



**CITY OF HUBER HEIGHTS
STATE OF OHIO**

City Council Work Session

November 17, 2025

6:00 P.M.

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

1. **Call Meeting To Order/Roll Call**

2. **Approval Of Minutes**

A. November 5, 2025

3. **Work Session Topics Of Discussion**

A. City Manager Report

B. Purchase Of Mini Excavator/Trailer - Public Works Division

C. Chambersburg Road West Improvement Project - Directing The Appropriation

D. Increase Not To Exceed Amount - CommConnect - IT Department

E. Increase Not To Exceed Amount - Bound Tree Medical - Fire Division

F. Increase Not To Exceed Amount - Atlantic Emergency Solutions - Fire Division

G. 2026 Annual Legislation

H. County Assessments Authorization - Grass/Weeds/Trash/Property Maintenance

I. Water/Sewer/Stormwater Rates

- * Water And Sewer Rates

- * Stormwater Rates

J. PVS Plastics - CRA Agreement

K. Indoor Music Venue - Site Improvements - Solicit Bids

L. Infrastructure Assessments - DEC - Carriage Trails II

- * Section 20 - Phase 1 - Special Assessments - Resolution Of Necessity

- * Section 20 - Phase 1 - Special Assessments - Ordinance To Proceed

M. Liquor Permit #10008780-1 - Buc-ee's - 8000 State Route 235

N. City Public Records Policy Update

O. 2026 MVRPC/First Suburbs Consortium Appointments

P. 2026 Law Director Contract

Q. City Code - Supplement 22 - Adopting Ordinance

R. City Code - Supplement 23 - Adopting Ordinance

S. Board And Commission Appointments

- * Citizen Complaint Review Board - Appointment

4. **Adjournment**

AI-11225

Topics Of Discussion A.

Council Work Session

Meeting Date: 11/17/2025

City Manager Report

Submitted By: Anthony Rodgers

Department: City Council

Council Committee Review?: Council Work Session **Date(s) of Committee Review:** 11/17/2025

Audio-Visual Needs: SmartBoard **Legal Review:** Not Needed

Emergency Legislation?: No **Motion/Ordinance/Resolution No.:** N/A

Agenda Item Description or Legislation Title

City Manager Report

Purpose and Background

A copy of the presentation given with the City Manager Report has been attached (see attached).

Fiscal Impact

Source of Funds: N/A

Cost: N/A

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

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

Financial Implications:

Attachments

No file(s) attached.

AI-11232

Topics Of Discussion B.

Council Work Session

Meeting Date: 11/17/2025

Purchase Of Mini Excavator/Trailer - Public Works Division

Submitted By: Linda Garrett

Department: Assistant City Manager - Public Services

Council Committee Review?: Council Work Session

Audio-Visual Needs: None

Emergency Legislation?: No

Division: Public Works

Date(s) of Committee Review: 11/17/2025

Legal Review: Not Needed

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

Agenda Item Description or Legislation Title

Purchase Of Mini Excavator/Trailer - Public Works Division

Purpose and Background

This legislation authorizes the Public Works Division to purchase a compact excavator and appurtenant trailer.

Fiscal Impact

Source of Funds: Public Works Division Budget

Cost: \$92,000

Recurring Cost? (Yes/No): No

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

Financial Implications:

Attachments

Resolution

CITY OF HUBER HEIGHTS
STATE OF OHIO

RESOLUTION NO. 2025-R-

AUTHORIZING THE CITY MANAGER TO AWARD PURCHASE FOR (1) BOBCAT E60 COMPACT EXCAVATOR AND APPURTENANT EQUIPMENT THERETO FOR THE PUBLIC WORKS DIVISION AND WAIVING THE FORMAL BIDDING REQUIREMENTS.

WHEREAS, the City of Huber Heights Public Works Division recognizes its obligation and the need to safely maintain City properties and maintain efficient operations; and

WHEREAS, pricing for one (1) Bobcat E60 compact excavator and appurtenant equipment meeting the specifications of the Public Works Division is available through the Sourcewell contract #020223-CEC; and

WHEREAS, the funds for purchase of one (1) Bobcat E60 compact excavator and appurtenant equipment are available within the Public Works Division capital funds for Fiscal Year 2025.

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

Section 1. In accordance with Section 171.09 of the Huber Heights Codified Ordinances, Council hereby waives the requirements to formally bid the purchase of one (1) Bobcat E60 compact excavator and appurtenant equipment.

Section 2. The City Manager is hereby authorized to purchase one (1) Bobcat E60 compact excavator and appurtenant equipment thereto for the Public Works Division from Doosan Bobcat North America, Inc. Government Sales, 250 East Beaton Drive, West Fargo, North Dakota 58078 (TID# 38-0425350) for Fiscal Year 2025 in an amount not to exceed \$92,000.00.

Section 3. It is hereby determined that all formal actions of this Council concerning and relating to the passage of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council and any of its Committees that resulted in such formal actions were conducted in meetings open to the public 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 _____, 2025;
_____ Yeas; _____ Nays.

Effective Date:

AUTHENTICATION:

Clerk of Council

Mayor

Date

Date

AI-11172

Topics Of Discussion D.

Council Work Session

Meeting Date: 11/17/2025

Increase Not To Exceed Amount - CommConnect - IT Department

Submitted By: Aaron Sorrell

Department: Assistant City Manager - Public Services

Council Committee Review?: Council Work Session **Date(s) of Committee Review:** 11/17/2025

Audio-Visual Needs: None **Legal Review:** Not Needed

Emergency Legislation?: No **Motion/Ordinance/Resolution No.:**

Agenda Item Description or Legislation Title

Increase Not To Exceed Amount - CommConnect - IT Department

Purpose and Background

This legislation increases the not to exceed amount by \$65,000 for CommConnect, LLC for the design and installation of cabling, audio-visual equipment, and security and access control equipment for the Richard F. Shomper City Governance Center.

Fiscal Impact

Source of Funds: Project Capital Fund
Cost: \$65,000
Recurring Cost? (Yes/No): No
Funds Available in Current Budget? (Yes/No): Yes
Financial Implications:

Attachments

Resolution

CITY OF HUBER HEIGHTS
STATE OF OHIO

RESOLUTION NO. 2025- R-

TO INCREASE THE NOT TO EXCEED AMOUNT FOR COMMCONNECT, LLC FOR THE DESIGN AND INSTALLATION OF CABLING, AUDIO-VISUAL EQUIPMENT, AND SECURITY AND ACCESS CONTROL EQUIPMENT FOR THE RICHARD F. SHOMPER CITY GOVERNANCE CENTER FOR FISCAL YEAR 2025.

WHEREAS, Commconnect, LLC is procuring and installing the Richard F. Shomper City Governance Center's computer, audio-visual, and security systems with a current not to exceed amount of \$460,000.00; and

WHEREAS, there is a desire and need to procure and install additional security and access control related equipment; and

WHEREAS, the City's Fiscal Officer has certified the availability of sufficient funds to cover the cost of this project.

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 Commconnect, LLC as established in Resolution No. 2025-R-7519 by \$65,000.00 for the design and installation of computer cabling, audio-visual equipment, and security and access control equipment for the Richard F. Shomper City Governance Center to a new not to exceed amount of \$525,000.00 for Fiscal Year 2025.

Section 2. It is hereby determined that all formal actions of this Council concerning and relating to the passage of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council and any of its Committees that resulted in such formal actions were conducted in meetings open to the public 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 _____, 2025;
_____ Yeas; _____ Nays.

Effective Date:

AUTHENTICATION:

Clerk of Council

Mayor

Date

Date

AI-11233

Council Work Session

Meeting Date:11/17/2025

Increase Not To Exceed Amount - Bound Tree Medical - Fire Division

Submitted By:Keith Knisley

Department:City Manager

Council Committee Review?:Council Work Session

Audio-Visual Needs:None

Emergency Legislation?:No

Topics Of Discussion

E.

Division:Fire

Date(s) of Committee Review:11/17/2025

Legal Review:Not Needed

Motion/Ordinance/
Resolution No.:

Agenda Item Description or Legislation Title

Increase Not To Exceed Amount - Bound Tree Medical - Fire Division

Purpose and Background

This legislation increases the not to exceed amount for Bound Tree Medical as established in Resolution No. 2024-R-7487 by \$30,000 to a new not to exceed amount of \$75,000 for Fiscal Year 2025 for the purchase of medical equipment.

Fiscal Impact

Source of Funds:Fire Capital/Fire Operations Funds

Cost:\$30,000

Recurring Cost? (Yes/No):No

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

Financial Implications:

Attachments

Resolution

CITY OF HUBER HEIGHTS
STATE OF OHIO

RESOLUTION NO. 2025-R-

TO INCREASE THE NOT TO EXCEED AMOUNT FOR BOUND TREE MEDICAL FOR THE PURPOSE OF PURCHASING MEDICAL EQUIPMENT FOR FISCAL YEAR 2025.

WHEREAS, Bound Tree Medical is the approved vendor and offers specific medical equipment to the City with a current spending limit of \$45,000.00; and

WHEREAS, there is a need to increase the not to exceed spending limit by \$30,000.00 to purchase additional medical supplies and equipment.

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 Bound Tree Medical as established in Resolution No. 2024-R-7487 by \$30,000.00 to a new not to exceed amount of \$75,000.00 for Fiscal Year 2025.

Section 2. It is hereby determined that all formal actions of this Council concerning and relating to the passage of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council and any of its Committees that resulted in such formal actions were conducted in meetings open to the public 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 _____, 2025;
_____ Yeas; _____ Nays.

Effective Date:

AUTHENTICATION:

Clerk of Council

Mayor

Date

Date

AI-11235

Topics Of Discussion F.

Council Work Session

Meeting Date: 11/17/2025

Increase Not To Exceed Amount - Atlantic Emergency Solutions - Fire Division

Submitted By: Keith Knisley

Department: City Manager

Division: Fire

Council Committee Review?: Council Work Session

Date(s) of Committee Review: 11/17/2025

Audio-Visual Needs: None

Legal Review: Not Needed

Emergency Legislation?: No

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

Agenda Item Description or Legislation Title

Increase Not To Exceed Amount - Atlantic Emergency Solutions - Fire Division

Purpose and Background

This legislation authorizes an increase to the not to exceed amount for Atlantic Emergency Solutions as established in Resolution No. 2025-R-7601 by \$22,000 to a new not to exceed amount of \$82,000 for Fiscal Year 2025. The Fire Division has received a grant from the Firehouse Subs Public Safety Foundation. There is a need to increase the not to exceed spending limit by \$22,000 for the Fire Division to complete the purchase of Paratech Struts outlined in the grant award.

Fiscal Impact

Source of Funds: Grant Funding /Fire Operations Fund

Cost: \$22,000

Recurring Cost? (Yes/No): No

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

Financial Implications:

One-time purchase per grant award from Firehouse Subs Public Safety Foundation.

Attachments

Resolution

CITY OF HUBER HEIGHTS
STATE OF OHIO

RESOLUTION NO. 2025-R-

TO INCREASE THE NOT TO EXCEED AMOUNT FOR ATLANTIC EMERGENCY SOLUTIONS FOR THE PURPOSE OF FIRE AND EMS APPARATUS MAINTENANCE AND PARTS FOR FISCAL YEAR 2025.

WHEREAS, Atlantic Emergency Solutions is a vendor for Paratech equipment, with a current spending limit of \$60,000.00; and

WHEREAS, Atlantic Emergency Solutions is the provider of Paratech equipment and the Fire Division has received a grant from the Firehouse Subs Public Safety Foundation for the purchase of six Paratech struts supplied by Atlantic Emergency Solutions; and

WHEREAS, there is a need to increase the not to exceed spending limit by \$22,000.00 to assist with spending the grant dollars and obtaining the equipment packaged as granted by the Firehouse Subs Public Safety Foundation.

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 Atlantic Emergency Solutions as established in Resolution No. 2025-R-7601 by \$22,000.00 to a new not to exceed amount of \$82,000.00 for Fiscal Year 2025.

Section 2. It is hereby determined that all formal actions of this Council concerning and relating to the passage of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council and any of its Committees that resulted in such formal actions were conducted in meetings open to the public 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 _____, 2025;
_____ Yeas; _____ Nays.

Effective Date:

AUTHENTICATION:

Clerk of Council

Mayor

Date

Date

AI-11228

Topics Of Discussion G.

Council Work Session

Meeting Date: 11/17/2025

2026 Annual Legislation

Submitted By: Rachael Dillahunt

Department: City Manager

Division: City Manager

Council Committee Review?: Council Work Session

Date(s) of Committee Review: 11/17/2025

Audio-Visual Needs: None

Legal Review: Not Needed

Emergency Legislation?: No

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

Agenda Item Description or Legislation Title

2026 Annual Legislation

Purpose and Background

This legislation authorizes the City Manager to enter into the necessary agreements and make necessary purchases of goods and services with certain vendors and supplies for the purchase, maintenance, and service of equipment, professional services, and miscellaneous operating expenses by various departments and divisions of the City of Huber Heights for Fiscal Year 2026 and waives the competitive bidding requirements.

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. 2025-R-

AUTHORIZING THE CITY MANAGER TO ENTER INTO THE NECESSARY AGREEMENTS AND MAKE NECESSARY PURCHASES OF GOODS AND SERVICES WITH CERTAIN VENDORS AND SUPPLIERS FOR THE PURCHASE, MAINTENANCE, AND SERVICE OF EQUIPMENT, PROFESSIONAL SERVICES, AND MISCELLANEOUS OPERATING EXPENSES BY VARIOUS DEPARTMENTS AND DIVISIONS OF THE CITY OF HUBER HEIGHTS FOR FISCAL YEAR 2026 AND WAIVING THE COMPETITIVE BIDDING REQUIREMENTS.

WHEREAS, the continuous operation of the various departments and divisions of the City rely on the purchase, maintenance and service of certain equipment; and

WHEREAS, the various departments and divisions of the City require certain professional services and miscellaneous operating expenses in order to perform necessary functions for the business of the City; and

WHEREAS, these purchases and services are needed retroactive or effective January 1, 2026, in order to perform the day-to-day routine operations of the various departments and divisions of the City; and

WHEREAS, these purchases and services are needed retroactive or effective January 1, 2026, in order to perform the day-to-day routine operations of the various departments and divisions of the City; and

WHEREAS, Chapter 171.12 of the Codified Ordinances of the City of Huber Heights allows Council to waive the competitive bidding procedures herein or approve alternate procedures whenever it deems it to be in the best interest of the City to do so.

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

Section 1. The City Manager is hereby authorized to enter into agreements and make necessary expenditures of funds with identified vendors and suppliers for the purchase, maintenance and service of equipment, professional services, and miscellaneous operating expenses by the various departments and divisions of the City retroactive or effective January 1, 2026, as follows:

- a. City Wide Facility Solutions, for the use of Cleaning and Facility Services at the Senior Center at cost not to exceed \$14,000.00.
- b. Amazon, for the use of operational and programmatic supplies for the Parks and Recreation department at a cost not to exceed \$25,000.00.
- c. Progressive Printers, for the use of printing services for summer magazine for the Parks and Recreation department at a cost not to exceed \$25,000.00.
- d. Republic Services, for the use of trash and porta potty services for the Parks and Recreation department at a cost not to exceed \$30,000.00.
- e. A&S Playzone LLC, for the use of event amenities for the Parks and Recreation department at a cost not to exceed \$15,000.00.
- f. K.E. Rose for the purchase of vehicles parts, equipment, and service for the Police Division at a cost not to exceed \$75,000.00.
- g. Phoenix Outfitters for the purchase of uniforms and equipment for the Police Division at a cost not to exceed \$70,000.00.
- h. Montgomery County, Ohio, for the use of prisoner housing, processing, medical testing, radio lease, maintenance, and court parking for the Police Division at a cost not to exceed \$100,000.00.
- i. Agile Networks for the use of connectivity switch maintenance for phones and radios for the Police Division at a cost not to exceed \$32,000.00.
- j. State of Ohio for the use of LEADS, OVI tests, OPOTA training for the Police Division at a cost not to exceed \$100,000.00.

- k. P&R Communications for the use of radio maintenance for the Police Division at a cost not to exceed \$50,000.00.
- l. Locution for the use of automated FIRE/EMS dispatching for the Police Division at a cost not to exceed \$35,000.00.
- m. Motorola for the use of radio, radio batteries, mobile dashcam cloud storage and video service for the Police Division at a cost not to exceed \$500,000.00.
- n. Dayton Chrysler Dodge Jeep for the use of vehicle maintenance, repairs, and parts for the Police Division at a cost not to exceed \$25,000.00.
- o. Amazon for the use of office supplies, computer supplies, K9 dog food and other miscellaneous items for the Police Division at a cost not to exceed \$35,000.00.
- p. Motorola Solutions for the replacement of 5 radio consoles and maintenance in the Communications/Dispatch Center at a cost not to exceed \$633,000.00.
- q. Various vendors for the use of road salt for the Public Works Division at a cost not to exceed \$500,000.00.
- r. K-Tech for the use of other deicing materials for the Public Works Division at a cost not to exceed \$30,000.00.
- s. Various vendors for the use of tires and tubes for the Public Works Division at a cost not to exceed \$30,000.00.
- t. Various vendors for the use of traffic paint and glass beads for the Public Works Division at a cost not to exceed \$85,000.00.
- u. Thorworks for the use of asphalt/aggregate materials for the Public Works Division at a cost not to exceed \$120,000.00.
- v. Northcoast Products for the use of asphalt/aggregate materials for the Public Works Division at a cost not to exceed \$120,000.00.
- w. Valley Asphalt for the use of asphalt/aggregate materials for the Public Works Division at a cost not to exceed \$120,000.00.
- x. Various vendors for the use of tree services for the Public Works Division at a cost not to exceed \$50,000.00.
- y. Wat-Kem for the use of plumbing services for the Public Works Division at a cost not to exceed \$75,000.00.
- z. Medicount for the use of EMS billing for the Fire Division at a cost not to exceed \$120,000.00.
- aa. Phoenix Fire Safety Outfitters for the use of personnel protective clothing for the Fire Division at a cost not to exceed \$35,000.00.
- bb. 911 Fleet and Fire Equipment for the use of personnel protective gear for the Fire Division at a cost no to exceed \$80,000.00.
- cc. City of Dayton (Fire Department Garage) for the use of vehicle maintenance and service of Fire apparatus for the Fire Division at a cost not to exceed \$45,000.
- dd. Bound Tree Medical for the use of EMS and pharmaceutical supplies for the Fire Division at a cost not to exceed \$60,000.00.
- ee. MES for the purchase of uniforms for the Fire Division at a cost not to exceed \$28,000.00.
- ff. ESO for the use of Fire and EMS Software Maintenance for the Fire Division at a cost not to exceed \$38,000.00.
- gg. Stryker for the use of cardiac monitor, cot, and AED maintenance for the Fire Division at a cost not to exceed \$45,000.00.
- hh. Heritage Fire Equipment for the use of vehicle maintenance and parts for the Fire Division at a cost not to exceed \$35,000.00.
- ii. Rush Trucking for the use of vehicle maintenance and parts for the Fire Division at a cost not to exceed \$28,000.00.
- jj. P&R Communications for the use of radio maintenance for the Fire Division at a cost not to exceed \$150,000.00.
- kk. Lowes for the use of building maintenance parts and other consumables for the Fire Division at a cost not to exceed \$20,000.00.
- ll. Atlantic Emergency Solutions for the use of vehicle parts and maintenance for the Fire Division at a cost not to exceed \$25,000.00.
- mm. Motorola for the use radio supplies and radio maintenance for the Fire Division at a cost not to exceed \$75,000.00.
- nn. Squire, Patton, Boggs LLC for the use of professional financial legal and bond counsel services for the Finance Department at a cost not to exceed \$450,000.00.

- oo. Plattenburg & Associates for the use of professional financial audit services for the Finance Department at a cost no to exceed \$150,000.00.
- pp. Coolidge Wall for the use of legal services for all departments at a cost not to exceed \$350,000.00.
- qq. Creative Financial Staffing for the use of temporary staffing services for the Accounting and Tax Divisions of the finance Department at accost not to exceed \$190,000.00.
- rr. Bradley Payne Advisors, LLC for the use of municipal advisory services debt issued by the city for the Finance Department at a cost not to exceed \$450,000.00.
- ss. Incentive Review Group for the use of professional accounting services related to the Economic Development projects at a cost no to exceed \$125,000.00.
- tt. Lennon & Company CPA for the Finance Department at a cost not to exceed \$60,000.00.
- uu. Civica CMI for the use of financial software applications for the Finance Department at a cost no to exceed \$100,000.00.
- vv. Software Solutions for the use of financial software applications for the Finance Department at a cost no to exceed \$150,000.00.
- ww. CDW-G for the use of state term contract computer and electronic equipment for the IT Department at a cost not to exceed \$80,000.00.
- xx. Amazon for the use of computer and electronic equipment for the IT Department at a cost not to exceed \$20,000.00.
- yy. Lakeshore IT for the use of computer and electronic equipment for the IT Department at a cost not to exceed \$40,000.00.
- zz. Dell IT Technologies for the use of computer and electronics for the IT department at a cost not to exceed \$50,000.00.
- aaa. SHI International for the purchase of software and licensing for the cloud-based applications for the IT Department at a cost no to exceed \$80,000.00.
- bbb. Secure Cyber Defense for the use of secure cyber for the IT Department at a cost no to exceed \$350,000.00.
- ccc. Promotional Spring for the use of services for printed newsletter and mailing for the Communications and Marketing Department at a cost not to exceed \$70,000.00.
- ddd. Zencity for the use of continued community engagement and data analytics services, civic insights, and resident feedback analysis for multiple departments/divisions at a cost not to exceed \$71,000.00.
- eee. CivicPlus for the use of website hosting, maintenance, and digital communications services for multiple divisions/departments at a cost not to exceed \$70,000.00.
- fff. Coolidge Wall for the use of legal services for all divisions/departments at a cost not to exceed \$350,000.00.
- ggg. Ryan L. Brunk for prosecution services in Montgomery County at a cost no to exceed \$90,000.00.
- hhh. Various vendors for the use of janitorial supplies for all departments/divisions at a cost not to exceed \$ 20,000.00.
- iii. Gasoline for the use of fuel for all departments/divisions at a cost not to exceed \$400,000.00.
- jjj. Diesel fuel for the use of fuel for all departments/divisions at a cost not to exceed \$300,000.00.
- kkk. GTG for the use of GIS mapping maintenance for multiple departments/divisions at a cost not to exceed \$80,000.
- lll. SC Strategic Solutions Inc. for the use of digitization of records for multiple departments/divisions at a cost not to exceed \$130,000.00.

Section 2. It is hereby determined that all formal actions of this Council concerning and relating to the passage of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council and any of its Committees that resulted in such formal actions were conducted in meetings open to the public 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 _____, 2025;
 _____ Yeas; _____ Nays.

Effective Date:

AUTHENTICATION:

Clerk of Council

Mayor

Date

AI-11229

Topics Of Discussion H.

Council Work Session

Meeting Date: 11/17/2025

County Assessments Authorization - Grass/Weeds/Trash/Property Maintenance

Submitted By: Jim Bell

Department: Assistant City Manager - Finance/ED

Division: Finance/Tax

Council Committee Review?: Council Work Session

Date(s) of Committee Review: 11/17/2025

Audio-Visual Needs: None

Legal Review: Not Needed

Emergency Legislation?: Yes

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

Agenda Item Description or Legislation Title

County Assessments Authorization - Grass/Weeds/Trash/Property Maintenance

Purpose and Background

Montgomery County requires all communities to pass separate legislation for assessments that are to be added to the tax duplicate. Therefore, before the City can assess property for such things as annual sidewalk and lighting assessments, 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. Assessments are based on collection for City services previously provided; therefore, City Staff are asking that this item be passed as emergency legislation.

Exhibit A, which provides all the details of the various assessments, is attached. Included in this legislation are assessments for grass/weed charges, trash abatement, and property maintenance abatement. Additionally, City Staff request waiving of the second reading and approval of this legislation at the City Council Meeting on November 24, 2025, because that meeting is the last opportunity to present assessments for the 2025 property tax bills that residents will receive in 2026.

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. 2025-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 Ohio Revised Code Section 727.30; (Ohio Revised Code Section 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 Ohio Revised Code Sections 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 resolution 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, the 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 determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council and any of its Committees that resulted in such formal actions were conducted in meetings open to the public 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 liens and to 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 _____, 2025;
_____ Yeas; _____ Nays.

Effective Date:

AUTHENTICATION:

Clerk of Council

Mayor

Date

Date

[illegible]

AI-11240

Topics Of Discussion I.

Council Work Session

Meeting Date: 11/17/2025

Water/Sewer Rates

Submitted By: Aaron Sorrell

Department: Assistant City Manager - Public Services

Council Committee Review?: Council Work Session **Date(s) of Committee Review:** 11/17/2025

Audio-Visual Needs: None **Legal Review:** Completed

Emergency Legislation?: No **Motion/Ordinance/Resolution No.:**

Agenda Item Description or Legislation Title

Water/Sewer/Stormwater Rates

* Water And Sewer Rates

Purpose and Background

This legislation increases the water and sewer rates for Huber Heights water customers through Calendar Year 2029. In Calendar Year 2030, water rate increases will be limited to CPI adjustments and sewer rate increases will be a combination of CPI adjustments and increased rates charged by the Tri-Cities North Regional Wastewater Authority. The proposed rates are the result of utility rate modeling completed by City Staff and the City's consultant, Waterworth. The model accounts for planned improvements to the City's water and sewer systems and known increases in costs through City contracts and agreements with Veolia Water and Tri-Cities North Regional Wastewater Authority.

Based on a 2025 rate study, the City of Huber Heights has the fourth-lowest combined water and sewer rates in the region. Huber Heights will continue to have competitive rates with these planned increases and will have additional revenue to maintain and improve the water and sewer utility systems.

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:

The proposed rate increases will generate additional revenue for the water and sewer enterprise funds.

