

RECORD OF PROCEEDINGS

Minutes of

Huber Heights City Council

Meeting

www.pjpettibone.com FORM NO. 10148

In Council Chambers
Held 6131 Taylorsville Road August 8, 20 22

1. Call The Meeting To Order - Mayor Jeff Gore

The Huber Heights City Council met in a Regular Session on August 8, 2022. Mayor Jeff Gore called the meeting to order at 6:00 p.m.

2. Invocation - Pastor Mister Raby Of The New Seasons Ministry At 5711 Shull Road, Huber Heights, Ohio

3. Pledge Of Allegiance

4. Roll Call

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

5. Approval Of Minutes

- A. City Council Meeting Minutes - July 25, 2022

6. Special Presentations/Announcements

- A. Huber Heights Arts And Beautification Commission 2022 Yard Beautification Awards Presentation - Mayor Jeff Gore And The Huber Heights Arts And Beautification Commission

Mayor Jeff Gore and representatives from the Huber Heights Arts and Beautification Commission presented awards to the winners of the 2022 Huber Heights Yard Beautification Awards. The Mayor's Award was presented to Gary Shewman and Matthew Collins of 7279 Cohasset Drive. The Bee Friendly Award was presented to Mr. and Mrs. Shrewsbury of 8502 Gateview Court. Although not present, the Best Business Award will be awarded to Roosters at 5571 Merily Way.

- B. Introduction Presentation – Mr. Jason Enix. Huber Heights City Schools Superintendent

Mr. Jason Enix introduced himself to Council and the public. He acknowledged Mrs. Shannon Weldon, a Huber Heights City Schools board member, for being in attendance. Mr. Enix said he is a 1993 graduate from Wayne High School. He discussed his career history and his path forward as Superintendent of Huber Heights City Schools. He gave a presentation on the Huber Heights City Schools strategic plan, Transcend 2026. He discussed the importance of continuing to develop existing and creating new business relationships in the community. He said meetings are open, transparent, and live-streamed. He said in addition to minutes and videos, a document is provided through public relations that summarizes the key things that are happening within the meetings. He said it was a pleasure to be back at Huber Heights City Schools.

Mrs. Byrge said there is state funding for school security and she said up to \$50,000 is being awarded for each school building. She asked Mr. Enix what his vision is for taking advantage of those funds.

Mr. Enix talked about the safety measures already in place. He said police officers were receiving training today to open doors because the doors require special tools. He said the Business Manager and Operations Director are currently looking to see what funds could be available and how these funds could be used. He said that issue is still under review.

RECORD OF PROCEEDINGS

Minutes of

Huber Heights City Council

Meeting

www.pfpettibone.com FORM NO. 10148

In Council Chambers

Held

6131 Taylorsville Road

August 8, 2022

7.

Citizens Comments

Mr. David Gompers said he is adding three people to his list of Huber Heights government and business leaders hall of fame - Mr. John Souders, Mr. John Geiger, and Mr. Mark Campbell. He said he was putting Mark Campbell between Charles Huber and Charlie Monita, and said without these people, Huber Heights would be part of Dayton. He said something should be done to recognize such individuals and he asked if this is something that could be discussed.

Mayor Gore said this item could be a discussion in a Council Work Session to determine how to celebrate these people. He said there are already athletic and performing arts halls of fame for Huber Heights.

Mr. Matthew Truman said he is proud Huber Heights has a Veterans Memorial. He said at the August 1, 2022 Council Work Session, Mayor Gore introduced the discussion to blend some of the boards and commissions together, namely the Arts and Beautification Commission and the Military and Veterans Commission. He said the Mayor said the M Military and Veterans Commission has not met the last three times. He said he was infuriated while watching the meeting and a lot of things were said that seemed like some were blaming the citizens for not stepping up. He said an idea was stolen from community volunteers and many veterans over politics. He discussed the non-profit Huber Heights Veterans Project (HHVP) and he said because he spoke out on his personal time about City government, the non-profit was boxed out. He said Mayor Gore led an initiative to crush the non-profit, and he created the Military and Veterans Commission, which partnered with other non-profits to bring the military banners program to the City. He said the City Manager at the time denied the plan for the banners. He said the City most certainly chooses who to partner with, and it is all done behind closed doors. He read his opinions on those subjects.

