

Huber Heights City Council

Meeting

GOVERNMENT FORMS & SUPPLIES 8-4-2013-3338 FORM NO. 101

Held 6131 Taylorsville Road March 28, 20 22

The Huber Heights City Council met in a Regular Session on March 28, 2022. Mayor Jeff Gore called the meeting to order at 6:00 p.m.

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

5. Roll Call

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

A. City Council Meeting Minutes – March 14, 2022

A. Presentation Of Newly Hired Police Officers Within The Police Division – Police Chief Mark Lightner And Mayor Jeff Gore

Police Chief Mark Lightner said 2021 was an extremely busy year for the Police Division as there were two funded positions to fill and six veteran officers retired, leaving eight vacancies.

Police Chief Lightner introduced Officer Brent Waler, who was hired on June 21, 2021. He said after attending Bethel High School, Brent Waler began his career in public safety as a wildland firefighter with the U.S. Forest Service. He said in 2013 he transitioned into law enforcement and attended Clark State Community College. He said Brent Waler has worked as a Police Officer for Kettering Health Network, Columbus State Community College, and the City of Riverside.

Police Chief Lightner introduced Officer Bryce Hodges, who was hired on June 22, 2021. He said Bryce Hodges previously worked for the Miami County Sheriff's Office for seven years.

Police Chief Lightner introduced Officer Warren Perkins, who was hired on July 11, 2021. He said Warren Perkins graduated from New Albany High School, and in 2015 he graduated from Eastland Police Academy, Groveport, Ohio. He said Warren Perkins took a position as an auxiliary Police Officer for the Village of Lithopolis for one year. He said Warren Perkins was a part-time Police Officer for the Village of Utica from 2016 until 2018, and in March 2018 he took a full-time police position with Otterbein University while also working as a part-time Police Officer for the Village of St. Louisville.

Police Chief Lightner introduced Officer Kyle Beatty, who was hired on July 12, 2021. He said Kyle Beatty graduated from Fairborn High School and then Sinclair Community College. He said Kyle Beatty graduated from Sinclair's Police Academy and then the Columbus Police Academy. He said Kyle Beatty worked as a Columbus Police Officer for the past ten years.

Police Chief Lightner introduced Officer Jared Bailey, who was hired on August 15, 2021. He said Jared Bailey graduated from Shawnee High School in 2016 and attended Rhodes State Community College where he obtained an Associate Degree in Criminal Justice. He said Jared Bailey was hired by the Allen County Sheriff's Department as a full-time Deputy Sheriff in 2018.

RECORD OF PROCEEDINGS

Minutes of

Huber Heights City Council

Meeting

GOVERNMENT FORMS & SUPPLIES 8-10-22-3223-5111-10149

In Council Chambers

Held 6131 Taylorsville Road

March 28, 2022

Police Chief Lightner introduced Officer Caleb Harper, who was hired on August 16, 2021. He said Caleb Harper attended Indiana Wesleyan University and graduated with a Bachelor's Degree in Criminal Justice. He said the Greenville Police Department sent Caleb Harper through the Ohio State Highway Patrol Academy Basic Class 139 and he then worked for the Greenville Police Department for three and a half years. He said he was a backup Student Resource Officer and part of the Quick Response Team that responded to overdoses and provided persons on scene with options for where to seek help.

Police Chief Lightner introduced Officer Reagan Morrett, who was hired on September 27, 2021. He said Reagan Morrett graduated from Edison State Police Academy in 2019 and worked for Sinclair Community College Police Department for one year before coming to Huber Heights.