Attachments

2025 Water/Sewer Rate Survey

2025 Tap Fee Survey

Ordinance

Exhibit A

2025 ANNUAL RATE SURVEY WATER COST

Rates are based on 22,500 gallons or
3,000 cubic feet of water in a three
month period. Rates quoted are those
in effect as of
March 1, 2025

HIGH: \$ 401.46

LOW: \$ 69.00

AVERAGE: \$ 163.22

MEDIAN: \$ 156.22

**WATER INCREASE OF 3.5%
FROM 2024 AVERAGE RATES**

70 WATER JURISDICTIONS

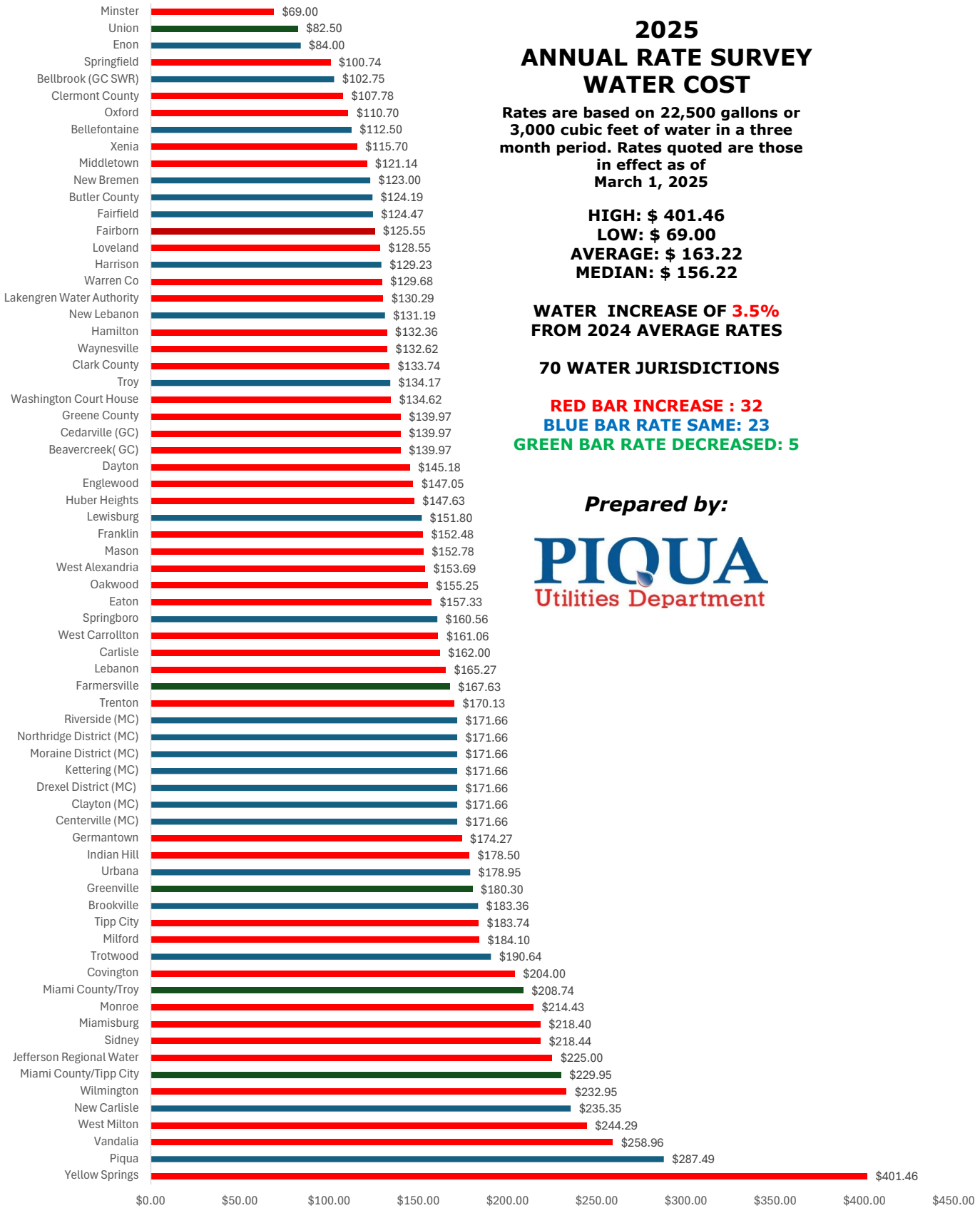
RED BAR INCREASE : 32

BLUE BAR RATE SAME: 23

GREEN BAR RATE DECREASED: 5

Prepared by:

PIQUA
Utilities Department



2025 ANNUAL RATE SURVEY SEWER COST

Rates are based on 22,500 gallons or 3,000 cubic feet of water in a three month period.
Rates quoted are those in effect as of March 1, 2025

HIGH: \$314.28

LOW: \$74.55

AVERAGE: \$173.59

MEDIAN: \$168.26

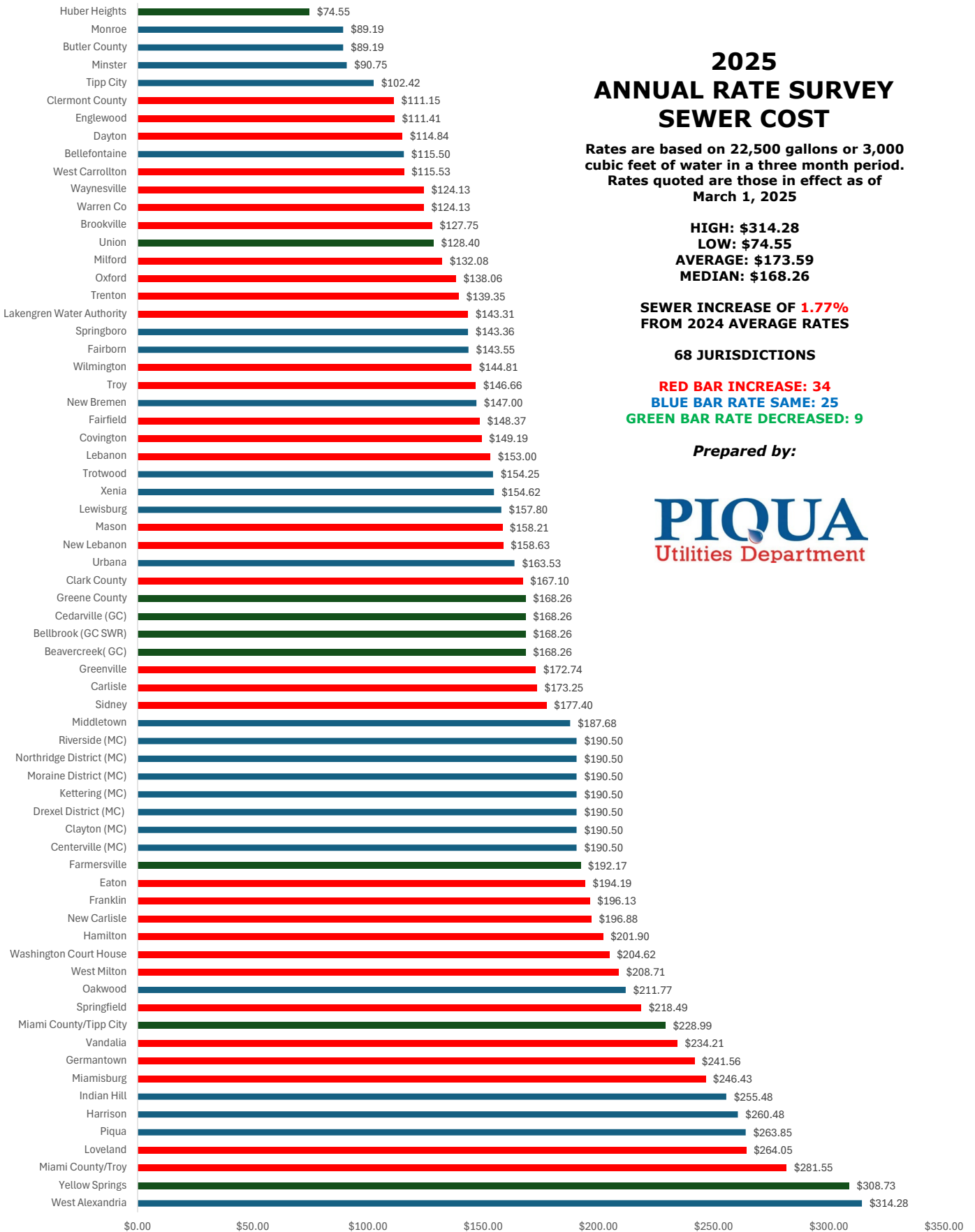
**SEWER INCREASE OF 1.77%
FROM 2024 AVERAGE RATES**

68 JURISDICTIONS

**RED BAR INCREASE: 34
BLUE BAR RATE SAME: 25
GREEN BAR RATE DECREASED: 9**

Prepared by:

PIQUA
Utilities Department



2025 ANNUAL RATE SURVEY COMBINED WATER & SEWER COSTS

HIGH: \$ 710.19
LOW: \$ 159.75
AVERAGE: \$ 337.75
MEDIAN: \$ 318.75

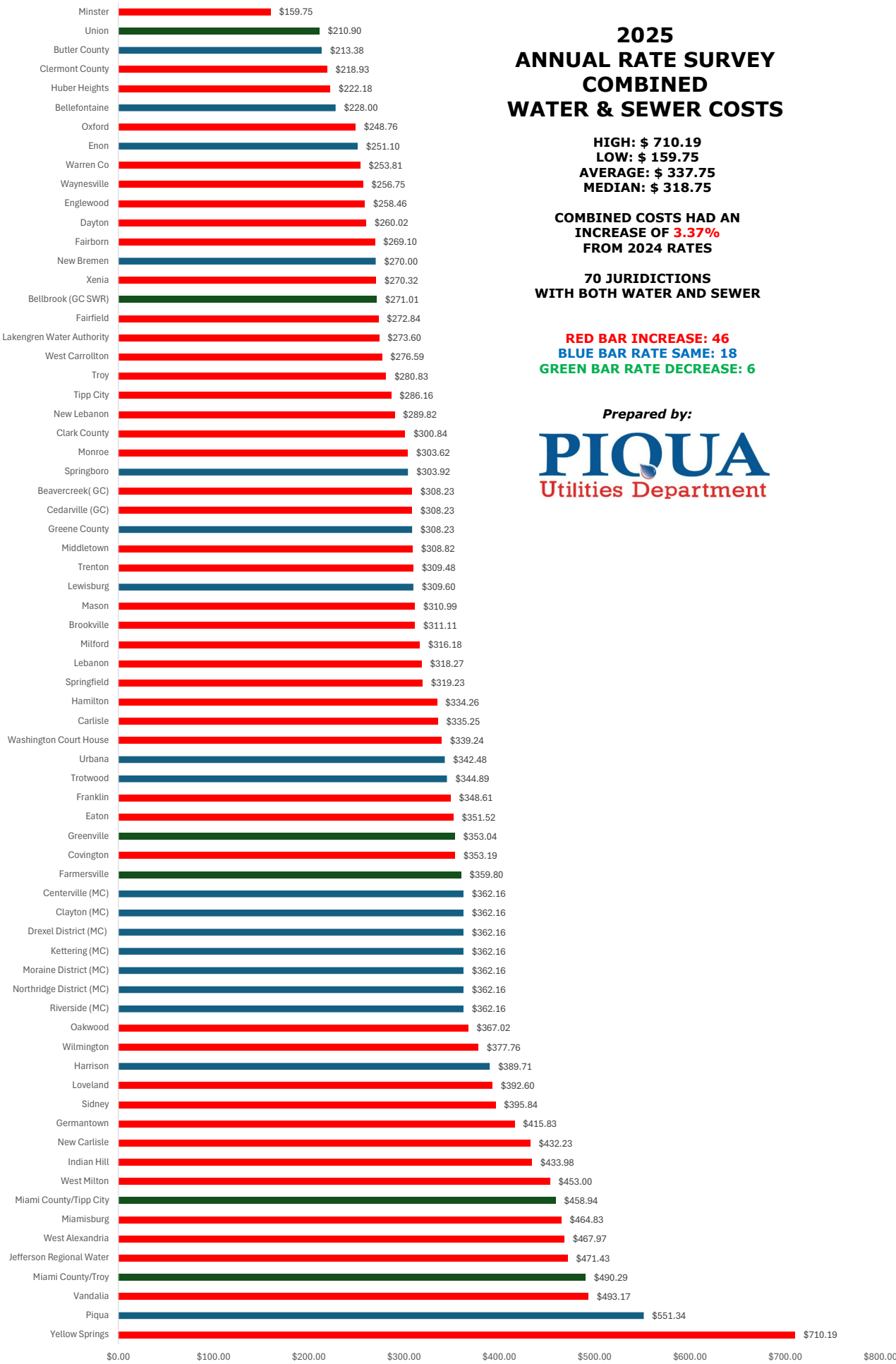
COMBINED COSTS HAD AN
INCREASE OF **3.37%**
FROM 2024 RATES

70 JURISDICTIONS
WITH BOTH WATER AND SEWER

RED BAR INCREASE: 46
BLUE BAR RATE SAME: 18
GREEN BAR RATE DECREASE: 6

Prepared by:

PIQUA
Utilities Department



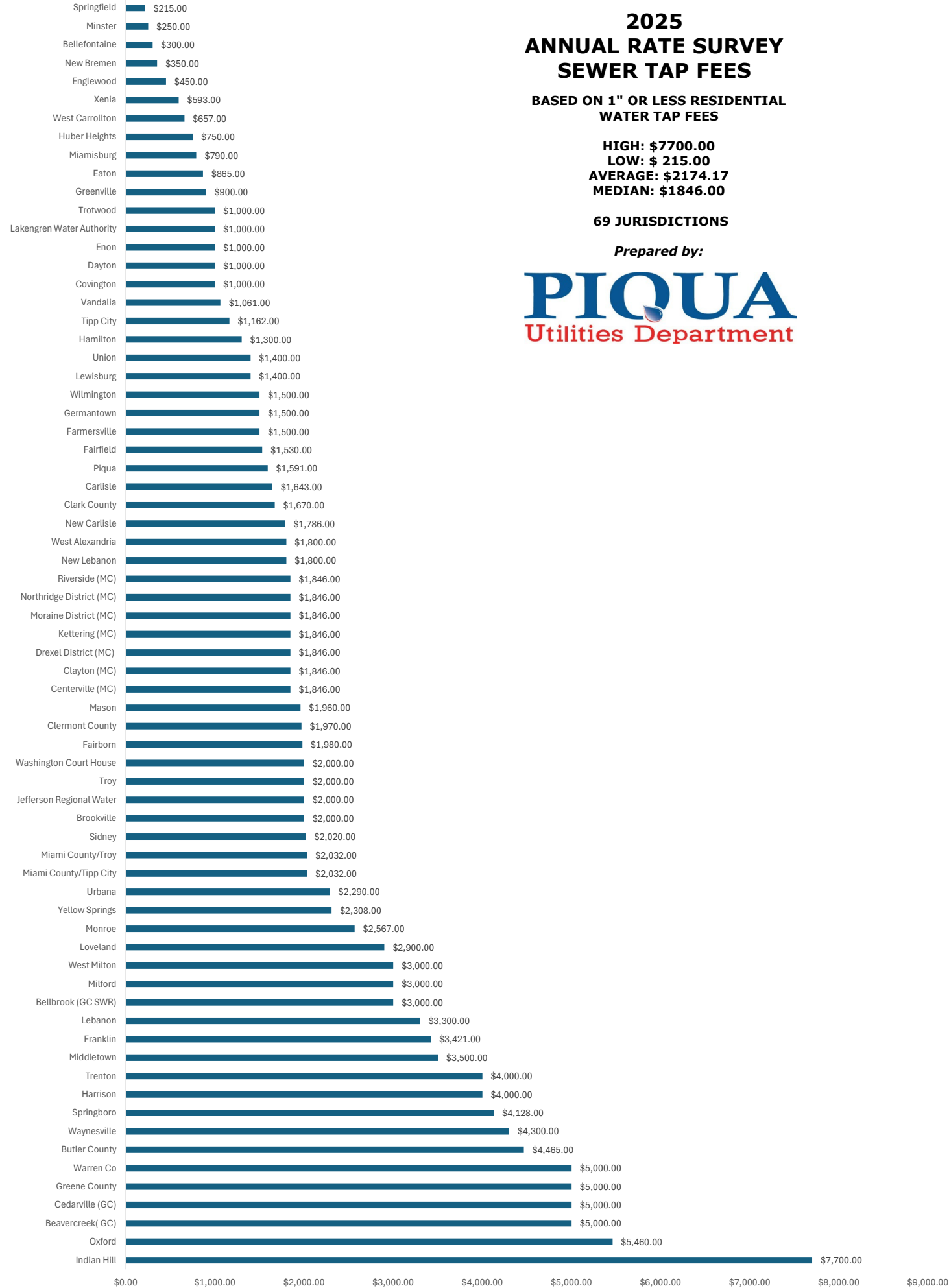
2025
ANNUAL RATE SURVEY
SEWER TAP FEES

BASED ON 1" OR LESS RESIDENTIAL
WATER TAP FEES

HIGH: \$7700.00
LOW: \$ 215.00
AVERAGE: \$2174.17
MEDIAN: \$1846.00

69 JURISDICTIONS

Prepared by:



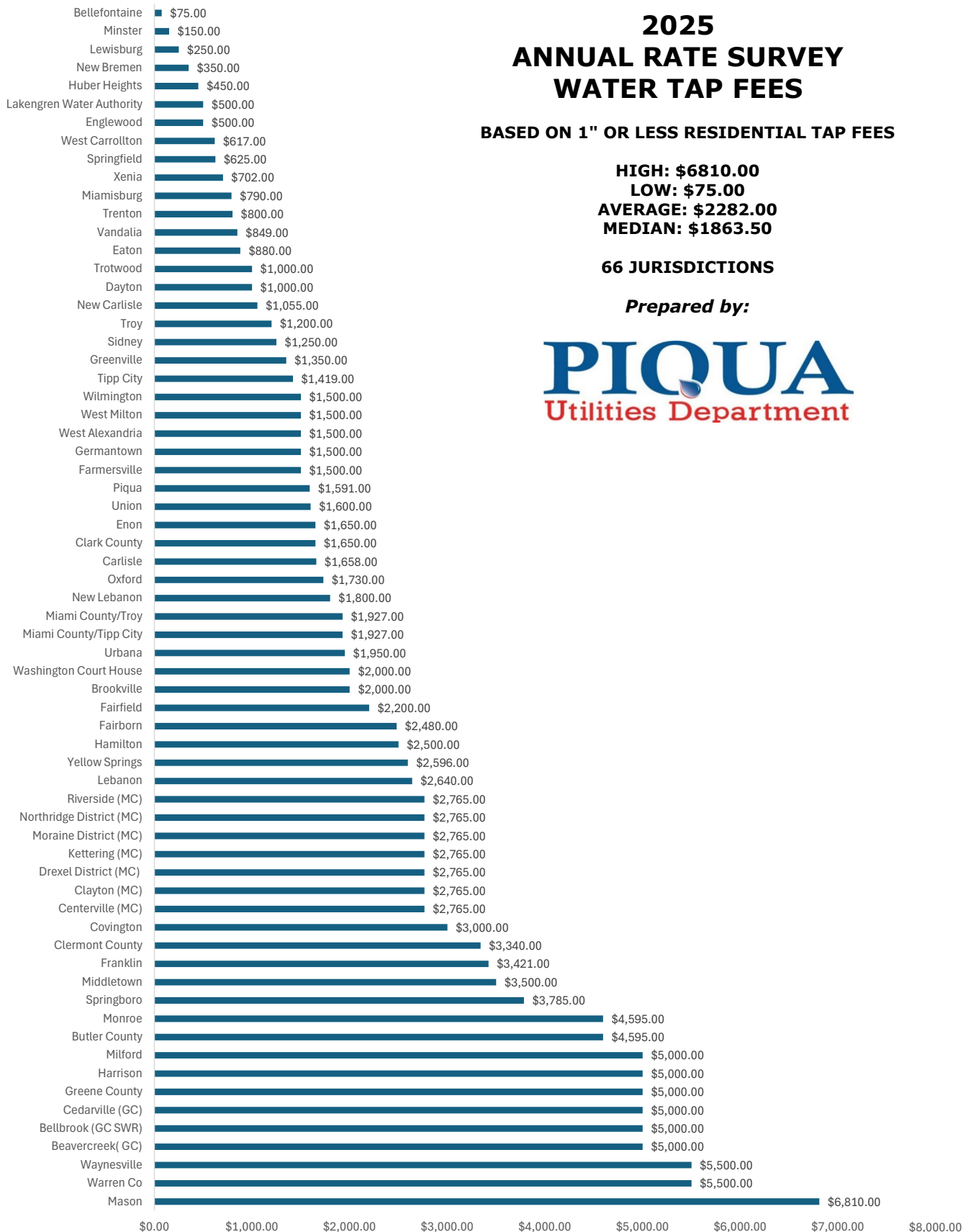
2025 ANNUAL RATE SURVEY WATER TAP FEES

BASED ON 1" OR LESS RESIDENTIAL TAP FEES

HIGH: \$6810.00
LOW: \$75.00
AVERAGE: \$2282.00
MEDIAN: \$1863.50

66 JURISDICTIONS

Prepared by:



2025 ANNUAL RATE SURVEY COMBINED WATER AND SEWER TAP FEES

HIGH: \$ 10,500.00

LOW: \$ 375.00

AVERAGE: \$ 4356.96

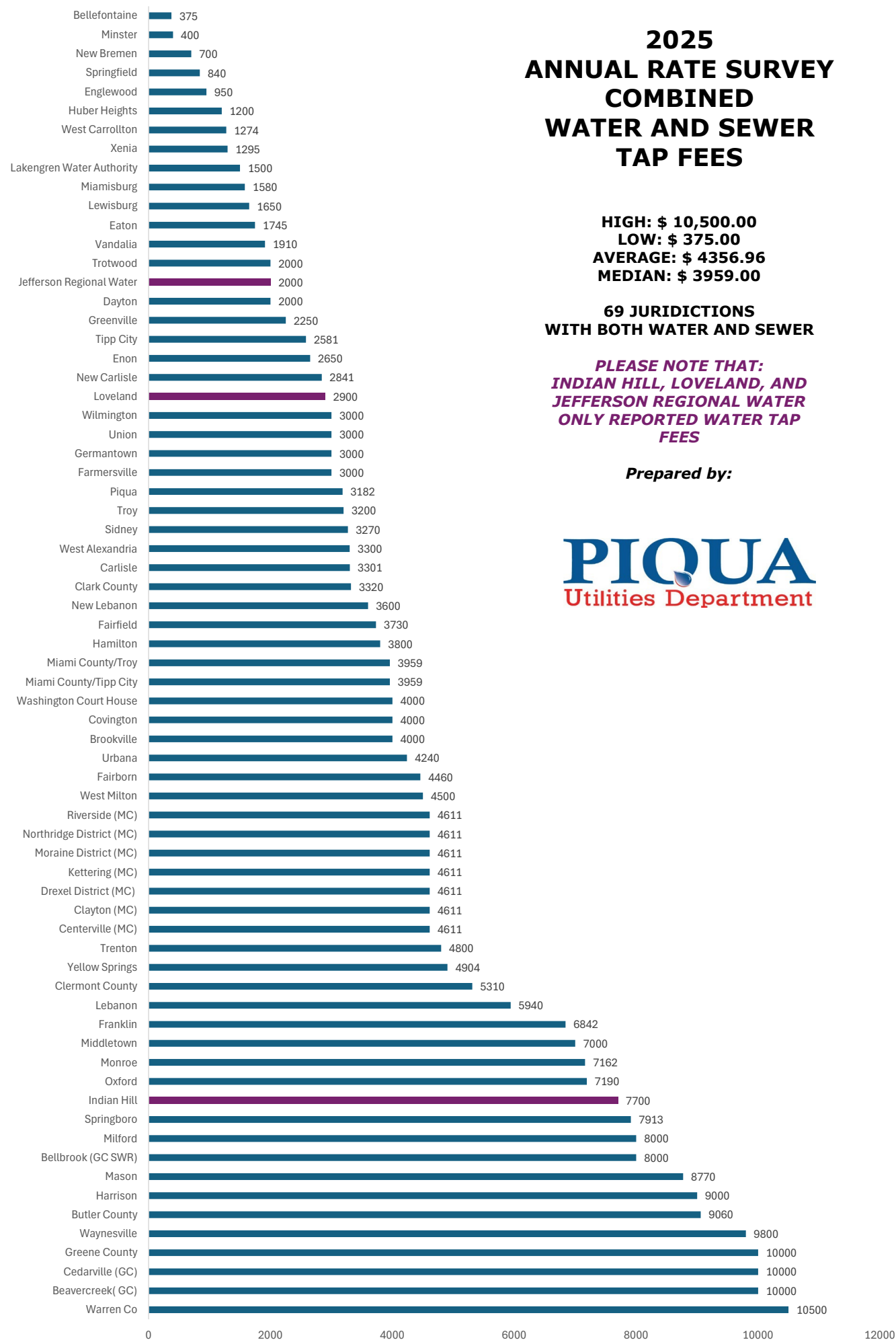
MEDIAN: \$ 3959.00

**69 JURISDICTIONS
WITH BOTH WATER AND SEWER**

***PLEASE NOTE THAT:
INDIAN HILL, LOVELAND, AND
JEFFERSON REGIONAL WATER
ONLY REPORTED WATER TAP
FEES***

Prepared by:

PIQUA
Utilities Department



CITY OF HUBER HEIGHTS
STATE OF OHIO

ORDINANCE NO. 2025-O-

INCREASING THE WATER AND SANITARY SEWER RATES IN CHAPTER 934 OF THE CODIFIED ORDINANCES OF HUBER HEIGHTS, OHIO FOR CALENDAR YEARS 2026, 2027, 2028, AND 2029 AND PROVIDING FOR AN ANNUAL ADJUSTMENT TO THE RATES THEREAFTER.

WHEREAS, Chapter 934 of the Codified Ordinances of the City of Huber Heights sets forth the water distribution and sanitary sewer rates for all municipal customers; and

WHEREAS, based on the 2025 annual water and sewer rate survey of communities within the region, the City has the fourth lowest combined water and sewer costs out of the 70 communities surveyed; and

WHEREAS, the City has undertaken a water and sewer rate study and forecasted the necessary rate structure to maintain a safe and efficient municipal water and sewer system; and

WHEREAS, the City Council has determined it is necessary to increase the water and sewer rates in 2026, 2027, 2028, and 2029; and

WHEREAS, the City Council desires that beginning in 2030, any sanitary rate increase authorized by the Tri-Cities North Regional Wastewater Authority Board Of Directors shall be included in the annual sanitary sewer rate increase.

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

Section 1. Chapter 934 of the Codified Ordinances of the City of Huber Heights is amended as reflected in Exhibit A of this Ordinance.

Section 2. Beginning in Calendar Year 2030, the City Manager is authorized to increase the Tri-Cities North Regional Wastewater Authority component of the sanitary sewer rate at the same rate as the Tri-Cities North Regional Wastewater Authority increases its charge to the City.

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

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

Passed by Council on the _____ day of _____, 2025;
_____ Yeas; _____ Nays.

Effective Date:

AUTHENTICATION:

Clerk of Council

Mayor

Date

Date

Exhibit A

CHAPTER 934 - RATES AND FEES FOR WATER DISTRIBUTION AND SANITARY SEWER SERVICES¹

¹Cross reference(s)—Water and sewer rate change procedure—See § 921.01; Sanitary sewer regulations—See Ch. 923; Water distribution regulations—See Ch. 929.

State law reference(s)—Sewerage rates—See ORC 729.49.

934.01 Definitions.

As used in this chapter, certain terms are defined as follows:

Debt service charge means the funds used for the retirement of and interest on, bonds and/or notes authorized and issued by the City to construct sewage system facilities and purchase the sewer system from Ohio Suburban Water.