Ms. Baker asked Mr. Truman's address.

Mr. Truman said he does not currently live in Huber Heights. He said he had lived in Huber Heights for 37 years, he volunteered for the park cleanup initiative way back in 2007, he sat on the Huber Heights Charter Review Commission, and he has volunteered all over the City. He asked Ms. Baker where she volunteers.

RECORD OF PROCEEDINGS

Minutes of

Huber Heights City Council

Meeting

www.pfpettibone.com FORM NO. 10148

In Council Chambers

Held

6131 Taylorsville Road

August 8, 2022

Ms. Baker said she volunteers at St. Peter School as a Sunday School Teacher, she is a 4-H advisor, and she has picked up trash.

Mr. Truman read Mayor Gore's statement inviting him to attend a City Council Meeting and speak on this matter, and he said now Mayor Gore has nothing to say. He thanked Mayor Gore for proving him right.

Mayor Gore said he and Mr. Truman have had many discussions, and there was nothing he could do to change Mr. Truman's mind. Mayor Gore said Mr. Truman was telling everyone watching that he knows what his intentions were. He said lots of discussion went on, and Council voted yes to approve the Military and Veterans Commission. He invited Mr. Truman to go back and watch every news broadcast when the commission was formed. He discussed the history of the creation of the Military and Veterans Commission. He said public documents are available for everyone to read. He said in October, 2019 Mr. Truman stood at the podium and thanked Council for creating the Military and Veterans Commission. He said he was not sure why he is so angry now. He said everything Mr. Truman is saying is conjecture on his part and he should acknowledge that everything he is saying is just his opinion. He said there are videos, minutes, and documents that show exactly how everything was formed. Mayor Gore said regarding the banners, Mr. Schommer talked to Mr. Keagan Miller regarding the banners. He said the City charges \$165 to purchase a banner, and the cost for the City to do the work and pay fees for the poles is over \$300. He said he was not at the meeting, but he was told that people probably would not spend \$350 for a banner and people would have to pay more than that for the non-profit to make a profit.

Mr. Truman said Mayor Gore is just regurgitating what he was told by the City Manager, and the Mayor let the City Manager go because of the Huber Heights Veterans Memorial. He asked Mayor Gore if the City Manager lied to him about the granite for the memorial.

Mayor Gore said the City Manager said some things that were not true.

Mr. Truman said maybe perhaps the City Manager lied about other things as well.

Mayor Gore said he did not give Mr. Schommer an inquisition, he knew what the City Manager told him, he knew how it played out, and no one had any problems with it except for Mr. Truman. He said Ms. Plewe approached him about starting the commission. He said whatever he said is on video and the newscast.

Mr. Truman read a text message from Mayor Gore regarding issues with the Mayor posting about the memorial and stating he led the initiative to start the commission. He said the Mayor got angry over his podcast and crushed the organization. He said the Mayor volunteered to be the group's treasurer and when he was denied, he began changing things.

Mr. Otto said he appreciates all the efforts of the HHVP and he appreciates the time Mr. Truman spent. He said he had no concerns about the money he spent because he felt it was for a good purpose. He said to conjecture, it happens all the time and to not take that wrong. He said a lot of people had different beliefs as to why he missed a City Council Meeting. He said he appreciated Mr. Truman's stance on veterans in Huber Heights.

Mr. Truman said the reason he is here is he was told by the Mayor that this commission was not going to be just about building the memorial, that it

RECORD OF PROCEEDINGS

Minutes of

Huber Heights City Council

Meeting

www.pfpettibone.com FORM NO. 10148

In Council Chambers

Held

6131 Taylorsville Road

August 8, 20 22

would be helping everybody and doing other initiatives like the HHVP was going to do. He said now, the Mayor is going to fold it in because his initiative did not work and the Mayor watched it not work and now veterans that could get help from the City because the Mayor took it over, will not. He said it sucks and it is wrong.

8. Citizens Registered to Speak on Agenda Items

Clerk of Council Anthony Rodgers said one citizen is registered to speak on Item 10-C.