Police Chief Lightner introduced Officer Zachary Williams, who was hired on January 31, 2022. He said Zachary Williams graduated from Wayne High School in 2008 and was a member of the Huber Heights Explorer Program. He said Zachary Williams attended Sinclair Community College where he became a Level II Firefighter and an EMT and worked for numerous fire departments within Montgomery County. He said Zachary Williams took the Civil Service Test with the Dayton Police Department and was hired and worked on both the east and west sides of Dayton before being selected to become a Detective. He said Zachary Williams worked with the Special Victims Unit for two and a half years. He said Zachary Williams was moved to the homicide unit and worked as lead investigator on many cases. He said Zachary Williams has experience on the Dayton S.W.A.T. team, the Dayton Regional Bomb Squad, he is crisis intervention team trained, and he has training and knowledge in crowd management.

All of the Police Officers were sworn in by Police Chief Mark Lightner.

- B. Mayoral Proclamation Presentation To Ms. Chelsie Ashburn For Special Olympics Representation - Mayor Jeff Gore

Mayor Jeff Gore read the proclamation and presented it to Chelsie Ashburn for her participation in the Special Olympics.

Ms. Ashburn thanked Mayor Gore and Council.

- C. Wayne High School Women's Indoor Track Team Recognition And Proclamation Presentation - Mayor Jeff Gore

Mayor Jeff Gore read the proclamation and presented proclamations to the Wayne High School Women's Indoor Track Team and coaches.

- D. Wayne High School Men's Indoor Track Team Recognition And Proclamation Presentation - Mayor Jeff Gore

Mayor Jeff Gore read the proclamation and presented proclamations to the Wayne High School Men's Indoor Track Team and coaches.

- E. National League Of Cities/Service Line Warranty Program Advocate Award And Check Presentation To The City Of Huber Heights And The Wayne Township/Huber Heights Historical Society - Mr. Richard Shaw, Ward 1 Councilmember, And Mayor Jeff Gore

Councilmember Richard Shaw and Mayor Gore joined Mrs. Pat Stephens and Mrs. Judy Blankenship representing the Wayne Township/Huber Heights Historical Society for the presentation. Mr. Shaw said through the Savings and Solutions Program with the National League of Cities, the residents of the City of Huber Heights have saved over \$174,000.00 through participation in various programs.

RECORD OF PROCEEDINGS

Minutes of

Huber Heights City Council

Meeting

GOVERNMENT FORMS & SUPPLIES 8-COUNCIL CHAMBERS

In Council Chambers

Held 6131 Taylorsville Road

March 28, 2022

He said the National League of Cities honored Huber Heights in Washington D.C. this year with a Program Advocate Award. He said with this award comes a check to an organization of the City's choosing. He said he reached out to Mayor Gore and they agreed the best organization to receive this award is the Wayne Township/Huber Heights Historical Society. He said the check would be in the amount of \$500, which would be mailed directly to the Wayne Township/ Huber Heights Historical Society. Mr. Shaw presented the award to Mayor Gore to accept on behalf of the City.

8. Citizens Comments

Ms. Julie Reese said she is a new Bethel Township Trustee and she said she is strongly against annexation. She said her personal opinion as a Bethel Township citizen is that she is against creating a Carriage Trails 2.0 and she stated her reasons are the number of students will be increased, the roads do not support the amount of traffic, and that it is changing the culture of the township. She said recently a township member likened the annexation to Russia invading the Ukraine. She said the Bethel Township residents do not have a choice, and it is up to the City of Huber Heights to put a stop to this annexation and not take their land. She said Huber Heights and Bethel Township are neighbors, and she is asking the City of Huber Heights not to be Russia and to be good to Bethel Township and to not take their land and lifestyle away.

Mayor Gore said he was offended that Ms. Reese called the City of Huber Heights, Russia. He said there would be a meeting where all these things could be discussed. He said Ms. Reese is a township trustee and she will have the opportunity to be at that meeting. He said, as the Mayor of this City, it is highly offensive that she came into this Council Chambers and called Huber Heights, Russia when a landowner in Bethel Township made the decision to sell their property. He said that it was not the City taking property, it is someone selling their property.

