

RECORD OF PROCEEDINGS

Minutes of

Huber Heights City Council

Meeting

www.pfettibone.com FORM NO. 10148

Held In Council Chambers
6131 Taylorsville Road October 10, 20 22

1. Call The Meeting To Order - Mayor Jeff Gore

The Huber Heights City Council met in a Regular Session on October 10, 2022. Mayor Jeff Gore called the meeting to order at 6:00 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, Ed Lyons, Anita Kitchen, Don Webb, Jeff Gore

After Roll Call, Mayor Gore said he did not think any Councilmembers would be frustrated if Council made it through the formal business meetings quicker. He said, in the past few City Council Meetings, Council has done a lot of rehashing discussion that should have taken place in the Council Work Sessions. He asked if it gets to a point in one of the formal City Council Meetings where Council is not sure of how to proceed or does not have enough information, rather than turning the meeting into another Council Work Session, that Council pass the item on to a second reading or move the item back to a Council Work Session instead of hashing it out again at the City Council Meeting. He said the City Council Meetings should be used as business meetings to pass legislation and the Council Work Sessions should be used for discussion. He said he would appreciate that cooperation. He said a few Councilmembers he has talked with would appreciate that as well.

5. Approval Of Minutes

A. City Council Meeting Minutes - September 26, 2022

6. Special Presentations/Announcements

There were no Special Presentations or Announcements.

7. Citizens Comments

There were no Citizens Comments.

8. Citizens Registered to Speak on Agenda Items

There were no citizens registered to speak on agenda items.

9. City Manager Report

Mayor Gore said Interim City Manager Bryan Chodkowski's son is being inducted into the National Honor Society tonight. He congratulated Mr. Chodkowski's son and said the National Honor Society is a big deal. He said Human Resources Director Katie Knisley is in attendance in Mr. Chodkowski's place.

Human Resources Director Katie Knisley said she did not have a City Manager Report.

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10. Pending Business

- A. An Ordinance Approving The Editing And Inclusion Of Certain Ordinances And/Or Resolutions As Parts Of The Various Component Codes Of The City Code Of Huber Heights, Ohio; Providing For The Adoption And Publication Of New Matter In The Updated And Revised City Code As Supplement 11; And Repealing Ordinances And Resolutions In Conflict Therewith.
(second reading)

Clerk of Council Anthony Rodgers said this legislation is to update the City Code with Supplement 11 which covers the second quarter of 2022.

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

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

- B. An Ordinance Providing For The Issuance And Sale Of Notes In The Maximum Principal Amount Of \$1,740,000, In Anticipation Of The Issuance Of Bonds, For The Purpose Of Paying The Costs Of Acquiring Certain Real Property Which Will Be Used As A Site For City Administrative Offices And Providing For General Site Preparation Thereof And Improvements Thereto, Together With All Necessary Appurtenances Thereto, And Declaring An Emergency.
(second reading)

Mrs. Knisley said she had no additional commentary and she asked for this item to be passed as emergency legislation.

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

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

- C. An Ordinance Providing For The Issuance And Sale Of Notes In The Maximum Principal Amount Of \$945,000, In Anticipation Of The Issuance Of Bonds, For The Purpose Of Paying The Costs Of Acquiring Certain Real Property Which Will Be Used As A Site For One Or More Governmental Facilities And Providing For General Site Preparation Thereof And Improvements Thereto, Together With All Necessary Appurtenances Thereto, And Declaring An Emergency.
(second reading)

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

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

- D. An Ordinance Providing For The Issuance And Sale Of Notes In The Maximum Principal Amount Of \$4,262,000, In Anticipation Of The Issuance Of Bonds, For The Purpose Of Paying The Costs Of Acquiring Approximately 19.5 Acres Of Real Property Near The Intersection Of Brandt Pike And Fishburg Road And Providing For The Site Preparation Thereof, All In Support Of Economic Development And Job Creation Within The City, And Declaring An Emergency.
(second reading)

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

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

11. New Business

ADMINISTRATION

Bryan Chodkowski, Interim City Manager

- A. A Motion To Direct The City Manager To Initiate An Application For Proposed Text Amendments To The Planning And Zoning Code Regarding Special Uses To The Planning Commission.

