124, Passed 7-11-83)

Section 6. Part Eleven, Planning and Zoning, Chapter 1121 – Purpose And Interpretation, Section 1121.07 - When Effective is hereby deleted and removed in its entirety:

~~1121.07 When effective.~~

~~As provided under Ohio R. C. Chapter 713, "Upon certification by the Board of Elections, the Zoning Ordinance shall take immediate effect if the plan is so approved".~~

Section 7. Part Eleven, Planning and Zoning, Chapter 1123 – Definitions, Section 1123.951 - Sexually Oriented Businesses is hereby amended to read as follows:

1123.951 Sexually oriented businesses.

Sexually oriented businesses are those businesses defined as follows:

(a) *Adult arcade* means an establishment where, for any form of consideration, one or more still or motion picture projectors, slide projectors, or similar machines, or other image producing machines, for viewing by five or fewer persons each, are regularly used to show films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas".

(b) *Adult bookstore, adult novelty store or adult video store* means a commercial establishment which has as a significant or substantial (i.e., 50 percent or more) portion

of its stock-in trade or derives a significant or substantial (i.e., 50 percent or more) portion of its revenues or substantial (i.e., 50 percent or more) portion of its interior business or advertising to the sale or rental for any form of consideration, of any one or more of the following:

- (1) Books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes, slides, or other visual representations which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas";
- (2) Instruments, devices, or paraphernalia which is designed for use or marketed primarily for stimulation of human genital organs or for sadomasochistic use or abuse of themselves or others.

An establishment may have other principal business purposes that do not involve the offering for sale, rental, or viewing of materials depicting or describing "specified sexual activities" or "specified anatomical areas", and still be categorized as an adult bookstore, adult novelty store, or adult video store. Such other business purposes will not serve to exempt such establishments from being categorized as an adult bookstore, adult novelty store or adult video store so long as one of its principal business purposes is offering for sale or rental, for some form of consideration, the specified materials which depict or describe "specified anatomical areas" or "specified sexual activities".

(c) *Adult cabaret* means a nightclub, bar, restaurant, private club, juice bar or similar commercial establishment, whether or not alcoholic beverages are served, which regularly features:

- (1) Persons who appear nude or in a state of nudity or semi-nude state;
- (2) Live performances which are characterized by the exposure of "specified anatomical areas" or by "specified sexual activities";
- (3) Films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas"; or
- (4) Physical contact (whether simulated or actual) of live males or females which is characterized by salacious conduct appealing to prurient interest for the observation by patrons provided that one or more of the parties appears in a state of nudity or semi-nude state. "Prurient" shall have that meaning given to it by the United States Supreme Court in *Brockton vs. Spokane*, 472 U.S. 491 (1985). "Private club" shall mean an establishment where patrons may bring in their own bottle or other container of alcohol (including beer, wine or liquor) and purchase a mixture for the same or use of a glass from the club or business.

(d) *Adult motel* means a motel, hotel or similar commercial establishment which:

- (1) Offers public accommodations, for any form of consideration, which provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas" and which advertises the availability of this sexually oriented type of material by means of a sign visible from the public right-of-way, or by means of any off-premises advertising including but not limited to, newspapers, magazines, pamphlets or leaflets, radio or television; or
- (2) Offers a sleeping room for rent for a period of time less than ten hours; or
- (3) Allows a tenant or occupant to sub-rent the sleeping room for a time period of less than ten hours.

(e) *Adult motion picture theater* means a commercial establishment where films, motion pictures, video cassettes, slides or similar photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas" are regularly shown for any form of consideration.

(f) *Adult theater* means a theater, concert hall, auditorium, or similar commercial establishment which, for any form of consideration, regularly features persons who appear in a state of nudity or live performances that are characterized by exposure of "specified anatomical areas" or by "specified sexual activities", and which is not customarily open to the general public during such features because it excludes minors by reason of age.

(g) *Escort agency* means a person or business association who furnishes, offers to furnish, or advertises to furnish escorts as one of its primary business purposes for a fee, tip, or other consideration. "Escort" means a person who, for any form of consideration, agrees or offers to act as a companion, guide, or date for another person, or who agrees or offers to privately model lingerie or to privately perform a striptease for another person or to private appear in the nude or in a semi-nude state for another person.

(h) *Massage parlor* means any place where, for any form of consideration or gratuity, massage, alcohol rub, administration of fomentations, electric or magnetic treatments, or any other treatment of manipulation of the human body which occurs as a part of or in connection with "specified sexual activities" or where any person providing such treatment, manipulation or service related thereto, exposes his or her "specified anatomical areas". The definition of "sexually oriented businesses" shall not include the practice of massage in any licensed hospital, nor by a licensed hospital, nor by a licensed physician, surgeon, chiropractor or osteopath, nor by any nurse or technician working under the supervision of a licensed physician, surgeon, chiropractor or osteopath, nor by trainers for any amateur, semiprofessional or professional athlete or athletic team or school athletic program, nor barber shops or beauty salons in which massages are administered only to the scalp, the face, the neck or the shoulder, nor by any other individual licensed by the State of Ohio to perform massages.

(i) *Nude model studio* means any place where a person, who regularly appears in a state of nudity or displays "specified anatomical areas" for any form of consideration is observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons.

(j) *Sexual encounter establishment* means a business or commercial establishment, that as one of its primary business purposes, offers for any form of consideration:

(1) A place where two or more persons may congregate, associate, or consort for the purpose of "specified sexual activities" or the exposure of "specified anatomical areas"; or

(2) Activities between ~~male and female persons and/or persons of the same sex~~ when one or more of the persons is in a state of nudity or semi-nudity ~~nude~~.

The definition of "sexually oriented businesses" shall not include an establishment where a medical practitioner, psychologist, psychiatrist, or similar professional person licensed by the State engages in medically approved and recognized sexual therapy. Any of the foregoing shall be deemed a "sexually oriented business".

(Ord. 2000-O-1159, Passed 1-10-00)

Section 8. Part Eleven, Planning and Zoning, Chapter 1172 – (PR) Planned Residential District, Section 1172.01 - Principal Permitted Uses is hereby amended to read as follows:

1172.01 Principal permitted uses.

The following principal uses are permitted, provided that they are approved as provided for in this chapter:

- (a) All residential uses permitted in all other chapters of the Zoning Ordinance such as: one family dwellings, two family dwellings, multiple family dwellings, including garden apartments, row houses, quadraminiums and condominiums;
- (b) Churches and other places of worship;
- (c) Colleges, primary and secondary schools under School Board or Parochial supervision, and public libraries;
- (d) Public recreation buildings, parks, playgrounds and athletic fields under School Board, Parochial, other governmental supervision or "homeowners association" supervision; and
- (e) Uses designed solely to serve in a ~~complimentary~~ complementary way the needs of this District above.

Section 9. Part Eleven, Planning and Zoning, Chapter 1175 – (PMH) Planned Mobile Home Residential District, Section 1175.02 - Permitted Uses is hereby amended to read as follows:

1175.02 Permitted uses.

The following principal ~~principle~~ uses are permitted:

- (a) Mobile home parks.
- (1) Mobile homes (not self-propelled vehicles).
- (b) Modular or sectional homes.

(Ord. 89-O-339, Passed 2-6-89)

Section 10. Part Eleven, Planning and Zoning, Chapter 1181 – General Provisions, Section 1181.12 - Outdoor Retail Sales And Displays is hereby amended to read as follows:

1181.12 Outdoor retail sales and displays.

- (a) For the purpose of this chapter the term "outdoor sales" includes any outdoor display of merchandise. No sale may be conducted outside an enclosed building in any zoning district except retail sales in the B-1, B-2, B-3 and PC Planned Commercial Districts and A Districts, except temporary sales (garage sales, etc.) permitted under Section 1181.15, and except retail sales in an I-1 District. Within a PC Planned Commercial District, the operation of outdoor sales shall not require Planning Commission approval, but nothing in this section would permit the outdoor sales in a Planned Commercial District where such sales are expressly prohibited by a given site's basic or detailed development plan.
- (b) All such outdoor retail sales shall comply with the following conditions, requirements and time restrictions (excluding temporary sales permitted and regulated under Section 1181.15).
 - (1) Application for a Zoning Certificate shall be filed with an accompanying fee not less than ten days prior to the requested sale.
 - (2) Only the following specific types of outdoor retail sales may be permitted and only for the time periods described below:

A. Farm produce and firewood may be sold seasonally as an accessory use to an agricultural use, but only to the extent they are grown on property owned or leased by the owner of the Agricultural District land where the sales occur. Such sales of firewood shall be limited to October 1 to February 1. Sales of produce shall be limited to May 1 to October 31.

B. Garden and landscaping vegetation and materials, including but not limited to, peat moss, bark, mulch, fertilizer, marble chips, soil, sod, power lawn equipment, outdoor cooking equipment and accessories may be sold on a seasonal basis from April 1 to September 30 in B-1, B-2, B-3, PC and I-1 Districts. Power snow removal equipment may be sold on a seasonal basis from September 1 to February 28 in those same zoning districts.

C. Christmas trees, tree stands and greenery may be sold on a temporary basis between Thanksgiving and Christmas in the B-1, B-2, B-3 and PC Planned Commercial Districts and in the I-1 District.

D. Promotional sales of merchandise normally offered for sale by a City business may be conducted on the permanent building location of that business for a period not exceeding three days with a frequency of no more than two in any calendar year. Such promotional sales may occur only in the B-1, B-2, B-3 and PC Planned Commercial Districts and in the I-1 District.

E. Outdoor sales of merchandise normally offered for sale (within proper zoning districts) by a City business engaged in the sale of farm implements, automobiles, trailers or boats, or in the lumber yard, greenhouse/nursery or monument business.

(3) All cleanup of this area, including removal of merchandise, fixtures, etc., shall be completed within 48 hours after the sales activity and by the date specified on the zoning certificate otherwise no additional certificates shall be issued for 12 months after the date of the violation notice.

(4) Sales area shall allow for adequate pedestrian walkways and shall not extend into any fire lanes. The placement of the sales area shall not encroach upon any parking requirements of the district.

(5) The height of any stackable outdoor sales product(s) shall not exceed five feet. Examples include bagged mulch, soil, salt, or similar products.

(6) The outdoor sales area shall be placed so as not to interfere with traffic circulation.

(7) The outdoor sales area shall not utilize ~~consume~~ any of the required parking spaces for the business(s) for which it is located.

(8) Outdoor sales areas shall be in good order and well maintained.

(Ord. 2012-O-1939, Passed 2-13-12; Ord. 2016-O-2217, Passed 5-9-16)

Section 11. Part Eleven, Planning and Zoning, Chapter 1199 – Flood Damage Prevention, Section 1199.07 - Basis for Establishing The Areas Of Special Flood Hazard is hereby amended to read as follows:

1199.07 Basis for establishing the areas of special flood hazard.

(a) Flood Insurance Study Montgomery County, Ohio and Incorporated Areas and Flood Insurance Rate Map Montgomery County, Ohio and Incorporated Areas both effective January 6, 2005.

~~(b) Flood Insurance Study Greene County, Ohio and Incorporated Areas and Flood Insurance Rate Map Greene County, Ohio and Incorporated Areas both effective March 17, 2011.~~

~~(e)~~(b) Flood Insurance Study Miami County, Ohio and Incorporated Areas and Flood Insurance Rate Map Miami County, Ohio and Incorporated Areas both effective August 2, 2011.