Normal domestic sewage means wastewater collected from dwelling units, commercial and institutional buildings. It consists primarily of spent water from building water supply to which have been added waste materials from bathroom, kitchen, and laundry.

Operation and maintenance costs means the costs incurred in the act of keeping all facilities for collecting, pumping, treating, and disposing of sewage in the good state of repair and functioning properly including the replacement of said facilities when necessary.

Replacement means expenditures for obtaining and installing equipment, accessories, and appurtenances which are necessary during the useful life of the treatment works to maintain the capability and performance for which such works were designed and constructed.

Sewer service charges means the total charge levied against the users of the sewage system for sewer services. This charge includes user charges plus the cost of debt services.

User charges means the charge assessed users of the sewage system to recover the cost of operation maintenance and repair (OM&R) of the sewage collection and sewage treatment system, and the cost of rendering bills and collecting sewer service charges.

Residential user means a principal family residence or habitation classified as a single family, individually metered multi-family, or individually metered dwelling that discharges domestic sanitary wastewater, having characteristics of 250 milligrams per liter (mg/l) biochemical oxygen demand (BOD) and 200 milligrams per liter (mg/l) suspended solids (SS) into the public wastewater treatment system, works, and facility.

Commercial user means any single metered multi-family residential building, retail business, or wholesale business that discharges primarily normal strength wastewater into the public wastewater treatment system, works or facility. For purposes of water and sewer rates, a commercial user shall also include institutional/governmental users.

Institutional/governmental user means hospitals, nursing homes, schools, City, County, State, or Federal buildings or facilities that discharge wastewater into the public wastewater treatment system, works and facility. (Ord. 95-O-825, Passed 9-11-95; Ord. 2002-O-1358, Passed 8-12-02)

934.02 Water distribution rates.

- (a) Except as provided elsewhere in this section, water rates for all customers, including customers that reside within the City limits that are in the Huber East Water District System shall be as follows.
- (1) The billing period shall be monthly and include estimated or actual readings.
 - (2) The water rates to be charged shall be based on the volume of water consumption and the size of the water meter(s) servicing a property as follows:

Consumption Volume	Effective with the first billing in February of the following years: (Rate Per 100 Cubic Feet)			
	2026	2027	2028	2029
0 to 1500 cubic feet	\$3.69	\$3.95	\$4.23	\$4.52

Over 1500 cubic feet	\$3.13	\$3.35	\$3.58	\$3.83
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- (3) Monthly service charges for water distribution services shall be based on the size of the largest meter servicing a property as follows:

Meter Size	Effective with the first billing in February of the following years: Residential Use Service Charge			
	2026	2027	2028	2029
5/8"	\$27.08	\$28.98	\$31.01	\$33.18
1"	\$52.74	\$56.43	\$60.38	\$64.61
1 1/2"	\$105.13	\$112.48	\$120.36	\$128.78
2"	\$167.90	\$179.66	\$192.23	\$205.69
3"	\$314.46	\$336.47	\$360.03	\$385.23
4"	\$531.18	\$568.36	\$608.15	\$650.72

Meter Size	Effective with the first billing in February of the following years: Commercial Use Service Charge			
	2026	2027	2028	2029
5/8"	\$27.08	\$28.98	\$31.01	\$33.18
1"	\$52.74	\$56.43	\$60.38	\$64.61
1 1/2"	\$112.18	\$120.03	\$128.43	\$137.42
2"	\$179.12	\$191.66	\$205.08	\$219.44
3"	\$335.47	\$358.95	\$384.07	\$410.96
4"	\$566.76	\$606.43	\$648.88	\$694.30

Monthly service charges for water distribution for meter sizes not enumerated above shall be determined by the City Engineer in proportion to the rates for meter sizes listed above. The Citizens Water and Sewer Advisory Board shall hear appeals concerning service charge determinations by the City Engineer and provide a recommendation of final action to the City Council. The City Council shall make the final decision regarding any appeal concerning service charge determinations by the City Engineer.

- (b) Except as otherwise provided in this section, Huber East Water District customers located outside of the City limits shall pay rates according to the following schedule:

- (1) Monthly service charge based on meter size.

Meter Size	Effective with the first billing in February of the following years: Service Charge			
	2026	2027	2028	2029
5/8"	\$31.58	\$33.79	\$36.15	\$38.69
1"	\$75.87	\$81.18	\$86.87	\$92.95
1 1/2"	\$149.66	\$160.13	\$171.34	\$183.34
2"	\$248.55	\$265.95	\$284.57	\$304.49
3"	\$444.83	\$475.96	\$509.28	\$544.93

- (2) Volume charge based on the volume of consumption per cubic feet.

Consumption Volume	Effective with the first billing in February of the following years: (Rate Per 100 Cubic Feet)			
	2026	2027	2028	2029
0 to 1500 cubic feet	\$8.57	\$9.17	\$9.81	\$10.50
Over 1500 cubic feet	\$7.39	\$7.91	\$8.47	\$9.06

- (c) Water Rates for Commercial/Industrial Customers not Within the City Limits.

- (1) Commercial/Industrial Water District customers located outside of the City limits shall pay rates according to the following schedule:

- A. Monthly service charge based on meter size.

Meter Size	Effective with the first billing in February of the following years: Service Charge			
	2026	2027	2028	2029
5/8"	\$37.92	\$40.57	\$43.41	\$46.45
1"	\$91.04	\$97.42	\$104.24	\$111.53
1 1/2"	\$191.64	\$205.05	\$219.41	\$234.77
2"	\$304.93	\$326.28	\$349.12	\$373.56
3"	\$552.88	\$608.51	\$651.14	\$696.72

- B. Volume charge based on the volume of consumption per cubic feet.

Consumption Volume	Effective with the first billing in February of the following years: (Rate Per 100 Cubic Feet)			
	2026	2027	2028	2029
0 to 1500 cubic feet	\$10.28	\$11.00	\$11.77	\$12.59
Over 1500 cubic feet	\$8.90	\$9.52	\$10.19	\$10.90

- (d) *Customer Equivalents*. When the City agrees to provide service to apartment buildings, condominiums, townhouses, mobile home parks and office buildings to which water is furnished through a single meter, for the purpose of distribution to several customers, such billings shall be determined on the following bases:

- (1) The amounts of each such billing shall be determined on the basis of the "customer equivalents" provided by the meter employed. Such customer equivalents shall be determined by comparing the size of the meter in cross section area with the cross-section area of the five-eighths inches meter, which is the size of meter most typically installed on a service line which serves a single-family dwelling or single professional or business office. Such relationship is as follows:

Meter Size	Customer Equivalent
5/8"	1 Customer Equivalent
1"	2.5 Customer Equivalent
1 1/2"	5 Customer Equivalent
2"	8 Customer Equivalent
3"	15 Customer Equivalent
4"	40 Customer Equivalent

- (2) To determine the amount of any billing for water service pursuant to such special arrangement:
 - A. The total consumption through the meter during the billing period will be divided by the customer equivalent for the meter included:
 - B. The applicable usage rates contained in this chapter will then be applied to the quotient to determine the charge per customer equivalent; and
 - C. Such charge per equivalent will then be multiplied by the customer equivalent for that meter, the product of such multiplication plus the customer charge producing the total bill as to that meter for that billing period.

(e) *Annual CPI Adjustment.* Effective with the February 2030 billing, all of the water rates then in effect shall be subject to an annual cost of living increase based on Consumer Price Index, Series ID # CUURD200SA0, as published by the U.S. Department of Labor, Bureau of Labor Statistics, using the 12-month percentage change of December to December."

934.03 Sanitary sewer rates.

- (a) Except as provided elsewhere in this section, sanitary sewer rates for all customers shall be as provided below.
 - (1) The billing period for sanitary sewer rates shall be monthly.
 - (2) The sanitary sewer rates to be charged shall be based on the volume of water consumption measured by meters servicing customers of the system, and the size of the water meter(s) servicing a property as follows:

Consumption Volume	Effective with the first billing in February of the following years: (Rate Per 100 Cubic Feet)			
	2026	2027	2028	2029
Per Cubic Foot	\$2.21	\$2.65	\$3.18	\$3.82

- (3) Consumption charges shall be used to pay for wastewater treatment service charges billed to the City. The City Manager is authorized to increase the Tri-Cities component of the sanitary sewer rate at the same rate as the Tri-Cities North Regional Wastewater Authority increases its charge to the City.
- (4) Residential customers with sanitary sewer service and no water service, and therefore no water meter shall be billed at a rate of \$18.80 per month plus the monthly service charge which, for these customers, shall be at the rate of the five-eighths inches meter.
- (5) Monthly service charges for sanitary sewer services shall be based on the size of the largest meter servicing a property as follows:

Meter Size	Effective with the first billing in February of the following years: Residential User Service Charge			
	2026	2027	2028	2029
5/8"	\$14.10	\$16.92	\$20.30	\$24.36
1"	\$35.25	\$42.30	\$50.76	\$60.91
1 1/2"	\$70.50	\$84.60	\$101.52	\$121.82
2"	\$112.80	\$135.36	\$162.43	\$194.92
3"	\$211.50	\$253.80	\$304.56	\$365.47
4"	\$275.80	\$330.96	\$397.15	\$476.58

Meter Size	Effective with the first billing in February of the following years: Commercial User Service Charge			
	2026	2027	2028	2029
5/8"	\$14.10	\$16.92	\$20.30	\$24.36
1"	\$35.25	\$42.30	\$50.76	\$60.91
1 1/2"	\$73.46	\$88.15	\$105.78	\$126.94
2"	\$117.59	\$141.11	\$169.34	\$203.20
3"	\$220.52	\$264.63	\$317.55	\$381.07
4"	\$284.96	\$341.95	\$410.34	\$492.41

Monthly service charges for water distribution for meter sizes not enumerated above shall be determined by the City Engineer in proportion to the rates for meter sizes listed above. The Citizens Water and Sewer Advisory Board shall hear appeals concerning service charge determinations by the City Engineer and provide a recommendation of final action to the City Council. The City Council shall make the final decision regarding any appeal concerning service charge determinations by the City Engineer.

- (b) Rates for the Miami Villa Sewerage District. For any lot, parcel of land, building or premises situated within the Miami Villa plat limits of the City, having any connection with the City sanitary sewer system or otherwise discharging wastewater, either directly or indirectly, into the City sanitary sewer system, a monthly charge or rental shall be based upon the number of bedrooms or occupants of the facility, or by other means acceptable to the City Manager.

- (1) The rates for residential users shall be as follows:

Number of Bedrooms	Number of Residents	Monthly Billing
1-3	1-3	\$20.00
4	4	\$25.00
5+	5+	\$35.00

- (2) The rates for commercial users shall be as follows:

- A. Restaurants, bars, etc \$1.88 per seat
- B. Churches and public assembly halls \$0.10 per seat
- C. Manufacturing plant \$1.88 per employee

- (3) Vacant property in the Miami Villa Sewerage District shall be billed at one-half the rate stated above for occupied property, provided notification of the vacancy is given to the City.

- (c) Consistent with the provisions of Ohio R.C. 729.49, charges as established under this section shall constitute a lien upon the property served by such connection and if not paid when due shall be collected in the same manner as other municipal corporation taxes. The Clerk of Council is hereby authorized to take such actions necessary to assure that charges which are delinquent in excess of 60 days shall be placed as a lien upon the property and shall be collected in the same manner as other municipal corporation taxes, through property tax assessment.

- (d) *Annual CPI Adjustment.* Effective with the February 2030 billing, all of the sewer rates then in effect shall be subject to an annual cost of living increase based on Consumer Price Index, Series ID # CUURD200SA0, as published by the U.S. Department of Labor, Bureau of Labor Statistics, using the 12-month percentage change of December to December."

(Ord. 2011-O-1895, Passed 6-27-11; Ord. No. 2022-O-2521, § 2, 3-14-22; Ord. No. 2024-O-2626, § 1, passed 1-22-24; Ord. No. 2024-O-2638, § 3, 6-12-24)

934.04 Sewer service charges annual audit.

The sewer service charge and user rates shall be reviewed annually by the City in order to determine whether or not they are sufficient to defray the fixed charges, amortization costs, and annual cost of operation maintenance and repair (OM&R) of the sewage system. If the difference between the total annual revenue derived and the total annual cost is sufficient to justify an increase or decrease in the sewer service charge or user charges, the City will adjust the rates as required. The purpose of the annual review is also to maintain a proportional user charge.

(Ord. 2002-O-1385, Passed 8-12-02)

934.05 Sewer service charge notification.

Each user is to be notified at least annually in conjunction with a regular bill or other notice to each account, of the rate and that portion of the sewer service charge which is attributable to operation maintenance and repair (OM&R) costs of wastewater treatment services.

(Ord. 95-O-825, Passed 9-11-95)

934.06 Sewage or industrial waste surcharges.

- (a) Sewage or industrial wastes above normal sewage strength, but acceptable for discharge into the sanitary sewage system shall be subject to a surcharge. The surcharge shall be determined on the basis of either or both of two constituents of water or wastes:
 - (1) Total suspended solids; and/or
 - (2) Five day biochemical oxygen demand (BOD) at 20 degrees Centigrade and as herein provided.
- (b) When either or both of the total suspended solids and the biochemical oxygen demand of a water or waste accepted for admission to the system exceed the values of their constituents for normal sewage, the excess concentration in either or both, as the case may be, shall be subject to a surcharge as follows:
 - (1) Pounds of excess suspended solids per day multiplied by \$0.0132 dollars per pound equals the suspended solids surcharge.
 - (2) Pounds of excess BOD per day multiplied by \$0.0178 dollars per pound equals the biochemical oxygen demand surcharge.
- (c) In addition to the surcharge, the user will pay the use charges as defined.
- (d) The pounds of BOD per day and/or SS per day, above the concentrations previously described for normal strength sewage that are discharged to the sewerage system, shall be determined by the City or their authorized representative.
- (e) In addition to a surcharge on BOD and SS, the City shall have the right to surcharge the user for the discharge of any other pollutant into the sewage system.

(Ord. 95-O-825, Passed 9-11-95)

934.07 Fees generally.

The fees established in this chapter shall be in addition to and separate from the rates established by Council for water and sanitary sewer services provided by the City.

(Ord. 95-O-812, Passed 7-10-95)

934.08 Fees applicable to water and sewer accounts.

(a)	Antenna replacement fee:	\$20.00
(b)	Account activation charge:	\$20.00
(c)	Construction water: (flat rate per month)	\$20.00 per unit
(d)	Meter reconnection fee:	\$25.00
	The reconnection fee for delinquent accounts shall be \$25.00 for those customers who have not exceeded two service termination(s) over the prior 24 months else the reconnection fee shall be equal to \$50.00.	
(e)	Requested meter testing:	\$45.00
(f)	Anytime service is requested between a customer to the water and sanitary sewer system and the City, the customer shall be present at the agreed-upon time and meeting location no later than 20 minutes after the scheduled time without being subject to remitting the City for the personnel time that was expended, which includes the sum of the hourly wage, benefits and administrative costs. If the City is not present at the agreed-upon time and meeting location within 20 minutes of the scheduled time, the requested service shall be rendered at no cost to the customer.	

(Ord. 2011-O-1895, Passed 6-27-11)

934.09 Fees for facilities.

- (a) *Water Tap-In Permit Fees.* Tap-in permit fees for water shall be determined according to the following schedule:

Tap/Meter Size	Tap-In Fee
5/8 x 3/4	\$ 1,500.00
1	\$2,800.00
1 ½	\$4,200.00
2	\$6,300.00
3	\$12,500.00
4	\$20,000.00
6	\$40,000.00
8	\$62,000.00

Tap-in fees for meter sizes not enumerated above shall be determined by the City Engineer based upon accepted engineering standards for water use, and in proportion to fees for given meter sizes. The City Manager shall hear and decide appeals concerning fee determinations by the City Engineer.

- (b) *Inspection Fee.* The inspection fee for water and/or sanitary sewer shall be: Water and/or Sanitary Sewer per lineal foot: \$5.00.

-
- (c) *Connection Charges.* Concurrent with the payment of a tap-in fee to the City by an owner or consumer who hereafter taps into the water system, there shall be paid a connection charge in accordance with the provisions of this section, in addition to the required tap-in fee, if Council has designated the property as part of a district subject to a connection charge.
- (1) Council may, from time to time, find and declare that the cost of the connection to any water line in designated districts of the City may also include a connection charge. The amount of such connection charge shall be established by Council for each designated district. Such connection charge shall apportion the actual cost of the installation of such water line, including labor, equipment and materials, among the several owners or consumers who may be benefited thereby.
 - (2) An owner or consumer who taps into the water system and is charged a connection charge, may pay the connection charge in full at the time of the tap-in or may select to pay monthly installments as part of a payment plan ("payment plan"). The City must approve all payments plans and may require the consumer to execute and deliver to the City a promissory note in the amount owed for the connection charge. In no case shall the City approve a payment plan providing for more than 120 monthly installments. The number of installments shall be selected by the consumer initially and may not be changed once approved by the City. If a payment plan is selected and approved by the City, the first installment shall be due when the tap-in permit is issued. Subsequent installments shall be due with the payment of the monthly water bill. Installments shall include:
 - A. Equal payments of the principal amount of the connection charge, plus interest accrued thereon at a rate determined by the City at the time of application for a tap-in permit as the City's then estimated interest rate payable by the City for the construction and operation of water mains, amortized over the number of months of installments chosen by the consumer; and
 - B. An administrative fee equal to five percent of the installment.
 - (3) A map of the City and environs shall be established and the same shall be posted in Municipal Building giving notice to all persons who may be interested in those areas and tracts of land in the City and environs which are subject to a water line connection charge.
- (d) *Sanitary Sewer Lateral Permit Fee.* Sanitary sewer lateral permit fees shall be determined according to the following schedule based on the size of the water meter:

Water Meter Size	Permit Fee
5/8 x 3/4	\$ 900.00
1	\$1,800.00
1 1/2	\$3,400.00
2	\$5,500.00
3	\$11,000.00
4	\$17,000.00
6	\$33,000.00
8	\$51,000.00

Permit fees for meter sizes not enumerated above shall be determined by the City Engineer based upon accepted engineering standards for water use, and in proportion to fees for given meter sizes. The City Manager shall hear and decide appeals concerning fee determinations by the City Engineer.

- (e) *TCA Capacity Fee.* A pass-through wastewater treatment capacity fee to be collected for all new development which will be remitted to the Tri-Cities North Regional Wastewater Authority (TCA) on an annual basis for all future residential, commercial, and industrial development. This additional capacity fee will be used by TCA for the payment of debt service related to the 2025-2029 plant improvement projects. The capacity fee for wastewater treatment services as outlined herein may be subject to change by the Tri Cities North Regional Wastewater Authority. In the event of said change, either in the form of increased or decreased capacity charges,

the City Manager is hereby authorized to incorporate those changes into the municipal sewage billing structure to reflect the increase or decrease in charges. This shall not be construed to grant the City Manager the authority to alter in any way the city base sewer service charge above without the formal approval of Council.

Water Meter Size	TCA Capacity Fee
5/8"	\$ 2,500.00
3/4"	\$ 3,750.00
1"	\$ 6,250.00
1.5"	\$ 12,500.00
2"	\$ 20,000.00
3"	\$ 60,000.00
4"	\$ 105,000.00
6"	\$ 227,500.00
8"	\$ 400,000.00
10" or larger	\$ 625,000.00

934.10 Reserved.

Editor's note(s)—Former Section 934.10, which pertained to sanitary lateral permit fee, was repealed by Ordinance 97-O-983, passed August 25, 1997.

934.11 Miscellaneous fees.

(a)	Bad check charge	\$35.00
(b)	Regulations and Specifications	\$25.00
(c)	Significant industrial user annual fee	\$100.00
(d)	Duplicate Disconnect Notice fee	current postal rates

(Ord. 2011-O-1895, Passed 6-27-11)

934.12 Protection from bearing entire construction cost.

An individual or firm that must provide water and/or sanitary sewer improvements to properties other than those owned by the individual or firm, is eligible for protection from bearing the entire cost of construction by fees collected by the City pursuant to this section from other owners whose properties are served by the water and/or sanitary sewer improvements and seek to tap- in to such lines during the term of protection. Protection shall apply to any property which directly benefits by the installation of a sewer and/or water main and does not participate in the cost of the improvement.

To qualify, the individual or firm installing the improvement must submit a written request, along with the estimated construction costs in a form acceptable to the City prior to construction. Once construction is completed, final construction costs must be submitted to the City. The City and the individual or firm will enter into an agreement on terms and conditions acceptable to the City for a period of time not to exceed ten years. During that time, the City will collect a charge from owners of properties benefitted by such sewer and/or water main who request a tap-in permit. The total maximum protection to the original installation shall equal one-half of the actual cost of construction of the main. The amount collected shall be refunded annually, to the individual or firm bearing the expense of the installation of such main.

(Ord. 95-O-812, Passed 7-10-95)

AI-11241

Topics Of Discussion

Council Work Session

Meeting Date: 11/17/2025

Stormwater Rates

Submitted By: Aaron Sorrell

Department: Assistant City Manager - Public Services

Council Committee Review?: Council Work Session **Date(s) of Committee Review:** 11/17/2025

Audio-Visual Needs: None **Legal Review:** Completed

Emergency Legislation?: No **Motion/Ordinance/Resolution No.:**

Agenda Item Description or Legislation Title

* Stormwater Rates

Purpose and Background

This legislation increases the monthly stormwater fee to \$4.40 in 2026 and authorizes an annual CPI increase beginning in 2027.

Fiscal Impact

Source of Funds: N/A

Cost: N/A

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

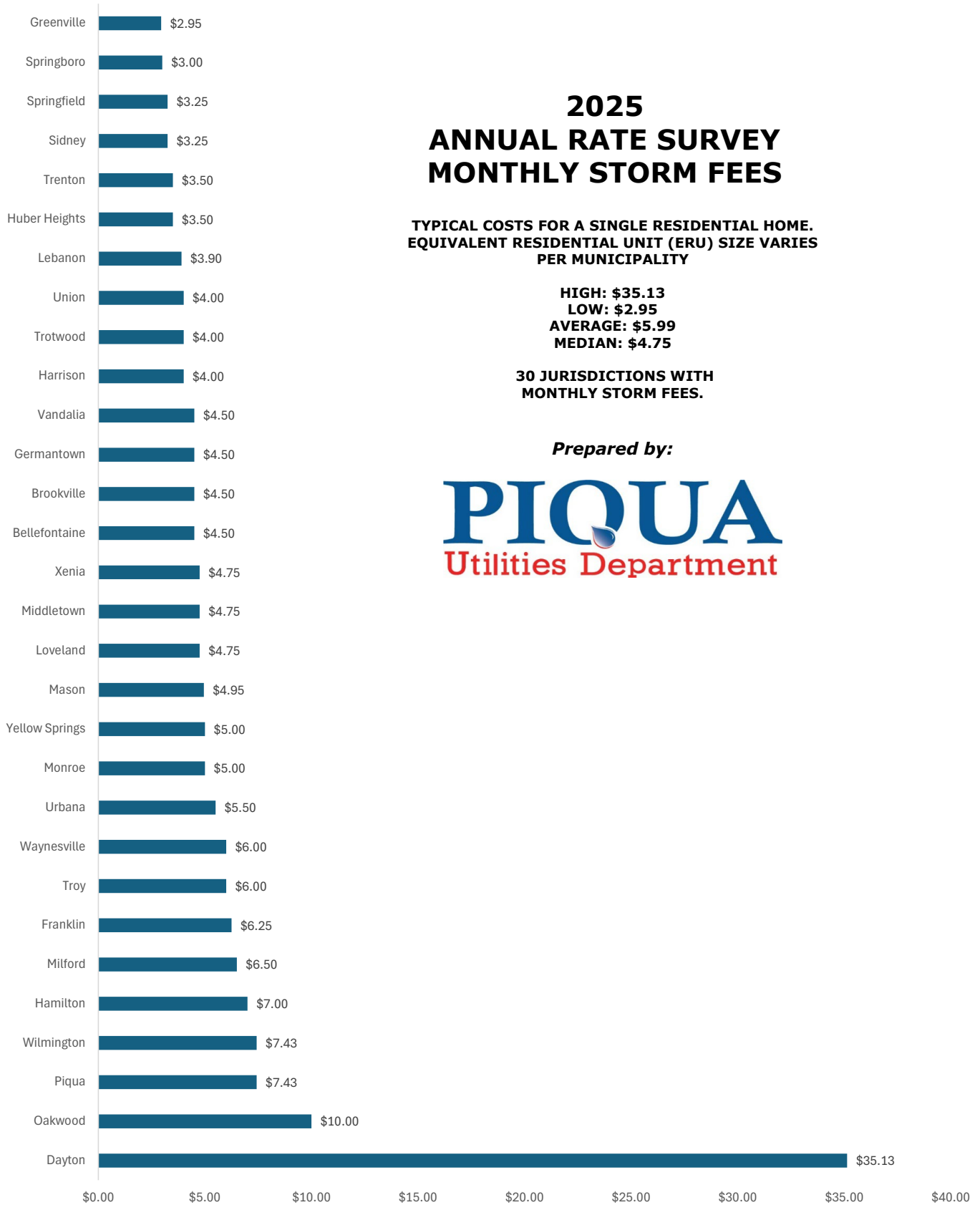
Funds Available in Current Budget? (Yes/No): N/A

Financial Implications:

The increased fee will generate additional revenue for the stormwater enterprise fund.

Attachments

2025 Stormwater Fee Survey
Ordinance



CITY OF HUBER HEIGHTS
STATE OF OHIO

ORDINANCE NO. 2025-O-

AMENDING SECTION 922.27 OF THE CODIFIED ORDINANCES OF HUBER HEIGHTS
BY INCREASING THE MONTHLY AND/OR ANNUAL STORMWATER SEWER RATES.

WHEREAS, Section 922.27 of the Codified Ordinances of the City of Huber Heights sets forth the stormwater sewer rate at \$3.50 per Equivalent Residential Unit (ERU); and

WHEREAS this rate has been in effect since 2023; and

WHEREAS, based on the 2025 annual storm water fee survey of communities within the region, the City has the sixth lowest combined water and sewer costs out of the 30 communities surveyed; and

WHEREAS, the City Council has determined it is necessary to increase the stormwater sewer rate to maintain an effective stormwater management system and reduce flooding risks; and

WHEREAS, the City Council desires that beginning in Calendar Year 2027, the stormwater rates then in place be increased annually through a cost of living increase based on the Consumer Price Index, Series ID # CUURD200SA0, as published by the U.S. Department Of Labor, Bureau Of Labor Statistics.

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

Section 1. Section 922.27 – Monthly Charge Per Equivalent Residential Unit of the Codified Ordinances of the City of Huber Heights is hereby amended to read as follows:

922.27 - Monthly charge per equivalent residential unit.

Effective February 1, 2026, the monthly charge per ERU shall be \$4.40.

Section 2. Beginning in Calendar Year 2027, the stormwater rates then in place be increased annually through a cost of living increase based on the Consumer Price Index, Series ID # CUURD200SA0, as published by the U.S. Department Of Labor, Bureau Of Labor Statistics.

