Minutes of

	Held_		6131 Taylorsville Road	May 9,2022		
	1.		Call The Meeting To Order - Mayor .	leff Core		
	1.			ry Council met in a Regular Session on May 9, 2022. Mayor		
	2.		Invocation - Pastor Randy Griffith O Old Troy Pike, Huber Heights, Ohio	f The Free Methodist Church At 6875		
	3.		Flag Ceremony - Wayne High School	Junior ROTC Honor Guard		
	4.		Pledge Of Allegiance			
	5.		Roll Call			
			Present: Richard Shaw, Kathleen Baker Glenn Otto, Ed Lyons, Anita K			
	6.		Approval Of Minutes			
		A.	City Council Meeting Minutes - April 2	25, 2022		
	7.		Special Presentations/Announcement	s		
		A.	National Police Week Mayoral Proclam Police Division - Mayor Jeff Gore	nation Presentation To The Huber Heights		
			Mayor Gore read the proclamation for 1 proclamation to Police Chief Mark Light	National Police Week and presented the htner.		
	1		officers come and go, they have retired here. He said even though the Police D everyone agrees with, he said the Police the City has an excellent Police Divisio	e Division is doing good things out there and		
		B.	Introduction Of Newly Hired Public Sa Mark Lightner	fety Communications Officers - Police Chief		
			felt it is important to put a face to the ver- get in during National Public Safety Te was canceled. He said it is a thankless talking to, they just hear a voice, and so they are not getting the answer they was	ause of the restrictions in place the last et them here to introduce them. He said he oice behind the phone. He said he tried to lecommunicators Week, but that meeting job because no one knows who they are ometimes the caller does not like it because int to hear. He said it takes a special person s have been able to do it for many years. He		
r . 1			3, 2019, and prior to that was a vet assis	<u> </u>		

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ERNMENT FORMS & SUPPLIN & CONTROL OF MONIAM DETS 20 - 226131 Taylorsville Road May 9, Held_ He said Jessica Price became a Huber Heights Communications Officer on August 19, 2019. He said she graduated from the Dayton Regional Stem School in 2013. He said Heather Flora became a Huber Heights Communications Officer on November 25, 2019. He said she graduated from Greenon High School in 2014. He said she received an Associates Degree in Criminal Justice from Clark State Community College. He said she started her career as a dispatcher in Clark County in July, 2014 and worked there for three and a half years. He said for a short time she was a police officer and decided she would rather be a dispatcher. He said Amber Schutte became a Huber Heights Communications Officer on June 21, 2021. He said she graduated from Anna High School in 2015 and received her Associates Degree in Arts from Edison State Community College at the same time. He said she went to Bowling Green State University and double majored in Criminal Justice and Psychology. He said she began working at the Bellefontaine Police Division in 2018. He said Brandon Ingalls became a Huber Heights Communications Officer on June 28, 2022. He said he has been in public safety since he accepted a position with the Montgomery County Sheriff's Office on March 16, 2019, where he was entrusted with training new employees. He said he understands the dire importance of the position of dispatchers and law enforcement to the communities they serve and protect. He said he has been taking courses in civilian training opportunities in the field since he graduated from the Miami Valley Career Technology Center in 2009. C. National Public Safety Telecommunicators Week Mayoral Proclamation Presentation - Mayor Jeff Gore Mayor Gore thanked the Communications Officers for their service and thanked their families. He read the proclamation for National Public Safety Telecommunicators Week and presented the proclamation to Deborah Wiley, Communications/Records Manager. Deborah Wiley thanked the City Council and the community for always supporting the Dispatch Center. She said this job is a very stressful job. She said many people do not realize that not only are they answering 9-1-1 calls and nonemergency calls, but they are doing that while multitasking and doing many other things. She thanked the Communications Officers. D. Wayne High School Wrestling Champion Joshua Padilla Recognition And Proclamation Presentation - Mayor Jeff Gore Mayor Gore said Joshua Padilla is a junior and he will be graduating early in January, 2023. He said Joshua Padilla will be attending Ohio State University and has committed to playing football for the Buckeyes. Mayor Gore said he had the opportunity to coach Joshua's dad, Mike, for the Huber Heights youth football team from 1995-1996 and that year the seventh grade team went to Florida for the National Championship. He said when looking at the strength of Wayne High School athletics, those roots run very deep. He read the proclamation and presented it to Joshua Padilla. Suez Water/Veolia Water 2021 Annual Report Presentation - Ms. Pam Whited, E. Operations Manager, Veolia Water Ms. Pam Whited provided a PowerPoint presentation of the Suez Water/Veolia Water 2022 Annual Report to the City Council. She discussed Suez Water's sponsorships and community involvement with organizations. She said 2021 was the second year of water softening, and it has been a great boon to the community. Ms. Whited introduced the employees present at the meeting and discussed the other new employees and their roles. She discussed the Water Main Replacement