~~(d)~~(c) Other studies and/or maps, which may be relied upon for establishment of the flood protection elevation, delineation of the 100-year floodplain, floodways or delineation of other areas of special flood hazard.

~~(e)~~(d) Any hydrologic and hydraulic engineering analysis authored by a registered Professional Engineer in the State of Ohio which has been approved by the City of Huber Heights as required by Section 1199.20(f), Subdivisions and Large Developments. Any revisions to the aforementioned maps and/or studies are hereby adopted by reference and declared to be a part of these regulations. Such maps and/or studies are on file at the City at 6131 Taylorsville Road, Huber Heights, Ohio 45424.

Section 12. 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 13. 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-9382

**New Business A.
City Council**

City Council Meeting

Meeting Date: 07/24/2023

Arts and Beautification Commission Appointments - A. Berg/L. Woodruff

Submitted By: Anthony Rodgers

Department: City Council

Council Committee Review?: Council Work Session

Date(s) of Committee Review: 07/18/2023

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

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

Agenda Item Description or Legislation Title

A Motion To Appoint Ashley Berg To The Arts And Beautification Commission For A Term Ending June 30, 2026 And To Appoint Lori Woodruff To The Arts And Beautification Commission For A Term Ending June 30, 2025.

Purpose and Background

The City's interview panel recommends the appointment of Ashley Berg to the Arts and Beautification Commission for a term ending June 30, 2026. A background check on Ms. Berg was processed through Human Resources.

The City's interview panel also recommends the appointment of Lori Woodruff to the Arts and Beautification Commission for a term ending June 30, 2025. A background check on Ms. Woodruff was 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 - A. Berg

Application - L. Woodruff



July 17-2023 12:00

Application For City Boards and Commissions

ENTERED ON:

JUN 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.

CLERK OF COUNCIL

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

Board or Commission Applied For:

ARTS AND BEAUTIFICATION
Commission

Date Applied:

6-29-23

Berg
Last Name

Ashley
First Name

Leah
Middle Name

10910 Old Troy Pk
Address

Huber Heights
City

OH
State

45424
Zip Code

Home Phone Number

(937) 499-3791
Daytime Phone Number

Ashleyberg44@gmail.com
E-mail Address

EDUCATION

	SCHOOL	COURSE OF STUDY OR DEGREE EARNED
HIGH SCHOOL	Wayne	
COLLEGE	Sinclair, Wright State	Bachelor of Arts in Psychology
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

Cancerskaptonite

May 2023

First Christian Church

Summer 2021 - present

Dayton Childrens

2014-2015

EMPLOYMENT HISTORY

Name of Employer	Position(s) Held	Dates of Employment
First Steps Preschool	teacher	July 2021 - present
Applied Behavioral Services	Behavior Technician	April 2015 - 2020
Red Lobster	Server	2013 - 2017

REFERENCES

Shannon Teague		(937) 361-1911
Name	Address	Telephone Number
Vincent King		(937) 573-9899
Name	Address	Telephone Number
Keith Colbert		(937) 931-3093
Name	Address	Telephone Number

STATEMENT OF INTEREST

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

I have lived in Huber Heights since childhood and I would be honored to serve the city. Our City is a great place and when visitors see the effort we put into it, they will feel the love we have for it. I am a team player ready to support or lead to aid in the success of the organization.

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.



Signature



Date

July 17, 2023 12:30 int



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

RECEIVED ON:

JUL 13 2023

CLERK OF COUNCIL

Application For

City Boards and Commissions



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:

Date Applied:

Arts & Beautification Commission

7/12/23

Woodruff

Lori

S.

Last Name

First Name

Middle Name

5356 Flotron Ave

Huber Hgts

OH

45424

Address

City

State

Zip Code

(937) 559-7335

(937) 559-7335

lori.woodruff82@gmail.com

Home Phone Number

Daytime Phone Number

E-mail Address

EDUCATION

SCHOOL

COURSE OF STUDY
OR DEGREE EARNED

HIGH SCHOOL

Estancia High

Diploma

COLLEGE

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

Huber Heights

2018-Current

Hopping in the Heights

2022

EMPLOYMENT HISTORY

Name of Employer	Position(s) Held	Dates of Employment
Home maker		2016 - current
McDonald's	crew lead	2006 - 2016

REFERENCES

Alisha Sizemore	Flotron Ave	(937) 718-4690
Name	Address	Telephone Number
Cindy Davidson	Riverdowns	(937) 620-5161
Name	Address	Telephone Number
Amanda Henry	Harshmanville Rd.	(937) 321-9770
Name	Address	Telephone Number

STATEMENT OF INTEREST

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

I have enjoyed serving the community with the organized holiday events and look to expand my community service.

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

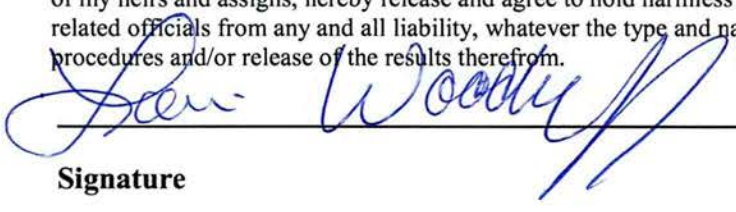
Are you willing to sign a release to allow the City of Huber Heights to perform a background screening and criminal records check? ☒ Yes ☐ No

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.


Signature

7-12-23
Date

AI-9377

**New Business B.
City Manager**

City Council Meeting

Meeting Date: 07/24/2023

County Assessments Authorization - Delinquent Utility/Nuisance

Submitted By: Jim Bell

Department: Finance

Division: Accounting

Council Committee Review?: Council
Work
Session

Date(s) of Committee Review: 07/18/2023

Audio-Visual Needs: None

Emergency Legislation?: Yes

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

Agenda Item Description or Legislation Title

An Ordinance Approving Individual Assessments Amounts And Directing The Director Of Finance Or His/Her Designee To Certify The Amounts To The Applicable County Auditor For Collection, And Declaring An Emergency.
(first reading)

Purpose and Background

Montgomery County requires all communities to pass separate legislation for assessments that are to be added to the tax duplicate. Before the City can assess property for such things as grass/weed charges, property maintenance abatement, unpaid water and sewer, etc., the City must pass legislation specifically identifying the property and the amount of the assessment. Details of each assessment can be found in Exhibit A, which is attached to this legislation. The assessments requested in this legislation are only for delinquent utility account balances. Assessments are based on collection for City services previously provided; therefore, City Staff are asking that this item be passed as emergency legislation.

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
Exhibit A

CITY OF HUBER HEIGHTS
STATE OF OHIO

ORDINANCE NO. 2023-O-

APPROVING INDIVIDUAL ASSESSMENTS AMOUNTS AND DIRECTING THE DIRECTOR OF FINANCE OR HIS/HER DESIGNEE TO CERTIFY THE AMOUNTS TO THE APPLICABLE COUNTY AUDITOR FOR COLLECTION, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Section 6, Article XVIII of the Ohio Constitution, the General Assembly has enacted general laws stating purposes for which municipalities may assess specially benefited property; and

WHEREAS, these laws include Ohio Revised Code Sections 727.01, 727.011, 727.012, 727.013, 729.06, 729.11, 1710.01(h) and others, which authorize the City to levy and collect special assessments upon the abutting, adjacent, and contiguous, or other specially benefited, lots or lands in the municipal corporation, for among other things, any part of the cost connected with the improvement of any street, public road, place, boulevard, parkway, or park entrance or an easement of the municipal corporation; sidewalk construction; sewers; sewage disposal works and treatment plants, sewage pumping stations, water treatment plants, water pumping stations, reservoirs, and water storage tanks or standpipes, together with the facilities and appurtenances necessary and proper therefore; drains, storm-water retention basins, watercourses, water mains, or laying of water pipe; lighting; any part of the cost and expense of planting, maintaining, and removing shade trees thereupon; any part of the cost and expense of constructing, maintaining, repairing, cleaning, and enclosing ditches; and

WHEREAS, for such approved assessments, the County Auditor is to act at the direction or on behalf of a municipality with respect to collection of such assessments R.C. 727.30; (R.C. 727.33); and

WHEREAS, the General Assembly has also enacted laws that require a County Auditor to act at the direction or on behalf of a municipality with respect to collection of certain costs assessed to properties including but not limited to R.C 743.04, 715.261 and 731.51-54; and

WHEREAS, as a result of the foregoing, the City of Huber Heights has passed, and will in the future pass, laws to assess real property for all or part of the cost of a public improvement and/or certain permitted costs of abatement or collection, including but not limited to Ordinance No. 97-O-997 codified as Huber Heights Code Section 175.04 Assessments for Capital Improvement Projects (for sanitary sewer, water, sidewalks and drive aprons, roadways and storm sewers); Ordinance No. 90-O-419 codified as Huber Heights Code Section 919.01 (street lighting); Ordinance No. 2009-O-1771 codified as Huber Heights Code Section 929.16 (unpaid water service); Ordinance No. 1996-O-856 codified as Huber Heights Code Section 923.08 (unpaid sanitary sewer); Ordinance No. 2002-O-1325 codified as Huber Heights Code Section 922.32 (stormwater); Ordinance No. 2014-O-2096 codified as Huber Heights Code Section 521.11 (nuisance in the right of way); Huber Heights Code Section 911.02 (sidewalk repair); Ordinance No. 2002-O-1324 and No. 2011-O-1897 (weed cutting assessment); Huber Heights Code Sections 925.05 (lower Rip Rap Road sewer district assessment), 952.04 (nuisance abatement for false alarms), 521.081, (littering and deposit of garbage) and such other ordinances or resolutions that may be passed from time to time pursuant to these codified laws; and

WHEREAS, in order to better track and account for authorized legal assessments and the amounts due to the City, City Council has determined it is in the best interest of the citizens to pass this Ordinance setting forward the applicable properties and assessment amounts to be certified to the County for collection; and

WHEREAS, the assessments set forth in Exhibit A have been authorized by the City Council of the City of Huber Heights and are required by law to be assessed and collected by the County on behalf of the City.

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

Section 1. The properties set forth on the attached Exhibit A, which is incorporated herein by this reference, are to be assessed in the amount also set forth on the applicable section of Exhibit A unless payment is made within the time frame set forth in the applicable section of Exhibit A.

Section 2. In the event a payment for the amount or any portion of the amount set forth in Exhibit A is received by the City prior to final assessment date set forth in Exhibit A, which is the same date set forth in the notice sent to such property owner, the Director of Finance, or his/her designee is authorized to remove or revise such assessment from Exhibit A prior to certification to the County Auditor.

Section 3. The Director of Finance or his/her designee is instructed to certify this Ordinance, including the final assessed properties in Exhibit A, to the applicable County Auditor for collection.

Section 4. 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 5. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare and for the further reason that finalizing and certifying assessment at the earliest time is necessary to timely establish a lien and protect the City’s interest in payment of amounts owed to the City; therefore, this Ordinance shall take full force and effect immediately upon its adoption by Council.