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

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

Passed by Council on the _____ day of _____, 2025;
_____ Yeas; _____ Nays.

Effective Date:

AUTHENTICATION:

Clerk of Council

Mayor

Date

Date

AI-11239

Topics Of Discussion J.

Council Work Session

Meeting Date: 11/17/2025

PVS Plastics - CRA Agreement

Submitted By: Jason Antonick

Department: Assistant City Manager - Finance/ED

Council Committee Review?: Council Work Session

Audio-Visual Needs: None

Emergency Legislation?: No

Division: Economic Development

Date(s) of Committee Review: 11/17/2025

Legal Review: Completed

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

Agenda Item Description or Legislation Title

PVS Plastics - CRA Agreement

Purpose and Background

This legislation authorizes the City Manager to enter into a Community Reinvestment Area and a Development Agreement with PVS Plastics Technology Corporation. PVS Plastics, a corporate resident of the City, is looking to expand its operational footprint on Executive Boulevard by approximately 60,000 - 75,000 square feet and grow its workforce by an additional 30 full-time employees over the next three years. The planned space expansion, to include additional machinery and equipment, will total an investment of approximately \$6.5 million while the 30 new full-time positions will increase the PVS Plastics payroll by nearly \$1.65 million.

In support of PVS Plastics' effort, City Staff are recommending that the City Council approve a 15-year, 100% property tax abatement on the added taxable property value created through this expansion project. Based on the investment and job growth associated with this expansion project, plus the Minimum Service Payments received, the City is anticipated to net more than \$835,000 in revenues between 2027 and 2042.

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

Exhibit A - Exhibit A

Exhibit A - Exhibit B

Exhibit A - Exhibit B - Attachment A

CITY OF HUBER HEIGHTS
STATE OF OHIO

RESOLUTION NO. 2025-R-

AUTHORIZING THE CITY MANAGER TO ENTER INTO A COMMUNITY REINVESTMENT AREA AND DEVELOPMENT AGREEMENT WITH PVS PLASTICS TECHNOLOGY CORPORATION.

WHEREAS, on June 20, 1994, the City Council of Huber Heights through Resolution No. 94-R-1453, designated an area in the City of Huber Heights as Community Reinvestment Area No. 7 pursuant to the provisions Chapter 3735 of the Ohio Revised Code; and

WHEREAS, the City has encouraged the development of real property located in Community Reinvestment Area No. 7; and

WHEREAS, PVS Plastics Technology Corporation will construct a 60,000 - 75,000 square foot building at 6400 Executive Boulevard, Huber Heights, Ohio 45424 (Parcel Number: P70 04002 0048) in Community Reinvestment Area No. 7; and

WHEREAS, the orderly and balanced development of the City is necessary for the health, safety and general welfare of the citizens.

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

Section 1. The City Manager is hereby authorized to enter into a Community Reinvestment Area Agreement with PVS Plastics Technology Corporation attached hereto as Exhibit A providing among other things, a 100%, 15-year real property tax abatement to PVS Plastics Technology Corporation for its new construction.

Section 2. A copy of the Agreement is to be kept on file with the Office of the Clerk of Council.

Section 3. The Agreement shall authorize the City of Huber Heights to secure repayment of such taxes by a lien on the exempted property in the amount required to be repaid; and such lien shall attach and may be perfected, collected, and enforced in the same manner as a mortgage lien on real property; and shall otherwise have the same force and effect as a mortgage lien on the real property. The City Manager is authorized to record the necessary documentation to perfect the City's lien rights to subordinate said lien to a primary lender if such subordination is necessary for the property owner to finance the project.

Section 4. It is hereby determined that all formal actions of this Council concerning and relating to the passage of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council and any of its Committees that resulted in such formal actions were conducted in meetings open to the public 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 _____, 2025
____ Yea; ____ Nay.

Effective Date: _____, 2025

AUTHENTICATION:

Clerk of Council

Mayor

Date

Date

EXHIBIT A
COMMUNITY REINVESTMENT AREA AND DEVELOPMENT AGREEMENT

This Agreement made and entered into by and between the CITY OF HUBER HEIGHTS, OHIO, an Ohio municipal corporation duly organized and existing under the Constitution and laws of the State of Ohio and the City Charter, with its main offices located at 6131 Taylorsville Road, Huber Heights, Ohio (the "City"), and PVS PLASTICS TECHNOLOGY CORPORATION, an Ohio corporation, with its main offices located at 6290 Executive Boulevard, Huber Heights, OH 45424 (the "Property Owner").

WHEREAS, the City has encouraged the development of real property and the acquisition of personal property located in the area designated as a Community Reinvest Area; and

WHEREAS, on June 20, 1994, the City Council of Huber Heights, Ohio by Resolution No. 94-R-1453, designated the Area known as "Community Reinvestment Area No. 7" pursuant Chapter 3735 of the Ohio Revised Code; and

WHEREAS, the Property Owner will construct a 60,000-75,000 sq. ft. building, hereinafter referred to as the "Project", to be located at 6400 Executive Boulevard, Huber Heights, Ohio 45424 (the "Property") within the boundaries of Community Reinvestment Area No. 7 in the City, provided that the appropriate development incentives are available to support the economic viability of the Project; and

WHEREAS, the City, having the appropriate authority for the stated type of project, desires to provide the Property Owner with incentives available for the development of the Project in said Community Reinvestment Area No. 7; and

WHEREAS, the Property Owner has submitted an application for tax exemption, herein attached as **Exhibit A** to the City ("Application"); and

WHEREAS, pursuant to Section 3735.671(B) of the Ohio Revised Code, the parties hereto desire to enter an agreement with respect to matters hereinafter contained.

NOW, Therefore, in consideration of the mutual covenants contained in this agreement, and of the benefit to be derived by the parties from the execution of it, the parties herein agree as follow:

1. The Property Owner will, at 6400 Executive Blvd. Huber Heights, Ohio 45424 (project site) in Huber Heights Community Reinvestment Area No. 7: construct a steel structure with precast walls. The Project involved a total investment by the Property Owner of \$6,000,000-7,000,000, plus or minus 10%, at the project site. The Project structure will be completed by December 31, 2028.

2. The construction of current structure include the creation of 15 full-time jobs in the first year with projected annual payroll of \$825,000, 20 full-time jobs in the second year with projected annual payroll of \$1,100,000 and 35 full-time jobs in the third year with projected annual

payroll of \$1,925,000, and retention of 75 full-time jobs resulting in approximately \$4,125,000 in retained payroll.

3. The Property owner shall provide to the proper Tax Incentive Review Council any information reasonably required by the Tax Incentive Review Council to evaluate the Property Owner and Project Employer's compliance with the Agreement, including returns filed pursuant to Section 5711.02 of the Ohio Revised Code, and any other applicable returns, if requested by the Tax Incentive Review Council.

4. The City hereby grants the Property Owner a tax exemption for real property improvements made to the Project Site, referenced in paragraph 1 above, pursuant to Section 3735.67 of the Ohio Revised Code; and shall be in the following amounts: one hundred percent (100%) for fifteen (15) years (the "CRA Exemption"). The CRA Exemption commences the first year for which real property would first be taxable were that property not exempted from taxation. No exemption shall commence after January 1, 2030, nor extend beyond December 31, 2045. The Property Owner must file the appropriate tax forms with the Montgomery County Auditor to effect and maintain the exemptions covered in this Agreement.

5. This Agreement is not transferable or assignable without the express written approval of the City.

6. The Property Owner shall pay such real estate taxes as are not exempted under this Agreement, and are charged against such property, and shall file all tax reports and returns as required by law. If Property Owner fails to pay such taxes or file such returns and reports, all incentives granted under this Agreement are rescinded, beginning with the year for which such taxes are charged or such reports returns are required to be filed, and thereafter.

7. The City shall perform such acts as are reasonably necessary or appropriate to effect, claim, reserve, and maintain the CRA Exemption granted under this Agreement including, without limitation, joining in the execution of all documentation and providing any necessary certificates required in connection with such exemption.

8. The Property Owner, on behalf of itself and each subsequent owner of any portion of the Property, acknowledges and agrees that the Property is also subject to a minimum service payment obligation (the "Minimum Service Payment Obligation"), which constitutes a minimum service payment obligation under Ohio Revised Code Section 5709.91. The Minimum Service Payment Obligation shall commence in the eleventh year of the CRA Exemption and shall be payable through the fifteenth year of the CRA Exemption. The annual amount of such Minimum Service Payment Obligation for the Property shall be equal 70% of the CRA Exemption, plus any costs incurred to enforce the collection of such Minimum Service Payment Obligation (such amount the "Minimum Service Payment"); *provided* that the Minimum Service Payment shall not equal less than zero dollars.

Each year, the City shall determine the amounts of the Minimum Service Payments due and promptly and timely certify such amounts to the County Auditor of Montgomery County, Ohio (the "**County Auditor**"). The County Auditor shall include such Minimum Service Payment due

in each property tax bill for the Parcel for the following year. The Minimum Service Payment due for each Parcel in a calendar year will be payable in two equal installments and will be collected at the same time and in the same manner as real property tax payments. The City may assess a 10% administrative fee and interest accruing at an annual rate of 10% on any Minimum Service Payments not paid within 35 days of the due date. The City may certify delinquent Minimum Service Payments, fees and interest to the Montgomery County Auditor for collection on real property tax bills. Any late payments of amount so certified will bear penalties and interest at the then current rate established under Ohio Revised Code Sections 323.121 and 5703.47 or any successor provisions thereto, as the same may be amended from time to time.

[In the event that any portion of the Property is subject to an action that would foreclose the lien created by the Declaration of Covenants, which shall be substantially in the form attached hereto as **Exhibit B** (the "Declaration"), (such as a property tax foreclosure action), and provided that the Property is still subject to the Minimum Service Payment Obligation at the time that such foreclosure becomes effective, the City may declare immediately due and payable all Minimum Service Payments projected to be due in the then current year or any future year (through and including the fifteenth year of the CRA Exemption) based on the then current value of that portion of the Property (as determined by the County Auditor) and then current real property tax rates applicable to that portion of the Property.]

9. (a) It is intended and agreed, and it will be so provided by the Property Owner in the Declaration to be recorded by the Property Owner in the real property tax records maintained in the office of the County Recorder within thirty (30) days following the date of this Agreement that certain covenants set forth herein shall hereafter be binding upon owners of the Property. The covenants set forth in the Declaration are hereby incorporated into this Agreement by this reference. Subject to the further related conditions set forth herein, the City shall not be obligated to grant the CRA Exemption pursuant to Community Reinvestment Area No. 7 in respect of any parcel of the Property until the Declaration has been recorded in the office of the County Recorder as a covenant running with the land with priority over any other liens or encumbrances to which that parcel of the Property is subject other than those in favor of or approved in writing by the City.

(b) Upon satisfaction of the obligation of an owner of any portion of the Property to make the Minimum Service Payments, the City will, upon the request of the owner, execute an instrument in recordable form evidencing the termination of the Declaration with respect to that portion of the Property and releasing the covenants running with the land as set forth in the Declaration with respect to that owner's portion.

10. If for any reason the Community Reinvestment Area designation expires, the Director of the Ohio Department of Development revokes certification of Community Reinvestment Area No. 7, or the City revokes designation of Community Reinvestment Area No. 7, entitlements granted under this Agreement shall continue for the number of years specified under this Agreement, unless Property Owner materially fails to fulfill its obligation under this Agreement and the City terminates or modifies the CRA Exemption granted under this agreement.

11. If the Property Owner materially fails to fulfill its obligations under this Agreement, or if the City determines that the certification as to delinquent taxes required by this Agreement is

fraudulent, the City may unilaterally terminate or modify the CRA Exemption granted under this Agreement; and may require that the Property Owner pay to the City the amount of taxes that were exempted under this Agreement (*i.e.*, the taxes that would have been payable had the property not been exempted from taxation under this Agreement). The City is authorized to secure the repayment of such taxes by a lien on the exempted property in an amount required to be repaid; and such lien shall attach and may be perfected, collected, and enforced, in the same manner as a mortgage lien on the real property; and shall otherwise have the same force and effect as a mortgage lien on the real property. The City is authorized to record the necessary documentation to perfect its lien rights set forth herein.

12. The Property Owner hereby certifies that at the time this Agreement is executed, Property Owner does not owe any delinquent taxes to any taxing authority of the State of Ohio, and does not owe delinquent taxes for which Property Owner is liable under Chapters 5733, 5735, 5739, 5741, 5743, 5747, or 5753 of the Revised Code; or, if such delinquent taxes are owed, Property Owner currently is paying the delinquent taxes pursuant to an undertaking enforceable by the State of Ohio or an agent or instrumentality thereof; has filed a petition in bankruptcy under 11 U.S.Ca. 101, et seq., or such a petition has been filed against the Property Owner. For the purposes of the certification, delinquent taxes are taxes that remain unpaid on the latest day prescribed for payment without penalty under the Chapter of the Revised Code governing payment of those taxes.

13. The Property Owner covenants that it does not owe: (1) any delinquent taxes to the State of Ohio or political subdivision of the State; (2) any monies to the State of a state agency for the administration or enforcement of any environmental laws of the State; and (3) any other monies to the State, a state agency or a political subdivision of the State that are past due, whether the amounts owed are being contested in a court of law or not.

14. The Property Owner and the City acknowledge that this Agreement must be approved by formal action of the City Council of Huber Heights, Ohio, as a condition for the Agreement to take effect. This Agreement takes effect upon execution by both parties.

15. The City has developed a policy to ensure recipients of Community Reinvestment Area tax benefits practice non-discrimination hiring in its operations. By executing this Agreement, the Property Owner is committing to following nondiscriminatory hiring practices, acknowledging that no individual may be denied employment solely on the basis of race, religion, gender, disability, color, national origin, or ancestry.

16. The CRA Exemption granted under this Agreement shall be revoked if it is determined that the Property Owner, any successor property owner, or any related member (as those terms are defined in Section 3735.671 of the Ohio Revised Code) has violated the prohibition against entering into this Agreement under Division (E) of Sections 3735.671 or Section 5709.62 or 5709.63 of the Ohio Revised Code, prior to the time prescribed by that Division or either of those Sections.

17. The Property owner covenants that it has made no false statements to the State or local political subdivisions in the process of obtaining approval of the CRA Exemption. If any representative of the Property Owner has knowingly made a false statement to the State or local political subdivision to obtain the Community Reinvestment Area incentives, the Property Owner shall be required to return immediately all benefits received under this Agreement pursuant Ohio Revised Code

Section 9.66(C)(2) and shall be ineligible for any future economic development assistance from the State, any state agency or a political subdivision, pursuant to Ohio Revised Section 9.66(C)(1). Any person who provides a false statement to secure economic development assistance might be guilty of falsification, a misdemeanor of the first degree, pursuant to Ohio Revised Code Section 2921.13(D)(1), which is punishable by a fine of not more than \$1,000 and/or a term of imprisonment of not more than six months.

18. The Property Owner agrees to construct the Project in a manner similar to the existing facility and in accordance with the requirements of Huber Heights Codified Ordinance section 1156 and any variances granted by the City Board of Zoning Appeals.

19. The failure by any party to exercise any of its rights hereunder or to enforce any of the terms or conditions of this Agreement on any occasion shall not constitute or be deemed a waiver of that party's rights thereafter to exercise any rights hereunder or to enforce each and every term and condition of this Agreement.

20. This Agreement may not be modified except by a writing specifically referring to this Agreement and executed by duly authorized representatives of both parties.

21. The parties have had the opportunity to have this Agreement reviewed by legal counsel of their choosing. This Agreement was the product of negotiations between the parties and the parties agree that no provision or provisions herein shall be construed against any one party by virtue of the authorship of such provision.

22. The Parties agree to execute and deliver such additional documents and to perform such additional acts as may become reasonably necessary to effectuate the transfers contemplated by this Agreement.

23. A determination that any portion of this Agreement is unenforceable or invalid shall not affect the enforceability or validity of any of the remaining portions of this Agreement as a whole. In the event that any part of any of the covenants, Sections, or provisions herein may be determined by a court of law or equity to be invalid or unenforceable, the parties shall attempt to reach agreement with respect to valid and enforceable substitutes for deleted provision(s), which shall be as close in intent and effect as possible to the deleted portions.

24. This Agreement is made and is for all purposes governed by and construed in accordance with the laws of the State of Ohio. All claims, counterclaims, disputes, and other matters in question among the parties, their respective agents, and employees arising out of or relating to this Agreement or its breach must be filed and decided in a court of competent jurisdiction within Montgomery County, Ohio.

IN WITNESS WHEREOF, the parties execute this Agreement.

WITNESSES

CITY:
THE CITY OF HUBER HEIGHTS

John Russell
Its: City Manager
Date:_____

WITNESSES

PROPERTY OWNER:
PVS PLASTICS TECHNOLOGY CORP.

Name:
Its:
Date:_____

Approved as to form:

Christopher R. Conard, Law Director

EXHIBIT A

CRA Application

COMMUNITY REINVESTMENT AREA TAX ABATEMENT APPLICATION

CITY OF HUBER HEIGHTS

6131 Taylorsville Road, Huber Heights, Ohio 45424

APPLICANTS PLEASE COMPLETE ITEMS 1-9:

1. Property Owner: PVS Plastics Technology Corp.
2. Address of Owner: 6290 Executive Blvd. Huber Heights, Ohio 45424
3. Telephone Number: 9372334376 Fax Number: _____
4. Address of Property: 6400 Executive Blvd. Huber Heights, Ohio 45424
5. Abatement Sought For (circle one): ☒ New Structure ☐ Remodeling
6. Does project involve a structure of historical/architectural significance? YES _____ NO ☒
If Yes, attach written certification of such by the designing agency or authorized agent.
7. Federal Tax ID #: 20-0822975 Use of Structure: Manufacturing Facility
8. Verification of Construction: Facility Size: 60,000-75,000 sq. ft.
Construction Type (e.g. Metal/Block): Steel Structure with Precast Walls
New Structure Construction Value: \$ 6,000,000-7,000,000
Remodeling Value: \$ NA
9. Employment Information:

PROJECTED JOB NUMBERS		PROJECTED ANNUAL PAYROLL	
First Year:	15	First Year:	\$825,000
Third Year:	30	Third Year:	\$1,650,000
Fifth Year:	50	Fifth Year:	\$2,750,000

Any Employees Retained at this Site: YES ☐ NO ☒ If so, how many _____

11/12/25

Date

Robert E. Turner

Signature of Property Owner or Agent

CEO

Title

FOR OFFICE USE:

1. CRA #: _____ RESOLUTION # : _____ EFFECTIVE DATE: _____
2. Legal Description of Property or Plat is attached.
Lot Number: _____ Subdivision: _____ M.R.S. Section: _____
Parcel ID #: _____ Zoning District: _____
Certificate of Occupancy #: _____ Date: _____
3. Project meets the requirements for an abatement under ORC 3735.67
(A) _____ (B) _____ (C) _____
4. Does project involve a structure of historical/architectural significance? YES ☐ NO ☐
If YES, written certification of appropriateness of the remodeling has been submitted by the
designating agency or authorized agent: (circle one) YES ☐ NO ☐
Period of Abatement for this Improvement: _____ Years
5. Percent of Abatement for this Improvement: _____ %
Comments: _____

I certify that the project described herein meets the necessary requirements for the
Community Reinvestment Area Tax Abatement Program for the City of Huber Heights.

Date

Signature of Housing Officer

cc: County Auditor

EXHIBIT B

FORM OF DEVELOPER DECLARATION OF COVENANTS

DECLARATION OF COVENANTS

This DECLARATION OF COVENANTS (this “*Declaration*”) is made by PVS Plastics Technology Corp., an Ohio corporation having its address at 6290 Executive Blvd, Huber Heights, OH 45424 (the “*Declarant*”).

WITNESSETH:

WHEREAS, the Declarant has acquired certain parcels of real property located in the City of Huber Heights, Ohio (the “*City*”), a description of which real property is attached hereto as ATTACHMENT A (with each parcel as now or hereafter configured, a “*Parcel*”, and collectively, the “*Parcels*”), having acquired such fee simple title by instrument No. _____ recorded in the Official Records of the Office of the Recorder of Montgomery County, Ohio (the “*County Recorder*”), as O.R. _____, Page _____; and

WHEREAS, the Declarant contemplates making private improvements to the Parcels; and

WHEREAS, the Declarant and the City entered into a Community Reinvestment Area and Development Agreement dated as of _____, 2025 (the “*Agreement*”), a copy of which may be obtained from the office of the City Manager of the City at 6131 Taylorsville Road, Huber Heights, Ohio 45424 pursuant to which the City is willing to extend a 100% property tax exemption to the Declarant for a period of 15 years (the “*CRA Exemption*”); and

WHEREAS, the Agreement creates an obligation that the owners of the Parcels make certain minimum service payments with respect to those Parcels (the “*Minimum Service Payments*”); and

WHEREAS, this Declaration is being made and filed of record pursuant to Section 8 of that Agreement.

NOW, THEREFORE, the Declarant, for itself and its successors and assigns to or of each Parcel (collectively, the “*Owners*” and individually, each an “*Owner*”), hereby declares that the forgoing recitals are incorporated into this Declaration by this reference and that the Parcels and any improvements thereon will be held, developed, encumbered, leased, occupied, improved, built upon, used and conveyed subject to the terms and provisions of this Declaration:

Section 1. **Defined Terms.** Any terms which are used but not defined herein shall have the meaning as set forth in the Agreement.

Section 2. **Development of the Parcels.** The Owners agree to develop the Parcels in the manner described in the Agreement.

Section 3. **Provision of Real Property Tax Exemptions Pursuant to CRA No. 7 Resolution.** The Owners agree that the City shall not be required to provide the CRA Exemption with respect to the Parcels and in accordance with Community Reinvestment Area No. 7

Resolution until and for so long as the conditions set forth in Article IV of the Agreement are satisfied.

Section 4. **Minimum Service Payments.** The Owners agree to a minimum service payment obligation (the “*Minimum Service Payment Obligation*”) for each Parcel owned by such respective Owner, all pursuant to and in accordance with the requirements of the Ohio Revised Code (“*ORC*”) Section 5709.91, the Agreement and any subsequent amendments or supplements thereto. The Owners agree that the Minimum Service Payment Obligation constitutes a minimum service payment obligation under ORC Section 5709.91 and shall be supported by a lien on the Parcels pursuant to ORC Sections 5709.91 and 323.11. The Minimum Service Payment Obligation shall commence in the eleventh year of the CRA Exemption and shall be payable through the fifteenth year of the CRA Exemption. The annual amount of such Minimum Service Payment Obligation for the Property shall be equal 70% of the CRA Exemption, plus any costs incurred to enforce the collection of such Minimum Service Payment Obligation (such amount the “*Minimum Service Payments*”); *provided* that the Minimum Service Payment shall not equal less than zero dollars. The Minimum Service Payment Obligation for each Parcel shall be effective for the term relating to each Parcel as set forth in the Agreement.

Each year, the City shall determine the amounts of the Minimum Service Payments due and promptly and timely certify such amounts to the County Auditor of Montgomery County, Ohio (the “***County Auditor***”). The County Auditor shall include such Minimum Service Payment due in each property tax bill for the Parcel for the following year. The Minimum Service Payment due for each Parcel in a calendar year will be payable in two equal installments and will be collected at the same time and in the same manner as real property tax payments. The City may assess a 10% administrative fee and interest accruing at an annual rate of 10% on any Minimum Service Payments not paid within 35 days of the due date. The City may certify delinquent Minimum Service Payments, fees and interest to the Montgomery County Auditor for collection on real property tax bills. Any late payments of amount so certified will bear penalties and interest at the then current rate established under ORC Sections 323.121 and 5703.47 or any successor provisions thereto, as the same may be amended from time to time.

[In the event that the Parcel is subject to an action that would foreclose the lien created by this Declaration (such as a property tax foreclosure action), and provided that the Parcel is still subject to the Minimum Service Obligation at the time that such foreclosure becomes effective, the City may declare immediately due and payable all Minimum Service Payments projected to be due in the then current year or any future year (through and including the fifteenth year of the CRA Exemption) based on the then current value of that portion of the Property (as determined by the County Auditor) and then current real property tax rates applicable to that portion of the Property.

Section 5. **Failure to Make Payments.** Should any Owner of any Parcel fail to make any payment required hereunder, such Owner shall pay, in addition to the payments it is required to pay hereunder, such amount as is required to reimburse the City for any and all reasonably and actually incurred costs, expenses and amounts (including reasonable attorneys’ fees) required by the City to enforce the provisions of the Agreement and this Declaration against that Owner.

Section 6. **Provision of Information and Exemption Applications.** The Owners agree to cooperate in all reasonable ways with, and provide necessary and reasonable information

to, the designated tax incentive review council to enable that tax incentive review council to review and determine annually the compliance of each Owner with the terms of this Declaration during the term of the CRA Exemption for the Parcel.

The Owners further agree to cooperate in all reasonable ways with, and provide necessary and reasonable information to the City to enable the City to submit the status report required by ORC Sections 5709.40(I), as applicable, to the Director of the Ohio Development Services Agency on or before March 31 of each year.

The City and each Owner will cooperate in the preparation, execution and filing of all applications for the CRA Exemption, together with other required documents and information with the appropriate officials of the State of Ohio and Montgomery County, Ohio as required to effect the exemption from real property taxation. The City agrees to cooperate and to execute those further documents and provide that further information as are reasonably required in connection therewith.

The Owner shall not file an application for real-property tax exemption as to any Parcels under any provision of law other than pursuant to the ORC Section 3735.67 without the express prior written consent of the City. In the event that the Owner fails to timely file any application for a real property tax exemption required by ORC Section 5709.911, the Owner's execution of this Declaration, and any subsequent Owner's acceptance of the conveyance of any of the Property, shall be deemed to constitute the Owner's written consent to an application filed by the City in accordance with ORC Section 5709.911.

Section 7. **Nondiscriminatory Hiring Policy.** The Owners agree to comply with the City's policies adopted pursuant to ORC Section 5709.832 to ensure that recipients of tax exemptions practice nondiscriminatory hiring in its operations. In furtherance of that policy, each Owner agrees that it will not deny any individual employment solely on the basis of race, religion, sex, disability, color, national origin or ancestry.

Section 8. **Covenants to Run With the Land.** Each of Owner's obligations under this Declaration, including without limitation its obligation to make Minimum Service Payments, are absolute and unconditional covenants running with the land and are binding and enforceable by the City. Except as provided in this Declaration, the Owner shall make all Minimum Service Payments without abatement, diminution or deduction, regardless of any cause or circumstances whatsoever, including, without limitation, any defense, set-off, recoupment or counterclaim which the Owner may have or assert against the City, or anyone acting by or on behalf of the City, or damage to or destruction of the Property.