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	Program and presented a map. She presented the 2022 Combined Water and Sewer Rate Survey done by the City of Piqua. She said the City of Huber Heights has the lowest sewer rate of 64 communities, and as far as sewer and water rates combined the City of Huber Heights has the second lowest combined rates.			
	Mrs. Byrge welcomed the new staff, and she said they are joining a group that does a fantastic job for the City.			
	Ms. Baker said at one point there were delinquencies when the pandemic first started and asked where Suez Water was with that issue.			
	Ms. Whited said the delinquencies are completely caught up.			
	Mr. Webb said, regarding the Piqua studies, that it is great news and he congratulated the entire crew. He said it was a testament to the excellent job done by Ms. Whited and her staff.			
8.	Citizens Comments			
	Rhonda Sumlin said she wanted to speak to the City Manager search. She expressed her concerns and said as a resident who is an African American woman, she appreciates the City Council giving an opportunity to one of the candidates and making him one of the final four. She said she wants to make sure the City is not extending any unfair advantages to some candidates while creating some unconscious bias or creating barriers to others. She said that was her ask. She said she does not see people who look like her on the dais and no City leaders that look like her. She said every opportunity the City has to give a minority an opportunity whether they are a person of color, a veteran, a woman, disabled, gay, transgendered, etc., the City should make them a priority. She said these are marginalized groups, and they do not have the same access to opportunities as others do. She said one of the four candidates does not have the educational requirements requested. She said when she thinks of giving \$175,000 to a potentia candidate who has not gotten a Bachelor's degree or a Masters' degree, is that realistic? She said when people pursue college degrees, it says they have taken the time and energy and invested finances to get the skills needed to do a job. She further discussed her thoughts on requirements for the candidates and discussed halo and affinity bias. She asked the City Council to be mindful of biases and make the best decision for the community.			
9.	Citizens Registered to Speak on Agenda Items Clerk of Council Anthony Rodgers said there are two citizens registered to speak on			
	Item 11-C and one citizen registered to speak on Item 11-D			
10.	City Manager Report			
	Interim City Manager Bryan Chodkowski said the work on the Jonetta Street lift station starts tomorrow. He said this Friday the City will be bidding the annual Water Main Replacement Project and the City can expect those bid results in about 45 days. He said the Ohio EPA has approved the permit for the East Water Main Extension Project and City Staff will be preparing the appropriate documentation to authorize the bid. He said Council can expect that bid at the next round of meetings. He said the first Huber Heights Farmer's Market of the season was well attended over the weekend with approximately 300 visitors.			

Mrs. Kitchen asked if there is follow up on the Community Park situation, and she asked if there would be anything refunded to the City through insurance.

Mr. Chodkowski said this claim has been processed through insurance and the City has received a partial reimbursement, and once the final installation occurs,

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the labor will be submitted to the insurance company. He said he would pull out the information and send it back out so everyone has that information.					
Mrs. Kitchen asked if City Staff reached out to the court to see if the individuals involved were required to do community service.					
Mr. Chodkowski said the Juvenile Court fined each individual \$500 for that incident. He said he is not aware if additional community service was ordered he will check and send that information out with the insurance information.					
11. Pending Business					
А	Identified As Parcel Number P70-0192	ocated At 5840 Old Troy Pike And Further			
	Mr. Chodkowski said this item is for a service center. He said this matter was 15, 2022.	proposed used car lot and limited auto before the Planning Commission on March			
	Mayor Gore said there was no specific Session. He asked for a motion.	recommendation at the Council Work			
	Mr. Otto moved to adopt; Mr. Shaw se	conded the motion.			
		ng packet still shows the bunch of cars in the en additional updated drawings, but he did not			
		tanding this meeting packet is just a forward , and that the modified plan is associated at goes back through the Planning			
	Mr. Lyons asked for clarification as to recommendation of the Planning Comr Council is overriding the decision of th	mission, and that by voting yes, the City			
	Mr. Campbell, Mrs. Byrge, Mr. Otto, N Baker, Mr. Lyons, and Mr. Webb voted	Mrs. Kitchen, and Mr. Shaw voted yea; Ms. d nay. The motion passes 5-3.			
	Law Director Gerald McDonald said th majority and he asked if a super majori				
	Mr. Rodgers said he had discussed that legislation was first being drafted. He interpretation of what was discussed.				
		Mr. McDonald and Mr. Rodgers could figure here, and he would like to get this matter			
	Mayor Gore recessed the City Council	Meeting at 7:03 p.m.			
		acil Meeting at 7:14 p.m. He said there was nembers as to what it would take in terms of ed no would like to make a motion to			
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GOVERNMENT FORMS & SUPPLIN & COUPPOPROPROPROTECT 6131 Taylorsville Road May 9, 2220 Held_ Mr. Webb said he would like to make a motion to reconsider Item 11-A. Mr. Shaw seconded the motion. On a call of the vote, Mr. Campbell, Mrs. Byrge, Mr. Otto, Mrs. Kitchen, Mr. Webb, and Mr. Shaw voted yea; Mr. Lyons and Ms. Baker voted nay. The motion passes 6-2. Mr. Otto moved to adopt; Mr. Shaw seconded the motion. On a call of the vote, Mrs. Byrge, Mr. Otto, Mrs. Kitchen, Mr. Webb, Mr. Shaw, and Mr. Campbell voted yea; Mr. Lyons and Ms. Baker voted nay. The motion passes 6-2. Mr. Shaw requested, in light of the confusion, a brief explanation of what the next steps in the process are and what the vote meant. Mr. Rodgers said it means that the ordinance and the Major Change to the Basic and Detailed Development Plan was approved overturning the decision of the Planning Commission, and this ordinance will go into effect thirty days from today's date. He said the applicant should seek guidance from Mr. Sorrell or Mr. Chodkowski as to the next steps. B. An Ordinance To Approve A Basic Development Plan For The Property Located On Brandt Pike North Of The Reserves At The Fairways And Further Identified As Parcel Number P70-03910-0057 On The Montgomery County Auditor's Map And Accepting The Recommendation Of The Planning Commission (Zoning Case BDP 22-07). (second reading) Mr. Chodkowski said this legislation is for a proposed development of 74 owner occupied condominiums immediately north of the Fairways development on Brandt Pike. He said the Planning Commission recommended adoption by a 4-0 vote on March 15, 2022. Mr. Campbell moved to adopt; Ms. Baker seconded the motion. On a call of the vote, Mr. Webb, Ms. Baker, Mr. Campbell, and Mrs. Byrge voted yea; Mr. Otto, Mr. Lyons, Mrs. Kitchen, and Mr. Shaw voted nay. The motion tied at 4-4. Mayor Gore cast a tie-breaking vote, voting yea. The motion passes 5-4. C. An Ordinance To Approve A Combined Basic And Detailed Development Plan And Rezoning To Planned Residential (PR) For 22.968 Acres For The Property Located On The East Side Of Bellefontaine Road And South Of Chambersburg Road And Further Identified As Parcel Number P70-03908-0126 On The Montgomery County Auditor's Map And Accepting The Recommendation Of The Planning Commission (Zoning Case CBDP 22-11). (second reading) Mr. Chodkowski said this legislation represents a proposed development of 29 single family homes and 34 owner-occupied townhomes. He said the Planning Commission recommended approval of this project 5-0 on March 29, 2022. He said the Council Work Session recommendation was to amend this legislation and move the Basic Development Plan approval forward and to separate the Basic Development Plan from the Detailed Development Plan to make sure the Detailed Development Plan went back to the Planning Commission for any of the further details. He said the recommendation from the Council Work Session was to approve only the Basic Development Plan. Mr. Rodgers said the applicant requested separation of the Basic Development Plan and the Detailed Development Plan by email to City Staff. He said the amended ordinance was advertised as part of the meeting packet and properly noticed. He said the first legislative action would be to amend the ordinance to replace it with the amended ordinance.