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

Effective Date:

AUTHENTICATION:

Clerk of Council

Mayor

Date

Date

EXHIBIT A

Project No	Project Desc	Parcel ID	Address	Total to be Assessed	Tax Year	Begin Collection
31103	Storm Water	P48-003571 (Miar	1013 Arbor Dr	10.50	2023	February 2024
31103	Storm Water	P70 00202 0001	6101 Rip Rap Rd	6.71	2023	February 2024
31103	Storm Water	P70 00202 0010	6141 Rip Rap Rd	20.48	2023	February 2024
31103	Storm Water	P70 00202 0078	5811 Shore Dr	20.48	2023	February 2024
31103	Storm Water	P70 00202 0113	5819 Shore Dr	20.48	2023	February 2024
31103	Storm Water	P70 00202 0142	5821 Shore Dr	16.28	2023	February 2024
31103	Storm Water	P70 00202 0173	6177 Apache St	20.48	2023	February 2024
31103	Storm Water	P70 00202 0212	6171 Pocahontas St	12.60	2023	February 2024
31103	Storm Water	P70 00202 0225	6035 Shore Dr	20.48	2023	February 2024
31103	Storm Water	P70 00202 0253	6139 Shore Dr	16.80	2023	February 2024
31103	Storm Water	P70 00202 0266	4025 Kennebec Dr	22.58	2023	February 2024
31103	Storm Water	P70 00202 0284	4086 Catawba Ave	20.48	2023	February 2024
31103	Storm Water	P70 00202 0330	6219 Apache St	20.48	2023	February 2024
31103	Storm Water	P70 00202 0358	4013 Champaign Ave	20.48	2023	February 2024
31103	Storm Water	P70 00202 0362	4029 Champaign Ave	20.48	2023	February 2024
31103	Storm Water	P70 00202 0365	4045 Champaign Ave	20.48	2023	February 2024
31103	Storm Water	P70 00202 0376	6325 Champaign Ave	20.48	2023	February 2024
31103	Storm Water	P70 00202 0405	4026 Navajo Ave	9.98	2023	February 2024
31103	Storm Water	P70 00202 0456	6220 Apache St	4.20	2023	February 2024
31103	Storm Water	P70 00202 0534	4156 Navajo Ave	18.90	2023	February 2024
31103	Storm Water	P70 00202 0578	4180 Navajo Ave	20.48	2023	February 2024
31103	Storm Water	P70 00202 0604	6333 Blackfoot St	20.48	2023	February 2024
31103	Storm Water	P70 00202 0712	6352 Apache St	25.20	2023	February 2024
31103	Storm Water	P70 00202 0753	4095 Navajo Ave	20.48	2023	February 2024
31103	Storm Water	P70 00202 0756	4087 Navajo Ave	20.48	2023	February 2024
31103	Storm Water	P70 00202 0770	4037 Navajo Ave	20.48	2023	February 2024
31103	Storm Water	P70 00202 0870	4028 Mohegan Ave	20.48	2023	February 2024
31103	Storm Water	P70 00202 0912	4030 Chippewa Ave	8.40	2023	February 2024
31103	Storm Water	P70 00202 0952	4037 Chippewa Ave	6.30	2023	February 2024
31103	Storm Water	P70 00202 1131	6030 Shore Dr	20.48	2023	February 2024
31103	Storm Water	P70 00202 1157	5810 Shore Dr	20.48	2023	February 2024
31103	Storm Water	P70 00202 1160	5790 Shore Dr	20.48	2023	February 2024
31103	Storm Water	P70 00202 1200	6461 Rip Rap Rd	20.48	2023	February 2024
31103	Storm Water	P70 00202 1201	5785 Shore Dr	12.08	2023	February 2024
31103	Storm Water	P70 00202 1204	6255 Blackfoot St	8.40	2023	February 2024
31103	Storm Water	P70 00204 0004	6086 Aaron La	25.20	2023	February 2024
31103	Storm Water	P70 00211 0006	8373 Taylorsville Rd	25.20	2023	February 2024
31103	Storm Water	P70 00212 0001	7620 Walmac St	25.20	2023	February 2024
31103	Storm Water	P70 00212 0007	7593 Walmac St	25.20	2023	February 2024
31103	Storm Water	P70 00213 0011	7671 Walmac St	25.20	2023	February 2024
31103	Storm Water	P70 00304 0018	5040 Bluffview Dr	8.00	2023	February 2024
31103	Storm Water	P70 00408 0010	7810 Fernbank Ct	18.57	2023	February 2024
31103	Storm Water	P70 00409 0026	4830 Flagstone Ct	33.44	2023	February 2024
31103	Storm Water	P70 00411 0026	7690 Rustic Woods Dr	24.90	2023	February 2024
31103	Storm Water	P70 00415 0005	7716 Timbercrest Dr	27.04	2023	February 2024
31103	Storm Water	P70 00501 0013	5717 Charlesgate Rd	6.42	2023	February 2024
31103	Storm Water	P70 00512 0037	5919 Timbergate Tr	25.20	2023	February 2024
31103	Storm Water	P70 00518 0005	4169 Powell Rd	25.20	2023	February 2024
31103	Storm Water	P70 00601 0002	6030 Shull Rd	2.80	2023	February 2024
31103	Storm Water	P70 00601 0027	8458 Schoolgate Dr	20.77	2023	February 2024
31103	Storm Water	P70 00619 0063	8278 Sun Prairie Pl	40.06	2023	February 2024
31103	Storm Water	P70 00709 0019	8701 Crenshaw La	6.60	2023	February 2024
31103	Storm Water	P70 00801 0019	7209 Summerdale Dr	25.20	2023	February 2024

31103	Storm Water	P70 00807 0007	4650-56 Wayne Meadows Cir	35.44	2023	February 2024
31103	Storm Water	P70 00807 0025	4327-33 Powell Rd	15.75	2023	February 2024
31103	Storm Water	P70 00810 0005	7317 Brandt Vista	33.21	2023	February 2024
31103	Storm Water	P70 00902 0010	7742 Belleplain Dr	25.20	2023	February 2024
31103	Storm Water	P70 00903 0003	7729 Mark Ave	25.20	2023	February 2024
31103	Storm Water	P70 00908 0008	5230 Monitor Dr	25.20	2023	February 2024
31103	Storm Water	P70 00911 0007	4351 Kitridge Rd	33.36	2023	February 2024
31103	Storm Water	P70 00914 0009	5128 Mariner Dr	24.20	2023	February 2024
31103	Storm Water	P70 00915 0018	4572 Korner Dr	25.20	2023	February 2024
31103	Storm Water	P70 00915 0028	4510 Korner Dr	46.25	2023	February 2024
31103	Storm Water	P70 01001 0003	7116 Taylorsville Rd	25.20	2023	February 2024
31103	Storm Water	P70 01003 0005	7415 Brandt Pk	21.54	2023	February 2024
31103	Storm Water	P70 01006 0026	4691 Powell Rd	26.07	2023	February 2024
31103	Storm Water	P70 01007 0035	5738 Tibet Dr	2.70	2023	February 2024
31103	Storm Water	P70 01009 0008	5046 Sabra Ave	6.67	2023	February 2024
31103	Storm Water	P70 01106 0005	7350 Brandt Pk	25.20	2023	February 2024
31103	Storm Water	P70 01114 0034	7129 Troy Manor Rd	25.20	2023	February 2024
31103	Storm Water	P70 01203 0019	7129 Chadbourne Dr	4.80	2023	February 2024
31103	Storm Water	P70 01205 0026	6631 Pegwood Ct	6.00	2023	February 2024
31103	Storm Water	P70 01206 0010	7883 Sebring Dr	8.17	2023	February 2024
31103	Storm Water	P70 01208 0011	5755 Cragmont Ct	24.88	2023	February 2024
31103	Storm Water	P70 01401 0039	4807 Neptune La	24.84	2023	February 2024
31103	Storm Water	P70 01404 0012	4842 Nebraska Ave	25.20	2023	February 2024
31103	Storm Water	P70 01405 0018	4901 Nebraska Ave	35.34	2023	February 2024
31103	Storm Water	P70 01408 0005	5669 Botkins Rd	6.77	2023	February 2024
31103	Storm Water	P70 01408 0042	5701 Belmar Dr	46.04	2023	February 2024
31103	Storm Water	P70 01409 0025	5328 Rye Dr	29.94	2023	February 2024
31103	Storm Water	P70 01506 0008	6130 Ansbury Dr	18.31	2023	February 2024
31103	Storm Water	P70 01506 0020	5539 Leibold Dr	34.91	2023	February 2024
31103	Storm Water	P70 01511 0020	6185 Farmborough Dr	29.24	2023	February 2024
31103	Storm Water	P70 01512 0061	5200 Tilbury Rd	9.28	2023	February 2024
31103	Storm Water	P70 01513 0057	6440 Harshmanville	10.53	2023	February 2024
31103	Storm Water	P70 01513 0068	5326 Cranwell Cr	6.43	2023	February 2024
31103	Storm Water	P70 01515 0013	4877 Fishburg Rd	43.64	2023	February 2024
31103	Storm Water	P70 01601 0032	6123 Sandbury Dr	6.40	2023	February 2024
31103	Storm Water	P70 01602 0054	4973 Chesham Dr	31.34	2023	February 2024
31103	Storm Water	P70 01614 0038	5915 Corsica Dr	20.84	2023	February 2024
31103	Storm Water	P70 01616 0028	5956 Corsica Dr	25.20	2023	February 2024
31103	Storm Water	P70 01702 0019	6905 Morley La	25.20	2023	February 2024
31103	Storm Water	P70 01709 0027	6226 Leawood Dr	26.47	2023	February 2024
31103	Storm Water	P70 01709 0065	7161 Kismet Pl	35.55	2023	February 2024
31103	Storm Water	P70 01714 0019	7044 Hubbard Dr	31.42	2023	February 2024
31103	Storm Water	P70 01718 0007	5656 Bellefontaine	39.74	2023	February 2024
31103	Storm Water	P70 01801 0034	5901 Lancer Ct	25.20	2023	February 2024
31103	Storm Water	P70 01803 0016	7901 Berchman Dr	29.59	2023	February 2024
31103	Storm Water	P70 01804 0055	6218 Buckman Dr	2.63	2023	February 2024
31103	Storm Water	P70 01806 0015	7636 Blackshear Dr	39.88	2023	February 2024
31103	Storm Water	P70 01910 0029	4691 Powell Rd	20.84	2023	February 2024
31103	Storm Water	P70 01913 0046	7037 Highbury Rd	33.44	2023	February 2024
31103	Storm Water	P70 01923 0002	5836 Old Troy Pk	68.90	2023	February 2024
31103	Storm Water	P70 02014 0001	8640 Taylorsville Rd	25.20	2023	February 2024
31103	Storm Water	P70 02021 0009	5985 Fox Trace Ct	25.20	2023	February 2024
31103	Storm Water	P70 02114 0003	7730 Brandt Pk	187.02	2023	February 2024
31103	Storm Water	P70 03901 0010	8610 Chambersburg Rd	25.20	2023	February 2024
31103	Storm Water	P70 03901 0022	8860 Chambersburg Rd	25.20	2023	February 2024
31103	Storm Water	P70 03901 0024	8910 Chambersburg Rd	25.20	2023	February 2024
31103	Storm Water	P70 03902 0016	9160 Taylorsville Rd	25.20	2023	February 2024

