

RECORD OF PROCEEDINGS

www.pfettibone.com FORM NO. 10148

In Council Chambers

Held 6131 Taylorsville Road September 12, 20 22

1. Call The Meeting To Order - Mayor Jeff Gore

The Huber Heights City Council met in a Regular Session on September 12, 2022. Mayor Jeff Gore called the meeting to order at 6:00 p.m.

2. Invocation - Pastor Randy Griffith Of The Free Methodist 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, Ed Lyons, Anita Kitchen, Don Webb, and Mayor Jeff Gore.

Absent: Glenn Otto

Mayor Gore said Mr. Otto gave notice and he requested that his absence be excused.

Mr. Shaw moved to excuse Mr. Otto's absence; Mr. Lyons seconded the motion. 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.

5. Approval Of Minutes

- A. City Council Meeting Minutes - August 8, 2022
- B. City Council Meeting Minutes - August 22, 2022

6. Special Presentations/Announcements

There were no Special Presentations or Announcements.

7. Citizens Comments

Mr. David Gompers said in fourteen months there has not been an answer regarding a traffic light at Taylorsville Road and Rustic Woods. He talked about traffic patterns and directions. He said the residents at Parktowne and at Carriage Trails Parkway have a traffic light. He said he was sure State Route 201 and Carriage Trails Parkway will have a traffic light before Rustic Woods and Taylorsville Road. He said there are no traffic lights anywhere except on the state routes. He said recognition for township leaders was his second point. He said he gave information to Mr. Rodgers listing 15 people he knows. He said projects like the storage facility with a couple of employees are not putting much money in the City's coffers. He said Sheetz would have been better on Brandt Pike rather than on Old Troy Pike. He said since the high-price houses are on the north side and the City owns 51 acres up there, the City could ask for a Dorothy Lane Market. He said if the City can borrow money to buy 51 acres of land, the City can borrow money to help with the interior streets. He said the streets are terrible and the street program is a little outdated. He said it is a good thing

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the City has good department heads who have a good work ethic and are able to get by without a full-time leader. He said the leaders on his list would never have let that position go vacant for so long, no offense intended. Mr. Gompers said Council will not see him again as he has other places to go. He said it has been enjoyable.

Mayor Gore said Council is aware of the things Mr. Gompers is interested in and he said things do not happen overnight. He said City Staff are overworked and he and Mr. Chodkowski are in communication every day. He said he firmly believes there should be a City Manager as well, it just was not in the cards this last time.

Mr. Vince King said he is a long-term volunteer with the Parks and Recreation Board. He said he was there to talk to Council about a recent discussion about the City's boards and commissions. He said he has several suggestions. He said he would like to see increased communication with City Council and the boards and commissions. He said he sees Councilmembers out and he talks to them, but as a body, he does not receive that communication. He said the board and commission members need to know what they are doing well and what Council would like to see next year. He said Council has been talking about empowering the boards for several years, but some areas have been pulled back. He said he would like to see City Council empower the boards and commissions and allow the members to be full-time contributors to things that govern how the members work, which includes the board and commission handbook and the City Charter. He said "thank you" goes a long way when it comes to volunteers who put in countless hours to put on a lot of the events and shows. He thanked City Staff and he said, without their hard work, a lot of the events would not happen. He asked Council not to forget to thank City Staff.

Mayor Gore said the City has a Parks and Recreation Manager and he asked if the Parks and Recreation Manager picks the bands and costs, or does the Parks and Recreation Board have recommendations and input? He said Council hires a City Manager and the City Manager promotes the person to be the Parks and Recreation Manager who should be directly involved with the board in making decisions. He said that is how the empowerment of Council works. He recommended that Council get a very clear picture of what the chain of command looks like so the board feels empowered. He said if there is not a clear policy on how this decision-making works, then that policy needs to be established quickly.

Mrs. Byrge said she would like the role of Staff Liaison spelled out. She said her understanding is the Staff Liaison is to keep the members of the board within the parameters and rules that have been spelled out and not to say you can do this and you cannot do that. She said Mr. King does a tremendous job, and Council probably has not said it enough. She said Council has empowered the boards and commissions, and if something is keeping the members from doing their jobs, she would like to have some examples of what that something is.