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	Ronald Deak thanked the developer for continuing to engage the residents. He said from the first plan to this plan, stormwater retention grew five-fold and he asked why, when the density was decreased. He said the calculations are close to accurate, but he does not think the calculations capture the mitigating issues due to the design or have the capability to catch the water in the lower part of the property. He said he thinks the City needs a full stormwater study of the area and he explained his reasons. He said traffic flow needs a full study. He said the development needs two access points and he said approval from the Fire Chief is fine, but he said the industry standards are two access points. He said this matter should be tabled or shelved. He said no homeowners in the area are in favor of this		
	Cindy Smith said City Code Section unless the Planning Commission find Comprehensive Development Plan, a detached homes on medium to large City Code and certain specifications. requirement in the Comprehensive D asks for a variance on every other on Chambersburg Road just west of The hundreds of homes that all follow the there are not supposed to be duplexe Mayor Gore said there was a recomm	Is that such PUD is consistened and page 19 states it should lots. She continued reading She said this development evelopment Plan, a 25-foot e. She said between Fishbu e Oaks, there are hundreds of e Comprehensive Developm s there and it is not an urban mendation to amend the item	nt with the be single family portions of the only meets one front yard, and rg Road and of acres and ent Plan. She said a area.
	Basic Development Plan from the De motion to amend the ordinance to se	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	He asked for a
	Mr. Shaw moved to amend the existi ordinance as stated; Mr. Otto second	-	ith the amended
	Mrs. Byrge said in a previous discus stormwater study and a more compre- asked if the study had been initiated said to her, that issue determines who Mr. Chodkowski if the City had initi	hensive traffic study for that and when the results would ether this is combined or sep	t area and she be available. She parated. She asked
	Mr. Chodkowski said no because the stormwater calculations and submitte on that information, the City did not the direction that Council had wanted from this particular project. He said had been completed, and subsequent complete traffic study had been subm	ed the calculations for review move forward with addition d to see the detailed stormw at the time he did not recall to Council's initial look at t	w. He said based all studies based on ater information if a traffic study he project, a
	Mrs. Byrge said at the last meeting s information that in the morning com the street. She said for that big area, the cars coming out of The Oaks, Sil in at Bellefontaine Road and Fishbur going to do a more comprehensive tr widening or a turn lane was needed. right. She said even if the Planning not know how the Planning Commis having additional information on the stormwater was primarily done to ad does not remember it encompassing rain than usual, and with the stream I flooding. She said she sees nothing are any wetlands. She said her hesita	mute hours only 61 cars wor that certainly could not hav ver Oaks, and the proposed g Road. She said she thoug affic study to determine if th She said those calculations Commission is to see this its sion would pass this approv stormwater and the traffic. dress the size of the retention surrounding properties. She being down there, that proper in the study that addresses the	uld be traveling on e encompassed all development going ht the City was he street needs did not seem to be em again, she does al forward without She said the on pond, and she e said there is more erty is subject to hat issue or if there
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GOVERNMENT FORMS & SUPPIN COURSE CONTROL OF STREET 20 22 6131 Taylorsville Road May 9, Held there is enough information and once approved there is no going back. She said the studies so far are lacking information. Mayor Gore said the traffic study showed an additional 61 cars, not only 61 cars. Mr. Sorrell confirmed that point and he said the traffic study takes into account the current traffic volume along with projected traffic. He explained the study. He said the total value during peak hour is 281 vehicles passing through the intersection. He said that was the peak morning time and 61 trips would be added between the 7 a.m. to 8 a.m. period and roughly equivalent between 5:30 p.m. and 6:30 p.m. He said the engineers forecasted out for the natural traffic growth, but it does not always take into account potentially developable land. He said on the issue of stormwater, what was discussed was having a larger study done that looks at some of the other flooding issues neighbors were experiencing on the fronts of their vards. He said he and Russ Bergman briefly chatted about that issue this afternoon and will talk more tomorrow to see what that scope really entails. He said while this development should not add to that issue because of the stormwater retention restrictions, he said they do want to address the concerns raised by the property owner due south who was concerned about having a significantly wet front yard all the time. Mayor Gore asked if there was an additional study, would that issue be addressed in the Detailed Development Plan back with the Planning Commission on stormwater retention? Mr. Sorrell said technically no, but he said he would talk with the developers because there are more inputs of stormwater coming from surrounding properties and he does not know what the drainage profile is for the surrounding areas. He said there are other contributing factors and probably not this site that is contributing to the flooding of that individual's property. He said as far as the Detailed Development Plan, the Planning Commission would make sure all the stormwater runoff meets the requirements that this site captures. Mayor Gore said Mrs. Byrge raises a valid point to make sure in separating this matter, that the City is not in a situation where additional issues have been caused with this property without the opportunity to correct it. He confirmed with Mr. Sorrell that he and Russ Bergman have a handle on this issue; and if it was found there is an issue, how would the Council find out about it and how would they make sure on the back end that the problem was addressed and fixed prior to anything else. He said that is the point Mrs. Byrge makes, and he wants to make that is crystal clear to everybody. Mr. Sorrell said he does not think this site will contribute to flooding to the south and he thinks that flooding is caused by another issue. He said City Staff needs to take a separate look at that issue. He said separating this issue out from the approval for the plans and having two separate processes is the way to go. Mayor Gore said for this Council to understand what it is voting on, he wants to make sure if it is determined this is a problem contrary to what Mr. Sorrell's belief or opinion is, that the City has a step in the process to fix that prior to any construction. He said if this is separated, the Council will not see it again. He said he is looking for assurance that if that matter comes back contrary to what Mr. Sorrell's belief is that there is a way to make sure the stormwater issue is fixed. Mr. Sorrell said they can quickly determine whether this development would adversely affect the areas that are currently flooding. He said he does not think they can or should hold the developer's development timeline to a situation that has nothing to do with this property. He said they can determine pretty quickly if this development will impact or worsen the current situation versus whether this 7