31103	Storm Water	P70 03902 0021	9156 Taylorsville Rd	25.20	2023	February 2024
31103	Storm Water	P70 03902 0025	9220 Taylorsville Rd	25.20	2023	February 2024
31103	Storm Water	P70 03902 0046	7300 New Carlisle Pk	25.20	2023	February 2024
31103	Storm Water	P70 03902 0049	9304 Taylorsville Rd	25.20	2023	February 2024
31103	Storm Water	P70 03902 0050	9340 Taylorsville Rd	25.20	2023	February 2024
31103	Storm Water	P70 03902 0052	9378 Taylorsville Rd	23.94	2023	February 2024
31103	Storm Water	P70 03902 0055	9341 Taylorsville Rd	25.20	2023	February 2024
31103	Storm Water	P70 03903 0001	8844 Bellefontaine Rd	25.20	2023	February 2024
31103	Storm Water	P70 03903 0072	8984 Bellefontaine Rd	25.20	2023	February 2024
31103	Storm Water	P70 03903 0084	8933 Bellefontaine Rd	25.20	2023	February 2024
31103	Storm Water	P70 03904 0006	7795 Chambersburg Rd	25.20	2023	February 2024
31103	Storm Water	P70 03904 0010	7450 Chambersburg Rd	25.20	2023	February 2024
31103	Storm Water	P70 03904 0018	7990 Chambersburg Rd	25.20	2023	February 2024
31103	Storm Water	P70 03904 0041	8184 Chambersburg Rd	25.20	2023	February 2024
31103	Storm Water	P70 03904 0050	7861 Chambersburg Rd	25.20	2023	February 2024
31103	Storm Water	P70 03904 0078	8288 Chambersburg Rd	25.20	2023	February 2024
31103	Storm Water	P70 03904 0085	8701 Adams Rd	46.04	2023	February 2024
31103	Storm Water	P70 03904 0092	7850 Chambersburg Rd	25.20	2023	February 2024
31103	Storm Water	P70 03904 0104	7800 Chambersburg Rd	25.20	2023	February 2024
31103	Storm Water	P70 03905 0002	7840 Bellefontaine Rd	25.20	2023	February 2024
31103	Storm Water	P70 03905 0004	7780 Bellefontaine Rd	25.20	2023	February 2024
31103	Storm Water	P70 03905 0062	8125 Taylorsville Rd	25.20	2023	February 2024
31103	Storm Water	P70 03905 0081	8767 Taylorsville Rd	25.20	2023	February 2024
31103	Storm Water	P70 03905 0086	7707 Bellefontaine Rd	25.20	2023	February 2024
31103	Storm Water	P70 03906 0030	8485 Bellefontaine Rd	25.20	2023	February 2024
31103	Storm Water	P70 03908 0018	7440 Chambersburg Rd	25.20	2023	February 2024
31103	Storm Water	P70 03908 0021	6795 Fishburg Rd	25.20	2023	February 2024
31103	Storm Water	P70 03908 0022	6585 Fishburg Rd	50.40	2023	February 2024
31103	Storm Water	P70 03908 0029	6580 Chambersburg Rd	25.20	2023	February 2024
31103	Storm Water	P70 03908 0031	6616 Chambersburg Rd	25.20	2023	February 2024
31103	Storm Water	P70 03908 0038	6760 Chambersburg Rd	25.20	2023	February 2024
31103	Storm Water	P70 03908 0043	6485 Bellefontaine Rd	25.20	2023	February 2024
31103	Storm Water	P70 03908 0047	7020 Chambersburg Rd	25.20	2023	February 2024
31103	Storm Water	P70 03908 0054	6745 Fishburg Rd	25.20	2023	February 2024
31103	Storm Water	P70 03908 0060	7136 Chambersburg Rd	25.20	2023	February 2024
31103	Storm Water	P70 03908 0065	6535 Fishburg Rd	25.20	2023	February 2024
31103	Storm Water	P70 03909 0058	7459 Taylorsville Rd	25.20	2023	February 2024
31103	Storm Water	P70 03910 0044	7240 Shull Rd	25.20	2023	February 2024
31103	Storm Water	P70 03911 0007	5500 Bellefontaine Rd	25.20	2023	February 2024
31103	Storm Water	P70 03911 0038	5730 Brandt Pk	25.20	2023	February 2024
31103	Storm Water	P70 03912 0023	5119 Fishburg Rd	25.20	2023	February 2024
31103	Storm Water	P70 03912 0079	5363 Tilbury Rd	408.66	2023	February 2024
31103	Storm Water	P70 04001 0006	6225 Taylorsville Rd	20.48	2023	February 2024
31103	Storm Water	P70 04001 0042	6775 Taylorsville Rd	25.20	2023	February 2024
31103	Storm Water	P70 04002 0018	6409 Shull Rd	25.20	2023	February 2024
31103	Storm Water	P70 04002 0054	6493 Shull Rd	25.20	2023	February 2024
31103	Storm Water	P70 04003 0043	4316 Powell Rd	25.20	2023	February 2024
31103	Storm Water	P70 04003 0051	4280 Powell Rd	25.20	2023	February 2024
31103	Storm Water	P70 04003 0104	4704 Fishburg Rd	42.70	2023	February 2024
31103	Storm Water	P70 04003 0120	4293 Powell Rd	25.20	2023	February 2024
31103	Storm Water	P70 04004 0017	4949 Chambersburg Rd	25.20	2023	February 2024
31103	Storm Water	P70 04004 0091	4820 Chambersburg Rd	25.20	2023	February 2024
31103	Storm Water	P70 04006 0071	8169 Old Troy Pk	187.68	2023	February 2024
31103	Storm Water	P70 04007 0028	4078 Powell Rd	25.20	2023	February 2024
31103	Storm Water	P70 04007 0039	4250 Fishburg Rd	25.20	2023	February 2024
31103	Storm Water	P70 04007 0056	4242 Powell Rd	25.20	2023	February 2024
31103	Storm Water	P70 04008 0009	6240 Endicott Rd	25.20	2023	February 2024

31103	Storm Water	P70 04009 0055	7571 Bridgewater Rd	25.20	2023	February 2024
31103	Storm Water	P70 04009 0057	4341 Taylorsville Rd	15.54	2023	February 2024
31103	Storm Water	P70 50217 0047	5801 Troy Villa Blvd	22.80	2023	February 2024
			TOTAL STORM WATER	\$4,689.42		
Project No	Project Desc	Parcel ID	Address	Total to be Assessed	Tax Year	Begin Collection
31324	Sewer	P48-003571 (Miar	1013 Arbor Dr	41.43	2023	February 2024
31324	Sewer	P70 00202 0001	6101 Rip Rap Rd	42.22	2023	February 2024
31324	Sewer	P70 00202 0010	6141 Rip Rap Rd	155.43	2023	February 2024
31324	Sewer	P70 00202 0078	5811 Shore Dr	155.43	2023	February 2024
31324	Sewer	P70 00202 0113	5819 Shore Dr	155.43	2023	February 2024
31324	Sewer	P70 00202 0142	5821 Shore Dr	120.89	2023	February 2024
31324	Sewer	P70 00202 0173	6177 Apache St	155.43	2023	February 2024
31324	Sewer	P70 00202 0212	6171 Pocahontas St	103.62	2023	February 2024
31324	Sewer	P70 00202 0225	6035 Shore Dr	155.43	2023	February 2024
31324	Sewer	P70 00202 0253	6139 Shore Dr	120.90	2023	February 2024
31324	Sewer	P70 00202 0266	4025 Kennebec Dr	172.70	2023	February 2024
31324	Sewer	P70 00202 0284	4086 Catawba Ave	155.43	2023	February 2024
31324	Sewer	P70 00202 0330	6219 Apache St	155.43	2023	February 2024
31324	Sewer	P70 00202 0358	4013 Champaign Ave	155.43	2023	February 2024
31324	Sewer	P70 00202 0362	4029 Champaign Ave	155.43	2023	February 2024
31324	Sewer	P70 00202 0365	4045 Champaign Ave	154.77	2023	February 2024
31324	Sewer	P70 00202 0376	6325 Champaign Ave	155.43	2023	February 2024
31324	Sewer	P70 00202 0405	4026 Navajo Ave	69.08	2023	February 2024
31324	Sewer	P70 00202 0456	6220 Apache St	34.54	2023	February 2024
31324	Sewer	P70 00202 0578	4180 Navajo Ave	150.43	2023	February 2024
31324	Sewer	P70 00202 0604	6333 Blackfoot St	207.36	2023	February 2024
31324	Sewer	P70 00202 0753	4095 Navajo Ave	155.43	2023	February 2024
31324	Sewer	P70 00202 0756	4087 Navajo Ave	155.43	2023	February 2024
31324	Sewer	P70 00202 0770	4037 Navajo Ave	155.43	2023	February 2024
31324	Sewer	P70 00202 0870	4028 Mohegan Ave	155.43	2023	February 2024
31324	Sewer	P70 00202 0912	4030 Chippewa Ave	63.84	2023	February 2024
31324	Sewer	P70 00202 0952	4037 Chippewa Ave	51.81	2023	February 2024
31324	Sewer	P70 00202 1131	6030 Shore Dr	155.43	2023	February 2024
31324	Sewer	P70 00202 1157	5810 Shore Dr	155.43	2023	February 2024
31324	Sewer	P70 00202 1160	5790 Shore Dr	155.43	2023	February 2024
31324	Sewer	P70 00202 1200	6461 Rip Rap Rd	155.43	2023	February 2024
31324	Sewer	P70 00202 1201	5785 Shore Dr	86.35	2023	February 2024
31324	Sewer	P70 00202 1204	6255 Blackfoot St	69.08	2023	February 2024
31324	Sewer	P70 00304 0018	5040 Bluffview Dr	29.62	2023	February 2024
31324	Sewer	P70 00411 0026	7690 Rustic Woods Dr	11.20	2023	February 2024
31324	Sewer	P70 00415 0005	7716 Timbercrest Dr	29.61	2023	February 2024
31324	Sewer	P70 00501 0013	5717 Charlesgate Rd	22.54	2023	February 2024
31324	Sewer	P70 00601 0002	6030 Shull Rd	12.38	2023	February 2024
31324	Sewer	P70 00709 0019	8701 Crenshaw La	30.66	2023	February 2024
31324	Sewer	P70 00807 0007	4650-56 Wayne Meadows Cir	271.93	2023	February 2024
31324	Sewer	P70 00807 0025	4327-33 Powell Rd	120.32	2023	February 2024
31324	Sewer	P70 00911 0007	4351 Kitridge Rd	4.37	2023	February 2024
31324	Sewer	P70 00914 0009	5128 Mariner Dr	33.90	2023	February 2024
31324	Sewer	P70 01007 0035	5738 Tibet Dr	11.91	2023	February 2024
31324	Sewer	P70 01009 0008	5046 Sabra Ave	65.17	2023	February 2024
31324	Sewer	P70 01203 0019	7129 Chadbourne Dr	43.44	2023	February 2024
31324	Sewer	P70 01205 0026	6631 Pegwood Ct	33.91	2023	February 2024
31324	Sewer	P70 01206 0010	7883 Sebring Dr	28.58	2023	February 2024
31324	Sewer	P70 01208 0011	5755 Cragmont Ct	33.68	2023	February 2024
31324	Sewer	P70 01401 0039	4807 Neptune La	72.96	2023	February 2024
31324	Sewer	P70 01405 0018	4901 Nebraska Ave	37.73	2023	February 2024
31324	Sewer	P70 01408 0005	5669 Botkins Rd	47.81	2023	February 2024