Mr. Otto said he was not offended and said he understood the gist of what Ms. Reese was trying to say and he quite frankly agrees. He thanked her for coming out and said he looked forward to working with her.

Mayor Gore said the joint meeting between the City of Huber Heights and Bethel Township to discuss annexation is scheduled for Thursday, April 7, 2022 at 6:00 p.m.

Ms. Reese said she did not call the City of Huber Heights, Russia. She said a resident likened annexation to what is happening in Russia.

9. Citizens Registered to Speak on Agenda Items

There were no Citizens Registered To Speak On Agenda Items.

10. City Manager Report

Interim City Manager Bryan Chodkowski said the water main replacement on Chippingdon Drive will begin on April 4, 2022. He said the City is 90 percent engineered with regard to the East Water Main Extension Project and City Staff will be submitting to the EPA for permitting. He said the annual Water Main Replacement Program is also 90 percent complete with the engineering work. He said City Staff is on schedule to release bids next week for this program. He said last week's meeting between the City of Huber Heights, the City of Riverside, and the Oakes Tree Development was very fruitful. He said a potential resolution had been reached to address the concerns expressed in Council Chambers. He said the group will work through the conversation that was had and memorialize some

RECORD OF PROCEEDINGS

Minutes of

Huber Heights City Council

Meeting

GOVERNMENT FORMS & SUPPLIES 8-1294-3222-01 REV. 01-18/19

In Council Chambers

Held 6131 Taylorsville Road

March 28, 2022

items on paper and will be back to Council to talk about that issue. He said today ground was broken in Thomas Cloud Park for the EV charging stations which were purchased with a grant to the City. He said the new sign at Monita Field Park is going in tomorrow. He said, after an extended absence for medical reasons, Community Engagement Specialist Sarah Williams is back to work today.

Mrs. Byrge asked if next month's event from the Arts and Beautification Commission could be advertised from the dais in meetings and be listed on the digital boards and the City's website.

Mr. Chodkowski said that request will be taken up at tomorrow's City Staff meeting.

Mr. Lyons said regarding ZC 22-11, he and Mr. Chodkowski had received a lot of emails about the development from the citizens who live in The Oaks. He thanked Mr. Chodkowski for responding to each individual personally.

Mr. Shaw asked if Mr. Chodkowski had any updates on additional EV infrastructure throughout the community in addition to the EV and hybrid vehicles.

Mr. Chodkowski said two or three electric vehicles were ordered under the Enterprise Fleet Management to introduce these vehicles to the fleet and to see how they work. He said City Staff are waiting on modifications from AES in order to support EV charging stations and are continuing to monitor that issue. He said with respect to the broader scope, that is not a subject he and City Staff have had, but he is happy to follow up.

Mr. Shaw asked that Council consider adding the topic of EV infrastructure to a Council Work Session. He said Broad Reach is starting demolition work and, with the acquisition of Marian Meadows, he feels moving forward, Council should heavily consider installing that infrastructure in various locations in the City.

Mayor Gore said that item will be added to a future Council Work Session.

11. Pending Business

- A. An Ordinance Approving The Editing And Inclusion Of Certain Ordinances And/Or Resolutions As Parts Of The Various Component Codes Of The City Code Of Huber Heights, Ohio; Providing For The Adoption And Publication Of New Matter In The Updated And Revised City Code As Supplement 9; And Repealing Ordinances And Resolutions In Conflict Therewith.
(second reading)

Clerk of Council Anthony Rodgers said this item is a standard legislation Council sees regularly as part of updates to the City Code. He said this item is Supplement 9 for the period of October 1, 2021, through December 31, 2021.