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	flooding is caused by something else. He said that something else may be an expensive solution, and he cannot say, "yes, we are going to solve it". He said they can at least figure out if this development is making it worse or is neutral. Mayor Gore asked if Council could amend any legislation to be contingent upon understanding this development does not cause any issues with stormwater retention outside of what has been proposed.
	Mr. Chodkowski said he and the Law Director were just having a conversation. He said provision number two, "the applicant shall comply with all stormwater requirements', if it is determined by the engineer and the planner that the flooding at the southern property is caused from runoff from this location or would be exacerbated by runoff in this location, it would be a requirement to be resolved prior to final permit approval and issuance as it goes through the Detailed Development Plan process.
	Mrs. Byrge said Council heard from the homeowners to the north of the property where the stream is that when there is excessive rain there is flooding there. She asked if installing more impervious surfaces would exacerbate the problem. She said she was hoping the study would look at all sides, not just to the south.
	Mr. Sorrell said the stormwater study looks at where the outflow will be and if that is worse or better or neutral. He further explained stormwater requirements.
	Mayor Gore discussed the new Ohio EPA restrictions and he asked if that helped.
	Mr. Sorrell said the new Ohio EPA rules are you have to capture a larger amount for a heavier storm period and release it at a slower rate. He said this development falls under those new rules. He said it should have significantly better flooding protection than something developed 15 years ago.
	Mr. Campbell said at the last City Council Meeting, he thought it was agreed to broaden the scope and the size of the study for this project to see if it was affecting beyond where the engineers have looked. He said Council also talked about Bellefontaine Road and looking at that issue to go beyond the traffic study to determine if City Staff felt the City needed to add a lane and that the project was going to generate money to use to spend on those projects. He said he left the meeting thinking the stormwater issue would be addressed based on Mrs. Byrge's comments and the traffic would be looked at and City Staff would go beyond the study if they felt it necessary to make improvements to take the doubt out of what effect the additional traffic would have.
	Mr. Chodkowski said he does recall they had talked about bringing additional resources to address the concerns. He said he does recall conversations about the traffic and that issue is an added note to the amended ordinance. He said he did not understand the directive with respect to stormwater and he said City Staff is happy to broaden that look.
	Mr. Campbell gave his impression from the last meeting and he said the studies should encompass a larger area to mitigate any runoff or traffic issues this development might cause.
	Mr. Sorrell said he took it differently. He confirmed City Staff would look at a greater area to see if there are currently areas to improve flooding situations beyond this development. He said there are two studies, the study for this development, and a larger look that City Staff can take to see what improvements need to be made outside the scope of the area that would not be the responsibility of the developer.
	Mr. Campbell asked Mr. Chodkowski to ensure the legislation speaks to that matter.
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	Mr. Chodkowski said he is happy to make sure Council's will is carried out and that Mr. Campbell's comments have been clear on the expectation.
	Mrs. Byrge said if the City needs to contract it out, she thinks Council supports doing so. She said she is concerned about a sufficient buffer when the development is done and not just relying on the existing trees. She said that issue is very important.
	Mr. Sorrell said it was discussed and said the amended ordinance requires that the existing trees remain on that northern buffer. He said in the Detailed Development Plan, one of the Planning Commission's conditions is requiring the developer to fence the drip line of those trees to limit the amount of heavy equipment driving over roots. He said secondly, the developer is adding evergreen trees and shrubs along lots 6-12 in the back to provide additional buffer.
	Mr. Campbell asked Mr. Chodkowski if there was additional screening past the lots Mr. Sorrell just spoke to, and if the development continued to generate the funding discussed, if City Staff would ensure that occurred.
	Mr. Chodkowski said there would be an agreement associated with the TIF district, so there would be a defined project the funding would be associated with. He said some commentary Council has provided tonight would be incorporated as part of that legislation defining what the money is for and whether that would directly fund the work and the City would do that work or if the City would work with the developer through the final PUD to provide those improvements and then reimburse the developer. He said the resources will be there to make sure that work is done.
	Mr. Campbell asked if that language could be put into the legislation.
	Mr. Chodkowski said tonight that language can be amended if Council would like, and it can be amended as part of the PUD agreement that goes through the Planning Commission after the final Detailed Development Plan. He said it can be incorporated however Council would feel most comfortable.
	Mr. McDonald said the way it is presented now is approving the Planning Commission recommendation and incorporating the voluntary actions as part of the PUD agreement, which is by a simple majority vote. He said if Council is going to amend the ordinance further and put things Council wants in there, then it would require a super majority vote to pass it.
	Mr. Campbell asked if this was something the developer could agree to.
	Mr. Berling said he could agree with that point. He said he understands where Council is going with this matter, and if the City wants further studies provided in the development agreement, he has no problem with that issue.
	Mr. Sorrell said rather than amending the ordinance for that issue, he said there are only two additional lots before getting to the pipeline, and the Planning Commission can make sure in the Detailed Development Plan that screening is extended westward to those two additional lots. He said the cost would be enumerated in the PUD agreement and the developer would post a bond. He said he is not sure that it is necessary to amend that agreement for two lots.
	Mr. Campbell said he is satisfied with the developer's commitment.
	On a call of the vote, Mr. Webb, Ms. Baker, Mr. Campbell, Mrs. Byrge, and Mr. Otto voted yea; Mr. Lyons, Mrs. Kitchen, and Mr. Shaw voted nay. The motion to amend passes 5-3.