9. City Manager Report

Interim City Manager Bryan Chodkowski said the water main work on Cruixten Drive has been sent over to the contractor for scheduling so that it is now part of the 2022/2023 Water Main Replacement Program. He said Council should expect an update from the Law Director at the next Council Work Session regarding the well field property acquisition. He said authorizing legislation to solicit design services for the 2023 Water Main Replacement Project is also expected before Council in September, 2022. He said hydrant flushing began last week and will continue through the week of October 7, 2022, and the schedule is on the City's website. He said the City's Comprehensive Development Plan is being updated, and City Staff are looking for citizen input. He said anyone interested can visit the City's website and comment on the City's Comprehensive Development Plan. He said the 2023 City Budget planning has started. He said items such as the website redesign and the sidewalk along Brandt Pike at Thomas Cloud Park will be included as part of the 2023 City Budget. He said on Friday at the Eichelberger Amphitheater, the band Nasty Bingo will be playing and food trucks will be present.

Mr. Otto asked how many streets for water main replacement will be completed by the end of next year?

Mr. Chodkowski said a fixed amount is budgeted, and how many streets that amount will cover is what gets done. He said the City can start designing for the 2023 work now and order the pipe late this year or early next year.

Mrs. Byrge asked the status of the Age Friendly Community Grant?

Mr. Chodkowski said he will talk to Parks Manager Josh King and he will send an email out to Council.

Mr. Shaw said an email was sent out regarding the volume of noise levels at the Eichelberger Amphitheater. He asked if the Police Division or City Staff had received multiple complaints?

Mr. Chodkowski said he is not prepared to answer that question at this time, but he will put together the information and provide Council with an update via email.

Mr. Shaw said he would like that matter publicly addressed at the next Council Work Session.

10. Pending Business

- A. An Ordinance To Approve A Basic Development Plan And Rezoning To Planned Office (PO) For The Property Located At 7611 Old Troy Pike And Further Identified As Parcel Number P70 04005 0140 On The Montgomery

RECORD OF PROCEEDINGS

Minutes of

Huber Heights City Council

Meeting

www.pfpettibone.com FORM NO. 10148

In Council Chambers

Held

6131 Taylorsville Road

August 8, 20 22

County Auditor's Map And Accepting The Recommendation Of The Planning Commission (Case BDP 22-13).
(second reading)

Mr. Chodkowski said this item is for a medical facility with a walk in emergency room located in the parking area of Rural King.

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

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

Mr. Otto said he appreciates the developers listening regarding the additional curb cut on Taylorsville Road.

Mr. Shaw thanked the developers for listening to the concerns of Council and working with Rural King. He said he would like an update at the next Council Work Session regarding enforcement activity against Rural King.

Mr. Chodkowski said something will be put together for the Council Work Session.

On a call of the vote, Ms. Baker, Mr. Campbell, Mrs. Byrge, Mr. Otto, Mrs. Kitchen, Mr. Webb, and Mr. Shaw voted yea; Mr. Lyons voted nay. The motion passes 7-1.

- B. An Ordinance To Approve A Major Change To The Basic Development Plan For The Property Located At The Northeast Corner Of Old Troy Pike And Taylorsville Road And Further Identified As Parcel Number P70 04005 0015 On The Montgomery County Auditor's Map And Accepting The Recommendation Of The Planning Commission (Case MJC 22-21).
(second reading)

Mr. Chodkowski said this item is for Sheetz gas station. He said there was a request to make changes to the adopted legislation.

Mr. Rodgers said there is an amended ordinance in the packet to replace the ordinance that appeared at the first reading. He said the amended Ordinance includes an Exhibit A, which is the amended site plan which excludes the car wash. He said Council's action tonight would be to amend the ordinance, to replace it with the amended ordinance and Exhibit A, followed by a vote on adoption.

Mr. Campbell moved to amend; Mrs. Byrge seconded the motion.