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

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

- B. An Ordinance To Approve A Rezoning To Planned Residential And A Basic Development Plan For The Property Located At 6502 Old Troy Pike And Further Identified As Parcel Number P70 04004 0003 On The Montgomery County

RECORD OF PROCEEDINGS

Minutes of

Huber Heights City Council

Meeting

GOVERNMENT FORMS & SUPPLIES 8-0224-2328-ITEM NO. 101142

In Council Chambers

Held 6131 Taylorsville Road

March 28, 2022

Auditor's Tax Map And Accepting The Recommendation Of The Planning Commission (Zoning Case 21-34).
(seventh reading)

Interim City Manager Bryan Chodkowski said the Annex Group had been looking to evaluate its financial model and its need for assistance from the City to make its proposed project work. He said City Staff received some information back from the Annex Group prior to the Council Work Session and he had shared that information with the City Council. He said based on the conversations this body had previously as well as communications with the Annex Group, City Staff would recommend Council move to table this item indefinitely.

Mr. Campbell moved to postpone action indefinitely on Item 11-B at the seventh reading; Ms. Baker seconded the motion.

Mr. Otto said it feels to him that tabling it indefinitely takes it off the table indefinitely, but he would prefer to just vote on this item and be done with it completely.

Mr. Rodgers said this motion is basically a kill motion.

Mr. Shaw said he would agree a vote taking place on this item would be more appropriate, but he is fine moving forward with tabling the item.

Mr. Webb said he would like to hear from legal counsel as to the implications of one consideration or the other.

Law Director Gerald McDonald said postponing action indefinitely on this item will kill it. He said voting no would kill the item, but someone could appeal that decision.

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

12.

New Business

CITY COUNCIL

Anthony Rodgers, Clerk of Council

- A. A Motion To Appoint Carla Staigl To The Culture And Diversity Citizen Action Commission For A Term Ending December 31, 2024.

Clerk of Council Anthony Rodgers said the background check on Ms. Staigl had been completed, and he said this appointment was the recommendation of the interview panel.

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

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

- B. A Motion To Appoint Steve Zbinden And Herman Karhoff To The 2022 Comprehensive Development Plan Steering Committee.

Mr. Rodgers said the recommendation was to make these two appointments this evening. He said the background checks have been completed on the individuals. He said there was a third individual who has been out of town and unable to complete the release for the background check.

RECORD OF PROCEEDINGS

Minutes of

Huber Heights City Council

Meeting

GOVERNMENT FORMS & SUPPLIES 9-0294-9399-01A (03/11)

In Council Chambers

Held 6131 Taylorsville Road March 28, 20 22

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

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

- C. A Motion To Appoint Mayor Jeff Gore And Two Councilmembers To The 2022 Comprehensive Development Plan Steering Committee.

Mr. Rodgers said this item was discussed at the Council Work Session and at that time there were three Councilmembers who expressed an interest in serving on this Steering Committee. He said this item would be a discussion as to who to appoint of the three individuals - Mrs. Byrge, Mr. Webb, and Mrs. Kitchen.

Mr. Campbell moved to appoint Mrs. Byrge, Mrs. Kitchen, and Mayor Gore to the 2022 Comprehensive Development Plan Steering Committee; Mr. Otto seconded the motion. On a call of the vote, Mr. Lyons, Mrs. Kitchen, Mr. Webb, Mr. Shaw, Ms. Baker, Mr. Campbell, Mrs. Byrge, and Mr. Otto voted yea; none voted nay. The motion passes 8-0.

ADMINISTRATION

Bryan Chodkowski, Interim City Manager

- D. A Resolution Authorizing The City Manager To Increase The 2022 Not To Exceed Amount With Vendor Landscape Structures/Penchura For The Purpose Of Purchasing And Installing Playground Equipment For The City Of Huber Heights And Waiving The Competitive Bidding Requirements.
(first reading)

Mr. Chodkowski said this legislation is before Council due to a technical language issue in Resolution No. 2022-R-7079 where City Staff tied both the purchase of the equipment and the installation of the equipment together. He said the initial legislation was the authorization of money from a 2021 purchase order to purchase the equipment, and now the City needs to pay for the installation. He said there is money in the 2022 City Budget to pay for that cost. He said, based on this technical issue, City Staff is asking Council to approve this item so that when the product arrives, it can be installed as quickly as possible.