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	Mr. Campbell moved to adopt; Ms. B vote, Mr. Webb, Ms. Baker, Mr. Cam Kitchen, Mr. Shaw, and Mr. Otto nay room without voting. The motion fail	pbell, and Mrs. Byrge vo . Mr. Lyons said he was p	ted yea; Mrs.
	Mr. Rodgers notified Mr. Lyons that t the dais.	he vote was over, and Mr	. Lyons returned to
	Mayor Gore apologized to the develop Council will stop acting like they are the way they are supposed to.		and a set of the set o
D.	An Ordinance To Approve A Basic D Mixed Use (PM) For The Property Lo Further Identified As Parcel Number 1 Auditor's Map And Accepting The Ro (Zoning Case BDP 22-12). (second reading)	ocated At 7125 Executive P70-03910-0005 On The	Boulevard And Montgomery County
	Mr. Chodkowski said this legislation single-story multi-family units with 9 Planning Commission recommended	.7 acres of commercial sp	ace. He said the
	Mayor Gore said there was no recomm	nendation from the Coun	cil Work Session.
	Patricia Dyer said her property is closs said this development does not look g the Redwood development two miles houses all jammed together with no sp development is going to benefit the ar thing up the road that they want to do restaurants, not for this situation, and property.	good, and she asked if any up the road. She said it is pace. She said she cannot rea along Executive Bould again. She said this space	one had looked at s really ugly with t see how this evard with the same se was for retail and
	Mr. Shaw asked if there is any further City Staff would be satisfied with a ve		aff on this item or if
	Mr. Chodkowski said City Staff is sat worked with the developer extensively		
	Mr. Shaw moved to adopt; Mr. Camp vote, none voted yea; Mr. Webb, Mr. Mr. Otto, Mr. Lyons, and Mrs. Kitche	Shaw, Ms. Baker, Mr. Ca	ampbell, Mrs. Byrge,
E.	An Ordinance Amending Ordinance M Appropriations For Expenses Of The Ohio For The Period Beginning Janua (second reading)	Fire Division Of The City	y Of Huber Heights,
	Mr. Chodkowski said this legislation and the legislation would make \$237, of hiring four additional firefighter/pa	000 available by July 1, 2	
	Mayor Gore said there was no specific	c Council Work Session	ecommendation.
	Mr. Otto moved to adopt; Mr. Shaw s Mr. Shaw, Mr. Otto, Mr. Lyons, and I Campbell, Mrs. Byrge, and Mrs. Kitc.	Mr. Webb voted yea; Ms.	Baker, Mr.