31324	Sewer	P70 01506 0008	6130 Ansbury Dr	27.40	2023	February 2024
31324	Sewer	P70 01511 0020	6185 Farmborough Dr	35.35	2023	February 2024
31324	Sewer	P70 01512 0061	5200 Tilbury Rd	99.61	2023	February 2024
31324	Sewer	P70 01513 0057	6440 Harshmanville	118.55	2023	February 2024
31324	Sewer	P70 01513 0068	5326 Cranwell Cr	52.37	2023	February 2024
31324	Sewer	P70 01601 0032	6123 Sandbury Dr	41.20	2023	February 2024
31324	Sewer	P70 01709 0065	7161 Kismet Pl	57.80	2023	February 2024
31324	Sewer	P70 01714 0019	7044 Hubbard Dr	37.07	2023	February 2024
31324	Sewer	P70 01804 0055	6218 Buckman Dr	22.01	2023	February 2024
31324	Sewer	P70 04001 0006	6225 Taylorsville Rd	231.57	2023	February 2024
31324	Sewer	P70 04009 0057	4341 Taylorsville Rd	9.33	2023	February 2024
			TOTAL SEWER	\$5,960.74		
Project No	Project Desc	Parcel ID	Address	Total to be Assessed	Tax Year	Begin Collection
31102	Water	P48-003571 (Miar	1013 Arbor Dr	70.32	2023	February 2024
31102	Water	P70 00202 0770	4037 Navajo Ave	3.92	2023	February 2024
31102	Water	P70 00304 0018	5040 Bluffview Dr	50.04	2023	February 2024
31102	Water	P70 00411 0026	7690 Rustic Woods Dr	18.84	2023	February 2024
31102	Water	P70 00415 0005	7716 Timbercrest Dr	50.24	2023	February 2024
31102	Water	P70 00501 0013	5717 Charlesgate Rd	56.90	2023	February 2024
31102	Water	P70 00601 0002	6030 Shull Rd	20.82	2023	February 2024
31102	Water	P70 00709 0019	8701 Crenshaw La	81.48	2023	February 2024
31102	Water	P70 00807 0007	4650-56 Wayne Meadows Cir	472.30	2023	February 2024
31102	Water	P70 00807 0025	4327-33 Powell Rd	207.75	2023	February 2024
31102	Water	P70 00911 0007	4351 Kitridge Rd	27.54	2023	February 2024
31102	Water	P70 00914 0009	5128 Mariner Dr	58.11	2023	February 2024
31102	Water	P70 01007 0035	5738 Tibet Dr	40.05	2023	February 2024
31102	Water	P70 01009 0008	5046 Sabra Ave	114.35	2023	February 2024
31102	Water	P70 01203 0019	7129 Chadbourne Dr	73.98	2023	February 2024
31102	Water	P70 01205 0026	6631 Pegwood Ct	57.81	2023	February 2024
31102	Water	P70 01206 0010	7883 Sebring Dr	46.71	2023	February 2024
31102	Water	P70 01208 0011	5755 Craigmont Ct	58.60	2023	February 2024
31102	Water	P70 01401 0039	4807 Neptune La	128.14	2023	February 2024
31102	Water	P70 01405 0018	4901 Nebraska Ave	49.27	2023	February 2024
31102	Water	P70 01408 0005	5669 Botkins Rd	74.47	2023	February 2024
31102	Water	P70 01506 0008	6130 Ansbury Dr	46.09	2023	February 2024
31102	Water	P70 01511 0020	6185 Farmborough Dr	52.79	2023	February 2024
31102	Water	P70 01512 0061	5200 Tilbury Rd	151.02	2023	February 2024
31102	Water	P70 01513 0057	6440 Harshmanville	206.47	2023	February 2024
31102	Water	P70 01513 0068	5326 Cranwell Cr	91.25	2023	February 2024
31102	Water	P70 01601 0032	6123 Sandbury Dr	71.91	2023	February 2024
31102	Water	P70 01709 0065	7161 Kismet Pl	157.48	2023	February 2024
31102	Water	P70 01714 0019	7044 Hubbard Dr	63.33	2023	February 2024
31102	Water	P70 01804 0055	6218 Buckman Dr	38.39	2023	February 2024
31102	Water	P70 01923 0002	5836 Old Troy Pk	2.60	2023	February 2024
31102	Water	P70 02114 0003	7730 Brandt Pk	2.60	2023	February 2024
31102	Water	P70 03902 0052	9378 Taylorsville Rd	0.44	2023	February 2024
31102	Water	P70 03903 0072	8984 Bellefontaine Rd	0.44	2023	February 2024
31102	Water	P70 03908 0038	6760 Chambersburg Rd	0.44	2023	February 2024
31102	Water	P70 03908 0043	6485 Bellefontaine Rd	0.44	2023	February 2024
31102	Water	P70 03908 0060	7136 Chambersburg Rd	0.44	2023	February 2024
31102	Water	P70 04009 0057	4341 Taylorsville Rd	63.49	2023	February 2024
			TOTAL WATER	\$2,711.26		

Water Combination Project #31102

2023 Assessment			
Project Nu	Parcell ID	Address	Amount
31102	P48-003571 (Miami Co)	1013 Arbor Dr	70.32
31102	P70 00202 0770	4037 Navajo Ave	3.92
31102	P70 00304 0018	5040 Bluffview Dr	50.04
31102	P70 00411 0026	7690 Rustic Woods Dr	18.84
31102	P70 00415 0005	7716 Timbercrest Dr	50.24
31102	P70 00501 0013	5717 Charlesgate Rd	56.90
31102	P70 00601 0002	6030 Shull Rd	20.82
31102	P70 00709 0019	8701 Crenshaw La	81.48
31102	P70 00807 0007	4650-56 Wayne Meadows Cir	472.30
31102	P70 00807 0025	4327-33 Powell Rd	207.75
31102	P70 00911 0007	4351 Kitridge Rd	27.54
31102	P70 00914 0009	5128 Mariner Dr	58.11
31102	P70 01007 0035	5738 Tibet Dr	40.05
31102	P70 01009 0008	5046 Sabra Ave	114.35
31102	P70 01203 0019	7129 Chadbourne Dr	73.98
31102	P70 01205 0026	6631 Pegwood Ct	57.81
31102	P70 01206 0010	7883 Sebring Dr	46.71
31102	P70 01208 0011	5755 Craigmont Ct	58.60
31102	P70 01401 0039	4807 Neptune La	128.14
31102	P70 01405 0018	4901 Nebraska Ave	49.27
31102	P70 01408 0005	5669 Botkins Rd	74.47
31102	P70 01506 0008	6130 Ansbury Dr	46.09
31102	P70 01511 0020	6185 Farmborough Dr	52.79
31102	P70 01512 0061	5200 Tilbury Rd	151.02
31102	P70 01513 0057	6440 Harshmanville	206.47
31102	P70 01513 0068	5326 Cranwell Cr	91.25
31102	P70 01601 0032	6123 Sandbury Dr	71.91
31102	P70 01709 0065	7161 Kismet Pl	157.48
31102	P70 01714 0019	7044 Hubbard Dr	63.33
31102	P70 01804 0055	6218 Buckman Dr	38.39
31102	P70 01923 0002	5836 Old Troy Pk	2.60
31102	P70 02114 0003	7730 Brandt Pk	2.60
31102	P70 03902 0052	9378 Taylorsville Rd	0.44
31102	P70 03903 0072	8984 Bellefontaine Rd	0.44
31102	P70 03908 0038	6760 Chambersburg Rd	0.44
31102	P70 03908 0043	6485 Bellefontaine Rd	0.44
31102	P70 03908 0060	7136 Chambersburg Rd	0.44
31102	P70 04009 0057	4341 Taylorsville Rd	63.49
			2,711.26

Storm Water Combination Project # 31103

2023 Assessment

31103	P48-003571 (Miami Co)	1013 Arbor Dr	10.50
31103	P70 00202 0001	6101 Rip Rap Rd	6.71
31103	P70 00202 0010	6141 Rip Rap Rd	20.48
31103	P70 00202 0078	5811 Shore Dr	20.48
31103	P70 00202 0113	5819 Shore Dr	20.48
31103	P70 00202 0142	5821 Shore Dr	16.28
31103	P70 00202 0173	6177 Apache St	20.48
31103	P70 00202 0212	6171 Pocahontas St	12.60
31103	P70 00202 0225	6035 Shore Dr	20.48
31103	P70 00202 0253	6139 Shore Dr	16.80
31103	P70 00202 0266	4025 Kennebec Dr	22.58
31103	P70 00202 0284	4086 Catawba Ave	20.48
31103	P70 00202 0330	6219 Apache St	20.48
31103	P70 00202 0358	4013 Champaign Ave	20.48
31103	P70 00202 0362	4029 Champaign Ave	20.48
31103	P70 00202 0365	4045 Champaign Ave	20.48
31103	P70 00202 0376	6325 Champaign Ave	20.48
31103	P70 00202 0405	4026 Navajo Ave	9.98
31103	P70 00202 0456	6220 Apache St	4.20
31103	P70 00202 0534	4156 Navajo Ave	18.90
31103	P70 00202 0578	4180 Navajo Ave	20.48
31103	P70 00202 0604	6333 Blackfoot St	20.48
31103	P70 00202 0712	6352 Apache St	25.20
31103	P70 00202 0753	4095 Navajo Ave	20.48
31103	P70 00202 0756	4087 Navajo Ave	20.48
31103	P70 00202 0770	4037 Navajo Ave	20.48
31103	P70 00202 0870	4028 Mohegan Ave	20.48
31103	P70 00202 0912	4030 Chippewa Ave	8.40
31103	P70 00202 0952	4037 Chippewa Ave	6.30
31103	P70 00202 1131	6030 Shore Dr	20.48
31103	P70 00202 1157	5810 Shore Dr	20.48
31103	P70 00202 1160	5790 Shore Dr	20.48
31103	P70 00202 1200	6461 Rip Rap Rd	20.48
31103	P70 00202 1201	5785 Shore Dr	12.08
31103	P70 00202 1204	6255 Blackfoot St	8.40
31103	P70 00204 0004	6086 Aaron La	25.20
31103	P70 00211 0006	8373 Taylorsville Rd	25.20
31103	P70 00212 0001	7620 Walmac St	25.20
31103	P70 00212 0007	7593 Walmac St	25.20
31103	P70 00213 0011	7671 Walmac St	25.20
31103	P70 00304 0018	5040 Bluffview Dr	8.00
31103	P70 00408 0010	7810 Fernbank Ct	18.57
31103	P70 00409 0026	4830 Flagstone Ct	33.44
31103	P70 00411 0026	7690 Rustic Woods Dr	24.90
31103	P70 00415 0005	7716 Timbercrest Dr	27.04
31103	P70 00501 0013	5717 Charlesgate Rd	6.42