Mr. Shaw said he still stands by his comments at the Council Work Session regarding this business being placed at the intersection. He said it has been further verified through the City that this intersection has the highest crash rate per capita in the City, and in his opinion, the City will be adding to these safety concerns. He said there is a road improvement plan ahead; however, there is no traffic impact study to state it will lessen or maintain the current impact study. He said the traffic impact study supplied in the meeting packet is contradicted by City Staff's information along with the Police Chief on crashes that have occurred there throughout the past several years. He said this development is not part of the original plan presented to Council and the Planning Commission, which he believes, for several reasons, is why the Planning Commission did not unanimously approve this project. He said he believes this one got snuck in. He said this community does not need another gas station as information has been provided by City Staff that the City is

RECORD OF PROCEEDINGS

Minutes of

Huber Heights City Council

Meeting

www.pfpettibone.com FORM NO. 10148

In Council Chambers

Held

6131 Taylorsville Road

August 8, 20 22

already over the number of gas stations per capita. He said these concerns are supported by his constituents as well.

Mr. Otto said a gas station of this caliber is not going to be a positive thing from a traffic standpoint. He said the brand is top-notch. He said he hopes the traffic lane changes will open this area up. He said he is concerned about the growing number of gas stations and he thinks there are more to come.

On a call of the vote, Mr. Campbell, Mrs. Byrge, Mr. Otto, Mrs. Kitchen, Mr. Webb, and Ms. Baker voted yea; Mr. Lyons and Mr. Shaw voted nay. The motion passes 6-2.

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

- C. An Ordinance To Approve A Basic Development Plan For The Property Located At 6209 Brandt Pike And Further Identified As Parcel Number P70 03912 0140 On The Montgomery County Auditor's Map And Accepting The Recommendation Of The Planning Commission (Case BDP 22-25). (second reading)

Mr. Chodkowski said this item is to approve a Basic Development Plan for 135 market rate senior apartments and 192 market rate multi-family units. He said it was the recommendation at the Council Work Session to adopt this item.

Ms. Baker moved to adopt; Mr. Campbell seconded the motion.

Mrs. Janet Hart said she is the president of the Huber Heights Senior Center Board of Trustees and she introduced two other members. She said she has a great vision for a new Senior Center. She said the Senior Center is a second home for her. She said she has five pages of needs for the Senior Center, not wants. She said as seniors, they have lived in the area, worked in the area, raised their families, and paid dues and taxes in this area. She said there are lots of programs they would like to have but cannot because they do not have the space. She said the seniors have to lift tables and chairs to setup for events. She said the Senior Center is really important to this community.

Ms. Baker asked Mrs. Hart to make sure Mr. Rodgers receives the list of needs to distribute to Council.

A board member from the Senior Center talked about her passion for the Senior Center. She said the seniors are so wonderful and so into the community and sometimes this location is the only place for them to go. She said she appreciates anything Council can do for the seniors.

Mr. Otto said he is looking forward to this project and this is a project he has been passionate about for a lot of years. He thanked the members of the Senior Center for their appearance.

Ms. Baker asked Mr. Chodkowski if Sarah Williams could help get the word out about the Senior Center activities. He said he would be happy to put forward information that comes to City Staff.

Mr. Campbell said there are a lot of elected officials who have had a vision over a number of years and seeing it come to reality is special. He said without an end user that was willing to invest \$40 million on this project, it would not have happened, and without Bryan Chodkowski at the helm, the

RECORD OF PROCEEDINGS

Minutes of

Huber Heights City Council

Meeting

www.pfpettibone.com FORM NO. 10148

In Council Chambers

Held

6131 Taylorsville Road

August 8, 2022

11.

New Business

CITY COUNCIL

Anthony Rodgers, Clerk of Council

- A. A Motion To Appoint Samuel Richardson To The Tax Review Board For A Term Ending December 31, 2023.

Mr. Rodgers said the background check has been completed by Human Resources and this appointment is the recommendation of the City's interview panel.

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

Mrs. Byrge moved to adopt; 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.

- B. A Motion To Appoint Jeffrey Held To The Military And Veterans Commission For A Term Ending December 31, 2024.

Mr. Rodgers said the background check with Human Resources has been completed. He said Mr. Held was appointed earlier this year as an ex officio member to the Military and Veterans Commission and he has since established his electorship and residency in Huber Heights.

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

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

Mr. Otto said he appreciated Mr. Held's willingness to take the extra step to make the residence change, become an elector of the City, and to join this commission full on.

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.