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	discussion with the Fire Chief's recommendation that he would rather wait until 2023 to hire those firefighters due to an extended candidate pool in December, 2022, he votes no. The motion fails 4-5.
	Mr. Otto left the room at approximately 8:04 p.m.
12.	New Business
	CITY COUNCIL Anthony Rodgers, Clerk of Council
	A. A Motion To Direct The Clerk Of Council To Respond To The Ohio Division Of Liquor Control With No Objections In Reference To New Liquor Permit #13139450105 For Casey's General Store At 8000 Brandt Pike, Huber Heights, Ohio 45424.
	Mr. Rodgers said this item is a new liquor permit which has been reviewed by the Police Division and the Fire Division who had no objections.
	Mayor Gore said the Council Work Session recommendation was to adopt this item.
	Mr. Campbell moved to adopt; Ms. Baker seconded the motion.
	Mr. Shaw said the Law Director and the City Manager are working on a subject he has addressed and he will allow the due diligence process to take place before he blows his lid at the next City Council Meeting. He said at the next Council Work Session he thinks it appropriate and Council is due a conversation to revisit how the City Council, City Staff, and the Police and Fire Divisions review a liquor permit and what reports the Council gets back. He thinks there needs to be a change in that process due to updated circumstances.
	On a call of the vote, Ms. Baker, Mr. Campbell, Mrs. Byrge, Mr. Lyons, Mrs. Kitchen, Mr. Webb, and Mr. Shaw voted yea; none voted nay. The motion passes 7-0.
	Mr. Otto returned at approximately 8:06 p.m.
	B. A Public Hearing Scheduled For May 9, 2022 By The Huber Heights City Council For Case BDP 22-13. The Applicant Is Hartman I, LLC. The Applicant Is Requesting Approval Of A Basic Development Plan And A Rezoning To Planned Office For Property Located At 7611 Old Troy Pike And Further Described As Parcel ID P70 04005 0140 On The Montgomery County Auditor's Map.
	Mr. Sorrell said there was significant discussion at the Council Work Session on this item. He said the site is the back lot of the existing Rural King, and it is currently 1.1 acres. He said the existing uses are retail, parking, outdoor storage and display. He said the applicant is requesting a rezoning to Planned Office (PO) to construct an almost 11,000 square foot emergency outpatient medical facility with ten exam rooms and approximately 15 employees. He exhibited an outline of the site. He said this plan is the third iteration of the site plans and he discussed the progression. He said medical uses are primarily permitted in the Planned Office District, and the revised site plan does comply with the requirements of the buffer yard. He said the use requires 45 parking spaces, 61 spaces are illustrated, and only 38 spaces are on site. He said the applicant continues to work with Rural King on shared parking and making sure the access aligns with the existing travel lanes of the parking lot. He said the applicant is asking for more signage than permitted; essentially, 150 square feet of corporate signage and 150 square feet of emergency directional signage is proposed. He said there have been conversations about a large shopping center sign on Old Troy Pike, but the applicant has not decided if

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	that is the direction they want to go. He said City Staff felt approval could be made and the standards of approval outlined in Section 1171.06 of the City Code can be met. He said the Planning Commission recommended unanimous approval subject to compliance with five conditions, and he listed those conditions. He said he talked with the applicant, and the applicant is continuing to revise the site plan based on the conversations heard during the Council Work Session. He said the applicant would like to bring back another site plan to Council at the next meeting or a subsequent meeting, and City Staff will work with the applicant on addressing the concerns that were spelled out.		
	Mayor Gore asked if any representatives from Hartman I, LLC had any comments.		
	Seeing none, Mayor Gore asked if the Law Director had any comments.		
	Seeing none, Mayor Gore asked if there were any other representatives of the City of Huber Heights to make any comments.		
	Seeing none, Mayor Gore asked if there was anyone present to speak in favor of the approval of this issue.		
	Seeing none, Mayor Gore asked if there was anyone present to speak against the approval of this issue.		
	Seeing none, Mayor Gore asked if there was any member of City Council to make comments or provide additional information.		
	Mr. Shaw asked if the curb cut on Taylorsville Road was a deal breaker for the applicant.		
•	Mr. Sorrell said the applicant had not confirmed everything with its client or user yet, but what was intimated to him is it is not a deal breaker. He said the first site plan did not have access on to Taylorsville Road.		
	Mr. Shaw said at the next Council Work Session, he would like to see that plan and whatever other changes the site developer brings forward.		
	Mayor Gore said he agrees, and he would expect to hear the rebuttal to that eventually is going to be with no access on to Taylorsville Road, where it is tucked away in the parking lot, and the address will be physically listed as an Old Troy Pike address, and he thinks that will be the bigger issue. He said he likes no access onto Taylorsville Road, but he thinks that will be the rebuttal.		
	Mr. Shaw said one of the other things brought up was moving the entire access or making it more defined.		
	Mr. Sorrell said the applicant wanted a large pylon sign on Old Troy Pike and he told them it would be a non-starter. He said the applicant is looking at a multi-tenant sign. He said the applicant will probably want additional directional signs on Taylorsville Road.		
	Mr. Shaw said the Rural King property itself continues to grow and get out of control as the cement blocks keep moving and changing the flow of traffic. He said that problem needs to be addressed. He said this Council has more questions than answers, and he does not want that matter to be the detriment of this project. He said in order to get things fixed that have been a big concern there for a long time and is going to be more of a concern with the development across the street, he thinks it is time to take a look at it.		
	Mr. Sorrell said after the Council Work Session, almost immediately enforcement activity began to occur on that site. He said he has been copied in on numerous emails from Don Millard in the Zoning Division to the corporate counsel at Rural		
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Minutes of