31103	P70 00512 0037	5919 Timbergate Tr	25.20
31103	P70 00518 0005	4169 Powell Rd	25.20
31103	P70 00601 0002	6030 Shull Rd	2.80
31103	P70 00601 0027	8458 Schoolgate Dr	20.77
31103	P70 00619 0063	8278 Sun Prairie Pl	40.06
31103	P70 00709 0019	8701 Crenshaw La	6.60
31103	P70 00801 0019	7209 Summerdale Dr	25.20
31103	P70 00807 0007	4650-56 Wayne Meadows Cir	35.44
31103	P70 00807 0025	4327-33 Powell Rd	15.75
31103	P70 00810 0005	7317 Brandt Vista	33.21
31103	P70 00902 0010	7742 Belleplain Dr	25.20
31103	P70 00903 0003	7729 Mark Ave	25.20
31103	P70 00908 0008	5230 Monitor Dr	25.20
31103	P70 00911 0007	4351 Kitridge Rd	33.36
31103	P70 00914 0009	5128 Mariner Dr	24.20
31103	P70 00915 0018	4572 Korner Dr	25.20
31103	P70 00915 0028	4510 Korner Dr	46.25
31103	P70 01001 0003	7116 Taylorsville Rd	25.20
31103	P70 01003 0005	7415 Brandt Pk	21.54
31103	P70 01006 0026	4691 Powell Rd	26.07
31103	P70 01007 0035	5738 Tibet Dr	2.70
31103	P70 01009 0008	5046 Sabra Ave	6.67
31103	P70 01106 0005	7350 Brandt Pk	25.20
31103	P70 01114 0034	7129 Troy Manor Rd	25.20
31103	P70 01203 0019	7129 Chadbourne Dr	4.80
31103	P70 01205 0026	6631 Pegwood Ct	6.00
31103	P70 01206 0010	7883 Sebring Dr	8.17
31103	P70 01208 0011	5755 Craigmont Ct	24.88
31103	P70 01401 0039	4807 Neptune La	24.84
31103	P70 01404 0012	4842 Nebraska Ave	25.20
31103	P70 01405 0018	4901 Nebraska Ave	35.34
31103	P70 01408 0005	5669 Botkins Rd	6.77
31103	P70 01408 0042	5701 Belmar Dr	46.04
31103	P70 01409 0025	5328 Rye Dr	29.94
31103	P70 01506 0008	6130 Ansbury Dr	18.31
31103	P70 01506 0020	5539 Leibold Dr	34.91
31103	P70 01511 0020	6185 Farmborough Dr	29.24
31103	P70 01512 0061	5200 Tilbury Rd	9.28
31103	P70 01513 0057	6440 Harshmanville	10.53
31103	P70 01513 0068	5326 Cranwell Cr	6.43
31103	P70 01515 0013	4877 Fishburg Rd	43.64
31103	P70 01601 0032	6123 Sandbury Dr	6.40
31103	P70 01602 0054	4973 Chesham Dr	31.34
31103	P70 01614 0038	5915 Corsica Dr	20.84
31103	P70 01616 0028	5956 Corsica Dr	25.20
31103	P70 01702 0019	6905 Morley La	25.20
31103	P70 01709 0027	6226 Leawood Dr	26.47
31103	P70 01709 0065	7161 Kismet Pl	35.55

31103	P70 01714 0019	7044 Hubbard Dr	31.42
31103	P70 01718 0007	5656 Bellefontaine	39.74
31103	P70 01801 0034	5901 Lancer Ct	25.20
31103	P70 01803 0016	7901 Berchman Dr	29.59
31103	P70 01804 0055	6218 Buckman Dr	2.63
31103	P70 01806 0015	7636 Blackshear Dr	39.88
31103	P70 01910 0029	4691 Powell Rd	20.84
31103	P70 01913 0046	7037 Highbury Rd	33.44
31103	P70 01923 0002	5836 Old Troy Pk	68.90
31103	P70 02014 0001	8640 Taylorsville Rd	25.20
31103	P70 02021 0009	5985 Fox Trace Ct	25.20
31103	P70 02114 0003	7730 Brandt Pk	187.02
31103	P70 03901 0010	8610 Chambersburg Rd	25.20
31103	P70 03901 0022	8860 Chambersburg Rd	25.20
31103	P70 03901 0024	8910 Chambersburg Rd	25.20
31103	P70 03902 0016	9160 Taylorsville Rd	25.20
31103	P70 03902 0021	9156 Taylorsville Rd	25.20
31103	P70 03902 0025	9220 Taylorsville Rd	25.20
31103	P70 03902 0046	7300 New Carlisle Pk	25.20
31103	P70 03902 0049	9304 Taylorsville Rd	25.20
31103	P70 03902 0050	9340 Taylorsville Rd	25.20
31103	P70 03902 0052	9378 Taylorsville Rd	23.94
31103	P70 03902 0055	9341 Taylorsville Rd	25.20
31103	P70 03903 0001	8844 Bellefontaine Rd	25.20
31103	P70 03903 0072	8984 Bellefontaine Rd	25.20
31103	P70 03903 0084	8933 Bellefontaine Rd	25.20
31103	P70 03904 0006	7795 Chambersburg Rd	25.20
31103	P70 03904 0010	7450 Chambersburg Rd	25.20
31103	P70 03904 0018	7990 Chambersburg Rd	25.20
31103	P70 03904 0041	8184 Chambersburg Rd	25.20
31103	P70 03904 0050	7861 Chambersburg Rd	25.20
31103	P70 03904 0078	8288 Chambersburg Rd	25.20
31103	P70 03904 0085	8701 Adams Rd	46.04
31103	P70 03904 0092	7850 Chambersburg Rd	25.20
31103	P70 03904 0104	7800 Chambersburg Rd	25.20
31103	P70 03905 0002	7840 Bellefontaine Rd	25.20
31103	P70 03905 0004	7780 Bellefontaine Rd	25.20
31103	P70 03905 0062	8125 Taylorsville Rd	25.20
31103	P70 03905 0081	8767 Taylorsville Rd	25.20
31103	P70 03905 0086	7707 Bellefontaine Rd	25.20
31103	P70 03906 0030	8485 Bellefontaine Rd	25.20
31103	P70 03908 0018	7440 Chambersburg Rd	25.20
31103	P70 03908 0021	6795 Fishburg Rd	25.20
31103	P70 03908 0022	6585 Fishburg Rd	50.40
31103	P70 03908 0029	6580 Chambersburg Rd	25.20
31103	P70 03908 0031	6616 Chambersburg Rd	25.20
31103	P70 03908 0038	6760 Chambersburg Rd	25.20
31103	P70 03908 0043	6485 Bellefontaine Rd	25.20

31103	P70 03908 0047	7020 Chambersburg Rd	25.20
31103	P70 03908 0054	6745 Fishburg Rd	25.20
31103	P70 03908 0060	7136 Chambersburg Rd	25.20
31103	P70 03908 0065	6535 Fishburg Rd	25.20
31103	P70 03909 0058	7459 Taylorsville Rd	25.20
31103	P70 03910 0044	7240 Shull Rd	25.20
31103	P70 03911 0007	5500 Bellefontaine Rd	25.20
31103	P70 03911 0038	5730 Brandt Pk	25.20
31103	P70 03912 0023	5119 Fishburg Rd	25.20
31103	P70 03912 0079	5363 Tilbury Rd	408.66
31103	P70 04001 0006	6225 Taylorsville Rd	20.48
31103	P70 04001 0042	6775 Taylorsville Rd	25.20
31103	P70 04002 0018	6409 Shull Rd	25.20
31103	P70 04002 0054	6493 Shull Rd	25.20
31103	P70 04003 0043	4316 Powell Rd	25.20
31103	P70 04003 0051	4280 Powell Rd	25.20
31103	P70 04003 0104	4704 Fishburg Rd	42.70
31103	P70 04003 0120	4293 Powell Rd	25.20
31103	P70 04004 0017	4949 Chambersburg Rd	25.20
31103	P70 04004 0091	4820 Chambersburg Rd	25.20
31103	P70 04006 0071	8169 Old Troy Pk	187.68
31103	P70 04007 0028	4078 Powell Rd	25.20
31103	P70 04007 0039	4250 Fishburg Rd	25.20
31103	P70 04007 0056	4242 Powell Rd	25.20
31103	P70 04008 0009	6240 Endicott Rd	25.20
31103	P70 04009 0055	7571 Bridgewater Rd	25.20
31103	P70 04009 0057	4341 Taylorsville Rd	15.54
31103	P70 50217 0047	5801 Troy Villa Blvd	22.80
			4,689.42

Project NuParcel ID	Address	Amount
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Sewer Combination Project #31324

2023 Assessment			
Project Number	Parcel ID	Address	Amount
31324	P48-003571 (Miami Co)	1013 Arbor Dr	41.43
31324	P70 00202 0001	6101 Rip Rap Rd	42.22
31324	P70 00202 0010	6141 Rip Rap Rd	155.43
31324	P70 00202 0078	5811 Shore Dr	155.43
31324	P70 00202 0113	5819 Shore Dr	155.43
31324	P70 00202 0142	5821 Shore Dr	120.89
31324	P70 00202 0173	6177 Apache St	155.43
31324	P70 00202 0212	6171 Pocahontas St	103.62
31324	P70 00202 0225	6035 Shore Dr	155.43
31324	P70 00202 0253	6139 Shore Dr	120.90
31324	P70 00202 0266	4025 Kennebec Dr	172.70
31324	P70 00202 0284	4086 Catawba Ave	155.43
31324	P70 00202 0330	6219 Apache St	155.43
31324	P70 00202 0358	4013 Champaign Ave	155.43
31324	P70 00202 0362	4029 Champaign Ave	155.43
31324	P70 00202 0365	4045 Champaign Ave	154.77
31324	P70 00202 0376	6325 Champaign Ave	155.43
31324	P70 00202 0405	4026 Navajo Ave	69.08
31324	P70 00202 0456	6220 Apache St	34.54
31324	P70 00202 0578	4180 Navajo Ave	150.43
31324	P70 00202 0604	6333 Blackfoot St	207.36
31324	P70 00202 0753	4095 Navajo Ave	155.43
31324	P70 00202 0756	4087 Navajo Ave	155.43
31324	P70 00202 0770	4037 Navajo Ave	155.43
31324	P70 00202 0870	4028 Mohegan Ave	155.43
31324	P70 00202 0912	4030 Chippewa Ave	63.84
31324	P70 00202 0952	4037 Chippewa Ave	51.81
31324	P70 00202 1131	6030 Shore Dr	155.43
31324	P70 00202 1157	5810 Shore Dr	155.43
31324	P70 00202 1160	5790 Shore Dr	155.43
31324	P70 00202 1200	6461 Rip Rap Rd	155.43
31324	P70 00202 1201	5785 Shore Dr	86.35
31324	P70 00202 1204	6255 Blackfoot St	69.08
31324	P70 00304 0018	5040 Bluffview Dr	29.62
31324	P70 00411 0026	7690 Rustic Woods Dr	11.20
31324	P70 00415 0005	7716 Timbercrest Dr	29.61
31324	P70 00501 0013	5717 Charlesgate Rd	22.54
31324	P70 00601 0002	6030 Shull Rd	12.38
31324	P70 00709 0019	8701 Crenshaw La	30.66
31324	P70 00807 0007	4650-56 Wayne Meadows Cir	271.93
31324	P70 00807 0025	4327-33 Powell Rd	120.32
31324	P70 00911 0007	4351 Kitridge Rd	4.37
31324	P70 00914 0009	5128 Mariner Dr	33.90
31324	P70 01007 0035	5738 Tibet Dr	11.91
31324	P70 01009 0008	5046 Sabra Ave	65.17

