

# RECORD OF PROCEEDINGS

Minutes of

Huber Heights City Council

Meeting

GOVERNMENT FORMS & SUPPLIES DIVISION

In Council Chambers

Held 6131 Taylorsville Road

November 28, 2022

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

The Huber Heights City Council met in a Regular Session on November 28, 2022. Mayor Jeff Gore called the meeting to order at 6:30 p.m.

**2. Invocation - Pastor John Gakwaya Of The Compassion Free Methodist Church At 6875 Old Troy Pike, Huber Heights, Ohio**

**3. Flag Ceremony - Wayne High School Junior ROTC Honor Guard**

**4. Pledge Of Allegiance**

**5. Roll Call**

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

Absent: Mark Campbell

Mayor Gore said Mr. Campbell sent an email asking for his absence to be excused.

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

**6. Approval Of Minutes**

City Council Meeting Minutes – January 14, 2022

**7. Special Presentations/Announcements**

There were no Special Presentations or Announcements.

**8. Citizens Comments**

Mr. Jeff Morford said he is a Miami County/Bethel Township resident. He discussed the pending annexation. He said the citizens of Bethel Township do not want the development or the annexation and development in Huber Heights. He said New Carlisle voted against an annexation request. He suggested the Huber Heights City Council propose legislation that would mandate future annexation requests, if accepted by Huber Heights, be put on the ballot as a final safeguard. He said, this way, the Huber Heights citizens' vote would be a reflection as to what the community wants and how they want their community perceived by their neighbors. He said Councilmembers may be voting with what are good business practices, but maybe the citizens have a different idea as to the direction of the City.

**9. Citizens Registered to Speak on Agenda Items**

Mr. Rodgers said he has one citizen registered to speak on Item 12-A.

**10. City Manager Report**



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GOVERNMENT FORMS & SUPPLIES BY COURTESY OF THE CITY OF HUBER HEIGHTS

Held 6131 Taylorsville Road November 28, 2022

Interim City Manager Bryan Chodkowski said representatives of the Huber Heights Senior Center met with representatives from LWC, the architectural firm engaged to help the City design the new civic center. He said with regard to design, City Staff notified Council at the last Council Work Session that numerous bids were received for design services for the new Public Works Division building. He said based on review of those proposals, both the City Engineer and the Public Works Manager would like to interview a few of those firms based on the review of the information that was presented prior to making a final recommendation to Council. He said this Saturday is the annual Christmas Concert and Tree Lighting at the Eichelberger Amphitheater. He said the event will begin at 5:00 p.m. and includes free hot chocolate, goodies, wagon rides, and photo opportunities with Santa. He said the Dayton Scottish Dancers will also be in attendance as well as the Rushmore Elementary School and the First Christian Church Children's Choirs.

Mrs. Byrge asked Mr. Chodkowski if it is possible for Council to get a copy of what LWC presented to the Huber Heights Senior Center.

Mr. Chodkowski said he could follow up with LWC to get that information. He said the floor plan and the layout the representatives have seen is not significantly dissimilar to the one provided to Council before he and the Clerk of Council met with LWC.

### 11. Pending Business

- A. An Ordinance For Making Appropriations For Expenses Of The City Of Huber Heights, Ohio For The Period Beginning January 1, 2023 And Ending December 31, 2023.  
(second reading)

Mr. Chodkowski said the Finance Director has requested that this item be moved to a third reading so final adjustments can be made with respect to fund balances and any last minute expenses identified by City Staff prior to the actual adoption of the legislation.

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

Mr. Lyons said at the last Council Work Session, Mr. Chodkowski talked about the water study and the recommendation to put \$4 million in the budget for consecutive years. He said Mr. Chodkowski stated he would bring this matter back to Council early next year, and several Councilmembers voiced their recommendation that this item be brought back sooner as opposed to later. He asked, with the 2023 City Budget coming up for a vote next month, if Mr. Chodkowski anticipates making a recommendation to increase that amount at the next Council Work Session.

Mr. Chodkowski said he recalled as part of that discussion, his recommendation to Council was to allow City Staff time to put together a more structured presentation on the recommendation on how such funds would be made available based on the information and the limited amount of time to respond to that information and its relation to the budget. He said that is what he recalls his comments being. He said he does not recall there being a definitive direction from the majority of members of Council to make any changes to the budget. He said that is why the budget as presented tonight for the second reading and to be presented for the third reading, unless directed otherwise tonight, would include the original \$1.3 million budgeted for the Water Main Replacement Program. He said any subsequent changes to that budget amount could be made by Council following presentations later based on the information City Staff would bring forward.