Huber Heights City Council

Meeting

GOVERNMENT FORMS & SUPPLIN & COUNCIPACITY CONTAIN DERS 6131 Taylorsville Road 22 May 9, 20 Held King letting them know about the violations of the PUD and the variances that have been granted. He said the Zoning Staff are trying to get the local store manager involved. Mayor Gore said Mr. Chodkowski had mentioned there are some other zoning issues with some other businesses doing the same thing. He said the overall Zoning Code regarding this matter might be a Council Work Session topic soon. He said one of the things talked about was being able to use that as leverage for the hospital facility to purchase more property in the parking lot because Rural King will not be able to use that space as its storage facility any longer. He said regarding the broader picture of how some businesses are violating the Zoning Code, Council needs to have a specific Council Work Session topic about that issue. Mr. Shaw said the access road was a topic of conversation, and he hopes there is additional conversation with City Staff going on as well. He said one of his concerns was the directional signage for the ambulatory in and out. He said around Christmas there will be people all up and down there, and he hopes the developers use a different site plan. Mayor Gore asked one last time if there was anyone to speak in favor of or against the approval of this zoning case. Seeing none, Mayor Gore said, barring further comments, this Public Hearing of the City Council for Case BDP 22-13 is hereby closed. C. A Public Hearing Scheduled For May 9, 2022 By The Huber Heights City Council For Zoning Case MJC 22-14. The Applicant Is Parveen Wadhwa. The Applicant Is Requesting Approval Of A Major Change To The Basic Development Plan And Approval Of A Detailed Development Plan For Property Located At 6025 Taylorsville Road And Further Described As Parcel ID P70 04005 0006 On The Montgomery County Auditor's Map. Mr. Sorrell said this is a Major Change to the Basic Development Plan to add additional uses to this commercial structure. He said when it was approved by the Planning Commission, it was limited to two uses - a convenience store and a laundromat. He said there was some interpretation confusion as to how this matter would play out. He said the applicant is asking for a Major Change to broaden the permitted uses with this development. He presented the site and development details. He said this plan is the most detailed Detailed Development Plan he has seen so far. He said the applicant did everything correctly as far as landscaping, site planning, etc. He said the standards the applicant designed the parking lot to were based on specialty retail commercial, specialty food store, personal service and commercial center, and shopping center uses. He said City Staff feels there is little impact on the surrounding property by broadening the uses. He said City Staff recommended that a broader spectrum of permitted uses is appropriate. He said the aggregate of the two or three uses within there cannot exceed the amount of parking required. He said the Planning Commission unanimously recommended approval with a list of conditions, including limiting the hours of operation from 5 a.m. to midnight. He said the applicant was amenable to the hours of operation limitation. Mayor Gore asked if any representatives of Parveen Wadhwa had any comments. Seeing none, Mayor Gore asked if the Law Director had any comments. Seeing none, Mayor Gore asked if there were any other representatives of the City of Huber Heights to make any comments. Seeing none, Mayor Gore asked if there was anyone present to speak in favor of the approval of this issue.

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GOVERNMENT FORMS & SUPPline Commercie Chambers Held 6131 Taylorsville Road May 9, 20 22
Held 6131 Taylorsville Road May 9, 20 22
Seeing none, Mayor Gore asked if there was anyone present to speak against the approval of this issue.
Seeing none, Mayor Gore asked if there was any member of City Council to make comments or provide additional information.
 Ms. Baker asked about the height of the shrubbery around the back of the property.
Mr. Sorrell said it is a mix of evergreen and deciduous trees that help block that property from the north. He said at planting, the plants will be six feet high.
Mayor Gore asked if there were any other members of City Council to make comments or provide additional information.
Mr. Shaw asked what type of light pollution would come from the building?
Mr. Sorrell said there would be very little. He said the applicant submitted photometric plans and on the west side there was half a footcandle spillover into the street area. He said there was no trespass to the north or to the east, and it fully complies with the City Code.
Mr. Shaw said it looks like the applicant has not submitted a complete sign package, but it looks like there will be a small sign at Mount Hood and Taylorsville Road. He said now that the use is potentially expanding, if there are additional businesses to go in there, would the sign package include those types of readouts or will it just be one sign.
Mr. Sorrell said he had not seen it yet, but he would be hard-pressed to think that a small ground-mounted sign would have all two or three tenants since the building is 30 feet off the road. He said there will be signs above each tenant space, but the way the sign code reads, as long as the tenancy changes, they can change out the name and the face of the sign, but the actual structure will have to conform to the City Code.
Ms. Baker asked what would go along Taylorsville Road because the drive through would aim at the houses.
Mr. Sorrell said there is a landscaping buffer along the perimeter of the parking lot and street trees along Taylorsville Road.
Mayor Gore asked what Mr. Wadhwa's timeframe was to begin the project. He confirmed with Mr. Wadhwa that he is ready for permits now. Mayor Gore asked one last time if there was anyone to speak in favor of or against the approval of this zoning case.
Seeing none, Mayor Gore said, barring further comments, this Public Hearing of the City Council for Case MJC 22-14 is hereby closed.
ADMINISTRATION Bryan Chodkowski, Interim City Manager
D. An Ordinance To Approve A Major Change To The Basic Development Plan And Approval Of A Detailed Development Plan For The Property Located At 6025 Taylorsville Road And Further Identified As Parcel Number P70 04005 0006 On The Montgomery County Auditor's Map And Accepting The Recommendation Of The Planning Commission (Case MJC 22-14). (first reading)
Mr. Chodkowski said the Planning Commission recommended approval of this proposed change by a vote of 4-0 on April 12, 2022.