Declarant, on behalf of itself and each subsequent Owner, agrees that each of its covenants contained in this Declaration, including without limitation, the obligation to make Minimum Service Payments, is a covenant running with the land and that they will, in any event and without regard to technical classification or designation, legal or otherwise, be binding to the fullest extent permitted by law and equity, for the benefit and in favor of, and enforceable by, the City against the Property and each Owner, without regard to whether the City has at any time been, remains or is an owner of any land or interest therein to, or in favor of, which these covenants relate. The City has the right in the event of any breach of any covenant herein contained, including without

limitation the Owner's obligation to make Minimum Service Payments, to exercise all legal and equitable rights and remedies and to maintain all actions or suits at law or in equity as against the Owner and any transferee, successor and assign thereof as may be necessary to enforce the Owner's obligations hereunder, and to maintain all other proper proceedings to which the City may be entitled to cure that breach.

Declarant, on behalf of itself and each subsequent Owner, further agrees that (a) all covenants herein, including without limitation its obligation to make Minimum Service Payments, whether or not these covenants are included by the Declarant in any deed to its successors and assigns, are binding upon each subsequent Owner and are enforceable by the City, and (b) any future Owner of the Property, or any successors or assigns of the Declarant or such Owner, will be treated as an Owner for all purposes of this Declaration.

The Owners further agree that their covenants herein will remain in effect so long as there is a CRA Exemption on the Property and the Minimum Service Payments can be collected pursuant to ORC Section 5709.91, the Agreement, and in each case, unless otherwise modified or released in writing by the City in a written instrument filed in the Official Records of the County Recorder. At any time when this Declaration is no longer in effect, the City agrees to cooperate with any reasonable request by the Owner(s) to execute (for recording by such Owner(s)) an instrument to evidence this fact. This Declaration will survive any foreclosures, bankruptcy, or lien enforcement proceedings.

The Declarant acknowledges that the provisions of ORC Section 5709.91, which specify that the Minimum Service Payments will be treated in the same manner as taxes for all purposes of the lien described in ORC Section 323.11 including, but not limited to, the priority of the lien and the collection of Minimum Service Payments applies to the Parcels and any improvements thereon.

Section 9. **Severability.** Any provision of this Declaration that is determined by a court of competent jurisdiction to be prohibited or unenforceable is ineffective only to the extent of the prohibition or unenforceability, without invalidating the remaining provisions.

Section 10. **Interpretation.** Any reference to a section or provision of the Constitution of the State of Ohio, or a section, provision or chapter of the ORC includes the section, provision or chapter as modified, revised, supplemented or superseded from time to time; *provided*, that no amendment, modification, revision, supplement or superseding section, provision or chapter will be applicable solely by reason of this paragraph if it constitutes in any way an impairment of the rights or obligations of any party under this Declaration. No presumption will apply in favor of any party in the interpretation of this Declaration or in the resolution of any ambiguity of any provision hereof. Unless the context indicates otherwise, words importing the singular number include the plural number, and vice versa; the terms "hereof," "hereby," "herein," "hereto," "hereunder" and similar terms refer to this Declaration; and the term "hereafter" means after, and the term "heretofore" means before, the date of execution and delivery of this Declaration. Words of any gender include the correlative words of the other gender, unless the sense indicates otherwise. References to articles, sections, subsections, clauses, exhibits or appendices in this Declaration, unless otherwise indicated, are references to articles, sections, subsections, clauses, exhibits or appendices of this Declaration.

Section 11. **Governing Law.** This Declaration is made under the laws of the State of Ohio and is for all purposes governed by and construed in accordance with the laws of the State of Ohio. All claims, counterclaims, disputes, and other matters in question among the parties, their respective agents, and employees arising out of or relating to this Declaration or its breach must be filed and decided in a court of competent jurisdiction within Montgomery County, Ohio.

Section 12. **Counterparts; Captions.** This Declaration may be executed in counterpart, and in several counterparts, each of which is an original and all of which constitute one and the same Declaration. Captions have been provided herein for convenience only and do not affect the construction or interpretation of this Declaration.

IN WITNESS WHEREOF, the Declarant has caused this Declaration to be executed and effective as of _____, 2025.

PVS Plastics Technology Corp

By: _____
Name: _____
Title: _____

STATE OF OHIO)
) SS:
COUNTY OF _____)

On this _____ day of _____, 2025, before me a Notary Public personally appeared _____, the _____ of PVS Plastics Technology Corp., an Ohio corporation, and acknowledged the execution of the foregoing instrument, and that the same is his voluntary act and deed on behalf of PVS Plastics Technology Corp.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal on the date and year aforesaid.

Notary Public

ACCEPTED AND AGREED:

CITY OF HUBER HEIGHTS, OHIO,
an Ohio municipal corporation

By: _____
John Russell, City Manager

STATE OF OHIO)
) ss
COUNTY OF MONTGOMERY)

The foregoing instrument was acknowledged before me this ____ day of _____, 2025, by John Russell, City Manager of the City of Huber Heights, Ohio, an Ohio municipal corporation, on behalf of the City. The notarial act certified hereby is an acknowledgment. No oath or affirmation was administered to the signer with regard to the notarial act certified to hereby.

Notary Public

Approved as to form:

Chris Conard, City Attorney

This instrument is prepared by:

Allison M. Binkley, Esq.
Squire Patton Boggs (US) LLP
41 S. High Street, Suite 2000
Columbus, Ohio 43215

ATTACHMENT A

DESCRIPTION OF THE PROPERTY

Tax Identification Number

Parcel ID P70 04002 0048

Legal Description of Parcel

**Description of
7.373 Acres
Located in
Section 24, Township 2, Range 8 M.Rs.
City of Huber Heights, Montgomery County, Ohio**

BAL ~~JAL~~
P70 04002 0048

Situate in State of Ohio, County of Montgomery, City of Huber Heights and being in Section 24, Township 2, Range 8 M.Rs., being part of the 16.559 acres tract as conveyed to the City of Huber Heights, Ohio by deed recorded in IR DEED 24-011953, of the Deed Records of Montgomery County, Ohio, and being more particularly described as follows:

Beginning at a 5/8" iron pin found at the northwest corner of Newbauer Industrial Park Section 1 as recorded in Plat Book 176 Page 30, and being in the south line of Executive Boulevard Section 1 as recorded in Plat Book 175 Page 45 and being the POINT OF BEGINNING of the tract herein described.

Thence, with the west line of said Newbauer Industrial Park Section 1, South 04°20'11" West for a distance of 205.24' to an iron pin found, capped "Burkhardt" at the southwest corner of the said Newbauer Industrial Park Section 1.

Thence, with the south line of the said Newbauer Industrial Park Section 1, South 84°38'48" East for a distance of 361.27' to a southerly corner of said Newbauer Industrial Park Section 1, witness an iron pin found, capped "Burkhardt" South 29°58'06" East a distance of 0.23'.

Thence, with a westerly line of said Newbauer Industrial Park Section 1, South 05°05'12" West for a distance of 285.54' to a 5/8" iron pin found at a southerly corner of said Newbauer Industrial Park Section 1 and being in the south line of Section 24, Township 2, Range 8 M.Rs., and being in the north Limited Access line of Interstate Route 70.

Thence, with the south line of Section 24, Township 2, Range 8 M.Rs., the north Limited Access line of Interstate Route 70, North 84°40'03" West for a distance of 910.24' to the southeast corner of the 4.0246 acres tract as conveyed to PVS Plastics Technology Corp. by deed recorded in IR DEED 16-056962, witness a 1/2" iron pin found, South 05°12'03" West a distance of 0.19'.

Thence, with the east line of said 4.0246 acres tract, North 05°12'03" East for a distance of 350.01' to a 1/2" iron pin found at the northeast corner of said 4.0246 acres tract and being the southwest corner of said Executive Boulevard Section 1

Thence, with the south line of said Executive Boulevard Section 1 for the following three (3) courses:

1. South 84°23'51" East for a distance of 68.84' to an iron pin found, capped "Woolpert".
2. On a curve to the left, with a radius of 612.67' and an arc length of 234.08', a delta angle of 21°53'25, and a chord of North 84°39'27" East for a distance of 232.65' to an iron pin found, capped "Woolpert".

3. North 73°42'44" East for a distance of 266.25' to the POINT OF BEGINNING.

Containing 7.373 acres, more or less, and subject to all legal highways, easements and restrictions of record.

Basis of bearings are based on the Ohio State Plane Coordinates, South Zone, NAD 83 (2011) with the south line of Section 24, Township 2, Range 8 M.Rs., being North 84°40'03" West.

This description prepared on an actual field survey performed on May 16, 2025 under my direct supervision, Eric A. Moody, Registered Professional Surveyor Number 7984 of the State of Ohio, and that all monuments referenced herein and placed on the ground represents the boundaries of the herein described tract, and based on a Plat of Survey as filed in the Montgomery County Engineer's Record of Land Surveys in Volume **2025** Page **0158**.



Eric A. Moody, Professional Surveyor No. 7984
of the State of Ohio, May 30, 2025

EAM GeoData Solutions
eamgeodata.com
937.369.0811



ANDREW J. SHAHAN, P.E., P.S.
MONTGOMERY COUNTY ENGINEER
APPROVED FOR POINT OF BEGINNING,
ACREAGE AND CLOSURE ONLY
DATE 6/6/2025 FILE NO. 2025-0158
BY Wayne B. H.

NO PLAT REQUIRED
Approved by Huber Heights
 6/14/25
City Official / Date

KARL KEITH
COUNTY AUDITOR
MONTGOMERY COUNTY, DAYTON, OHIO
DIVISION
BY  DATE 7/17/25
GIS MAPPING DEPARTMENT

AI-11234

Topics Of Discussion **K.**

Council Work Session

Meeting Date: 11/17/2025

Indoor Music Venue - Site Improvements - Solicit Bids

Submitted By: Aaron Sorrell

Department: Assistant City Manager - Public Services

Council Committee Review?: Council Work Session **Date(s) of Committee Review:** 11/17/2025

Audio-Visual Needs: None **Legal Review:** Completed

Emergency Legislation?: No **Motion/Ordinance/
Resolution No.:**

Agenda Item Description or Legislation Title

Indoor Music Venue - Site Improvements - Solicit Bids

Purpose and Background

This legislation authorizes the City Manager to solicit competitive bids and to award a contract, in an amount not to exceed \$7,000,000, for early site work for the City's indoor music venue. Early site work includes such items as grading, stormwater, and electrical infrastructure and preparing the building pad and parking lots.

Fiscal Impact

Source of Funds: General Capital Fund
Cost: \$7,000,000
Recurring Cost? (Yes/No): No
Funds Available in Current Budget? (Yes/No): Yes
Financial Implications:

Attachments

Resolution

CITY OF HUBER HEIGHTS
STATE OF OHIO

RESOLUTION NO. 2025- R-

AUTHORIZING THE CITY MANAGER TO SOLICIT AND RECEIVE BIDS FROM QUALIFIED FIRMS AND TO AWARD A CONTRACT FOR SITE WORK RELATED TO THE PROPOSED INDOOR MUSIC CENTER AT THE HEIGHTS.

WHEREAS, the City of Huber Heights recognizes its obligation to provide efficient operations and services; and

WHEREAS, a competitive bidding process would be utilized to obtain a reputable firm to provide services related to the construction of this proposed project; and

WHEREAS, Council desires to solicit and award bids for early site work of the proposed indoor music center; and

WHEREAS, funds are available to cover the cost of this project.

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

Section 1. The City Manager is hereby authorized to solicit, advertise, and receive responses from qualified firms for the site work for the proposed indoor music center at The Heights.

Section 2. The City Manager is hereby authorized to award a contract in an amount not to exceed \$7,000,000.00 for the site work for the proposed indoor music center at The Heights.

Section 3. It is hereby determined that all formal actions of this Council concerning and relating to the passage of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council and any of its Committees that resulted in such formal actions were conducted in meetings open to the public 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 _____, 2025;
_____ Yeas; _____ Nays.

Effective Date:

AUTHENTICATION:

Clerk of Council

Mayor

Date

Date

AI-11236

Topics Of Discussion L.

Council Work Session

Meeting Date: 11/17/2025

Infrastructure Assessments - DEC - Carriage Trails II - Section 20 - Phase 1 - Special Assessments - Resolution Of Necessity

Submitted By: Aaron Sorrell

Department: Assistant City Manager - Public Services

Council Committee Review?: Council Work Session **Date(s) of Committee Review:** 11/17/2025

Audio-Visual Needs: None **Legal Review:** Completed

Emergency Legislation?: No **Motion/Ordinance/Resolution No.:**

Agenda Item Description or Legislation Title

Infrastructure Assessments - DEC - Carriage Trails II

* Section 20 - Phase 1 - Special Assessments - Resolution Of Necessity

Purpose and Background

This Resolution Of Necessity acknowledges and accepts a petition filed by Carriage Trails Co., LLC that provides for a special assessment to be placed on the petitioner's property to help defray the costs of constructing infrastructure in the Carriage Trails II subdivision. The assessment will be \$20,500 per lot, payable in 25 installments. This petition is similar to previous Carriage Trail special assessments.

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. 2025-R-

DECLARING IT NECESSARY TO IMPROVE PUBLIC STREETS AND EASEMENTS IN SECTION 20 – PHASE 1 BY CONSTRUCTING AND INSTALLING CERTAIN PUBLIC INFRASTRUCTURE IMPROVEMENTS, INCLUDING STREET IMPROVEMENTS, SUBBASE, CONCRETE CURB/GUTTER WITH DRAINAGE, ASPHALT, STREET LIGHTS AND SIGNS, SIDEWALK, SURVEY WORK AND ENGINEERING, AND IN EACH CASE, ALL OTHER COSTS AND IMPROVEMENTS NECESSARY AND APPURTENANT THERETO.

WHEREAS, the owner of 100% of the lots and lands to be assessed for the Improvement (described in Section 2) has petitioned the City Council (that Petition For Special Assessments and Affidavit is attached hereto as Exhibit A and incorporated herein by reference and is referred to herein as the "Petition") for the construction of the Improvement (as defined in Section 2), and further, that there be assessed against the real property described in the Petition certain costs of the Improvement; and

WHEREAS, the City Council has heretofore directed that the plans, specifications, profiles and estimate of cost be prepared for the Improvement; and

WHEREAS, the City Council has determined to adopt this Resolution to accept the Petition and approve the plans, specifications, profiles and estimate of cost of the Improvement, as prepared by the Developer in conjunction with Arcadis, and to further provide for such other terms and provisions relating to the Improvement as are set forth in this Resolution.

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

Section 1. The City Council hereby finds that the Petition For Special Assessments and Affidavit attached hereto as Exhibit A has been signed by the owners of 100% of the lots and lands to be assessed for the Improvement.

Section 2. It is declared necessary to improve public streets and easements by constructing and installing on the Property (as described in the Petition) excavating, grading, paving, constructing and installing street improvements, including subbase, concrete curb/gutter with drainage, asphalt, street lights and signs, sidewalk, survey work and engineering, and in each case, all other costs and improvements necessary and appurtenant thereto (collectively, the "Improvement").

Section 3. The plans, specifications, profiles and estimate of cost of the Improvement, which have been prepared by the Developer and Arcadis, and which are now on file in the Office of the Clerk of Council, are approved. The Improvement shall be made by the developer, at developer's cost, in accordance with, and the grade of the Improvement and of any street shall be the grade as shown on, the plans, specifications and profiles for the Improvement.

Section 4. The City Council finds and determines that (a) the Improvement is conducive to the public health, convenience and welfare of this City and the inhabitants thereof and (b) the lots and lands to be assessed as described in Section 9 hereof and in the Petition are specially benefited by the Improvement.

Section 5. This Council hereby accepts the Petition. Subject to the provisions of and limitations set forth in the Petition, \$1,210,000.00 of the costs of the Improvement (plus interest on the costs of the Improvement to be computed in accordance with Sections 1 and 2 of the Petition) shall be assessed against the real property described in and pursuant to the Petition. Any additional costs of the Improvement shall be paid by the landowner.

Section 6. The cost of the Improvement shall include the cost of preliminary and other surveys, plans, specifications, profiles and estimates and of printing, serving and publishing notices, resolutions and ordinances, the amount or any damages resulting from the Improvement and the interest thereon, the costs incurred in connection with the preparation, levy and collection of the special assessments, the cost of purchasing, appropriating, and otherwise acquiring any real estate or interest therein required for the Improvement, expenses of legal services including obtaining legal

opinions, cost of labor and material and interest on securities issued in anticipation of the levy and collection of the special assessments, together with all necessary expenditures.

Section 7. The City Engineer is authorized and directed to prepare and file, or cause to be prepared and filed, in the Office of the Clerk of Council the estimated special assessments of the cost of the Improvement described in this Resolution. Those estimated special assessments shall be based upon the estimate of cost of the Improvement now on file in the Office of the Clerk of Council and shall be prepared pursuant to the provisions of this Resolution and the Petition.

Section 8. The special assessments to be levied shall be paid in twenty-five (25) annual installments of \$820.00 (plus any administrative or similar collection or processing fee) for Section 20 – Phase 1 (each annual installment to be payable semi-annually at the time real estate taxes in Miami County, Ohio are payable), together with interest on the unpaid principal amount of each special assessment as provided for by law and in accordance with the Petition and the ordinance levying the final special assessments.

Section 9. The City has reviewed the plans and specifications and the associated cost estimates for the proposed Improvements as detailed in the Petition and this Council finds and determines that the average useful life of the Improvements is at least 28 years.

Section 10. The City shall directly reimburse the Developer as and when the special assessments are collected, excluding therefrom any City and County administrative or similar collection or processing fees, for the Developer's costs and interest thereon. The City shall pay the Developer for a portion of the Improvement as set forth in the Petition, but only as and when the City receives these funds from the assessments described in the Petition. Other than the reimbursement by collected special assessment, no City funds shall be used towards the improvements being assessed. The remainder of the entire cost of the Improvement, after application of the special assessments, shall be paid by the landowner. The City assumes no obligation beyond the transfer of the assessments to the Developer following completion of the Improvements.

Section 11. It is hereby determined that all formal actions of this Council concerning and relating to the passage of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council and any of its Committees that resulted in such formal actions were conducted in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 12. 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 _____, 2025;
_____ Yeas; _____ Nays.

Effective Date:

AUTHENTICATION:

Clerk of Council

Mayor

Date

Date

CERTIFICATE

The undersigned, Clerk of Council of the City of Huber Heights, Ohio, hereby certifies that the foregoing is a true and correct copy of Resolution No. 2025-R-_____ adopted by the Council of the City of Huber Heights, on _____, 2025.

Clerk of Council

EXHIBIT A

PETITION FOR SPECIAL ASSESSMENTS AND AFFIDAVIT

October 2, 2025

To the City Council of the City of Huber Heights, Ohio:

WHEREAS, DEC Land Co. I LLC (the "*Property Owner*" and the "*Developer*"), represents that it owns certain real property (which real property represents 100% of the real property described and depicted in ATTACHMENTS A-1 and A-2 attached hereto and by reference made a part hereof and referred to herein as the "*Property*"), all of which Property is located within the City of Huber Heights, Ohio (the "*City*"); and

WHEREAS, the Property Owner acknowledges that, in connection with the development of the Property, the Property will benefit from the construction and installation on the Property of certain public infrastructure improvements, including but not limited to, street improvements, including subbase, concrete curb/gutter with drainage, asphalt, street lights and signs, sidewalk, survey work and engineering, and in each case, all other costs and improvements necessary and appurtenant thereto, to the special benefit of the Property and collectively referred to herein as the "Improvement"; and

WHEREAS, the Property Owner hereby petitions the City for the construction of the Improvement and further that a portion of the costs of the Improvement be assessed against the Property in accordance with this Petition; and

WHEREAS, the Property Owner acknowledges and agrees that the Property includes all of the real property to be assessed pursuant to this Petition, all of which Property will receive special benefits from the construction of the Improvement; and

WHEREAS, the Property Owner further deposes and states that this Petition and actions provided for herein impose burdens and obligations upon the Property and provide for special assessments to be levied upon the Property in accordance with this Petition, and that this Petition is available for inspection at the office of the Clerk of City Council; and

WHEREAS, the Property Owner requests that 100% of the special assessments be deferred as provided for herein;

NOW, THEREFORE, the Property Owner hereby petitions the City Council of the City of Huber Heights, Ohio as follows:

1. *Special Assessments.* The Property Owner states that it owns 100% of the Property. Acting pursuant to Chapter 727, Ohio Revised Code, the Property Owner petitions City Council for the construction of the Improvement, and agrees that the

Property will receive special benefits from the construction of the Improvement, and respectfully requests that \$10,000 per lot completed plus interest thereon as set forth below for Section 20, Phase 1 ("Section 20-1"), which represents the costs of the Improvement, including without limitation the compensation, damages and expenses of the Improvement, be assessed upon the Property. The Property Owner anticipates that the Property will be divided into one hundred twenty-one (121) lots and that the actual costs of the Improvement will be apportioned equally among all of the lots included within the Property (with an apportionment of \$10,000 plus interest per lot for Section 20-1). Unless otherwise agreed to by the Property Owner and the City, to the extent the Property Owner, or its grantees or other successors with respect to the Property, does not pay the special assessments as levied in the time period provided for by Ohio law, the Property Owner acknowledges and agrees that the City may exercise any and all rights for the collection of unpaid special assessments in accordance with Ohio law and that the City may increase the unpaid assessments by an amount equal to the actual costs charged by Miami County to administer and collect the special assessments and if applicable, any related interest and other expenses.

2. Construction and Payment of Costs of the Improvement. (a) The Developer shall construct the Improvement in a manner consistent with the plans and specifications for such Improvement which shall have been approved by the City, (b) the Developer shall obtain performance and payment bonds meeting the requirements of Sections 153.54 and 153.57 of the Ohio Revised Code guaranteeing the completion of the construction of the Improvement and the payment of subcontractors, material providers and laborers from all of Developer's subcontractors and material suppliers, (c) the Developer shall pay prevailing wage to laborers as determined by the Ohio Department of Commerce under Chapter 4115 of the Ohio Revised Code in connection with the construction of the Improvement, (d) the Developer shall be responsible for paying the actual costs of such Improvement prior to the time such Improvement is dedicated to and accepted by the City, (e) the Developer shall provide warranties and guarantees with respect to the workmanship of the Improvement and the correction of deficiencies, (f) the City shall, promptly following completion of construction of the Improvement and dedication to and acceptance by the City of the Improvement, for Section 20-1, reimburse the Developer from the special assessments described in paragraph 1 above as those payments are collected (twice annually) at an annual interest rate of 6.5% (the "Interest") on any unpaid balance of the Improvement costs to provide the Developer reimbursement for the Improvement in an amount equal to the lesser of (i) \$10,000 per platted lot plus Interest or (ii) 100% of the actual cost of construction of the Improvement plus Interest thereon; *provided* that the amount of such payment shall be specially assessed pursuant to this Petition.

3. Duration of Special Assessments. The Property Owner hereby confirms that the special assessments and the interest thereon be payable in twenty-five (25) annual installments of \$820 (plus any administrative or similar collection or processing fee) for Section 20 - Phase 1 (each annual installment to be payable semi-annually at the time real property taxes in Miami County, Ohio are payable). The Property Owner hereby requests that the special assessments and interest thereon be certified to the County Auditor in

order that the first installment of special assessments shall be due not later than the earliest of (a) the first date on which taxes and special assessments are due and payable in the first calendar year next following the first September 1 next following conveyance of the Property by the Property Owner to another entity or (b) the first date for 2028 on which taxes and special assessments are due and payable. Following the deferment, the special assessments will be collected in twenty-five (25) annual installments as described in this paragraph 3.

4. *Payment of Special Assessments.* In consideration of the Public Improvement, the Property Owner, for itself and its grantees or other successors with respect to the Property, agrees to pay promptly all special assessments levied against the lots and lands which collectively constitute the Property as they become due, and agrees that the determination by the Council of the special assessments in accordance with the terms hereof will be final, conclusive and binding upon the Property Owner and the Property. In further consideration of the Improvement, the Property Owner covenants and agrees to disclose, upon the transfer of the Property or any portion of the Property to be specially assessed for the actual costs of the Improvement, in the deed to the transferee the existence of any outstanding special assessment for the Improvement and to require that transferee covenant to disclose that information in any subsequent deed to any transferee so long as such special assessments remain unpaid. As a condition to each subsequent transfer while such special assessments remain unpaid, the Property Owner further covenants and agrees to provide expressly in the deed to any transferee (a) for the acquisition by such transferee of the Property subject to any outstanding special assessment and such transferee's assumption of responsibility for payment thereof and for the waiver by the transferee of any rights that the Property Owner has waived pursuant to this Petition and (b) the requirement that each transferee from time to time of the Property covenant to include in the deed to any subsequent transferee the conditions described in clause (a) so long as such special assessments remain unpaid.

5. *Action by City Council.* The Property Owner, for its successors and assigns, further consents and requests that all legislation required to be enacted to permit the Improvement to commence immediately be enacted at one City Council meeting.

6. *Waivers.* The Property Owner consents and requests that these special assessments be levied and collected without limitation as to the value of the Property, and waives all the following relating to the Improvement and the special assessments:

(a) any and all rights, benefits and privileges specified by Sections 727.03 and 727.06 of the Revised Code or by any other provision restricting these special assessments to 33-1/3% of the actual improved value of the lots and lands as enhanced by the Improvement to be made;

(b) any and all rights, benefits and privileges specified by Section 727.04 of the Revised Code or by any other provision Limiting special assessments for re-improvement when a special assessment has been levied and paid previously;

(c) any and all damages or claims for damages of whatsoever kind, character or description resulting from the Improvement or the making of the Improvement, including but not limited to all rights, benefits and privileges specified by Sections 727.18 through 727.22 and Section 727.43 of the Revised Code;

(d) any and all resolutions, ordinances and notices required for the making of the Improvement, including the notice of the adoption of the resolution of necessity and the filing of estimated special assessments, the equalization of the estimated special assessments, any increase in the cost of labor and materials over the estimated cost, the passage of the assessing ordinance, and the right to apply for deferment of the special assessments pursuant to Section 727.251 of the Revised Code, and including, but not limited to, notices authorized and required by Sections 727.13, 727.16, 727.17, 727.24 and 727.26 of the Revised Code;

(e) any limitation on the addition of interest to the special assessments specified by Section 727.301 of the Revised Code;

(f) any limitation or restriction on the levy and collection of special assessments against the Property for the Improvement as specified in Section 929.03 of the Revised Code; and

(g) any and all irregularities and defects in the proceedings.

7. *Notice.* Notice may be provided to the Property Owner at:

Carriage Trails Co. LLC
5131 Post Road, Suite 101
Dublin, Ohio 43017
Attention: William W. Keethler II, President

[signature page follows]

IN WITNESS WHEREOF, the Property Owner has caused this Petition to be duly executed in its name, all as of the date hereinbefore written.

SIGNED AND ACKNOWLEDGED
IN THE PRESENCE OF:

CARRIAGE TRAILS CO. LLC

Cassandra Riehle
Witness

By: [Signature]

[Signature]
Witness

Printed: William W. Keethler II

Title: President

STATE OF OHIO :
: SS.
COUNTY OF FRANKLIN :

The foregoing instrument was sworn to and subscribed before me this 2nd day of Oct., 2025 by William W. Keethler, President of Carriage Trails Co. LLC. This is a jurat certificate; an oath or affirmation was administered to the signer with regard to this notarial act.