ADMINISTRATION

Bryan Chodkowski, Interim City Manager

- C. A Resolution Authorizing The City Manager To Contract With The Impact Group For Municipal Communication Services.
(first reading)

Mr. Chodkowski said this contract is to help the City gauge community understanding in matters getting ready to come before the electorate.

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

RECORD OF PROCEEDINGS

Minutes of

Huber Heights City Council

Meeting

www.pfettibone.com FORM NO. 10148

In Council Chambers

Held 6131 Taylorsville Road

August 8, 20 22

Mr. Shaw said he had a meeting with the City Manager, and if the passing of this item to a second reading was based upon that meeting, that issue has been satisfied, and he would be ready to vote on this item tonight.

Mr. Shaw moved to adopt; Mr. Campbell seconded the motion. On a call of the vote, Mr. Webb, Ms. Baker, Mr. Campbell, and Mrs. Byrge voted yea; Mr. Shaw, Mr. Otto, Mr. Lyons, and Mrs. Kitchen voted nay. Mayor Gore cast the tie-breaking yea vote. The motion passes 5-4.

- D. An Ordinance Amending Ordinance No. 2021-O-2511 By Making Supplemental Appropriations For Expenses Of The City Of Huber Heights, Ohio For The Period Beginning January 1, 2022 And Ending December 31, 2022.
(first reading)

Mr. Chodkowski said this supplemental appropriations item provides funding for three additional firefighters. He said it was the Council Work Session recommendation that the second reading be waived and this item be adopted.

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

Mr. Campbell moved to adopt; Mr. Lyons 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.

Mr. Lyons asked Mr. Chodkowski if it is his intention to hire the firefighters as soon as City Staff is able to fill those positions.

Mr. Chodkowski said as soon as the applicants meet all the requirements that are mandated, the individuals will be hired.

Mr. Lyons said he understood from the meeting with Mr. Campbell, Mr. Chodkowski and City Staff, the closest possible time for hiring would be December 2022 due to the contractual requirements of firefighters as well as the City's employee personnel manual. He said he did find out after the meeting and after reading the contract with the firefighters and the union, that there was nothing in the contract about the hiring of firefighters, and he did not know that information at the meeting. He said the requirement for hiring firefighters is solely in the area of the employee personnel manual, and it is his understanding the employee personnel manual is a policy of Council. He said it is up to Council if the City is going to hire the additional firefighters sooner as opposed to later. He said he wanted to share that information.

- E. A Resolution Authorizing The City Manager To Enter Into A Memorandum Of Understanding With The Huber Heights City Schools And To Continue The School Resource Officer Program.
(first reading)

Mr. Chodkowski said in addition to the two existing School Resource Officers the City and the Huber Heights City Schools have partnered on, this particular Memorandum Of Understanding would empower a third School Resource Officer with adoption of the 2023 City Budget.

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

RECORD OF PROCEEDINGS

Minutes of

Huber Heights City Council

Meeting

www.pjpettibone.com FORM NO. 10148

In Council Chambers

Held

6131 Taylorsville Road

August 8, 2022

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

Mr. Otto said he is absolutely in support of this item and he is looking forward to having a meeting with the schools soon.

Mr. Shaw said his objection still stands on passing this item as the current Memorandum Of Understanding is in effect until October 15, 2022. He said it is his opinion that Council has plenty of time to schedule a joint meeting between the City and Huber Heights City Schools. He said it is his opinion the schools need more School Resource Officers available. He said it sounds like all parties agree they need to have a meeting, there just has not been one. He said it is his hope Council is able to pass this item off to get additional research on the previous Memorandum Of Understanding, the financial assets of the school district and the willingness to increase that number for the safety and security of all of the students.

Mayor Gore said Mr. Rodgers was diligent in trying to schedule previous joint meetings. He said he does not think that was anything to do with Council or the board members, he thinks it was the previous superintendent.

Mr. Shaw said Mr. Enix has been in the school district about two months now, and it is his hope the joint meeting can be scheduled quickly.

Mrs. Byrge said she hopes Council has an opportunity to provide feedback on the agenda items for that joint meeting.

On a call of the vote, Mr. Campbell, Mrs. Byrge, Mr. Otto, Mr. Lyons, Mrs. Kitchen, Mr. Webb, and Ms. Baker voted yea; Mr. Shaw voted nay. The motion passes 7-1.