31324	P70 01203 0019	7129 Chadbourne Dr	43.44
31324	P70 01205 0026	6631 Pegwood Ct	33.91
31324	P70 01206 0010	7883 Sebring Dr	28.58
31324	P70 01208 0011	5755 Craigmont Ct	33.68
31324	P70 01401 0039	4807 Neptune La	72.96
31324	P70 01405 0018	4901 Nebraska Ave	37.73
31324	P70 01408 0005	5669 Botkins Rd	47.81
31324	P70 01506 0008	6130 Ansbury Dr	27.40
31324	P70 01511 0020	6185 Farmborough Dr	35.35
31324	P70 01512 0061	5200 Tilbury Rd	99.61
31324	P70 01513 0057	6440 Harshmanville	118.55
31324	P70 01513 0068	5326 Cranwell Cr	52.37
31324	P70 01601 0032	6123 Sandbury Dr	41.20
31324	P70 01709 0065	7161 Kismet Pl	57.80
31324	P70 01714 0019	7044 Hubbard Dr	37.07
31324	P70 01804 0055	6218 Buckman Dr	22.01
31324	P70 04001 0006	6225 Taylorsville Rd	231.57
31324	P70 04009 0057	4341 Taylorsville Rd	9.33
			5,960.74

AI-9376

**New Business C.
City Manager**

City Council Meeting

Meeting Date: 07/24/2023

Increase Not To Exceed Amount - Zashin & Rich - Labor Counsel

Submitted By: Bryan Chodkowski

Department: Human Resources

Council Committee Review?: Council Work Session
Date(s) of Committee Review: 07/18/2023

Audio-Visual Needs: None
Emergency Legislation?: No

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

Agenda Item Description or Legislation Title

A Resolution To Increase The Not To Exceed Amount For Zashin & Rich For Additional Professional Services For The City Of Huber Heights In Calendar Year 2023.
(first reading)

Purpose and Background

Attorney Jonathan D. Downes of the law firm Zashin & Rich provides legal representation for the City on matters involving employment, employee matters, and collective bargaining issues. Additional monies are necessary to ensure the City has appropriate representation in these matters through December 31, 2023.

Fiscal Impact

Source of Funds: General Fund

Cost: \$25,000

Recurring Cost? (Yes/No): Yes

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

Financial Implications:

The City budgets monies annually for legal representation.

Attachments

Resolution

CITY OF HUBER HEIGHTS
STATE OF OHIO

RESOLUTION NO. 2023-R-

TO INCREASE THE NOT TO EXCEED AMOUNT FOR ZASHIN & RICH FOR
ADDITIONAL PROFESSIONAL SERVICES FOR THE CITY OF HUBER HEIGHTS IN
CALENDAR YEAR 2023.

WHEREAS, Zashin & Rich provides legal representation to the City of Huber Heights on
employment matters; and

WHEREAS, the City Charter requires that City Council approve all work performed by a single
vendor in excess of \$25,000.00 in any given year.

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

Section 1. The City Manager is hereby authorized to increase the not to exceed amount for
Zashin & Rich by \$25,000.00 for a new total of \$50,000.00 to cover all additional expenses
throughout Calendar Year 2023 as needed.

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-9378

**New Business D.
City Manager**

City Council Meeting

Meeting Date: 07/24/2023

Natural Gas Aggregation

Submitted By: Hanane Eisentraut

Department: Engineering **Division:** Engineering

Council Committee Review?: Council **Date(s) of Committee Review:** 07/18/2023
Work
Session

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

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

Agenda Item Description or Legislation Title

A Resolution Approving The Plan Of Operation And Governance For The Miami Valley Communications Council Natural Gas Aggregation Program For The Purpose Of Jointly Establishing And Implementing A Natural Gas Program.
(first reading)

Purpose and Background

This legislation will allow Council to approve and adopt the plan of Operation and Governance of the Miami Valley Communications Council's (MVCC) natural gas aggregation program. This legislation also allows the City to join MVCC to act jointly with other member communities with group purchasing efforts for the acquisition and aggregation of the natural gas supply.

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
Exhibit A

CITY OF HUBER HEIGHTS
STATE OF OHIO

RESOLUTION NO. 2023-R-

APPROVING THE PLAN OF OPERATION AND GOVERNANCE FOR THE MIAMI VALLEY COMMUNICATIONS COUNCIL NATURAL GAS AGGREGATION PROGRAM FOR THE PURPOSE OF JOINTLY ESTABLISHING AND IMPLEMENTING A NATURAL GAS PROGRAM.

WHEREAS, the City of Huber Heights Council enacted legislation authorizing the City to establish a natural gas aggregation program pursuant to Section 4929.26, Ohio Revised Code (the “Aggregation Programs”) for the residents, businesses, and other natural gas consumers in the City, and for that purpose, to act jointly with any other municipal corporation, township, or county or other political subdivision of the State of Ohio, as permitted by law; and

WHEREAS, by joining the Miami Valley Communications Council (“MVCC”), the City will be able to act jointly with other member political subdivisions and thereby maximize the potential benefits of natural gas deregulation through group purchasing efforts; and

WHEREAS, Council, pursuant to Section 4929.26 of the Ohio Revised Code, has held two (2) public hearings on the Plan of Operation and Governance for the MVCC natural gas aggregation programs.

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

Section 1. It is hereby found and determined that this Council held two (2) public hearings, with the first hearing taking place on Monday, July 17, 2023 at 3:00 p.m., and the second hearing taking place on Monday, July 17, 2023 at 5:00 p.m., with each hearing meeting the necessary notice requirements as set forth in Section 4929.26 of the Ohio Revised Code.

Section 2. This Council hereby approves and adopts the Plan of Operation and Governance of the MVCC natural gas aggregation program presented to this Council and on file with the Clerk of Council with a copy of said plan attached in a substantially similar form as Exhibit A.

Section 3. This Council hereby joins MVCC to act jointly with other members and affiliate political subdivisions for the acquisition and aggregation of natural gas supply.

Section 4. 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 5. 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

EXHIBIT A

**Miami Valley
Communication Council**

**Amended
Natural Gas Aggregation
Operation and Governance
Plan**

For additional information contact Miami Valley Communications Council:

Jay Weiskircher, Executive Director

Phone: 937-424-1660

Email: jweiskircher@mvcc.net

Introduction

The Miami Valley Communications Council (“MVCC”) has developed this Plan of Operation and Governance on behalf of its member and affiliate communities regarding government aggregation of firm, full requirements power supply of natural gas for its consumers (the “Plan” or “Aggregation Program”). The Plan contains information on the structure, governance, operations, management, funding, and policies of the Aggregation Program to be utilized for participating consumers.

MVCC was formed in 1975 as a council of governments according to chapter 167 of the Ohio Revised Code. MVCC has acted as an agent for its members and affiliate communities to monitor, regulate and administer common cable television franchise agreements, manage the operation of the council’s cable access television channels, and develop and implement intergovernmental projects. The council is governed by a policy-making body consisting of delegates representing member cities. The council also has affiliate agreements with 24 other Miami Valley cities.

Now MVCC communities wish to proceed jointly to authorize MVCC to perform as their agent for development and administration of the Aggregation Program. Current communities expressing an interest in natural gas aggregation are Centerville, Germantown, Kettering, West Carrollton, Trotwood, Brookville, Englewood, Xenia, Miamisburg, Moraine, Huber Heights, Union, Clayton, Riverside, Troy, Eaton, Fairborn, and Monroe. The Program may add other communities and thereby combine additional residential and small commercial customers into a buying pool that will be attractive to third party suppliers (Suppliers). Participation in the Program is voluntary. Any individual customer can decline to be a member of the aggregation program and remain with Centerpoint’s (Local Utility) standard choice offer pricing or enter into a supply contract with any competitive retail natural gas service (CRNGS) supplier.

The MVCC communities have passed the necessary ordinances to place the issue of natural gas governmental aggregation on the ballot. Voters in each community approved natural gas aggregation and the community decided to utilize MVCC and the following Plan outlined below. This Plan will not be adopted until two public hearings are held in accordance with Section 4928.20(C) of the Ohio Revised Code.

Process

This Plan allows municipalities to join as either an opt-in municipality (“OIM”) or an opt-out municipality (“OOM”).

If a community joins the Program as an OIM, that community’s eligible residential and small business customers in the authorized areas shall receive an offer letter setting forth the rates, terms, and conditions of the program. To participate the eligible residential and

small business customers must affirmatively enroll in the Program by a specific deadline described in the offer letter.

If a community elects to become an OOM, all eligible residential and small business customers in the authorized areas of MVCC are automatically included as participants in the Aggregation Program unless they opt-out of the program by providing written notice of their intention not to participate. As required by Ohio Law, the various communities jointly participating in the MVCC natural gas governmental aggregation passed a Resolution or Ordinance, which authorized submitting the selection of opt-out aggregation to the community's voters. The voters approved opt-out aggregation in each community and the community decided to join the MVCC Program.

In addition to each community joining the MVCC program, it is also required to comply with various PUCO regulations. As required by PUCO regulations MVCC will file an application with the PUCO for certification as a Government Aggregator after MVCC approves this Plan. As required by regulations, MVCC advertised public hearing dates to discuss the Plan and held two hearings on the Plan.

MVCC anticipates selection of a Provider after receiving approval from the PUCO as a governmental aggregator. Upon Provider selection an opt-out notice for the MVCC Program will be sent to all eligible natural gas customers in MVCC's OOM communities setting forth the rates, terms, and conditions of the program. This notice will provide potential Aggregation participants with at least 21 days to return an opt-out card or other similar notice.

MVCC Aggregation Program

The purpose of the aggregation program is to reduce the amount consumers pay for natural gas. MVCC will not buy and resell natural gas for the participants of the program. Instead, MVCC will work with its energy consultant to competitively bid and negotiate a contract with a CRNGS to provide natural gas to the members of the aggregation program.

MVCC will obtain the list of customers within its boundaries from Centerpoint or other natural gas distribution utility, either by zip code or by method provided by the utility. MVCC will have its CRNGS cleanse the data to ensure that it does not contain customers with alternate suppliers, PIPP customers, and any other excludable consumers, and only those who live within the jurisdictional boundaries of MVCC communities. MVCC will then have its CRNGS send an opt-out notice to each eligible customer which discloses the offered price for natural gas along with any applicable contract terms. The opt-out notice will clearly inform potential customers that they may opt-out of the program during the 21-day period following the mailing of the notification, along with instructions on how to opt-out. Customers who opt-out of MVCC's aggregation program during this initial notification period will continue to receive SCO supplies until the customer chooses an alternative CRNGS or chooses to opt-in to the aggregation program later.

Operation

Existing MVCC staff, the program energy consultant and the CRNGS will provide all necessary technical analysis, competitive procurement of services, regulatory approvals, accounting and fiscal management, contract maintenance, communications, program coordination and administrative support.

Funding

The primary expenses associated with operating this program are printing and mailing cost of the opt-out notices, and fees for an energy consultant. Instead of paying for these costs upfront, MVCC expects to embed its fees into the chosen CRNGS rates offered to potential program participants.

Notification of Customers

All eligible customers in an MVCC municipality will receive opt-out information in the mail. MVCC will adhere to all eligibility requirements of R.C. 4929.26. Essentially, eligible customers cannot be under contract to buy natural gas from an alternate CRNGS or a mercantile customer.

The opt-out notice shall clearly inform customers of the offered rate, and that they have the right to opt-out of MVCC's aggregation program within twenty-one days after the mailing of the notice without paying a switching fee. The opt-out notice will fully describe how to opt-out. After the completion of the opt-out process, the residents who did not opt out will be included in MVCC's aggregation program.