CASSANDRA L. RIEHLE
Notary Public, State of Ohio
My Commission Expires 08-16-2030

Cassandra Riehle
Notary Public

ATTACHMENT A-1

Description of the Property

Approximately 43.909 acres in Section 20-1 being lots 1 through 121; of Carriage Trails, in the City of Huber Heights, Miami County, Ohio, as shown on Attachment A-2 attached hereto.

ATTACHMENT A-2
Depiction of the Property
Attached 20-1 plat
(on following pages)

SECTION 20 PHASE 1
PART INLOTS 1976, 1977 & 160

KEENE COUNTY RECORDER
DAVID E. HIRSHAW
2025-00041
RECEIVED FOR RECORD
KEENE COUNTY, NEW HAMPSHIRE
07/26/2025 12:31:50 PM
RECORDABLE
RECORDING FEE
PAGE 0

BEING A REPLAT OF PART OF INLOTS 1976, 1977 AND 160 IN
THE CITY OF HUBER HEIGHTS, MIAMI COUNTY, OHIO AS
CONVEYED TO CARRIAGE TRAILS CO., LLC BY DEEDS
DOCUMENT No. 2025OR-07501 AND DOCUMENT No.
2025OR-08083 OF THE MIAMI COUNTY RECORDER'S RECORDS.

THE UNDERSIGNED, WILLIAM W. KEETHLER II, PRESIDENT ON BEHALF OF CARRIAGE TRAILS CO, LLC, BEING THE OWNER OF THE PARCELS HEREIN REPLATED, DOES HEREBY CONSENT TO THE EXECUTION OF SAID REPLAT AS SHOWN HEREON AND HEREBY DEDICATES TO THE PUBLIC USE FOREVER THE STREETS AND EASEMENTS SHOWN HEREON.

By: CARRIAGE TRAILS CO., LLC

By: 
William W. Keethler II
President

Cassandra Riche
NOTARY PUBLIC

CASSANDRA L. RIEHLE
Notary Public, State of Ohio
My Commission Expires 08-16-2010

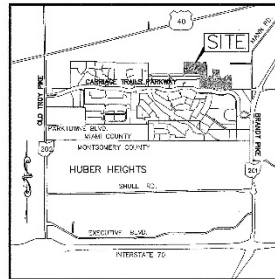
BE IT REMEMBERED THAT ON THIS 27 DAY OF August, 2025,
2025, I, NOTARY PUBLIC IN AND FOR THE STATE OF MISSISSIPPI,
APPEARED WILEY LUNCAN, AUTHORIZED SIGNER OF MEBANKS BANK, INC. WHO
REPRESENTED THAT THEY ARE DULY AUTHORIZED IN THE PREMISES AND WHO
ACKNOWLEDGED THAT THEY DID SIGN THE FORGING INSTRUMENT AND THAT
THE SAME IS THEIR VOLUNTARY ACT AND DEED FOR THE USES AND PURPOSES
IN SAID INSTRUMENT MENTIONED. IN TESTIMONY WHEREOF, I HERETO SET MY
HAND AND AFFIX MY NOTARY SEAL ON THE DAY AND DATE AFORESAID.

DAY AND DATE AFORESAID.

 LAURA FULLER
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES NOV. 11, 1997

11/11/2027

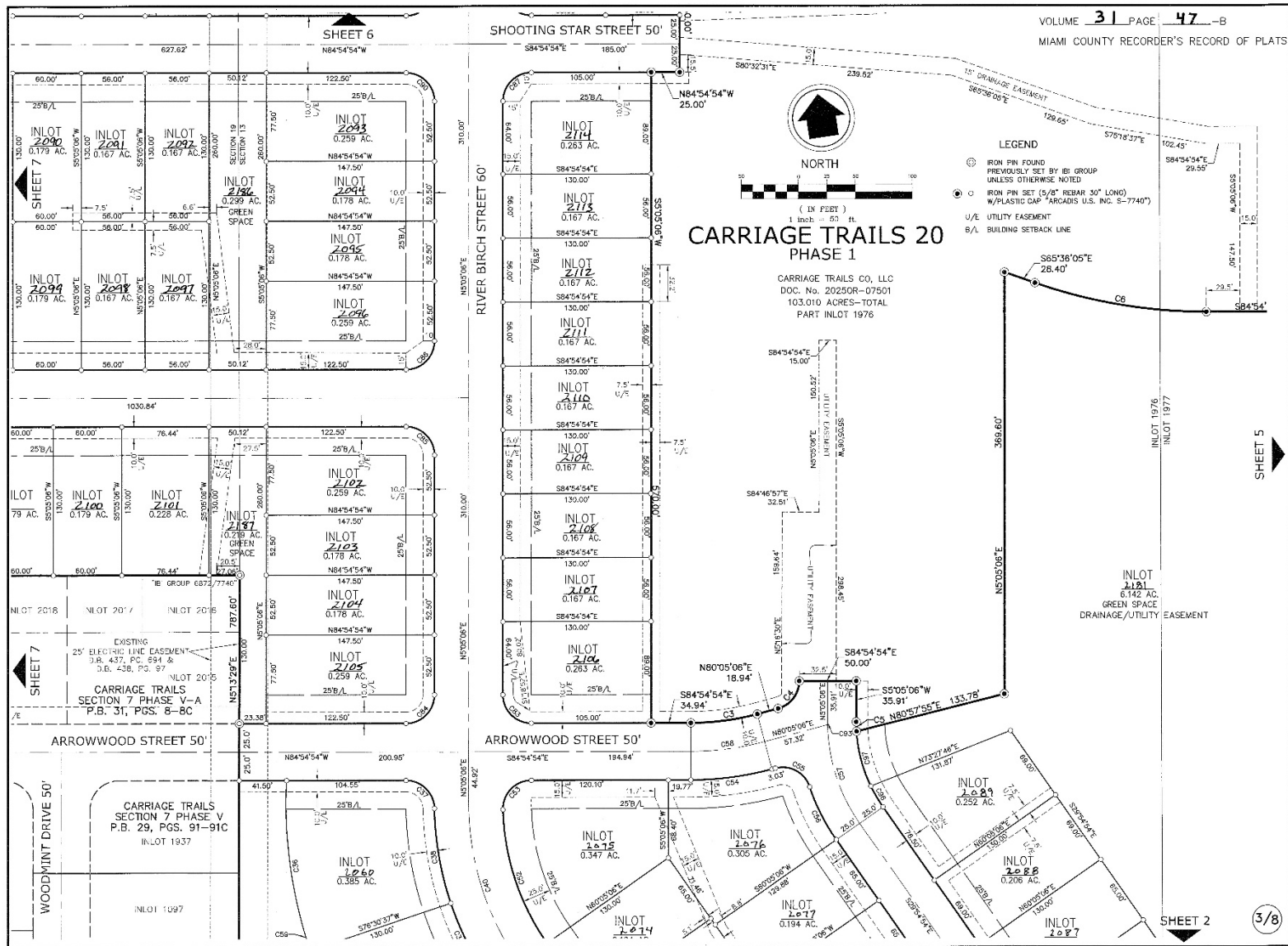
BY David L. Chiesa 08/26/25
David L. Chiesa P.S.
Registered Surveyor No. 7740

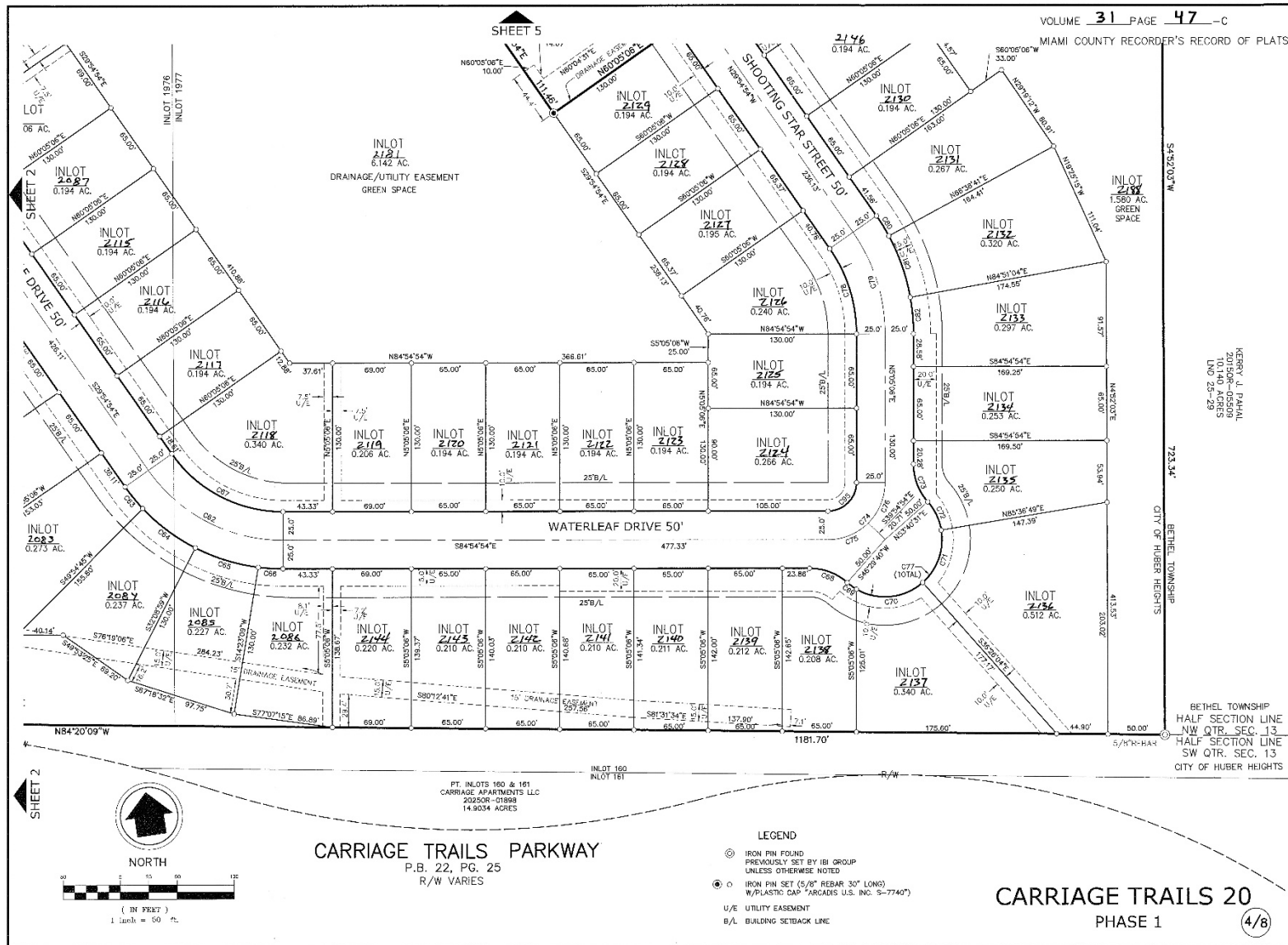


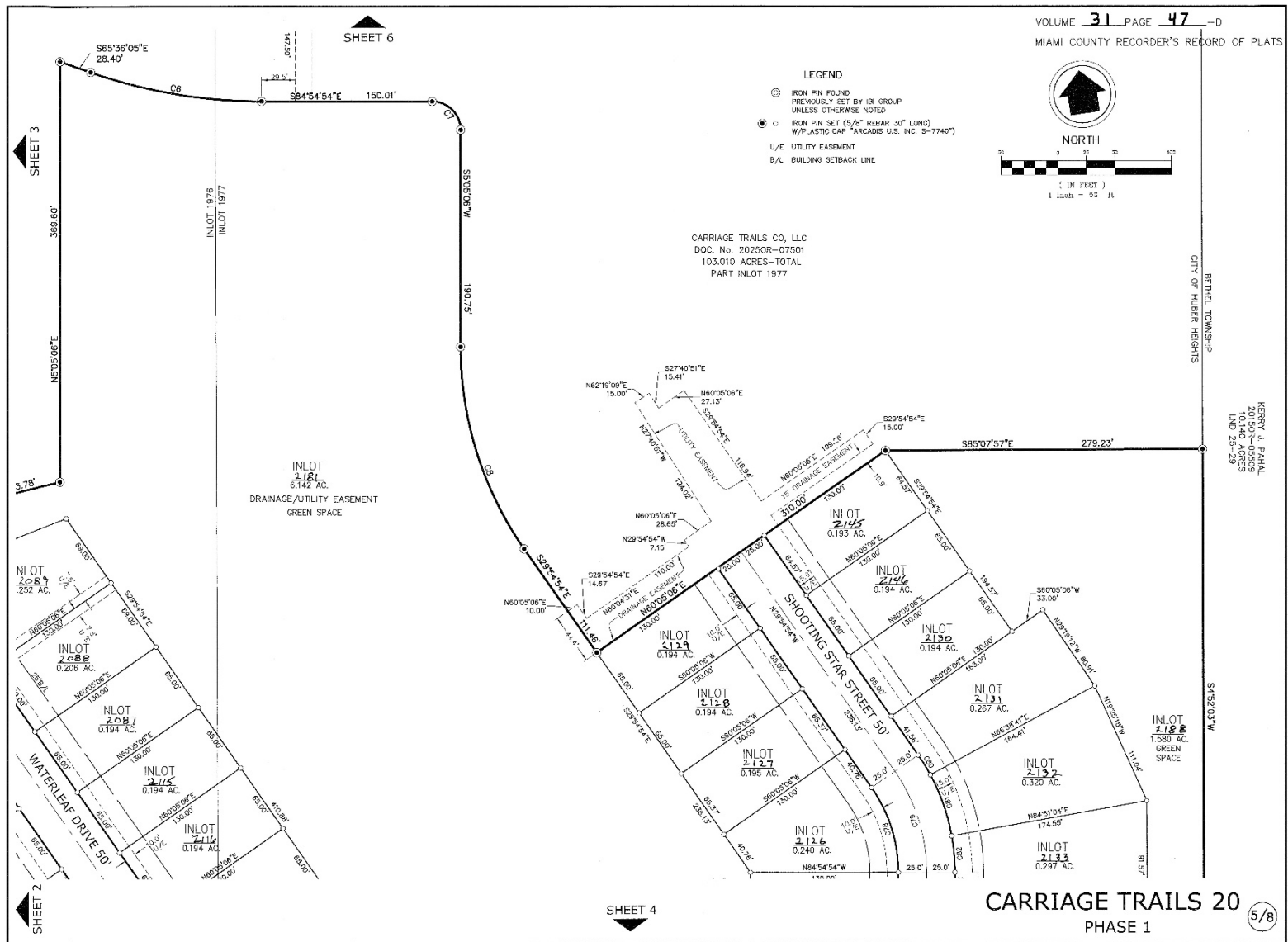
LOCATION MAP
NO SCALE

Page 8 of 15

 $\frac{1}{8}$







WILLIAM L. THAYER III &
BOBBIE J. CANTRELL
20160R-14842
2.811 ACRES
LND. 11-198

BETHEL TOWNSHIP
CITY OF HUBER HEIGHTS



NOR



1 inch = 30 ft.

LEGEND

- (C) IRON PIN FOUND
 PREVIOUSLY SET BY IBI GROUP
 UNLESS OTHERWISE NOTED
 (O) IRON PIN SET (5/8" REBAR 30" LONG)
 W/PLASTIC CAP "ARCADIS U.S. S-7740"
 U/E UTILITY EASEMENT
 B/L BUILDING SETBACK LINE

CARRIAGE TRAILS CO, LLC
DOC. No. 2025OR-07501
103.010 ACRES-TOTAL
PART INLOT 1976

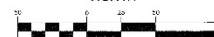
SHEET 5

CARRIAGE TRAILS 20
PHASE 1

(6/8)

CARRIAGE TRAILS SECTION 20
PHASE 1

25.512 ACRES-INLOTS
11.380 ACRES-GREEN SPACE
+7.017 ACRES DEDICATED STREET R/W
43.909 ACRES TOTAL



ACREAGE SUMMARY PER INLOT

PART INLOT 160

0.050 ACRES-GREEN SPACE
0.007 ACRES-DEDICATED STREET R/W
0.057 ACRES-CARRIAGE TRAILS SECT. 20, PHASE 1

PART INLOT 1976

17.969 ACRES-INLOTS
5.192 ACRES-GREEN SPACE
5.626 ACRES-DEDICATED STREET R/W
28.787 ACRES-CARRIAGE TRAILS SECT. 20, PHASE 1
28.020 ACRES-REMAINING
56.807 ACRES TOTAL

PART INLOT 1977

7.543 ACRES-INLOTS
6.138 ACRES-GREEN SPACE
1.384 ACRES-DEDICATED STREET R/W
15.065 ACRES-CARRIAGE TRAILS SECT. 20, PHASE 1
11.630 ACRES-REMAINING
26.695 ACRES TOTAL

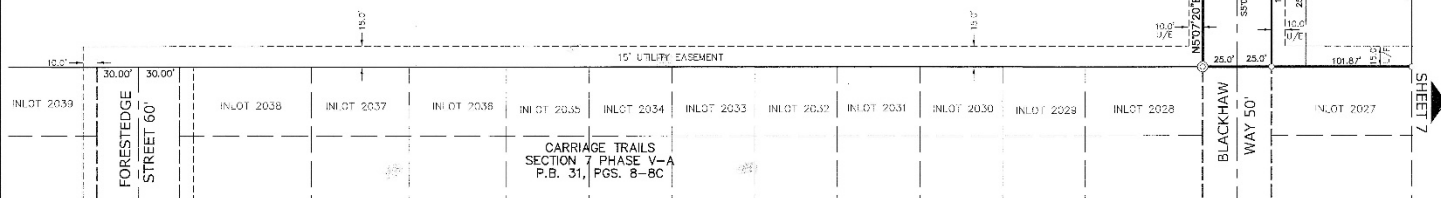
- LEGEND
- IRON PIN FOUND PREVIOUSLY SET BY IBI GROUP UNLESS OTHERWISE NOTED
 - IRON PIN SET (3/8" REBAR 30" LONG) W/PLASTIC CAP 4"RADIUS U.S. S-7740
 - U/E UTILITY EASEMENT
 - B/L BUILDING SETBACK LINE

Curve #	Length	Radius	Delta	C.B.	CHORD
C1	39.29	25.00'	90°02'15"	N38°53'47"W	35.37'
C2	39.25	25.00'	89°57'45"	N50°06'13"E	35.34'
C3	56.80	225.00'	19°00'00"	N87°35'06"E	56.74'
C4	32.72	25.00'	75°00'00"	N42°30'06"E	30.44'
C5	8.31	130.00'	3°39'44"	S3°16'14"W	8.31'
C6	103.37	455.00'	19°18'49"	S75°16'30"E	152.65'
C7	39.27	25.00'	90°00'00"	N39°54'54"W	35.36'
C8	169.37	310.00'	35°00'00"	S12°24'54"E	169.44'
C9	56.52	345.00'	9°23'09"	N10°25'21"W	56.45'
C10	56.63	345.00'	9°24'20"	N19°50'08"W	56.57'
C11	32.36	345.00'	5°22'39"	N27°13'35"W	32.37'
C12	28.18	405.00'	3°59'13"	S27°55'18"E	28.18'
C13	87.92	405.00'	12°26'19"	S18°42'32"E	87.79'
C14	151.22	405.00'	21°23'36"	S2°47'35"E	150.34'
C15	36.85	25.00'	89°01'45"	N40°24'02"W	35.05'
C16	84.49	275.00'	17°36'13"	S4°41'16"E	84.16'
C17	59.70	275.00'	12°26'19"	S19°42'32"E	59.58'
C18	149.66	245.00'	35°00'00"	S12°24'54"E	147.35'
C19	305.06	505.00'	34°36'48"	N12°36'30"W	300.48'
C20	44.56	475.00'	5°22'39"	N27°13'35"W	44.56'
C21	77.97	475.00'	9°24'20"	N19°50'08"W	77.89'
C22	77.81	475.00'	9°23'09"	N10°25'21"W	77.72'
C23	18.16	475.00'	2°11'25"	N4°39'05"W	18.16'
C24	5.00	466.25'	0°36'53"	N4°18'39"E	5.00'
C25	73.37	535.00'	7°51'29"	N07°17'16"E	73.32'
C26	65.99	535.00'	7°04'00"	N77°02'28"W	65.94'

Curve #	Length	Radius	Delta	C.B.	CHORD
C27	62.13	535.00'	6°39'15"	N14°02'06"W	62.10'
C28	62.13	535.00'	6°39'15"	N20°41'21"W	62.10'
C29	55.08	535.00'	5°53'56"	N26°57'96"W	55.06'
C30	125.24	215.00'	33°22'31"	S13°08'06"E	123.48'
C31	39.94	25.00'	91°31'58"	S49°19'06"W	35.83'
C32	71.89	275.00'	15°00'00"	N67°35'06"E	71.79'
C33	37.77	25.00'	86°34'13"	N56°37'46"W	34.28'
C34	62.06	160.00'	16°34'11"	S21°37'48"E	51.68'
C35	94.68	155.00'	35°00'00"	S12°24'54"E	93.22'
C36	65.45	250.00'	15°00'00"	N87°35'06"E	65.26'
C37	287.33	405.00'	37°49'08"	S11°00'21"E	282.50'
C38	145.53	345.00'	24°10'07"	N17°49'51"W	144.45'
C39	18.14	275.00'	3°59'13"	S27°55'18"E	18.13'
C40	138.23	144.00'	55°00'00"	S57°24'54"E	132.98'
C41	24.63	169.00'	6°21'03"	S34°05'28"E	24.61'
C42	57.90	169.00'	19°37'31"	S48°04'53"E	57.62'
C43	57.89	169.00'	19°37'40"	S67°42'38"E	57.61'
C44	21.80	169.00'	7°23'27"	S61°13'11"E	21.78'
C45	114.23	119.00'	55°00'00"	S57°24'54"E	109.90'
C46	36.14	50.00'	41°24'35"	N64°12'37"W	35.36'
C47	9.96	50.00'	11°24'35"	S49°12'37"E	9.34'
C48	62.41	50.00'	71°31'09"	N89°19'31"E	58.44'
C49	50.57	50.00'	57°57'07"	N24°35'23"E	48.44'
C50	27.87	50.00'	31°56'18"	N20°21'20"W	27.51'
C51	36.14	50.00'	41°24'35"	S19°37'12"E	35.36'
C52	78.64	50.00'	90°00'00"	N50°05'06"E	70.71'

Curve #	Length	Radius	Delta	C.B.	CHORD
C53	39.27	50.00'	45°00'00"	N72°35'06"E	36.27'
C54	39.27	50.00'	45°00'00"	N27°35'06"E	36.27'
C55	150.81	50.00'	17°49'04"	N50°05'06"E	98.80'
C56	79.41	130.00'	35°00'00"	N12°24'54"W	76.18'
C57	94.68	155.00'	35°00'00"	N12°24'54"W	93.22'
C58	20.81	180.00'	6°33'35"	N26°38'07"W	20.60'
C59	57.20	180.00'	18°12'23"	N14°15'07"W	56.98'
C60	32.15	180.00'	15°14'51"	N01°50'50"W	32.11'
C61	39.27	25.00'	90°00'00"	S39°54'54"E	35.36'
C62	39.27	25.00'	90°00'00"	N50°05'06"E	35.36'
C63	39.27	25.00'	90°00'00"	N39°54'54"W	35.36'
C64	39.27	25.00'	90°00'00"	N50°05'06"E	35.36'
C65	39.27	25.00'	90°00'00"	S50°05'06"W	35.36'
C66	39.27	25.00'	90°00'00"	S39°54'54"W	35.36'
C67	39.27	25.00'	90°00'00"	S50°05'06"W	35.36'
C68	39.27	25.00'	90°00'00"	S39°54'54"W	35.36'
C69	39.27	25.00'	90°00'00"	N50°05'06"E	35.36'
C70	39.27	25.00'	90°00'00"	N39°54'54"W	35.36'
C71	39.25	25.00'	89°37'45"	S50°06'13"W	35.34'
C72	39.28	25.00'	90°02'15"	S39°53'47"E	35.37'
C73	2.46	155.00'	0°54'28"	S43°57'52"W	2.46'
C74	0.34	215.00'	0°05'31"	S29°52'08"E	0.34'
C75	39.27	25.00'	90°00'00"	N50°05'06"E	35.36'
C76	21.10	130.00'	9°18'04"	S25°15'53"E	21.08'
C77	50.00	130.00'	22°02'13"	S9°35'45"E	48.68'
C78	13.51	466.25'	1°39'37"	N3°10'24"E	13.51'
C79	5.00	535.00'	0°32'08"	N4°29'05"E	5.00'

CARRIAGE TRAILS CO, LLC
DOC. No. 20250R-07501
103.010 ACRES-TOTAL
PART INLOT 1976



CARRIAGE TRAILS 20
PHASE 1

8/8

SHEET 7

AI-11237

Topics Of Discussion

Council Work Session

Meeting Date: 11/17/2025

Infrastructure Assessments - DEC - Carriage Trails II - Section 20 - Phase 1 - Special Assessments - Ordinance To Proceed

Submitted By: Aaron Sorrell

Department: Assistant City Manager - Public Services

Council Committee Review?: Council Work Session **Date(s) of Committee Review:** 11/17/2025

Audio-Visual Needs: None **Legal Review:** Completed

Emergency Legislation?: No **Motion/Ordinance/Resolution No.:**

Agenda Item Description or Legislation Title

* Section 20 - Phase 1 - Special Assessments - Ordinance To Proceed

Purpose and Background

The Ordinance To Proceed directs the City to file the special assessments for Carriage Trails II - Section 20 - Phase 1 with the Miami County Auditor.

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. 2025-O-

DETERMINING TO PROCEED WITH THE IMPROVEMENT OF PUBLIC STREETS AND EASEMENTS IN SECTION 20 – PHASE 1 BY CONSTRUCTING AND INSTALLING CERTAIN PUBLIC INFRASTRUCTURE IMPROVEMENTS, INCLUDING STREET IMPROVEMENTS, SUBBASE, CONCRETE CURB/GUTTER WITH DRAINAGE, ASPHALT, STREET LIGHTS AND SIGNS, SIDEWALK, SURVEY WORK AND ENGINEERING, AND IN EACH CASE, ALL OTHER COSTS AND IMPROVEMENTS NECESSARY AND APPURTENANT THERETO.

WHEREAS, THIS Council has adopted Resolution No. 2025-R-____ on _____, 2025 (the “*Resolution Of Necessity*”), declaring the necessity of making the Improvement described in Section 1.

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

Section 1. It is determined to proceed with the improvement of public streets and easements by constructing and installing on the Property (as described in the Petition) certain public infrastructure improvements, including street improvements, subbase, concrete curb/gutter with drainage, asphalt, street lights and signs, sidewalk, survey work and engineering, and in each case, all other costs and improvements necessary and appurtenant thereto (collectively, the “*Improvement*”) more fully described in the plans and specifications on file in the Office of the Clerk of Council.