- F. A Resolution Authorizing The City Manager To Increase The Not To Exceed Amount For Emergency Community Notification Services For Calendar Year 2022.
(first reading)

Mr. Chodkowski said this legislation is to reconcile the City's financial rules to account for the delayed invoicing of 2022 CodeRED services.

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

Mr. Campbell moved to adopt; Ms. Baker 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.

- G. A Resolution Declaring The Necessity Of Repairing Sidewalks, Curbs, Gutters, Driveway Approaches And Appurtenances Thereto On Portions Or All Of Certain Streets In The 2023 Sidewalk Program, Providing That Abutting Owners Repair The Same.
(first reading)

Mr. Chodkowski said this item is annual recurring legislation and it is the preliminary notice to residents impacted by the 2023 Sidewalk Program.

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

Mr. Otto moved to adopt; Mr. Webb seconded the motion. On a call of the vote, Mr. Otto, Mr. Lyons, Mrs. Kitchen, Mr. Webb, Mr. Shaw, Ms. Baker,

RECORD OF PROCEEDINGS

Minutes of

Huber Heights City Council

Meeting

www.pfpettibone.com FORM NO. 10148

In Council Chambers

Held

6131 Taylorsville Road

August 8, 20 22

Mr. Campbell, and Mrs. Byrge voted yea; none voted nay. The motion passes 8-0.

- H. A Resolution Authorizing The City Manager To Solicit, Advertise, And Receive Bids From Qualified Firms For The Installation Of Bus Shelters At Four Different Locations.
(first reading)

Mr. Chodkowski said this legislation is to place four bus shelters in the City, two of which will be located on Brandt Pike in front of the new library. He said this program is being funded by a grant through RTA, and RTA will be providing 80 percent reimbursement of the \$90,000.00 cost for this project.

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

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

Mr. Otto said he has seen solar panels on some other shelters, but he has never seen the shelters lighting up.

Mrs. Byrge said someone has to enter the bus stop for it to light up.

Mrs. Kitchen said she has seen bus shelters with benches all the way across. She asked if the new bus shelters will have room for a wheelchair on Brandt Pike because there are a number of residents in apartments on Brandt Pike who are disabled.

Mrs. Byrge said the recently installed bus shelters have a partial seat.

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.

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

Mr. Chodkowski said this legislation authorizes the application of a grant which will help support the widening of Fishburg Road in a location where it is currently bottlenecked due to improvements on the east and west side of this segment. He said it was the recommendation at the Council Work Session that this item be adopted.

Mr. Campbell moved to adopt; Ms. Baker seconded the motion.

Mr. Lyons said the term "execute contracts" is in this legislation. He said this item is an application process and he asked about the amount expected to be expended on this particular project.

Mr. Chodkowski said it is his understanding this is for the application to the program and he said he does not have that information available.

Mr. Lyons asked what percentage of this application would be paid for?

Mr. Chodkowski said he would have a conversation with the City Engineer to get that information.

RECORD OF PROCEEDINGS

Minutes of

Huber Heights City Council

Meeting

www.pfpettibone.com FORM NO. 10148

In Council Chambers

Held

6131 Taylorsville Road

August 8, 20 22

Mr. Lyons said this legislation is to execute contracts for money which Council does not know how much and it is solely up to the discretion of the City Manager, and he is opposed to the term "execute" and he will be voting no.

Mr. Rodgers referred to Section 2 and he said what he thinks "execution" is referring to is the City Manager is further authorized to enter into any agreements as may be necessary or appropriate with Ohio Public Works Commission (OPWC) to obtain financial assistance for the Fishburg Road Widening Project. He said the execution of contracts or agreements is in reference to the grant application.

Mr. Chodkowski said this item is not for the construction, it is for the application of the grant itself.

Mr. Rodgers said if Council wanted to consider a change, maybe it would just be in the title changing "execute contracts" to "execute agreements".

Mr. Lyons said he is for this grant application and the project. He said the word "execute" gives him the jitters. He asked for clarification of Section 5 regarding costs exceeding the estimate and which, therefore, exceed the grant amount.