Mrs. Knisley said Mr. Sorrell added the proposed text amendments in his memorandum that he would like to see go to the Planning Commission. She said those text amendments would come back to Council for final approval.

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

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

Mr. Lyons asked if the proposed amendments include changing the Agricultural District to allow uses such as an automotive repair and maintenance facility.

Mayor Gore said that proposed change was part of the text amendments reviewed at the Council Work Session as a special use.

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

- B. A Resolution Authorizing The City Manager To Negotiate And Enter Into A Real Estate Purchase Contract For The Sale Of Approximately 1.61 +/- Acres Of The Real Property Located At Or Near 7125 Executive Boulevard.
(first reading)

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

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

- C. A Resolution Consenting To The Ohio Director Of Transportation To Resurface State Route 201 From Fishburg Road To The South Corporate Limits.
(first reading)

Mrs. Knisley said the Ohio Department of Transportation (ODOT) will manage and supervise this project.

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

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Mrs. Byrge moved to adopt; Ms. Baker 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.

- D. A Resolution Authorizing The City Manager To Enter Into A Contract For Municipal Bridge Inspection Services.
(first reading)

Mrs. Knisley said this item renews the bridge inspection agreement for one year going through 2023. She said this program helps municipalities across the State of Ohio to achieve full compliance with bridge inspections. She said this program is fully funded by the Ohio Department of Transportation (ODOT).

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. 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.

- E. An Ordinance Amending Section 922.27 Of The Codified Ordinances Of Huber Heights By Increasing The Monthly And/Or Annual Stormwater Sewer Rate Beginning January 1, 2023.
(first reading)

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

- F. A Resolution Authorizing The City Manager To Enter Into A Contract For The Demolition Of A Building Structure At 6121 Brandt Pike.
(first reading)

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

Mr. Otto moved to adopt; Ms. Baker 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.

- G. An Ordinance Directing The Appropriation Of Real Property For A Public Well Field And Authorizing The Law Director To Take Action To Appropriate The Property, And Declaring An Emergency.
(first reading)

Mayor Gore said the Council Work Session recommendation was to move this item to a second reading. He asked Law Director Gerald McDonald to make a statement.

Mr. McDonald requested, if it is Council's pleasure, that this legislation be passed tonight. He said the property owners have secured an attorney. He said he has talked with the attorney, and he does not feel two weeks of negotiations will go anywhere. He asked for this item to be passed tonight to move forward with the court process. He said it would then be a battle among the appraisers.

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

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

- H. A Resolution To Increase The Not To Exceed Amount For Dell Technologies For Calendar Year 2022 And Waiving The Competitive Bidding Requirements.
(first reading)

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

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

- I. A Resolution Amending Resolution No. 2022-R-7097 Authorizing An Increase To The Not To Exceed Amount For Capital Electrical Line Builders For Traffic Signal Maintenance And Decorative Lighting For Calendar Year 2022 And Waiving The Competitive Bidding Requirements.
(first reading)

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

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

12. City Official Reports and Comments

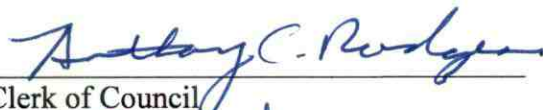
Mrs. Byrge said she received a confirmation from the City Manager today that the City will extend the deadline for people to submit their addresses for the City-wide garage sale for one day because people were confused as to whether or not City offices were open today due to the Columbus Day holiday.

13. Executive Session

Mayor Gore said there was no need for an Executive Session and he thanked everyone for their efficiency in conducting the City's business.

14. Adjournment

Mayor Gore adjourned the Regular Session City Council Meeting at 6:21 p.m.


Clerk of Council

10-25-22
Date


Mayor

10/27/22
Date