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Mr. Lyons said that is what he wanted to know. He said sooner rather than later was the directive that was put out, but there were no dates or months. He said he just wanted to clarify.

Mr. Chodkowski said one of the authors of the study will present the findings of the study in greater detail than City Staff's initial summary and in a more concise manner than the report itself at the February 23, 2023 Council Work Session.

Mr. Lyons said he was looking specifically at whether there was going to be a recommendation for the budget for that line item and the answer is no.

Mr. Otto said he would like to see a number closer to that \$4 million before he can support this legislation. He said it is urgent and important to the City, and he believes the money can be found. He said the City finds money for other things and he thinks money can be found for this expenditure.

Mrs. Kitchen said she seconded what Mr. Otto said, and she will not be in support of it unless more money is put into the Water Fund.

Mayor Gore said this item will be moved to a third reading.

## 12. ADMINISTRATION

### **Bryan Chodkowski, Interim City Manager**

- A. A Resolution Establishing And/Or Amending The City Of Huber Heights Organizational Chart And Authorizing The New Personnel Staffing Levels As Detailed Below.  
(first reading)

Mr. Chodkowski said as Council was briefed at the Council Work Session, this item provides for the various staffing positions within the organization and the number of those positions.

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

Mr. Vince King said this legislation takes the Park Manager position down to a Park Technician position. He asked what that change will do for the community, the City, the parks, and the programs since the establishment of that position and the citizens' recommendation in the Parks Master Plan to have someone dedicated and focused on the parks. He said this change seems like a complete 180. He said this change is taking a position that is dedicated to focusing on the parks and making sure the parks have the amenities and repairs needed. He asked Council if they are truly in support of this change and will someone be focused on those things in the future. He said the community needs to have a voice in this decision as well. He said he wants to make sure the City is moving forward and lives up to the slogan, "Come Grow With Us".

Mr. Otto said he had similar thoughts when looked over everything. He said he agrees the City made a move to bolster the park system by having a Parks Manager and hoped it would lead to an actual Parks Department due to the size of the City. He said Huber Heights is one of the largest cities, and other cities have full-time Parks and Recreation Departments. He said he is curious how the City got to this point.

Mayor Gore said what he heard in Mr. Chodkowski's discussion of this item in the Council Work Session was a move to efficiency. He said he is frustrated this conversation did not come up at the actual Council Work Session where Council talks about these things instead of getting to the meeting and now having all of this



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GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 10148

Held 6131 Taylorsville Road November 28, 2022

discussion. He said no one said anything at the Council Work Session. He said he will allow Mr. Chodkowski to address the reasoning and why the recommendation is being made from a staff level.

Mr. Chodkowski read the email that he sent to Council on November 18, 2022, to explain why the recommendation is being made. In summary, he said operational efforts need to expand beyond activation of updated or new recreational spaces to include general asset oversight and management. He said this position is reflective of more time spent in the field addressing asset maintenance and management issues to protect the City's investments. He said operational efficiency is also a key reason for the relocation of this position. He said the Parks Division has no maintenance equipment or staffing of its own, relying on the Public Works Division. He said this condition has created situations where the work needs of the park conflict with the work of the Public Works Division. He said locating this position under the Public Works Division should substantially reduce these conflicts and increase efficiency. He said the YMCA is planning to increase its programming outreach in 2023 to a number of City facilities including the Huber Heights Senior Center, the Huber Heights Community Center, and the Eichelberger Amphitheater. He said the functions of the Park Manager position such as programming and facility reservations are not internally necessarily moving forward.

Mr. Shaw said there was no conversation at the Council Work Session, and that was an opportunity for him to review and further sleep on this matter. He said he has a secondary issue with the Tax Division as well. He said he made it clear the Tax Division needs help. He said it would be his request to further this conversation so as to push this discussion off to the next Council Work Session for additional conversation and discussion on the merits that have been presented.

Mr. Lyons said he had time to think and digest this matter. He said he does find it a little hard to understand moving the Parks Manager underneath the Public Works Director. He said that is moving another layer of decision-making over the parks. He said it would be more efficient to keep it separate and have the decisions made, and then the City Manager has to decide if that should happen and then put it on the schedule for the Public Works Division. He said the organizational chart shows a Parks Technician, and then the Public Works Manager can say no and it is dead there. He said on a separate subject, the organizational chart does not have numbers on each individual position, but down at the bottom of the organizational chart are the total number of positions broken down. He said the Fire Division has 63 full-time positions. He asked how many positions are firefighter/paramedic non-supervisory positions.