Mr. King said he is talking about empowerment from a City Council perspective. He said it has been talked about at City Council Meetings, but no one has sent him anything in writing to say this is what he should be doing. He said the Staff Liaison for the Parks and Recreation Board is Chris Lindeman. He said he works well with Mr. Lindeman, Mr. King, and others. He said he provided a priority list to Council, but he does not see

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Council talking about that list following those meetings. He said Mr. King has added those items to the Capital Improvement Plan, but Council has not re-prioritized it or anything. He said the priority list was started in 2018 or 2019. He said he sent it last year to Mr. Rodgers to send to Council, but he has not seen anything happen since then. He said things have gotten done, but he does not see Council taking action on the recommendations. He said there are other decisions made such as creating special committees, but no one comes to the main board or commission first to see if this is something that can be looked into. He further discussed his issues.

Mr. Shaw said in 2018 or 2019, Council had serious discussions on the reintroduction of a marriage between the City and the YMCA and what that would look like. He said Council, some members of the community, and some members of the Parks and Recreation Board said that relationship was not working out the way it was supposed to. He said the City Manager and City Staff put together a long list of things the City was going to hit and the YMCA was going to hit. He said it has been a few years since he has seen that topic addressed. He said the review needs to start there. He said during that rocky time period is when the Parks and Recreation Manager position was created. He said he agrees with Mr. King on empowerment and communication. He asked if the Parks and Recreation Board ever discussed the expansion of Thomas Cloud Park.

Mr. King said it was not discussed, but that was probably because the board had not had the last two meetings.

Mr. Shaw said that is a pretty huge deal, and this Council never received feedback from the Parks and Recreation Board. He said if Council needs to hold special meetings with the Staff Liaisons, Chairs, and Vice Chairs, he is open to doing so. He said Council can be proactive rather than reactive. He said he would like a review of the relationship with the YMCA to see what the City, the residents, and the Parks and Recreation Board are getting out of that relationship. He asked if there are things available to the board and the community that the City may not know about.

Mr. King said there is a great marriage between the City and the YMCA. He said the YMCA Staff does a great job with the Kroger Aquatic Center, shelter reservations, and all those things. He said Mr. Lindeman and the YMCA Staff have stepped up and are offering classes at no cost. He said the board has Mr. King and Mr. Lindeman and there are two different focuses. He said the marriage was perfect and everyone was working together.

Mr. Shaw said Mr. Lindeman, Mr. King and the City were working on a fundamental way to enhance the shelter and park rental availability and become more digitized. He asked where that project stands?

Mr. King said they tried a system for reserving the Huber Heights Community Center, but the YMCA's system does not allow communication that way, but that is a conversation they will have to have. He said technology for the parks has been on his priority list.

Mr. Campbell thanked Mr. King. He said he remembers when the priority list was created and it was so large it had to be prioritized into A and B lists. He said Council is built to address those recommendations. He said the Parks and Recreation Board is built to come up with recommendations.

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He said what he and Mr. Shaw need to do a better job of is not waiting four years to revisit some of the things talked about. He committed to being available and to doing a better job responding to the board's recommendations. He said the list of 60 items was necessary, and the list has shrunk because Council has empowered, funded, and caused a lot of those corrections to be made. He said most all of the assets the taxpayers own are public, such as parks and those types of things. He said Mr. Chodkowski is working on a plan and working with contractors to assess the City's assets, and he will empower the organization to better care for the assets. He asked if the Parks and Recreation Board could work with City Staff to incorporate it into some of the recommendations.

Mr. King said he believes so now that he knows where Council wants the board to go.

Mr. Campbell said one of the items Council wrestled with for the 60 item list was funding. He said the Rose Music Center is a revenue source and as the list went down, the revenue went up. He said Council has the ability to cause and fund change to occur. He asked Mr. King to continue coming to Council and giving presentations.

Mr. King said there is a schedule now, and the first update will be in November, 2022. He said when possible, he would either present or email his review.

Mr. Campbell asked Mr. King to give the presentation in person and to provide the list so Council can have dialogue back and forth with him. He said that process was successful in causing change and whittling the list down. He apologized if he had not been involved enough. He said he is glad to hear the relationship with the YMCA is good. He asked for any suggestions to enhance how the City can better administer things.

Mr. King said more staff is needed for the parks.

Mr. Campbell said the City has been fortunate to have a revenue stream like the Rose Music Center that brings in in excess of \$1 million per year. He encouraged Mr. Chodkowski to take Mr. King up on the recommendation for more staff for the parks.

Mr. King said he is looking into tapping into some of the youth resources.

Mr. Campbell asked Mr. King if the parks have improved during his tenure?

Mr. King said the parks had improved tremendously because there has been a change in the focus. He said he would like to see more feedback from Council.

Mr. Campbell said the best way to most accurately communicate is at the dais with Mr. King at the podium so everyone knows what each other is doing and thinking.