Section 2. The Improvement shall be made in accordance with the provisions of the Resolution Of Necessity (including the Petition referenced therein and attached thereto) and with the plans, specifications, profiles and estimate of cost previously approved and now on file in the Office of the Clerk of Council. Other than the reimbursement by collected special assessments, no City funds shall be used towards the improvements being assessed.

Section 3. The portion of the cost of the Improvement to be assessed in accordance with the Resolution Of Necessity and the related Petition shall be assessed in the manner and pursuant to the payment schedule set forth, and on the lots and lands described, in that Resolution and the related Petition.

Section 4. The City shall pay the Developer for a portion of the Improvement as set forth in the Petition, but only as and when the City receives these funds from the assessments described in the Petition. Any such payment shall exclude City and County administrative or similar collection or processing fees. All costs shall be paid by the Developer or the landowner, and the City assumes no obligation beyond the transfer of the assessments it receives to the Developer following completion of the Improvements.

Section 5. All claims for damages resulting from the Improvement that have been or are legally filed shall be inquired into after completion of the Improvement, and the Law Director is authorized and directed to institute legal proceedings in a court of competent jurisdiction to inquire into those claims.

Section 6. The estimated special assessments previously prepared and filed in the Office of the Clerk of Council and in accordance with the Resolution Of Necessity and the related Petition are adopted.

Section 7. The Clerk of Council shall deliver a certified copy of this Ordinance to the County Auditor of Miami County, Ohio within fifteen (15) days after its passage.

Section 8. Subject to the provisions of Section 727.24 of the Revised Code, the City Manager is authorized and directed to work with the Developer to proceed with contracting for the Improvement, and the Improvement shall be paid for by the Developer, which shall be reimbursed by the special assessments, all as provided in the Resolution Of Necessity.

Section 9. It is hereby determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council and any of its Committees that resulted in such formal actions were conducted in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 10. 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 _____, 2025;
_____ Yeas; _____ Nays.

Effective Date:

AUTHENTICATION:

Clerk of Council

Mayor

Date

Date

CERTIFICATE

The undersigned, Clerk of Council of the City of Huber Heights, Ohio, hereby certifies that the foregoing is a true and correct copy of Ordinance No. 2025-O-_____ passed by the City Council of Huber Heights, on _____, 2025.

Clerk of Council

AI-11245

Topics Of Discussion M.

Council Work Session

Meeting Date: 11/17/2025

Liquor Permit #10008780-1 - Buc-ee's - 8000 State Route 235

Submitted By: Anthony Rodgers

Department: City Council

Type of Transfer

Liquor Permit:

Motion/Ordinance/

Resolution No.:

Agenda Item Description

Liquor Permit #10008780-1 - Buc-ee's - 8000 State Route 235

Review and Comments - Police Division

The Police Division has no objections to this liquor permit application.

Review and Comments - Fire Division

The Fire Division has no objections to this liquor permit application.

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

Liquor Permit



CLERK OF HUBER HGTS CITY COUNCIL
6131 TAYLORSVILLE RD
HUBER HGTS OH 45424

NOTICE TO LEGISLATIVE AUTHORITY

TO

10008780-1 PERMIT NUMBER	NEW TYPE	Buc-ee's Huber Heights, LLC Buc-ee's Huber Heights, LLC d.b.a. Buc-ee's 8000 State Route 235 Huber Heights OH 45424 Muni/Village/Twp: Huber Hgts
ISSUE DATE		
9/16/2025		
FILING DATE		
C-2 C-1		
PERMIT CLASSES		
57083 TAX DISTRICT	JUN	RECEIPT NO

FROM 10/30/2025

PERMIT NUMBER	TYPE	
ISSUE DATE		
FILING DATE		
PERMIT CLASSES		
TAX DISTRICT	RECEIPT NO	

MAILED 10/30/2025

RESPONSES MUST BE POSTMARKED NO LATER THAN 11/30/2025

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL WHETHER OR NOT
THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES: JUN NEW 10008780-1

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT THE HEARING
BE HELD ☐ IN OUR COUNTY SEAT ☐ IN COLUMBUS

WE DO NOT REQUEST A HEARING ☐

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title) - ☐ Clerk of County Commissioner

(Date)

☐ Clerk of City Council

☐ Township Fiscal Officer

(Printed Name)

(Email Address)

(Telephone No.)

AI-11246

Topics Of Discussion N.

Council Work Session

Meeting Date: 11/17/2025

City Public Records Policy Update

Submitted By: Anthony Rodgers

Department: City Council

Council Committee Review?: Council Work Session **Date(s) of Committee Review:** 11/17/2025

Audio-Visual Needs: None **Legal Review:** Completed

Emergency Legislation?: Yes **Motion/Ordinance/Resolution No.:**

Agenda Item Description or Legislation Title

City Public Records Policy Update

Purpose and Background

Effective April 3, 2025, pursuant to Ohio Revised Code Section 149.43(B)(1), as amended by House Bill 315, state and local law enforcement agencies are permitted to charge the actual cost (capped at \$75.00 per hour with a total cap of \$750.00 per video record) to prepare law enforcement video records for inspection or production in response to a public records request. The actual costs include costs incurred in reviewing, blurring, obscuring, redacting, uploading, or producing the video records, the storage medium on which the record is produced, staff time, and any other relevant overhead necessary to comply with the public records request. Local governments can also require the requester to pay the estimated cost before preparing the video for inspection or production.

The City Council adopted a revised Public Records Policy for the City of Huber Heights in April, 2025 consistent with House Bill 315; however, City Staff have identified additional needed changes to this revised policy. These changes have been made to Section 4(a) - Fee Exemptions of the Video Records Policy - Huber Heights Police Division (see attached).

Fiscal Impact

Source of Funds: N/A

Cost: N/A

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

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

Financial Implications:

Attachments

Public Records Policy - Amended - Draft
Ordinance
Exhibit A

CITY OF HUBER HEIGHTS PUBLIC RECORDS POLICY

MISSION STATEMENT

Openness leads to a better-informed citizenry, which leads to better government and better public policy. Consistent with the premise that government at all levels exists first and foremost to serve the interests of the people, it is the mission and intent of the City of Huber Heights as custodian of Public Records for and on behalf of the people to at all times fully comply with and abide by both the spirit and the letter of Ohio's Public Records Act

PURPOSE

The City of Huber Heights maintains, for public view, many documents and records. In accordance with Ohio law and the Public Records Commission for the City of Huber Heights, Record Retention Schedules have been established for the City. The Records Retention Schedules list all of the records maintained by the City and the period of time for which these records are maintained. These records are maintained for the operation of City departments/divisions and to provide a source of information for the public. It is the primary goal of the City that it serves the citizens of Huber Heights in a manner of trust. These records, and the ability to have access to them, are a means to provide trust between citizens and the City of Huber Heights. The underlying purpose of the Huber Heights Public Records Policy is to provide for full and prompt disclosure of public records and assure that City employees take all reasonable steps to properly comply with requests for public records.

DEFINING AND MAINTAINING PUBLIC RECORDS

Public records are documents, devices or items kept by the City that meet both of the following: (1) they are created, received by, or coming under the jurisdiction of the City of Huber Heights; and (2) they document the organization, functions, policies, decisions, procedures, operations, or other activities of the public office. Public records are available to the public unless the records are exempt from disclosure under Ohio law. All public records are organized and maintained in such a way that the records can be made available for inspection and copying. All public records shall be maintained in accordance with the Records Retention Schedules established by the City. Copies of the City's Records Retention Schedules are readily available to the public in the Clerk of Council's Office and on the City's website at www.hhoh.org as required by Section 149.43(8)(2) of the Ohio Revised Code.

Just because the City has a document does not mean it is a public record. In addition to obvious non-records such as junk mail and electronic "spam," some items in the possession of the City do not meet the definition of a public record because the record does not document the activities of a public office. An item received by a public office is not a record simply because the public office could use the item to carry out its duties and responsibilities.

CUSTODIAN OF PUBLIC RECORDS

The Police Chief is the Public Records Administrator for those public records maintained by the Police Division. The Fire Chief is the Public Records Administrator for those public records maintained by the Fire Division. The Clerk of Council is the Public Records Administrator for all of the public records maintained by the rest of the City. Department/division heads are the official *public records custodians* of all public records maintained within the departments/divisions.

In fulfilling the duties of the Public Records Administrator, the Public Records Administrator shall consult with the Law Director and City Manager as appropriate. All Public Records shall be maintained such that no release of Public Records from the custody of the City shall occur except as permitted by the Ohio Public Records Act and the Public Record Commission Retention and Destruction Schedules. *Failure to comply with the Public Record Policy of the City subjects the City to liability; thus, it is incumbent on the City, its employees and public officials and the Public Records Administrator to comply in all respects with the Public Records Law and the City Policy implementing the Public Records Act of the State of Ohio.*

RESPONSE TIMEFRAME

Public records are to be available for inspection to any person at reasonable times during regular business hours, excluding legal holidays. Public records must be made available for inspection promptly. Copies of public records must be made available within a reasonable period of time. "Prompt" and "reasonable" take into account the volume of records requested; the proximity of the location where the records are stored; and the necessity for any legal review and redaction of the records requested.

The regular business hours for City Hall are from 8:00 a.m. to 5:00 p.m. Monday through Friday, excluding legal holidays. The regular business hours for the Police Division are from 8:00 a.m. to 5:00 p.m. Monday through Friday, excluding legal holidays. The regular business hours for the Fire Division are from 7:00 a.m. to 4:00 p.m. Monday through Friday, excluding legal holidays.

It is the goal of the City of Huber Heights that all requests for public records should be acknowledged in writing or, if possible, satisfied within ten (10) business days following the City's receipt of the request.

HANDLING REQUESTS

No specific language is required to make a request for public records. However, the requestor must at least identify the records requested with sufficient clarity to allow the City of Huber Heights to identify, retrieve, and review the records. If it is not clear what records are being sought, the City of Huber Heights must contact the requestor for clarification and should assist the requestor in revising the request by informing the requestor of the manner in which the City keeps its public records.

If after contacting the requestor for clarification, the request is still ambiguous or overly broad, the request may be denied.

An ambiguous request is one that lacks the clarity a public office needs to ascertain what the requester is seeking and where to look for records that might be responsive. This often occurs when the wording of the request is subject to interpretation.

A request can be overly broad when it is so inclusive that the public office is unable to identify the records sought based on the manner in which the office routinely organizes and accesses records. The courts have also found a request overly broad when it seeks what amounts to a complete duplication of a major category of a public office's records. Examples of overly broad requests include requests for:

All records containing particular names or words; (Example: "All records regarding Fishburg Road.")

All emails sent or received by a particular email address with no subject matter and time limitation; (Example: "All emails between the City Manager and Councilmember X.")

Records regarding a specific topic, but excluding a subcategory; (Example: "All police reports for the last two weeks, but excluding those involving misdemeanor offenses.")

If a request is deemed overly broad, the City will provide the requester with an opportunity to revise the request by informing the requester of the manner in which records are maintained by the City and accessed in the ordinary course.

The requestor does not have to put a records request in writing and does not have to provide his or her identity or the intended use of the requested public record. It is the City of Huber Heights' general policy that this information is not to be requested. However, the law does permit the office to ask for a written request, the requestor's identity, and/or the intended use of the information requested, but ONLY (1) if a written request or disclosure of identity or intended use would benefit the requestor by enhancing the office's ability to identify, locate, or deliver the public records that have been requested; AND (2) after telling the requestor that a written request is not required and that the requester may decline to reveal the requestor's identity or intended use.

Requests for public records may be written or oral. If a public records request is made orally, the City employee receiving the request will write down the request on Public Records Request Form and read it back to the requestor to make sure the request is accurate. If a public records request is made in writing, the City employee will indicate the date the request was received on the Public Records Request Form and the written request shall be attached to the Public Records Request Form. All public records requests received by a City employee shall be forwarded to the appropriate Public Records Administrator for the City for further processing and response.

In processing the request, the Public Records Administrator does not have an obligation to create new records or perform new analysis of existing information. An electronic record is deemed to

exist so long as a computer is already programmed to produce the record through simple sorting, filtering, or querying.

A copy of the most recent edition of the Ohio Sunshine Laws manual is available via the Attorney General's internet website at www.ohioattorneygeneral.gov for the purpose of keeping employees of the City of Huber Heights and the public educated as to the City's obligations under the Ohio Public Records Act and the Open Meetings Act.

The policy of the City of Huber Heights is to never duplicate requested copies of public records on the requestor's provided CDs, DVDs, flash devices, or other devices. The risks of unintended contamination of the internal computer systems of the City are too great. The City of Huber Heights will always duplicate requested copies of public records on CDs, DVDs, flash devices, or other devices provided by the City.

Requests for Inspection. All requests to inspect public records shall be forwarded to the Public Records Administrator for processing. Upon request for inspection of public records, the request shall be promptly complied with and the public records shall be made available for inspection by the City of Huber Heights at all reasonable times during regular business hours. The inspection may not be immediate if the requested record contains information that may need to be redacted. The City may require that a City employee be present during the inspection, but shall not deny an inspection if no employee is available. In processing a request for inspection of a public record, a City employee's presence with the request or during the inspection is to make certain original records are not taken or altered.

Requests for Copying. Upon request for copying of public records, the request shall be promptly complied with and the public records shall be copied by a City employee and made available within a reasonable amount of time.

Requests for Mailing. Upon request for mailing of public records, the request shall be promptly complied with and the public records mailed by a City employee within a reasonable amount of time, provided the requestor has provided the necessary mailing information.

Requests for Video and Audio. Upon request for video and audio public records, the request shall be promptly complied with and the video and audio public records shall be copied by a City employee and made available within a reasonable amount of time.

Requests for Photographs. Upon request for photographs that are public records, the request shall be promptly complied with and the photographs shall be copied by a City employee and made available within a reasonable amount of time.

Requests for Electronic Media. Upon request for electronic media of public records, the request shall be promptly complied with and the electronic media copied by a City employee and made available within a reasonable amount of time. The requestor may choose to have the public records duplicated (i) upon paper, (ii) upon the same medium upon which the City keeps the record, or (iii) on any other medium the City determines it can be reasonably duplicated as an integral part of the normal operations of the City.

ELECTRONIC RECORDS

Records in the form of email, text messaging, and instant messaging, including those sent and received via handheld communications devices are to be treated in the same fashion as records in other formats, such as paper or audiotape.

Public record content transmitted to or from private accounts or personal devices is subject to disclosure. All employees or representatives of the City of Huber Heights are required to retain their email records and other electronic records in accordance with applicable Records Retention Schedules.

DENIAL OR REDACTION OF RECORDS

Determining that requested documents or that certain information contained in requested documents is not a public record and therefore not subject to disclosure or that a public record or information contained therein is exempt from disclosure is a serious action. Accordingly, all decisions to deny a public records request or to redact information from public records, (other than routine redactions that are made on all similar documents) which is also a denial shall be executed by and signed off on by the Public Records Administrator or the City Manager. Routine redactions include but are not limited to redacting social security numbers, protected personal information, witness information from police records.

If a public record contains information that is exempt from the duty to permit public inspection or to copy the public record, the City of Huber Heights shall make available all of the information within the public record that is not exempt. If portions of a public record are public and other portions of a public record are exempt, the exempt portions may be redacted, and the rest of the public record released.

If it is not clear whether the public record is one that can be released, the requestor should be told that it is not clear if a public record can be released and that the City will allow inspection or provide copies to the extent permissible as soon as the Public Records Administrator in conjunction with the Law Director has had the opportunity to review the request.

Redacting information from a public record is considered a denial of a public record. When making a public record available for public inspection or copying that has had information redacted, the City shall notify the requestor of the redaction or make the redaction plainly visible.

If a public records request is ultimately denied, in part or in whole (including any redactions), the Public Records Administrator shall complete a Denial/Redaction of Public Records Request Form and which provides the requestor with a written explanation, including legal authority, the reason why the request was denied, or the information was redacted. Any denial of public records requested must include an explanation, including the legal authority for the denial of the public records. If the initial request was made in writing, the explanation must also be in writing. If the request was made orally, the requestor may be told orally why the request was denied.

If the requester makes an ambiguous or overly broad request or has difficulty in making a request for public records such that the Public Records Administrator processing the request cannot reasonably identify what public records are being requested, the request may be denied, but the denial must provide the requestor an opportunity to revise the request by informing the requestor of the manner in which records are maintained and accessed by the City of Huber Heights.

COPYING AND MAILING COSTS

Those seeking public records may be charged only the actual cost of making or duplicating copies, not for labor costs. The costs for public records are outlined in the Public Records Fee Schedule.

A requestor may be required to pay in advance for costs involved in providing the copies of public records. The requestor may choose whether to have the record duplicated upon paper, on the same medium upon which the City keeps the record, or on any other medium the City determines it can reasonably be duplicated as an integral part of the normal operations of the City.

If a requestor asks that copies of public records be mailed, he or she may be charged the actual cost of the postage and mailing supplies. There is no charge for copies of public records that are emailed.

PUBLIC RECORD POLICY – LEGAL HOLD

The concept of a "Legal Hold" has been around from the advent of modern-day jurisprudence. The concept of a "Legal Hold" as applied to a municipality is triggered when a municipality has *the first reasonable suspicion* that a claim may be asserted against it or that it has a claim to assert against a third-party.

The theory is that anything and everything that could reasonably be related to the litigation must be "held" by both parties to the litigation to ensure that all evidence reasonably related to the litigation is preserved.

The theory continues that the finders of fact (the Jury) and the applier of the law to the facts (the Court) will then have all available tools at their disposal to make their decision.

A "Legal Hold" is typically called for by Legal Counsel since typically Legal Counsel will be involved in any negotiations leading up to any litigation. (However, if the litigation comes out of nowhere and is totally unexpected the "Legal Hold" would automatically apply.)

However, the triggering event, being when the City has the *first reasonable suspicion* may very easily be known by the City well in advance of the Law Director. It is imperative that the City consult with Legal Counsel when it does have the *first reasonable suspicion* that a claim may be asserted against it or that it has a claim to assert.

Once the "Legal Hold" is applied ALL records in the possession of the City reasonably related to the litigation, including electronic records (or if litigation is imminent as determined by legal counsel) shall be retained or "held" by the City until the litigation is finally resolved.

Thus, regardless of what the City's Public Records Policy is with regard to retention and destruction of records, the "Legal Hold" requires that those applicable records *must be held for the life of the litigation*.

As an example, if a record under the Public Records Retention Schedule calls for that record to be retained for five years and the litigation lasts for seven years the pertinent record **MUST BE HELD** for the full seven years.

Certain electronic records have a very limited retention period and may be destroyed immediately when the retention period has expired. Nevertheless the "Legal Hold" in the above example will require that the short-term electronic records must be held for the full seven-year life of the litigation.

Any questions with regard to the "Legal Hold" Policy should be directed to the Clerk of Council or the Law Director. *See the Legal Hold Policy of the City in the possession of the City Manager and the Clerk of Council.*

VIDEO RECORDS POLICY – HUBER HEIGHTS POLICE DIVISION ***(Pursuant To Ohio House Bill 315)***

1. Scope:

- a) This policy applies to all public records requests involving video records (e.g., body camera, cruiser camera, or other video footage) maintained by the Huber Heights Police Division pursuant to Ohio Revised Code Section 149.43(B)(1), as amended by House Bill 315.

2. Fees For Video Records:

- a) The Police Division will charge all requesters the “actual cost” of preparing video records for production to offset the considerable time and expenses incurred in retrieving, downloading, reviewing, redacting, uploading, and producing such video records.
- b) The statutory term, “a video record,” for the purposes of this policy, means a video from one source for one start and stop recording (essentially the beginning and end of a distinct incident). For example, three (3) officers responding to an incident will each have “a video record” of that incident from each of their respective body cameras. This example will result in an actual cost charge for each video record, or three (3) video records.

- c) The amount charged for each video record will be based on the actual cost of the hourly rate(s) of the employee(s) or contractor(s) involved in retrieving, downloading, reviewing, redacting, uploading, and producing the video record requested, but will not exceed \$75.00 per hour of footage from a particular video record. Further, the total amount charged for retrieving, downloading, reviewing, redacting, uploading, and producing a video record will not exceed a maximum of \$750.00 for a particular video record.
- d) “Actual cost” includes all employee or contractor time and materials expended in retrieving, downloading, reviewing, redacting, uploading, and producing the video record, including staff time, storage media, and a portion of necessary overhead expenses required to comply with the public records request.
- e) As part of the necessary overhead charges authorized by statute, each public records request for video records will include an overhead fee of \$10.00 per video record to partially cover costs such as redaction software, video storage, upload and transmission, and other necessary expenses. This fee is included within the total actual cost and subject to the \$750.00 maximum cost per video record.

3. Critical Incident Exemption:

- a) For video records of critical incidents—defined as any instance where an officer from the Police Division fires a deadly weapon at a person—the Police Division will redact and produce the video at no cost to the requester within a reasonable period of time as defined in Ohio Revised Code Section 149.43(B)(1).
- b) This exemption is intended to ensure transparency and public accountability in such incidents.

4. Fee Exemptions:

- a) Upon request submission of a fully completed Exemption Request (in such form as prescribed by the City Manager and the Law Director) and approved thereof by the City Manager, the following persons/entities may be determined to be exempt from the fee requirements of this policy: (a) an official representative of a public office as defined in Ohio Revised Code Section 149.011(A); (b) in order to respond to a duly issued subpoena in a criminal or other legal proceeding and/or an order of a court of competent jurisdiction; or (c) for any other public purpose as determined by the City Manager in his/her sole and absolute discretion. reason as permitted or required by applicable Ohio Law.

5. Estimate Process And Advance Payment Requirement:

- a) Within five (5) business days of receiving a public records request for video records, the Police Division will provide the requester with an estimate of the cost of fulfilling the public records request.
- b) The estimated cost will include all applicable fees as outlined in Section 2, including the \$10.00 overhead fee per video record and an estimate of the cost required for video redaction and production, not to exceed the \$750.00 per video record limit.
- c) Except as provided in Section 3, the Police Division will not begin preparing a video record for production until the requester pays in full the estimated cost for the video record.

6. Cost Adjustments:

- a) If the actual cost exceeds the estimated cost by less than 20%, the requester will be required to pay the difference before the video record is provided.
- b) Under no circumstances will the requester be required to pay more than 20% above the original estimated cost, regardless of how much the actual cost exceeds the estimate. Any additional cost beyond this 20% threshold will be borne by the Police Division.
- c) If the estimated amount exceeds the actual cost by more than 20%, the difference will be refunded to the requester in a reasonable amount of time.

7. Compliance Timeline:

- a) Except as provided in Section 3, the Police Division's obligation to make a video record available for production begins only after the requester pays in full the estimated cost.
- b) The time required for retrieving, downloading, reviewing, redacting, uploading, and producing (as well as seeking legal advice), will be considered in determining a "reasonable period of time" under Ohio Revised Code Section 149.43.

8. Contact Information:

- a) For questions about this policy or to submit a public records request, contact the Communications/Records Manager at the Huber Heights Police Division.

Please contact the City of Huber Heights Public Records Administrator, Anthony Rodgers, Clerk of Council, at:

Address: Huber Heights City Hall

6131 Taylorsville Road, Huber Heights, Ohio 45424

Phone: (937) 233-1423

Email: arodgers@hhoh.org

Please contact the City of Huber Heights Police Division Public Records Administrator, Mark Lightner, Police Chief, at:

Address: Huber Heights Police Division

6121 Taylorsville Road, Huber Heights, Ohio 45424

Phone: (937) 233-1565

Email: mLightner@hhoh.org

Please contact the City of Huber Heights Public Records Administrator, Keith Knisley, Fire Chief, at:

Address: Huber Heights Fire Division

7008 Brandt Pike, Huber Heights, Ohio 45424

Phone: (937) 233-1564

Email: kknisley@hhoh.org

*** As Approved By Ordinance No. 2025-O-XXXX on XXXX, 2025 And Effective XXXX, 2025.**

CITY OF HUBER HEIGHTS
STATE OF OHIO

ORDINANCE NO. 2025-O-

ADOPTING AND APPROVING A REVISED PUBLIC RECORDS POLICY CONSISTENT WITH OHIO HOUSE BILL 315 REGARDING LAW ENFORCEMENT VIDEO RECORDS FOR THE CITY OF HUBER HEIGHTS CONSISTENT WITH THE OHIO PUBLIC RECORDS LAW, AND DECLARING AN EMERGENCY.

WHEREAS, Ohio House Bill 315 was signed into law by Governor Mike DeWine on January 2, 2025 and goes into effect on April 9, 2025; and

WHEREAS, Ohio House Bill 315 permits law enforcement agencies to charge for the cost of production of video records in response to public records requests; and

WHEREAS, the City Council adopted a revised Public Records Policy for the City of Huber Heights in April, 2025 consistent with House Bill 315; however, City Staff have identified additional needed changes to this revised policy; and

WHEREAS, the Public Records Commission, City Staff, and the City Council of Huber Heights have reviewed, considered and commented upon the revised policy.

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

Section 1. After due consideration, the City Council of Huber Heights has deemed it appropriate and necessary to revise, update and adopt the City Public Records Policy as more fully set forth in the attached Exhibit A.

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

Section 3. 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 Ohio House Bill 315 went into effect on April 9, 2025 and the City of Huber Heights desires to implement additional provisions of this bill at the earliest possible time; therefore, this Ordinance shall take full force and effect immediately upon its adoption by Council.

Passed by Council on the _____ day of _____, 2025;
_____ Yeas; _____ Nays.

Effective Date:

AUTHENTICATION:

Clerk of Council

Mayor

Date

Date

EXHIBIT A
CITY OF HUBER HEIGHTS
PUBLIC RECORDS POLICY

MISSION STATEMENT

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PURPOSE

The City of Huber Heights maintains, for public view, many documents and records. In accordance with Ohio law and the Public Records Commission for the City of Huber Heights, Record Retention Schedules have been established for the City. The Records Retention Schedules list all of the records maintained by the City and the period of time for which these records are maintained. These records are maintained for the operation of City departments/divisions and to provide a source of information for the public. It is the primary goal of the City that it serves the citizens of Huber Heights in a manner of trust. These records, and the ability to have access to them, are a means to provide trust between citizens and the City of Huber Heights. The underlying purpose of the Huber Heights Public Records Policy is to provide for full and prompt disclosure of public records and assure that City employees take all reasonable steps to properly comply with requests for public records.

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If after contacting the requestor for clarification, the request is still ambiguous or overly broad, the request may be denied.

An ambiguous request is one that lacks the clarity a public office needs to ascertain what the requester is seeking and where to look for records that might be responsive. This often occurs when the wording of the request is subject to interpretation.

A request can be overly broad when it is so inclusive that the public office is unable to identify the records sought based on the manner in which the office routinely organizes and accesses records. The courts have also found a request overly broad when it seeks what amounts to a complete duplication of a major category of a public office's records. Examples of overly broad requests include requests for:

All records containing particular names or words; (Example: "All records regarding Fishburg Road.")

All emails sent or received by a particular email address with no subject matter and time limitation; (Example: "All emails between the City Manager and Councilmember X.")