Mr. Chodkowski said he did not know and that is why the Fire Chief was in attendance at the Council Work Session, so in the event that question was asked, the appropriate person was there to answer that question.

Mr. Rodgers said it is in the legislation itself above the Table Of Organization.

Mr. Webb said simply the Parks Manager had to go back to the Public Works Manager every time he needed something. He said it is not a step backward, but a more efficient utilization, and he explained his position.

Mrs. Byrge said it is up to department heads to define the manpower requirements are and not up to Council. She said what would help clear this matter up for everyone, was if Mr. Chodkowski could reaffirm the commitment to the direction the parks have been going in up to this point and where he plans for it to go in the future, regardless of how he has realigned the City Staff.



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Mr. Chodkowski said the goal is to go forward, not backward, and to protect the City's assets. He said in order to do that, City Staff needs to make sure that all of the resources in manpower and equipment are being aligned accordingly. He discussed the plan for City Staff and resources in depth. He said he does not want this effort to be a failure, and he is recommending this change based on his 25 years of experience. He said what Council does tonight has an ability to affect 200 plus positions that are just as meaningful and important. Mr. Chodkowski explained to Mr. King that there is a time and a place for all of the conversations and these are all conversations City Staff plan to have, but things have to happen in a certain order by the nature of how this business works. He said this legislation is the first domino that has to fall in a series of other actions.

Mayor Gore said there is a first and second on the motion to adopt and also a recommendation from Mr. Shaw to move this item to a second reading. He explained the options.

Mr. Otto said he supports the recommendation to move this item to a second reading for more discussion.

Mrs. Byrge asked how Council can make an assessment of how moving that position title from one place to another is going to impact how the position operates.

Mayor Gore interrupted and said the time for discussion was over unless this item is moved to a second reading. He instructed Mr. Rodgers to call the vote.

On a call of the vote, Mrs. Byrge, Mr. Webb, Mr. Shaw, and Ms. Baker voted yea; Mr. Otto, Mr. Lyons, and Mrs. Kitchen voted nay. The motion fails 4-3.

B. A Resolution Establishing And/Or Amending The Salary Ranges And Wage Levels For Employees Of The City Of Huber Heights, Ohio.  
(first reading)

Mr. Chodkowski said for the various positions within the City's Table Of Organization, this legislation sets the salary ranges for those positions. He asked that Council act on this item tonight and adopt the measure.

Mr. Rodgers said this legislation does list the salary ranges by position title. He said the Parks Technician position would be on this legislation. He said it could be passed to another reading and if something is brought back that relates to Item 12-A, this legislation could be amended to reflect whatever changes are made to the organizational chart.

Mr. Chodkowski said there are other provisions within this legislation that matter. He said since this legislation is effectively talking about one position he is aware of, the implication is that this legislation is more important with regard to all of the remaining positions. He asked that Council adopt this legislation tonight. He said with the failure of the previous legislation, none of the position titles are changing. He said he would remind Council that this legislation and the legislation prior are not just about positions, but are also about people. He said it is important Council is very conscientious about what they say with respect to positions and people in the public forum. He asked that those of Council with concerns utilize the ability to communicate with his office in advance of the public forum so he can address all of the questions and concerns as thoroughly as he can in the most appropriate venue before they are back in Council Chambers where they have to be thoughtful about their comments and thoughtful about statements on not just the



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positions within the Table Of Organizations but about the employees. He said with respect to those comments, he asked the Council to adopt this legislation in consideration to all employees in those positions.

Mayor Gore said this issue has been addressed before about Councilmembers coming to City Council Meetings not prepared at the Council Work Session to address the items that are on the agenda. He said there are situations where Council comes to Council Work Sessions and no one says anything and they do not have discussions. He said Mr. Chodkowski sent out an email well in advance of a week regarding this matter, and then tonight he heard, "I did not have time." He said that was the point of the Council Work Session.

Mr. Otto said the Council Work Session is where information is presented to Council, and he does not always like to make snap decisions. He said he likes to chew on things a little bit and that is why Council does not make decisions on the night the information is received. He said Council has adjusted time frames and processes over the years. He said there used to be two readings for resolutions and multiple readings on ordinances and that has been changed all around, so now Council is looking at passing resolutions on the first reading after a Council Work Session. He said a Council Work Session is where Council receives the information to do its due diligence and to research and chew on and think about what they are voting on before coming back to vote on it. He said he will not say he is unprepared at all.