Mr. Chodkowski said that is a requirement of the OPWC, so that if the grant is awarded, the City agrees it will pay the balance. He explained the statement. He suggested Council might be amenable to amend the legislation to strike "those provisions authoring the execution" and to replace it with "to make the application." He said, if awarded, City Staff will come back to Council and receive Council permission to accept the grant.

Mr. Lyons said as long as the item comes back to Council, he would be in complete agreement.

Mr. Campbell withdrew his motion to adopt; Ms. Baker withdrew her second.

Mr. Lyons moved to amend; Mr. Campbell seconded the motion.

Mayor Gore said the legislation is being amended to take out "executing contracts" and "to make application for the grant".

Mr. Shaw asked to confirm that the word "execute" would be removed from the title in Section 8 as well.

Mr. Chodkowski said any reference to the authority to execute the documents will be removed is the proposal he is suggesting, and that City Staff will just have the ability to make application.

Mrs. Byrge said, in looking back at the Council Work Session, submitting the application was discussed.

Mr. Chodkowski said he acknowledges the concern, and it is heard, but at the same time, he wants to be conscientious of the timelines and requirements to submit the application on time.

Mrs. Kitchen asked if the timing worked, would the City receive the study back regarding the water lines before accepting the grant. She said this work is in the area where there are water main breaks. She asked if water lines would be replaced while doing this project.

RECORD OF PROCEEDINGS

Minutes of

Huber Heights City Council

Meeting

www.pfpettibone.com FORM NO. 10148

In Council Chambers

Held 6131 Taylorsville Road August 8, 20 22

Mr. Chodkowski said there is a tight time window and the award would happen in the first quarter of the next year and there is a limited time to spend the funds. He said it is possible that the information might be received in time to accommodate if there were issues identified in that study, but he does not know that for sure until the actual process runs its course and the information is back from the study.

Mrs. Kitchen said she would hate to do all this work and then the water line needs to be replaced on Fishburg Road since it is in the general vicinity, and if Fishburg Road is on the list later down the road, that road could be moved up on the list.

Mr. Chodkowski said the application needs to be made in a timely manner, and it is not uncommon based on deadlines and timelines for Council meetings to be offset. He said it is important to make sure the application is submitted on time.

Mayor Gore said this discussion was had in the Council Work Session while Russ Bergman was in attendance regarding the process, timeframe, and concern about the water lines, and there were no objections to moving this item on.

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.

Mr. Campbell moved to adopt; Mrs. Byrge 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.

- J. An Ordinance Amending Section 922.27 Of The Codified Ordinances Of Huber Heights By Increasing The Monthly And/Or Annual Stormwater Sewer Rate Beginning October 1, 2022, Again October 1, 2023, And Providing An Annual Adjustment To The Rate Thereafter.
(first reading)

Mr. Chodkowski said this item was discussed at the last Council Work Session, and there were some questions and comments from Council. He said City Staff addressed the majority of those issues, and it was recommended this item be moved to a second reading.

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

12. City Official Reports and Comments

Mr. Shaw said he would like to publicly thank Mr. Chodkowski and City Staff for providing the necessary resources, documents, and information regarding water infrastructure and ARPA funding for his NLC meeting with HomeServe. He said City Staff is working on information for him for November, 2022 as he will be attending a housing panel discussion on growth, ability, City ordinances, and things of that nature. He said City Staff are supplying information to share nationally.

Mayor Gore said Mr. McManus, Montgomery County Treasurer, will be at the next City Council Meeting to give a presentation and for a discussion on property taxes.

RECORD OF PROCEEDINGS

Minutes of

Huber Heights City Council

Meeting

www.pfpettibone.com FORM NO. 10148

In Council Chambers

Held 6131 Taylorsville Road


August 8, 20 22

13. Executive Session

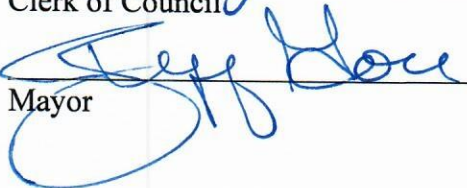
There was no need for an Executive Session.

14. Adjournment

Mayor Gore adjourned the Regular Session City Council Meeting at 8:02 p.m.


Clerk of Council

9-13-22
Date


Mayor

9/14/22
Date