Records regarding a specific topic, but excluding a subcategory; (Example: "All police reports for the last two weeks, but excluding those involving misdemeanor offenses.")

If a request is deemed overly broad, the City will provide the requester with an opportunity to revise the request by informing the requester of the manner in which records are maintained by the City and accessed in the ordinary course.

The requestor does not have to put a records request in writing and does not have to provide his or her identity or the intended use of the requested public record. It is the City of Huber Heights' general policy that this information is not to be requested. However, the law does permit the office to ask for a written request, the requestor's identity, and/or the intended use of the information requested, but ONLY (1) if a written request or disclosure of identity or intended use would benefit the requestor by enhancing the office's ability to identify, locate, or deliver the public records that have been requested; AND (2) after telling the requestor that a written request is not required and that the requester may decline to reveal the requestor's identity or intended use.

Requests for public records may be written or oral. If a public records request is made orally, the City employee receiving the request will write down the request on Public Records Request Form and read it back to the requestor to make sure the request is accurate. If a public records request is made in writing, the City employee will indicate the date the request was received on the Public Records Request Form and the written request shall be attached to the Public Records Request Form. All public records requests received by a City employee shall be forwarded to the appropriate Public Records Administrator for the City for further processing and response.

In processing the request, the Public Records Administrator does not have an obligation to create new records or perform new analysis of existing information. An electronic record is deemed to

exist so long as a computer is already programmed to produce the record through simple sorting, filtering, or querying.

A copy of the most recent edition of the Ohio Sunshine Laws manual is available via the Attorney General's internet website at www.ohioattorneygeneral.gov for the purpose of keeping employees of the City of Huber Heights and the public educated as to the City's obligations under the Ohio Public Records Act and the Open Meetings Act.

The policy of the City of Huber Heights is to never duplicate requested copies of public records on the requestor's provided CDs, DVDs, flash devices, or other devices. The risks of unintended contamination of the internal computer systems of the City are too great. The City of Huber Heights will always duplicate requested copies of public records on CDs, DVDs, flash devices, or other devices provided by the City.

Requests for Inspection. All requests to inspect public records shall be forwarded to the Public Records Administrator for processing. Upon request for inspection of public records, the request shall be promptly complied with and the public records shall be made available for inspection by the City of Huber Heights at all reasonable times during regular business hours. The inspection may not be immediate if the requested record contains information that may need to be redacted. The City may require that a City employee be present during the inspection, but shall not deny an inspection if no employee is available. In processing a request for inspection of a public record, a City employee's presence with the request or during the inspection is to make certain original records are not taken or altered.

Requests for Copying. Upon request for copying of public records, the request shall be promptly complied with and the public records shall be copied by a City employee and made available within a reasonable amount of time.

Requests for Mailing. Upon request for mailing of public records, the request shall be promptly complied with and the public records mailed by a City employee within a reasonable amount of time, provided the requestor has provided the necessary mailing information.

Requests for Video and Audio. Upon request for video and audio public records, the request shall be promptly complied with and the video and audio public records shall be copied by a City employee and made available within a reasonable amount of time.

Requests for Photographs. Upon request for photographs that are public records, the request shall be promptly complied with and the photographs shall be copied by a City employee and made available within a reasonable amount of time.

Requests for Electronic Media. Upon request for electronic media of public records, the request shall be promptly complied with and the electronic media copied by a City employee and made available within a reasonable amount of time. The requestor may choose to have the public records duplicated (i) upon paper, (ii) upon the same medium upon which the City keeps the record, or (iii) on any other medium the City determines it can be reasonably duplicated as an integral part of the normal operations of the City.

ELECTRONIC RECORDS

Records in the form of email, text messaging, and instant messaging, including those sent and received via handheld communications devices are to be treated in the same fashion as records in other formats, such as paper or audiotape.

Public record content transmitted to or from private accounts or personal devices is subject to disclosure. All employees or representatives of the City of Huber Heights are required to retain their email records and other electronic records in accordance with applicable Records Retention Schedules.

DENIAL OR REDACTION OF RECORDS

Determining that requested documents or that certain information contained in requested documents is not a public record and therefore not subject to disclosure or that a public record or information contained therein is exempt from disclosure is a serious action. Accordingly, all decisions to deny a public records request or to redact information from public records, (other than routine redactions that are made on all similar documents) which is also a denial shall be executed by and signed off on by the Public Records Administrator or the City Manager. Routine redactions include but are not limited to redacting social security numbers, protected personal information, witness information from police records.

If a public record contains information that is exempt from the duty to permit public inspection or to copy the public record, the City of Huber Heights shall make available all of the information within the public record that is not exempt. If portions of a public record are public and other portions of a public record are exempt, the exempt portions may be redacted, and the rest of the public record released.

If it is not clear whether the public record is one that can be released, the requestor should be told that it is not clear if a public record can be released and that the City will allow inspection or provide copies to the extent permissible as soon as the Public Records Administrator in conjunction with the Law Director has had the opportunity to review the request.

Redacting information from a public record is considered a denial of a public record. When making a public record available for public inspection or copying that has had information redacted, the City shall notify the requestor of the redaction or make the redaction plainly visible.

If a public records request is ultimately denied, in part or in whole (including any redactions), the Public Records Administrator shall complete a Denial/Redaction of Public Records Request Form and which provides the requestor with a written explanation, including legal authority, the reason why the request was denied, or the information was redacted. Any denial of public records requested must include an explanation, including the legal authority for the denial of the public records. If the initial request was made in writing, the explanation must also be in writing. If the request was made orally, the requestor may be told orally why the request was denied.

If the requester makes an ambiguous or overly broad request or has difficulty in making a request for public records such that the Public Records Administrator processing the request cannot reasonably identify what public records are being requested, the request may be denied, but the denial must provide the requestor an opportunity to revise the request by informing the requestor of the manner in which records are maintained and accessed by the City of Huber Heights.

COPYING AND MAILING COSTS

Those seeking public records may be charged only the actual cost of making or duplicating copies, not for labor costs. The costs for public records are outlined in the Public Records Fee Schedule.

A requestor may be required to pay in advance for costs involved in providing the copies of public records. The requestor may choose whether to have the record duplicated upon paper, on the same medium upon which the City keeps the record, or on any other medium the City determines it can reasonably be duplicated as an integral part of the normal operations of the City.

If a requestor asks that copies of public records be mailed, he or she may be charged the actual cost of the postage and mailing supplies. There is no charge for copies of public records that are emailed.

PUBLIC RECORD POLICY – LEGAL HOLD

The concept of a "Legal Hold" has been around from the advent of modern-day jurisprudence. The concept of a "Legal Hold" as applied to a municipality is triggered when a municipality has *the first reasonable suspicion* that a claim may be asserted against it or that it has a claim to assert against a third-party.

The theory is that anything and everything that could reasonably be related to the litigation must be "held" by both parties to the litigation to ensure that all evidence reasonably related to the litigation is preserved.

The theory continues that the finders of fact (the Jury) and the applier of the law to the facts (the Court) will then have all available tools at their disposal to make their decision.

A "Legal Hold" is typically called for by Legal Counsel since typically Legal Counsel will be involved in any negotiations leading up to any litigation. (However, if the litigation comes out of nowhere and is totally unexpected the "Legal Hold" would automatically apply.)

However, the triggering event, being when the City has the *first reasonable suspicion* may very easily be known by the City well in advance of the Law Director. It is imperative that the City consult with Legal Counsel when it does have the *first reasonable suspicion* that a claim may be asserted against it or that it has a claim to assert.

Once the "Legal Hold" is applied ALL records in the possession of the City reasonably related to the litigation, including electronic records (or if litigation is imminent as determined by legal counsel) shall be retained or "held" by the City until the litigation is finally resolved.

Thus, regardless of what the City's Public Records Policy is with regard to retention and destruction of records, the "Legal Hold" requires that those applicable records *must be held for the life of the litigation*.

As an example, if a record under the Public Records Retention Schedule calls for that record to be retained for five years and the litigation lasts for seven years the pertinent record **MUST BE HELD** for the full seven years.

Certain electronic records have a very limited retention period and may be destroyed immediately when the retention period has expired. Nevertheless the "Legal Hold" in the above example will require that the short-term electronic records must be held for the full seven-year life of the litigation.

Any questions with regard to the "Legal Hold" Policy should be directed to the Clerk of Council or the Law Director. *See the Legal Hold Policy of the City in the possession of the City Manager and the Clerk of Council.*

VIDEO RECORDS POLICY – HUBER HEIGHTS POLICE DIVISION ***(Pursuant To Ohio House Bill 315)***

1. Scope:

- a) This policy applies to all public records requests involving video records (e.g., body camera, cruiser camera, or other video footage) maintained by the Huber Heights Police Division pursuant to Ohio Revised Code Section 149.43(B)(1), as amended by House Bill 315.

2. Fees For Video Records:

- a) The Police Division will charge all requesters the “actual cost” of preparing video records for production to offset the considerable time and expenses incurred in retrieving, downloading, reviewing, redacting, uploading, and producing such video records.
- b) The statutory term, “a video record,” for the purposes of this policy, means a video from one source for one start and stop recording (essentially the beginning and end of a distinct incident). For example, three (3) officers responding to an incident will each have “a video record” of that incident from each of their respective body cameras. This example will result in an actual cost charge for each video record, or three (3) video records.

- c) The amount charged for each video record will be based on the actual cost of the hourly rate(s) of the employee(s) or contractor(s) involved in retrieving, downloading, reviewing, redacting, uploading, and producing the video record requested, but will not exceed \$75.00 per hour of footage from a particular video record. Further, the total amount charged for retrieving, downloading, reviewing, redacting, uploading, and producing a video record will not exceed a maximum of \$750.00 for a particular video record.
- d) “Actual cost” includes all employee or contractor time and materials expended in retrieving, downloading, reviewing, redacting, uploading, and producing the video record, including staff time, storage media, and a portion of necessary overhead expenses required to comply with the public records request.
- e) As part of the necessary overhead charges authorized by statute, each public records request for video records will include an overhead fee of \$10.00 per video record to partially cover costs such as redaction software, video storage, upload and transmission, and other necessary expenses. This fee is included within the total actual cost and subject to the \$750.00 maximum cost per video record.

3. Critical Incident Exemption:

- a) For video records of critical incidents—defined as any instance where an officer from the Police Division fires a deadly weapon at a person—the Police Division will redact and produce the video at no cost to the requester within a reasonable period of time as defined in Ohio Revised Code Section 149.43(B)(1).
- b) This exemption is intended to ensure transparency and public accountability in such incidents.

4. Fee Exemptions:

- a) Upon request , the following persons/entities may be determined to be exempt from the fee requirements of this policy: (a) an official representative of a public office as defined in Ohio Revised Code Section 149.011(A); (b) in order to respond to a duly issued subpoena in a criminal or other legal proceeding and/or an order of a court of competent jurisdiction; or (c) for any other reason as permitted or required by applicable Ohio Law.

5. Estimate Process And Advance Payment Requirement:

- a) Within five (5) business days of receiving a public records request for video records, the Police Division will provide the requester with an estimate of the cost of fulfilling the public records request.
- b) The estimated cost will include all applicable fees as outlined in Section 2, including the \$10.00 overhead fee per video record and an estimate of the cost required for video redaction and production, not to exceed the \$750.00 per video record limit.
- c) Except as provided in Section 3, the Police Division will not begin preparing a video record for production until the requester pays in full the estimated cost for the video record.

6. Cost Adjustments:

- a) If the actual cost exceeds the estimated cost by less than 20%, the requester will be required to pay the difference before the video record is provided.
- b) Under no circumstances will the requester be required to pay more than 20% above the original estimated cost, regardless of how much the actual cost exceeds the estimate. Any additional cost beyond this 20% threshold will be borne by the Police Division.
- c) If the estimated amount exceeds the actual cost by more than 20%, the difference will be refunded to the requester in a reasonable amount of time.

7. Compliance Timeline:

- a) Except as provided in Section 3, the Police Division's obligation to make a video record available for production begins only after the requester pays in full the estimated cost.
- b) The time required for retrieving, downloading, reviewing, redacting, uploading, and producing (as well as seeking legal advice), will be considered in determining a "reasonable period of time" under Ohio Revised Code Section 149.43.

8. Contact Information:

- a) For questions about this policy or to submit a public records request, contact the Communications/Records Manager at the Huber Heights Police Division.

Please contact the City of Huber Heights Public Records Administrator, Anthony Rodgers, Clerk of Council, at:

**Address: Huber Heights City Governance Center
6151 Brandt Pike, Huber Heights, Ohio 45424**

Phone: (937) 233-1423

Email: arodgers@hhoh.org

Please contact the City of Huber Heights Police Division Public Records Administrator, Mark Lightner, Police Chief, at:

**Address: Huber Heights Police Division
6121 Taylorsville Road, Huber Heights, Ohio 45424**

Phone: (937) 233-1565

Email: mLightner@hhoh.org

Please contact the City of Huber Heights Public Records Administrator, Keith Knisley, Fire Chief, at:

**Address: Huber Heights Fire Division
7008 Brandt Pike, Huber Heights, Ohio 45424**

Phone: (937) 233-1564

Email: kknisley@hhoh.org

*** As Approved By Ordinance No. 2025-O-XXXX on XXXX, 2025 And Effective XXXX, 2025.**

AI-11244

Topics Of Discussion **O.**

Council Work Session

Meeting Date: 11/17/2025

2026 MVRPC/First Suburbs Consortium Appointments

Submitted By: Anthony Rodgers

Department: City Council

Council Committee Review?: Council Work
Session

Date(s) of Committee Review: 11/17/2025

Audio-Visual Needs: None

Legal Review: Not Needed

Emergency Legislation?: No

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

Agenda Item Description or Legislation Title

2026 MVRPC/First Suburbs Consortium Appointments

Purpose and Background

Each year, City Council must make appointments for City representatives to the First Suburbs Consortium and the Miami Valley Regional Planning Commission (MVRPC). City Council appoints two representatives and one alternate representative from the members of Council to the First Suburbs Consortium. The City Council appoints one representative and one alternate representative from members of Council to the MVRPC. City Council also appoints City Engineer Russ Bergman as a representative and another City Staff as an alternate representative to the MVRPC TEC Advisory Committee.

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-11243

Topics Of Discussion P.

Council Work Session

Meeting Date: 11/17/2025

2026 Law Director Contract

Submitted By: Anthony Rodgers

Department: City Council

Council Committee Review?: Council Work Session **Date(s) of Committee Review:** 11/17/2025

Audio-Visual Needs: None **Legal Review:** Completed

Emergency Legislation?: No **Motion/Ordinance/Resolution No.:**

Agenda Item Description or Legislation Title

2026 Law Director Contract

Purpose and Background

This agenda item is to discuss the contract renewal for the City Law Director, Christopher R. Conard, and Coolidge Wall. The current contract terminates on December 31, 2025. The 2026 proposed contract with Coolidge Wall has some increases to the rates for legal staff. The Law Director has proposed increases of 5% for the paralegals, 4.2% for associates, and 3.6% for shareholders. There is a proposed increase of \$10 an hour. for these groups.

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. 2025-R-

AUTHORIZING THE CITY OF HUBER HEIGHTS TO RENEW AN AGREEMENT WITH COOLIDGE WALL CO., L.P.A. FOR LEGAL SERVICES AS CITY ATTORNEY/LAW DIRECTOR FOR THE CITY OF HUBER HEIGHTS, OHIO FOR THE TIME PERIOD OF JANUARY 1, 2026 THROUGH DECEMBER 31, 2026.

WHEREAS, the law firm of Coolidge Wall Co., L.P.A. has been serving as Law Director for the City of Huber Heights since April 1, 2024; and

WHEREAS, Council desires to renew the relationship for an additional year.

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

Section 1. By an affirmative vote of City Council, the Mayor is directed to execute on behalf of the City of Huber Heights a contract substantially upon the same provisions contained in the attached as set forth in Exhibit A appointing Coolidge Wall Co., L.P.A. as legal counsel for the City and designating Christopher R. Conard of Coolidge Wall Co., L.P.A. as City Attorney/Law Director for the period of January 1, 2026 through December 31, 2026.

Section 2. It is hereby determined that all formal actions of this Council concerning and relating to the passage of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council and any of its Committees that resulted in such formal actions were conducted in meetings open to the public 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 _____, 2025;
_____ Yeas; _____ Nays.

Effective Date:

AUTHENTICATION:

Clerk of Council

Mayor

Date

Date

EXHIBIT A

AGREEMENT FOR LEGAL SERVICES

THIS AGREEMENT is made and entered into this ____ **day of January 2026** by and between the City of Huber Heights (the “Client”), whose address is 6151 Brandt Pike, Huber Heights, Ohio 45424 and Coolidge Wall Co., L.P.A. (the “Firm”), whose address is 33 West First Street, Suite 200, Dayton, Ohio 45402.

WHEREAS, the Client desires to retain the Firm to provide legal services to the City of Huber Heights; and,

WHEREAS, the Client desires to name Christopher R. Conard, attorney of the Firm, as City Attorney/Law Director for the City of Huber Heights;

WHEREAS, the Firm desires to provide legal services and authorize Christopher R. Conard to be named City Attorney/Law Director for the Client in accordance with the terms outlined herein.

NOW, THEREFORE, the parties agree as follows:

1. The cost of services shall be Two-Hundred and Ten Dollars (\$210.00) an hour for work performed by Paralegals, Two-Hundred and Forty Dollars (\$240.00) an hour for work performed by Associate lawyers, and Two-Hundred and Eighty-Five Dollars (\$285.00) an hour for work performed by Firm shareholders or by Counsel lawyers.
2. No criminal matters are subject to this Agreement unless agreed to by the Client and the Firm by a separate agreement.
3. The term of this Agreement shall commence on January 1, 2026, and run through December 31, 2026. This Agreement may be renewed by mutual agreement of the City and the Firm for additional one (1) year periods, commencing on January 1, through December 31, of each subsequent year. Billing rates may be re-negotiated at the time of each renewal.
4. The Firm and its lawyers, paralegals and staff are independent contractors and not employees of the Client, and therefore are not entitled to the benefits accorded to Client’s employees.
5. In addition to charges for professional services, the Client may be charged

expenses incurred on its behalf. These expenses may include but are not limited to the following examples: large project duplication and binding of documents, messengers, couriers, and postal services; and other business expenses as approved by the City Manager and/or the Mayor. In addition, the City Attorney/Law Director may from time to time be required to engage the services of third parties on the Client's behalf. Generally, the Client will be asked to pay for third party services directly, provided that whenever possible, the City Manager and/or the Mayor shall approve in advance the third-party provider and the cost of such services. When relatively small amounts of money are involved, advance payments to third parties may be made by the Firm and included in monthly bills. In the event, special legal counsel is necessary to due to conflict of interest(s), the need for specialized representation or other reasons as determined by the City Council or City Staff, the City Council shall approve the retention of special legal counsel by Resolution or other lawful process.

6. The Client shall not be responsible for the Firm's purchase of any municipal publications, Firm employees' attendance at seminars and conferences unless specifically authorized by the Mayor.
7. The Firm will provide monthly itemized billing subject to the Firm's standard billing terms. Timekeepers are expected to bill time for services performed in quarter of an hour increments.
8. The Client or the Firm may terminate this Agreement upon providing thirty (30) days written notice of the intention to terminate. In the event either party elects to terminate the relationship, fees and expenses incurred up to the date of termination will be due and payable.
9. This Agreement embodies the entire agreement and understanding between the parties, and there are no other agreements and understandings, oral or written, with reference to the subject matter hereof that are not merged herein and superseded hereby. This Agreement shall be governed by the laws of the State of Ohio.

IN WITNESS WHEREOF, this Agreement, which is subject to the terms and conditions stated is accepted as of the later date this document is signed by both parties.

City Of Huber Heights

Coolidge Wall Co., LPA

By _____

Jeff Gore, Mayor

By _____

Christopher R. Conard
Coolidge Wall, Vice- President

AI-11223

Topics Of Discussion Q.

Council Work Session

Meeting Date: 11/17/2025

City Code - Supplement 22 - Adopting Ordinance

Submitted By: Anthony Rodgers

Department: City Council

Council Committee Review?: Council Work Session **Date(s) of Committee Review:** 11/17/2025

Audio-Visual Needs: None **Legal Review:** Not Needed

Emergency Legislation?: No **Motion/Ordinance/
Resolution No.:**

Agenda Item Description or Legislation Title

City Code - Supplement 22 - Adopting Ordinance

Purpose and Background

This ordinance is to adopt Supplement 22 to the City Code for the period of January 1, 2025 to March 31, 2025. 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. 2025-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 22; 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 22; 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 22 to the City Code of Huber Heights, Ohio for the period of January 1, 2025 to March 31, 2025, 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 22 to the City Code of Huber Heights, Ohio for the period of January 1, 2025 to March 31, 2025, 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, 2025.

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 by posting the notice for at least ten (10) days prior to Council's adoption on the City's website and in not less than three (3) public places within the City and no further publication shall be necessary. Such publication shall constitute sufficient notice of all new material contained therein.

Section 5. It is hereby determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council and any of its Committees that resulted in such formal actions were conducted in meetings open to the public 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 _____, 2025;
_____ Yeas; _____ Nays.

Effective Date:

AUTHENTICATION:

Clerk of Council

Mayor

Date

Date

AI-11224

Topics Of Discussion R.

Council Work Session

Meeting Date: 11/17/2025

City Code - Supplement 23 - Adopting Ordinance

Submitted By: Anthony Rodgers

Department: City Council

Council Committee Review?: Council Work Session **Date(s) of Committee Review:** 11/17/2025

Audio-Visual Needs: None

Legal Review: Not Needed

Emergency Legislation?: No

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

Agenda Item Description or Legislation Title

City Code - Supplement 23 - Adopting Ordinance

Purpose and Background

This ordinance is to adopt Supplement 23 to the City Code for the period of April 1, 2025 to June 30, 2025. 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. 2025-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 23; 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 23; 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 23 to the City Code of Huber Heights, Ohio for the period of April 1, 2025 to June 30, 2025, 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 23 to the City Code of Huber Heights, Ohio for the period of April 1, 2025 to June 30, 2025, 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 June 30, 2025.

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 by posting the notice for at least ten (10) days prior to Council's adoption on the City's website and in not less than three (3) public places within the City and no further publication shall be necessary. Such publication shall constitute sufficient notice of all new material contained therein.

Section 5. It is hereby determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council and any of its Committees that resulted in such formal actions were conducted in meetings open to the public 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 _____, 2025;
_____ Yeas; _____ Nays.

Effective Date:

AUTHENTICATION:

Clerk of Council

Mayor

Date

Date

AI-11242

Topics Of Discussion S.

Council Work Session

Meeting Date: 11/17/2025

Citizen Complaint Review Board Appointment - S. King

Submitted By: Anthony Rodgers

Department: City Council

Council Committee Review?: Council Work
Session

Date(s) of Committee Review: 11/17/2025

Audio-Visual Needs: None

Legal Review: Not Needed

Emergency Legislation?: No

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

Agenda Item Description or Legislation Title

Board And Commission Appointments

* Citizen Complaint Review Board - Appointment

Purpose and Background

The City's interview panel recommends the appointment of Scriven King to the Citizen Complaint Review Board for a term ending December 31, 2028. A background check on Mr. King has been processed through Human Resources.

Fiscal Impact

Source of Funds: N/A

Cost: N/A

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

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

Financial Implications:

Attachments

Application - S. King

Rodgers, Anthony

From: noreply@civicplus.com
Sent: Saturday, October 18, 2025 2:09 PM
To: Rodgers, Anthony
Subject: Online Form Submittal: Board And Commission Application Form

CAUTION EXTERNAL EMAIL: This message originated from a non Huber Heights email server. DO NOT CLICK ANY LINKS or OPEN ANY ATTACHMENTS unless you have contacted the sender to verify its legitimacy or confirmed you were expecting it. Contact the IT Department if you need assistance.

External sender <noreply@civicplus.com>

Make sure you trust this sender before taking any actions.

Board And Commission Application Form

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.

Select the City board, commission, or committee applying for: Citizen Complaint Review Board

Are you currently serving on any other City boards, commissions, or committees? No

If Yes, which? *Field not completed.*

Have you served on a City board, commission, or committee before? No

If Yes, which? *Field not completed.*

PERSONAL INFORMATION

Personal Information

Last Name King

First Name Scriven

Middle Name Lance

Address 6870 DEER BLUFF DRIVE

City Huber Heights

State OH

Zip 45424

Home Phone Number 9372177262

Email Address scrivenlking@gmail.com

EDUCATION & COMMUNITY INVOLVEMENT

EDUCATION

High School Chaminade-Julienne

Course of Study or Degree Earned	Diploma
College	Community College of the Air Force
Course of Study or Degree Earned	AA, Criminology
Graduate School	<i>Field not completed.</i>
Course of Study or Degree Earned	<i>Field not completed.</i>
Other (Specity)	Hampton University
Course of Study or Degree Earned	Political Science

COMMUNITY INVOLMENT

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

Organization	Buckeye Travel Hockey League
Dates of Service	3/1/2023
Organization	Ohio Scholastic Hockey League
Dates of Service	5/1/2025
Organization	<i>Field not completed.</i>
Dates of Service	<i>Field not completed.</i>
Organization	<i>Field not completed.</i>
Dates of Service	<i>Field not completed.</i>

EMPLOYMENT HISTORY

Name of Employer	Kohl's
Position(s) Held	Loss Prevention Supervisor
Dates of Employment	3/2/2024
Name of Employer	Rite-Aid
Position(s) Held	Asset Protection Shrink Investigator
Dates of Employment	9/8/2022 - 2/2/2024
Name of Employer	United States Air Force

Position(s) Held	Chief, Police Services/Investigations/Resource Protection Program Manager
Dates of Employment	7/1/2016 - 7/1/2021
Name of Employer	Public Defender, Massachusetts
Position(s) Held	Criminal Defense Investigator
Dates of Employment	2/2/2012 - 7/1/2016

STATEMENT OF INTEREST

Statement Of Interest	I have been lifelong community member of Huber Heights, since 1992. I cherish and love every moment I have of this community for when I was a young teen until present day. My life has been spent serving the places I have lived and I have always been driven by being able to make an impact. I believe I have a wide swath of experience which present me with a perspective of law enforcement conduct and standards which is unique as it is diversified. I want to continue my pursuit of making a positive change in this community by providing that expertise and experience on this board.
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Additional Documentation (You can upload resume or other supporting documentation):	Scriven King Resume.pdf
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REQUIREMENTS & APPLICANT STATEMENT

Are you at least 18 years of age?	Yes
Are you a registered voter	Yes
Do you currently reside in the City of Huber Heights?	Yes
Have you resided in the City of Huber Heights for at least one year prior to making this application?	Yes
Are you willing to sign a release to allow the City of Huber Heights perform a background screening and criminal records check?	Yes
Electronic Signature Agreement	I agree.

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

Electronic Signature

Scriven L. King

Date

10/18/2025

Email not displaying correctly? [View it in your browser.](#)