

# RECORD OF PROCEEDINGS

Huber Heights City Council

Minutes of

Meeting

GOVERNMENT FORMS & SUPPLIES 44-220-0101-0101 In Council Chambers

Held 6131 Taylorsville Road

June 27, 20 22

**1. Call The Meeting To Order - Mayor Jeff Gore**

The Huber Heights City Council met in a Regular Session on June 27, 2022. Mayor Jeff Gore called the meeting to order at 6:03 p.m.

**2. Invocation - Pastor Festus Rucigitaramo Of The Dayton Compassion Church At 6875 Old Troy Pike, Huber Heights, Ohio**

**3. Pledge Of Allegiance**

**4. Roll Call**

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

Absent: Ed Lyons

Mayor Gore said he did not receive notice from Mr. Lyons that he would not be in attendance. He asked for a motion to excuse Mr. Lyons' absence.

Mr. Otto moved to excuse Mr. Lyons' absence; Mr. Shaw seconded the motion. On a call of the vote, Mr. Campbell, Mrs. Byrge, Mr. Otto, Mrs. Kitchen, and Mr. Shaw voted yea; Ms. Baker and Mr. Webb voted nay. The motion passes 5-2.

**5. Approval Of Minutes**

- A. City Council Meeting Minutes – June 13, 2022

**6. Special Presentations/Announcements**

- A. Huber Heights Police Division K9 Recognition Presentations:

- Presentation Of Plaque To Mrs. Teresa Huber In Appreciation Of Her Continued Support Of The Huber Heights Police Division K9 Program.
- Recognition Of Dedicated Service Of K9 Officer Mike Reckner And Retired K9 Adu.
- Recognition Of Dedicated Service Of K9 Officer Cory Siegrist And Retired K9 Eddie.
- Introduction Of K9 Officer Shawn Waler And New K9 Samo.

Mrs. Teresa Huber joined Mayor Gore and Police Chief Mark Lightner for the K9 presentation.

Police Chief Mark Lightner said in his 30 plus years of service, Mrs. Huber has always supported the K9 program and the Police Division. He said Mrs. Huber has supported the division not only financially, but with praise, support, and encouragement. He presented Mrs. Huber with a plaque listing the seven canines she has purchased for the Huber Heights Police Division, in addition to providing funding for the training for the K9 handlers.

Police Chief Mark Lightner presented plaques to the retiring dogs, Adu and Eddie, and the K9 handlers, Officer Mike Reckner and Officer Cory Siegrist. He introduced the newest K9 member, Samo, and Samo's K9 handler, Officer Shawn Waler.





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Mr. Campbell said the program could start in September, 2022. He asked when the City could lock in the rate.



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Mr. Surace said there is not. He said there is a slippery slope with education and telling someone to break a contract. He said the City would need to be



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Mrs. Byrge made the motion.



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







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Mr. Webb reread Section 10 and he said this language is pretty clear.



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GOVERNMENT FORMS & SUPPLIES 044-220-3554 FORM NO. 10-03  
In Council Chambers

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June 27, 2022

Mr. McDonald said it is also in the petition in Section 2. He said both the ordinance and resolution refer back to the petition, and he read Section 2.

Mayor Gore said he does not disagree with Mr. Otto's assessment of the way these assessments had previously been done, and if the City was being asked to fund the infrastructure up front, he would not support it. He said now it is a different scenario.

Mr. Shaw said he would make a suggestion, as there is an ordinance piece to this item also, that the Councilmembers who made the motion to adopt and the second withdraw those actions and this item could be passed to a second reading to allow more conversation at the Council Work Session. He said it would be important at that time to change the background and information in the meeting packet so everything matched up accordingly.

Mr. Rodgers said that action would be appropriate as the ordinance was supposed to go to a second reading anyhow. He said there was no reason this item could not be delayed to a second reading.

Mayor Gore said before any vote is taken, everyone needs to have full clarity on what is being voted on.

Mr. Rodgers said he is willing to guess that someone copied over an item from an old one and changed the amounts, and that is how it got entered with some of the old language.

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

Mr. Shaw asked if it would be appropriate for the Law Director to research an additional item in the resolution and ordinance that clearly states no City funding from sewer or water revenues will be used.

Mayor Gore said he has no issue with that provision.

Mr. McDonald read Section 10 and confirmed that this language would fit in there or almost anywhere.

Mr. Otto said he prefers this resolution state no City money, not just water and sewer funds.

Mayor Gore said this item will be passed to a second reading and the item will be discussed at the next Council Work Session.

- H. An Ordinance Determining To Proceed With The Improvement Of Public Streets And Easements, In Section 2- Phase 5 And Section 7 - Phase 5 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.  
(first reading)

Mayor Gore said the Council Work Session recommendation was to pass this item to a second reading.



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Mr. McDonald said this is a companion piece to the Resolution Of Necessity in the previous agenda item and it will be discussed further at the next Council Work Session.

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

- I. A Resolution Increasing The Not To Exceed Amount And Authorizing The City Manager To Enter Into A Contract For The 2022 Water Main Replacement Project.  
(first reading)

Mrs. Knisley said this item authorizes entering into the contract with M&T Excavating for Phases I, II, and III of the 2022 Water Main Replacement Program at a cost not to exceed \$1,850,000.00.

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. Campbell, Mrs. Byrge, Mr. Otto, Mrs. Kitchen, Mr. Webb, Mr. Shaw, and Ms. Baker voted yea; none voted nay. The motion passes 7-0.

- J. A Resolution Setting Forth The Intention To Appropriate Certain Land Adjacent To The City Well Field For Public Purposes.  
(first reading)

Mr. McDonald said, as discussed at the Council Work Session, the City is in need of property for wells. He said the City is in discussion with the three property owners of the lots the City needs. He said he has heard from all of the owners who are securing separate appraisals. He said once the owners receive the appraisals, these appraisals will be compared with the City's appraisal. He said in the meantime, the City is moving forward with the process and this item is just the first legislative step, which is the formal indication of the City's intention to appropriate the property if things go bad. He asked that this item be passed tonight, and in July 2022 there will be an Ordinance To Appropriate, which is the second step, and the third step would be filing an action in court if needed.

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

Mr. Shaw moved to adopt; Mrs. Baker seconded the motion. On a call of the vote, Mrs. Byrge, Mr. Otto, Mrs. Kitchen, Mr. Webb, Mr. Shaw, Ms. Baker, and Mr. Campbell voted yea; none voted nay. The motion passes 7-0.

## 12. City Official Reports and Comments

Mr. Otto said the Culture and Diversity Citizen Action Commission did a great job in putting together some wonderful events, and he is looking forward to seeing those events grow in the future. He said there has been a lot of dust up concerning the City Manager issue. He said he has to agree with a lot of what has been said concerning the City overlooking what on paper has appeared to be the single most qualified candidate in the final four, and the only candidate that has not received the courtesy of an up or down vote. He said he knows the Mayor thinks it is important to have eight members present to vote on this position, but said he thinks it is very important to have at least five Councilmembers in support of a candidate.



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