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

- E. A Resolution Authorizing The City Manager To Apply For And Accept Grant Funds From The Bureau Of Justice Assistance Bulletproof Vest Partnership For The Purpose Of Purchasing Replacement Protective Body Armor.
(first reading)

Mr. Chodkowski said this legislation is to authorize the grant application for the bulletproof vest grant. He said, if successfully awarded, the City will incur an out-of-pocket expense of just under \$6,000. He said this money is available in the 2022 City Budget.

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

- F. A Resolution Authorizing The City Manager To Award And Enter Into Contracts For The 2022 Street Program.
(first reading)

RECORD OF PROCEEDINGS

Minutes of

Huber Heights City Council

Meeting

GOVERNMENT FORMS & SUPPLIES 8-01-2024-2025, ST. JOHN'S, 10149

In Council Chambers

Held 6131 Taylorsville Road

March 28, 2022

Mr. Chodkowski said this item is annual recurring legislation and he asked Council to adopt the item so City Staff may engage contractor John R. Jurgensen for this work in 2022. He said the bids received were just over 7.4 percent above the City Engineer's estimate. He said at the last meeting, Council passed the related supplemental appropriations, so sufficient funds will be available.

Mr. Otto moved to adopt; Mr. Webb seconded the motion.

Mrs. Kitchen said she wanted to state on the record again from Ward 4, she wants to make sure the City looks at that area before doing any work regarding what is going on with the water issues.

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

13. City Official Reports and Comments

Mr. Otto welcomed the eight new police officers. He said, with the athletic teams' accomplishments, the City will have to expand the gateway signs to brag it up a little. He congratulated the Wayne Township/Huber Heights Historical Society and said he and Mr. Shaw have probably written its name down so many times over the years to get that money.

Mr. Shaw said his complete report and analysis from his National League of Cities trip in Washington D.C. will be available to Council as he has done for numerous years. He said he would be sending a lot of information via email to City Staff. He said he will be having additional conversations with in-state aides from Senator Portman's office on different projects in the City which he thinks the City will receive a lot of assistance on, one item being EV installation.

14. Executive Session

Mayor Gore said there is a need for an Executive Session.

Mr. Rodgers stated this is a motion to go into Executive Session to discuss pending or imminent litigation.

Mr. Campbell moved to go into Executive Session to discuss pending or imminent litigation; Mrs. Kitchen seconded the motion. On a call of the vote, Ms. Baker, Mr. Campbell, Mrs. Byrge, Mr. Otto, Mr. Lyons, Mrs. Kitchen, Mr. Webb, and Mr. Shaw voted yea; none voted nay. The motion passes 8-0.

City Council went into Executive Session at 6:58 p.m.

City Council adjourned from Executive Session at 7:17 p.m.

Mr. McDonald read a motion to authorize the City Manager to enter into a mediation settlement agreement in Montgomery County Case No. 2022 CV 00517 for RJK Associates versus the City of Huber Heights Planning Commission.

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

RECORD OF PROCEEDINGS

Minutes of

Huber Heights City Council

Meeting


GOVERNMENT FORMS & SUPPLIES 9-0224-3326 FORM CM 1/01/12

In Council Chambers

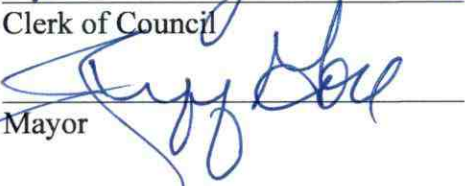
Held 6131 Taylorsville Road March 28, 20 22

15. Adjournment

Mayor Gore adjourned the Regular Session City Council Meeting at 7:18 p.m.


Clerk of Council

4-27-22
Date


Mayor

4-27-22
Date