Customer opt-out

Customers may opt-out of MVCC aggregation program at no charge within the twenty-one-day period following the mailing of the notice containing the rates and terms of the aggregation program. Customers who return the required opt-out notice will continue to receive SCO supplies through Centerpoint. MVCC will offer the twenty-one-day period during which customers can opt-out of the aggregation program without charge at least every two years pursuant to state law.

Customer opt-in and Refresh Mailings

MVCC intends on having its supplier allow customers who move into or within MVCC's municipalities to opt into MVCC's aggregation program by calling and voluntarily signing up with the supplier. MVCC will strive to provide these new customers with a similar rate to those already participating in the aggregation. Additionally, MVCC's supplier may obtain a refreshed customer list from Centerpoint approximately every six

months. MVCC's supplier may then send aggregation information to newly eligible customers identified on the refresher list. Whether this information is in opt-in or opt-out format will depend on the negotiated language of the supplier contract. If interim opt outs are to take place; a twenty-one day opt-out will occur in the manner described above.

Disputes

The procedure for handling complaints will be in accordance with the rules set by the PUCO and managed by the CRNGS. Dispute resolution provisions will also be in accordance with PUCO regulations. The opt-out package will contain the telephone numbers and websites for the PUCO and the Ohio Consumers Counsel, as well as the supplier's toll-free number.

MVCC's supplier will maintain this toll-free number for all customer related questions and complaints. MVCC shall require that the personnel assigned to answer these calls are trained and provided the knowledge specific to MVCC's program.

Termination of natural gas supply program

The natural gas supply program may be terminated at the expiration of the supply contract without any extension, renewal or subsequent supply contract being negotiated.

In either event, the aggregation pool customers will return to Centerpoint unless and until they switch to an alternate supplier. Each individual customer receiving natural gas supply service under MVCC aggregation program will receive notification of the termination of the program before termination.

Rates

MVCC shall authorize its energy program consultant to receive proposals on its behalf from CRNGS using a competitive selection process. Bidders will provide pricing offers such as a fixed price, floating price, a percent off rate, or a combination of the above. If consumers have the option of choosing between fixed and floating prices, the opt-out package will contain ample and easy to understand information to aid the consumer in deciding which option best suits their natural gas needs. MVCC will decide which pricing structure(s), to offer based on the bids received, and an analysis of the current and projected market status as well as the bids received.

Billing and Payment

MVCC will continue to have Centerpoint invoice customers using an itemized format approved by the PUCO. MVCC will not become involved in any payment delinquency issues and thus will not require any type of consumer credit or deposit. If MVCC's

supplier wishes to pursue payment delinquency issues, details of the supplier's credit and deposit policies will be included in the opt-out package.

Centerpoint will continue to deliver the natural gas purchased on MVCC's aggregation program through its natural gas distribution system. Participants with questions or concerns regarding service delivery or safety, such as a natural gas outage or gas odor should continue to contact Centerpoint. Meter readings and other billing questions should also continue to be directed to Centerpoint.

Questions or concerns regarding the aggregation program should be directed to the CRNGS or MVCC.

Question or Concern	Contact	Telephone Number
Gas Odor or leaks	Centerpoint Energy	1-800-227-1376
Turn on or off gas service	Centerpoint Energy	1-800-227-1376
Billing Disputes	Centerpoint Energy	1-800-227-1376
Enroll or opt-out of program	CRNGS	1-800-XXX-XXXX
Program Questions or Concerns	CRNGS	1-800-XXX-XXXX
Unresolved Disputes	Public Utilities Commission of Ohio	1-800-686-7826 (voice) 1-800-686-1750 (TDD)
Unresolved Disputes	Ohio Consumers Council	1-877-742-5622 or occ@occ.state.oh.us

Liability

MVCC shall not be liable to Members in the Aggregation Group for any claims whatsoever arising out of the aggregation program or the provision of aggregation services by the MVCC or the Provider. Aggregation Group members shall assert any such claims solely against the Provider pursuant to the Power Supply Agreement, under which such participants are express third-party beneficiaries.

Copies of Plan

Copies of this plan are available from MVCC free of charge. Contact the MVCC office at 937-438-8887, for a copy or for more information.

Consumer Right to Contact PUCO

Any natural gas customer, including any participant in The MVCC Natural Gas Aggregation Program, may contact the Public Utilities Commission of Ohio (PUCO) for information, or make a complaint against the Program, the Provider, or CGO. The PUCO may be reached toll free at 1-800-686-7826. The PUCO may be reached at 1-800-686-1570 for all TDD/TYY calls. The Ohio Consumers' Counsel may be reached at 1-877-742-5622.

AI-9380

**New Business E.
City Manager**

City Council Meeting

Meeting Date: 07/24/2023

Powell Road Realignment Project - OPWC Application

Submitted By: Hanane Eisentraut

Department: Engineering **Division:** Engineering

Council Committee Review?: Council Work Session **Date(s) of Committee Review:** 07/18/2023

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

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

Agenda Item Description or Legislation Title

A Resolution Authorizing The City Manager To Prepare And Submit An Application To Participate In The Ohio Public Works Commission State Capital Improvement And/Or Local Transportation Improvement Program(s) And To Execute Contracts As Required For The Powell Road S Curve Realignment Project.
(first reading)

Purpose and Background

This legislation will authorize the City Manager to submit an application to the District IV Integrating Committee for funding to construct the Powell Road S Curve Realignment Pproject. It is necessary to secure funding to construct this project; and Ohio Public Works Commission (OPWC) funds are an appropriate source for the City to seek funding for 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



1 in = 100 ft

City of Huber Heights

Date: 5/3/2023



CITY OF HUBER HEIGHTS
STATE OF OHIO

RESOLUTION NO. 2023-R-

AUTHORIZING THE CITY MANAGER TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED FOR THE POWELL ROAD S CURVE REALIGNMENT PROJECT.

WHEREAS, the State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure; and

WHEREAS, the City of Huber Heights is planning to make capital improvements to realign the S curve on Powell Road; and

WHEREAS, the infrastructure improvement herein above described is considered to be a priority need for the community and is a qualified project under the Ohio Public Works Commission (OPWC) programs.

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

Section 1. The City Manager and/or the City Engineer is hereby authorized to apply to the Ohio Public Works Commission for funds as described above.

Section 2. The City Manager is further authorized to enter into any agreements as may be necessary and appropriate with the Ohio Public Works Commission to obtain this financial assistance for the Powell Road S Curve Realignment Project.

Section 3. This legislation shall serve to authorize the transmittal and submission of an application for funding under the OPWC Funds. The application authorized by this Resolution shall be for the Powell Road S Curve Realignment Project.

Section 4. This legislation shall also authorize the provision on any additional information which may be requested during the review of this application conducted by the District 4 Public Works Integrating Committee ("Committee") or any other appropriate committee or State of Ohio agency.

Section 5. The City of Huber Heights hereby commits to the local contribution for the project as identified in the project application as pertains to the improvement located within the corporate boundaries of the City of Huber Heights and further commits to those costs exceeding the estimate and which, therefore, exceed the grant amount.

Section 6. The City of Huber Heights hereby agrees to voluntarily contribute up to one (1) percent of the approved grant amount for the funds spent within the City of Huber Heights to help pay for expenses of the Committee.

Section 7. The City of Huber Heights also commits to additional reporting requirements by the Committee as part of the funding process.

Section 8. The City Manager is authorized to execute and enter into any agreements as may be necessary and appropriate with the Ohio Public Works Commission for the Powell Road S Curve Realignment Project.

Section 9. 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 10. 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-9381

**New Business F.
City Manager**

City Council Meeting

Meeting Date: 07/24/2023

Monita Field Lease Amendment

Submitted By: Bryan Chodkowski

Department: City Manager

Council Committee Review?: Council Work Session **Date(s) of Committee Review:** 07/18/2023

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

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

Agenda Item Description or Legislation Title

A Resolution Terminating The Lease Between The City Of Huber Heights And The Huber Heights Softball Baseball Association For Monita Field Park.
(first reading)

Purpose and Background

The Huber Heights Softball Baseball Association has notified the City it does not need to utilize the fields at Monita Field Park. This legislation will terminate the lease pursuant to the terms of that lease.

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-

TERMINATING THE LEASE BETWEEN THE CITY OF HUBER HEIGHTS AND THE HUBER HEIGHTS SOFTBALL BASEBALL ASSOCIATION FOR MONITA FIELD PARK.

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

WHEREAS, the Lease provides the HHSBA with use rights to certain softball and baseball fields at Thomas Could Park and Monita Field Park; and

WHEREAS, on June 22, 2023, representatives from the HHSBA informed the City they no longer had need for the softball/baseball fields located at Monita Field Park wishing to terminate the Lease; and

WHEREAS, the Lease may be terminated at any time with mutual agreement pursuant to Section 13 of the Lease.

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

Section 1. The City Council does hereby agree to terminate the Lease between the City of Huber Heights and HHSBA in furtherance of the HHSBA’s request from June 22, 2023.

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-9375

**New Business G.
City Manager**

City Council Meeting

Meeting Date: 07/24/2023

Purchase Of Snowplow Dump Trucks - Public Works Division

Submitted By: Linda Garrett

Department: Public Works **Division:** Public Works

Council Committee Review?: Council Work Session
Date(s) of Committee Review: 07/18/2023

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 To Purchase Two (2) Class 7 Snowplow Dump Trucks And Appurtenant Equipment Thereto For The Public Works Division And Waiving The Formal Bidding Requirements.
(first reading)

Purpose and Background

The Public Works Division requests authorization to purchase two (2) new snowplow dump trucks and appurtenant equipment.

Fiscal Impact

Source of Funds: Public Works Division Budget

Cost: TBD

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 TO PURCHASE TWO (2) CLASS 7 SNOWPLOW DUMP TRUCKS AND APPURTENANT EQUIPMENT THERETO FOR THE PUBLIC WORKS DIVISION AND WAIVING THE FORMAL BIDDING REQUIREMENTS.

WHEREAS, the need exists in the Public Works Division for two (2) Class 7 snowplow dump trucks to assist in snow removal and overall duties; and

WHEREAS, pricing for two (2) Class 7 snowplow dump trucks (cab and chassis) meeting the specifications of the Public Works Division is available through the State of Ohio Department of Administrative Service Cooperative Purchasing Program; and

WHEREAS, only one source of the necessary appurtenant equipment compatible with the two (2) Class 7 snowplow dump trucks is reasonably available; and

WHEREAS, the funds for this purchase have been appropriated for the Public Works Division as part of the approved 2024 Public Works Division Budget.

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

Section 1. In accordance with Section 171.09 of the Heights Codified Ordinances, Council hereby waives the requirements to formally bid the purchase of two (2) Class 7 snowplow dump trucks, provided the aggregate price with necessary appurtenant equipment does not exceed \$ _____; and in accordance with Section 171.12(a)(1) of the City’s Codified Ordinances, Council hereby waives the requirements to formally bid the necessary equipment appurtenant to said two (2) Class snowplow dump trucks and awards the purchase and installation of the appurtenant equipment to K.E. Rose as the sole source provider.

Section 2. The City Manager is hereby authorized to contract for the purchase of two (2) Class 7 snowplow dump trucks and necessary equipment appurtenant thereto for the Public Works Division with the vendor providing the lowest and best price as determined by the Public Works Division for Fiscal Year 2024 in an amount not to exceed \$ _____.

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