Mrs. Byrge said when school is in, a lot of kids are required to complete community service projects. She said maybe that topic could be put on the agenda for discussion when Council meets with the Huber Heights City Schools Board.

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Mrs. Kitchen said she would like to see the list of 60 items because that was prior to her coming onto Council. She said she would like to see the money coming in from the opioid settlement go to parks and recreation to be creative in serving at-risk youth. She said Mr. King would be great at spearheading this effort.

Mr. King said he would like for the City to tap into the Serve Ohio grants to use for activities. He said he did not know if that is something he can do as a volunteer or if he has to work with City Staff, but he will start having those conversations this week.

Mr. Webb said Mr. King is at every event along with many of his peers. He said it does not go unnoticed by anyone on Council. He said Council is only a Council when it is at the dais as a body. He said the gap that he sees is there really is not good communication between the boards and commissions and this body when it is sitting. He said that communication needs to be from the boards and commissions to Council and from Council to the boards and commissions. He said communication is empowerment. He said communication will definitely be the way Council says thank you to the boards and commissions.

Mayor Gore said until the asset management plan is done and the values are noted and City Staff has the ability to create a plan to put a budget to the priority list through capital improvements, Council is just shooting arrows in the dark. He said the last big budget number outside of projects that he remembers is the \$300,000 appropriated for parks and recreation back in 2018 for ADA-compliant park equipment.

Mr. Chodkowski said the City Engineer is interviewing firms on Wednesday and Thursday of this week to identify the best firm to develop an asset management program.

Mayor Gore said Council discussed a volunteer coordinator position a few meetings ago. He said Council cannot take its foot off the gas on that matter. He said extra staff was also discussed that could come on board and help with each one of the boards and commissions.

Ms. Baker asked that when Mr. King comes back, he tells Council how much the board had budgeted and how much money was spent on each event. She said the City needs to look into a scheduling system for the different park shelters and one that also recommends another shelter if one is not available. She asked when Mr. King comes back, he also tells Council how many people attended events and how much the event cost, so there is a ratio of how successful each event was. She said she heard the Young Marines, the 8th graders at St. Peter School, and the Girl Scouts have to do volunteer hours. She said she would get that information to Mr. King.

8. Citizens Registered to Speak on Agenda Items

There were no citizens registered to speak on agenda items.

9. City Manager Report

Interim City Manager Bryan Chodkowski said the final night of the Summer Movie Series is this Friday, September 16, 2022 from 7:00 p.m. to

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11:00 p.m. at the Eichelberger Amphitheater. He said the Ohio Department of Transportation (ODOT) has begun doing base repairs between the southern City limit and Fishburg Road. He said this work is in anticipation of the actual resurfacing, and the project should be completed within the next three weeks. He said City Staff is receiving bids on Friday, September 16, 2022 for the demolition of Dogtown and for the installation of RTA bus shelters. He said this weekend begins his profession's annual conference, and he will be in Columbus, Ohio and out of the office from Saturday morning through Wednesday afternoon. He said in his absence, Human Resources Director Katie Knisley will be serving as the Acting Interim City Manager.

Mr. Lyons said Mr. Chodkowski emailed him on September 6, 2022, concerning the roads in Ward 1 regarding the Quail Ridge development, Chambersburg Road asphalt, and 4821 Chambersburg Road. He said Mr. Chodkowski said it was discussed in the staff meeting that morning, but he did not follow up with Mr. Chodkowski. He asked if there was any action taken by City Staff, or an assessment to see if what was reported to him was accurate?

Mr. Chodkowski said he simply asked that the Public Works Manager review those concerns and follow up appropriately, and he can get a status report at the staff meeting tomorrow to determine whether or not this work is scheduled in the near future or the outcome of Mr. Gray's review.

Mr. Lyons said the gentleman that brought this matter to his attention is very unhappy and he has been asking him to be patient. He said before the gentleman shows up at a City Council Meeting, he would like to get that status update.

10.

Pending Business

- A.
- An Ordinance To Approve A Rezoning From Agricultural (A) To Planned Industrial (PI) And A Lot Split For The Property Located At 9416 Taylorsville Road And Further Identified As Parcel Number P70 03902 0018 On The Montgomery County Auditor's Map And To Not Accept The Recommendation Of The Planning Commission (Case RZ 22-17).
(third reading)

Mr. Chodkowski said in follow-up to the Council Work Session, the discussion and recommendation at that time was that Council postpone action on this item to January 9, 2023 City Council Meeting, to enable City Staff to prepare an appropriate zoning amendment to address this issue in a more permanent capacity.