Minutes of

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Held.		In Council Chambers 6131 Taylorsville Road	May 9, 20 22
		Mayor Gore said there was no recompassing this item to a second reading.	nendation for waiving the second reading or
		Mr. Shaw moved to waive the second a call of the vote, Mr. Campbell, Mrs.	reading; Mr. Webb seconded the motion. On Byrge, Mr. Otto, Mr. Webb, Mr. Shaw, and Mrs. Kitchen voted nay. The motion passes 6-
		and the second	r seconded the motion. On a call of the vote, Mr. Webb, Mr. Shaw, Ms. Baker, and Mr. 1 nay. The motion passes 7-1
	E.	A Resolution Approving Participation The OneOhio Memorandum Of Unde (first reading)	In Region 8 Governance Structure Under rstanding.
			is to approve the City's membership in a the funding distribution of OhioOne funds in ty.
		Mayor Gore said the Council Work S item.	ession recommendation was to adopt this
			ter seconded the motion. On a call of the vote, Ir. Shaw, Ms. Baker, Mr. Campbell, and Mrs. y. The motion passes 7-1.
	F.	A Resolution Establishing And/Or An For Employees Of The City Of Huber (first reading)	nending The Salary Ranges And Wage Levels Heights, Ohio.
		Mr. Chodkowski said this legislation competitive wages to the employees a	is to ensure the City is able to provide at the Rose Music Center.
		Mayor Gore said the Council Work S item.	ession recommendation was to adopt this
			b seconded the motion. On a call of the vote, Ms. Baker, Mr. Campbell, Mrs. Byrge, and nay. The motion passes 7-1.
	G.	A Resolution Authorizing The City M Association Of Public Treasurers 202 Rating Program Administered By Con (first reading).	3 Workers' Compensation Group Experience
			ipation in this program will save the City nium for workers' compensation costs.
		Mayor Gore said the Council Work S item.	ession recommendation was to adopt this
		vote, Mrs. Kitchen, Mr. Webb, Mr. Sl	hen seconded the motion. On a call of the naw, Ms. Baker, Mr. Campbell, Mrs. Byrge, one voted nay. The motion passes 8-0.
	H.	Provide Insurance Coverage For Gene Machinery, Inland Marine, Automobi	Ianager To Enter Into An Agreement To eral Liability, Property, Boiler And le, Crime, Law Enforcement Liability, Public ary Insurance Coverage For The City Of
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Minutes of

<text><text><text><text><text><text><text><text><text><text><text><text></text></text></text></text></text></text></text></text></text></text></text></text>	Held	6131 Taylorsville Road	May 9,	20 22
 (first reading) Mr. Chodkowski said, to clarify comments at the Council Work Session, the final premium increase is 15.7 percent relative to last year. He said, as a point of reference, this year's premium is equal to the premium paid in 2005-2006. He said if you look at how the City has grown over time based on changes, the City has saved quite a bit with this program. Mayor Gore said the Council Work Session recommendation was to adopt this itert this evening, but Council did not have those specific numbers in the meeting packet. He said by the time the meeting packet went out, Council did not have those numbers. He said a motion to amend is needed to put the numbers into the legislation. Mr. Rodgers said a copy of the amended resolution is in front of Council to view. He said there would need to be a motion to amend the resolution to replace it with the amended resolution. Mrs. Byrge moved to amend; Mrs. Kitchen 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. Mr. Webb moved to adopt; Mrs. Kitchen seconded the motion. On a call of the vote, Mr. Webb moved to adopt; Mrs. Kitchen voted nay. The motion passes 8-0. I. A Resolution Authorizing The City Manager To Solicit Bids For A Landscape Revitalization Plan Of Specified City Properties. (first reading) Mr. Chodkowski said this item is the second solicitation for this bid. He said City Staff previously sought this work and only received one respondent. He said, in an effort to ensure the City is competitive with pricing, that bid was rejected and City Staff previously sought this work and only received one respondent. He said, in a effort to ensure the City is competitive with pricing, bat bid was rejected and City Staff previously sought this work and only received one respondent. He said, in a effort to ensure the City is competitive with pricing, th		and a second	-	uirements, And
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Huber Heights City Council

Held	6131 Taylorsville Road	May 9,20	22
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	Mr. Shaw requested that this Request For Proposals (RFP) be sent out to the Heights Chamber of Commerce, the Dayton Chamber of Commerce, and the Northern Chamber Alliance to allow those organizations to spread the word		
	Mr. Chodkowski said he will make sure those parties receive the materials.		
	On a call of the vote, Ms. Baker, Mr. Mrs. Kitchen, Mr. Webb, and Mr. Sha passes 8-0.		
	J. A Resolution Authorizing The City M. Replace Roadway Guardrail Of Speci (first reading)		And
	Mr. Chodkowski said this item is for to time.	vork that the City bids occasionally	from time
	Mrs. Kitchen moved to adopt; Mr. We vote, Mr. Campbell, Mrs. Byrge, Mr. Mr. Shaw, and Ms. Baker voted yea; r	Otto, Mr. Lyons, Mrs. Kitchen, Mr.	. Webb,
13.	City Official Reports and Comments		
	Mr. Otto said the 73rd National Day of Prayer just took place and he gave a big thanks to Pastor Jerrie Bell-Brion and Anthony Rodgers for putting everything together.		
	Mr. Shaw said at the last Council Work Session, he thinks it went unnoticed, and he thanked Mrs. Kitchen for bringing up a future and hopeful partnership with FOA and some other organizations to bring resources and education to the City.		
	Mr. Lyons said he wanted to remind Mayor Gore about decorum and he said when he took over after the last Mayor, that was a big issue for Mayor Gore and talking negatively about a Councilmember when he is representing his ward is disrespectful, and he wanted to remind him about decorum.		
	Mayor Gore thanked Mr. Lyons and said it is disrespectful to not stay on the dais and place a vote as he was elected to do. He said they would have to have a difference of opinion there.		
	Mr. Lyons said he voted by walking b in a great country that allows peaceful his opinion.		
14.	Executive Session		
	There was no need for an Executive S	ession.	
15.	Adjournment		
	Mayor Gore adjourned the Regular Se	ssion City Council Meeting at 8:46	p.m.
Clerk of	Council Date	5 - 31 - 22	
Mayor	Date		1