Mayor Gore said the Council Work Session recommendation was to adopt a motion this evening to postpone action on Item 10-A to a fourth reading at the January 9, 2023 City Council Meeting. He said this item would also be on the agenda at the next Council Work Session and Aaron Sorrell would have information about this particular item at that time.

Ms. Baker moved to postpone action on Item 10-A to a fourth reading at the January 9, 2023 City Council Meeting; Mrs. Kitchen seconded the motion. On a call of the vote, Mr. Campbell, Mrs. Byrge, Mr. Lyons, Mrs. Kitchen, Mr. Webb, Mr. Shaw, and Ms. Baker voted yea; none voted nay. The motion passes 7-0.

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11. New Business

CITY COUNCIL

Anthony Rodgers, Clerk of Council

- A. A Motion To Appoint Paul Schaeffer To The Board Of Zoning Appeals For A Term Ending January 31, 2024.

Clerk of Council Anthony Rodgers said the background check on Mr. Schaeffer was completed. He said it was the recommendation at the Council Work Session to make this appointment.

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

- B. An Ordinance To Amend The Codified Ordinances Of The City Of Huber Heights, Ohio To Provide Amendments To Certain Sections Of The Traffic Code And To Certain Sections Of The General Offenses Code; To Provide For Codification; To Provide For Severability; And To Repeal Conflicting Ordinances.
(first reading)

Mr. Rodgers said this item is a routine item, and each year the City takes items that have been passed or adopted in the Ohio Revised Code that have an impact on the Huber Heights Codified Ordinances and brings those provisions into the City Code through codification. He said this item has been reviewed by the Law Director and Municode.

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

ADMINISTRATION

Bryan Chodkowski, Interim City Manager

- C. A Resolution Authorizing The City Manager To Enter Into A Contract For Wastewater Collection And Treatment Services With The City Of Fairborn.
(first reading)

Mr. Chodkowski said this item is in follow-up to extensive briefings provided to Council. He said the City of Fairborn is planning to take action on this item during its meeting on September 19, 2022. He said it was a recommendation at the Council Work Session that this item be adopted.

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

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- D. A Resolution To Increase The Not To Exceed Amount For The Purchase Of Firefighting Protective Equipment And Clothing With Phoenix Safety Outfitters For Calendar Year 2022 And Waiving The Competitive Bidding Requirements.

(first reading)

Mr. Chodkowski said this resolution is before Council for attention to ensure new personnel in the Fire Division are properly outfitted when hired. He said it was the recommendation at the Council Work Session that this item be adopted.

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

- E. A Resolution Authorizing The City Manager To Solicit, Advertise And Receive Bids From Qualified Firms For The Construction Of The Mardi Gras Drive Area Water Main Replacement Project.

(first reading)

Mr. Chodkowski said this item is associated with an Issue 2 grant, and this matter is for the solicitation, advertisement and receipt of bids only for the Mardi Gras Drive Area Water Main Replacement Project. He said it was the recommendation at the Council Work Session that this item be adopted.

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

- F. A Resolution Authorizing The City Manager To Solicit Requests For Proposals (RFP) From Qualified Engineering Consulting Firms To Provide Engineering Design For The 2023 Water Main Replacement Project.

(first reading)

Mr. Chodkowski said this item has been brought forward to make sure all the appropriate engineering designs are in place to expedite the 2023 Water Main Replacement Projects. He said it was recommended at the Council Work Session that this item be adopted.

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

- G. An Ordinance Amending Section 922.27 Of The Codified Ordinances Of Huber Heights By Increasing The Monthly And/Or Annual Stormwater Sewer Rate Beginning November 1, 2022.

(first reading)

Mr. Chodkowski said this item is to address the inflationary escalation of the stormwater fees over time. He said it was recommended at the Council Work Session that this item be passed to a second reading.

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

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- H. A Resolution Authorizing The City Manager To Award A Contract For Services Related To Providing Repair And Replacement Of Roadway Guardrail.
(first reading)

Mr. Chodkowski said this legislation is brought forth at the request of Public Works Manager to address numerous damaged guardrails throughout the City. He said it was the recommendation at the Council Work Session that this item be adopted.

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

12. City Official Reports and Comments


There were no City Official Reports and Comments.

13. Executive Session

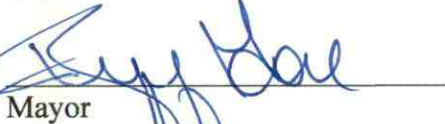
There was no need for an Executive Session.

14. Adjournment

Mayor Gore adjourned the Regular Session City Council Meeting at 7:08 p.m.


Clerk of Council

9-27-22
Date


Mayor

9/27/22
Date