Mayor Gore said Mr. Chodkowski sent an email on November 18, 2022. He said he knows each and every one of Council communicates with Mr. Chodkowski regularly, he knows each and every one meets with him individually and sometimes collectively. He said waiting until the night of the meeting to have discussions where there is so much concern that would determine the outcome of the vote based on the people in the organization, he certainly can see, feel, and understand the frustration. He said whenever anyone needs anything else, they never care to reach out to Mr. Chodkowski to send him an email, give him a call, meet him for lunch, or meet him in his office. He said on this item, no one said a word.

Mr. Shaw said he would request this item be passed on to a second reading to allow Council more time for discussion at the Council Work Session in hopes of bringing back a companion piece to meet with this item.

Mrs. Byrge said she fails to see the objective. She asked how it would change?

Mayor Gore said there was a vote based on the organizational chart, and that motion failed. He said Council needs to determine if there is an objection to Mr. Shaw wanting to move Item 12-B to a second reading.

Mrs. Byrge asked Mr. Chodkowski if this item moves to a second reading if Mr. Chodkowski would please be prepared to discuss at the next Council Work Session the ramifications of these two issues not passing before the end of the year. She said obviously, there are people on this dais who do not understand how the process works and want to play games.

Mayor Gore said Council is not going to go there and he asked if there was an objection to Mr. Shaw's motion to move to another reading.

Mrs. Byrge said she had no objection.

Mr. Otto said he has no objections. He asked Mr. Rodgers if Item 12-B passing creates any issue for him.



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GOVERNMENT FORMS & SUPPLIES BAP-22-0038 FORM NO. 10-14

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Mr. Rodgers said the salary range would not be defined for the Parks Manager because it is listed on the current legislation as a Parks Technician. He said there would be the option to possibly make an amendment to that legislation or there could be some cleanup that could be done at a later date.

Mr. Shaw asked Mr. Rodgers if this item were to pass with the previous item failing, if that would be his only concern.

Mr. Rodgers said it is defined in the legislation as a position that does not exist.

Mr. Shaw asked if there would be an appropriate time tonight to amend this legislation to maintain the Parks Manager in the legislation instead of the Parks Technician and then this legislation can always be brought back up at a later date, so that way the salary ranges that are set forth by other employees still move forward.

Mayor Gore said he would assume the legislation can be amended.

Mr. Shaw said if that is the case, he withdraws his request and he said Council should move on this item tonight. He said the complete Table Of Organization can be discussed at the next Council Work Session. He suggested amending the legislation to read Parks Manager instead of Parks Technician.

Mr. Rodgers said right now in the legislation the Parks Technician is listed under the Department of Public Services. He said he did not know where it was listed before. He discussed position control numbers and salary ranges. He said to change to Park Manager, it would have to be with the current pay grade, position control number, and in the appropriate place in the legislation. He said without having the previous legislation in front of him, he did not know what those numbers were to make an amendment unless the Law Director would think it appropriate to give general guidance to make that switch as an amendment and to switch those two items in the legislation.

Mr. Montgomery said the most prudent way to go would be to amend the legislation with specific information and that way it is consistent with the legislation itself as to the category, pay grade, and appropriate title. He said that is not to say Council could not make a motion to approve with appropriate cleanup language. He said it could probably be worded in such a way to approve subject to or contingent upon.

Mayor Gore said he recommends giving Mr. Chodkowski and Mr. Rodgers the opportunity to clean up the language and bring it back to the Council Work Session. He asked Mr. Chodkowski what effect it would have if it does not pass until December.

He said this legislation provides for appropriate wage increases for employees. He said there may be some issues processing and making sure those employees eligible for increases get those increases in a timely manner.

Ms. Baker suggested to Mayor Gore that the Law Director and Clerk of Council take a ten-minute recess to work on the language.

Mr. Lyons asked if this legislation would take effect immediately and if employees would be paid immediately and changes would be made tomorrow.

Mr. Chodkowski said the compensation schedule takes effect on December 18, 2022, so technically, the legislation would go into effect when it is adopted. He said the legislation triggers the compensation. He said if Council waits to adopt it on December 12, 2022, he cannot guarantee that gives the Finance Department adequate



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time with its other responsibilities to put together all the necessary information and accommodate all the appropriate wage changes within the appropriate amount of time.

Mr. Lyons asked what compensation is being talked about?

Mr. Chodkowski explained the non-collective bargaining and collective bargaining employees receive annual increases. He said all non-union employees would receive a 2.75 percent rate increase starting on the pay period beginning December 18, 2022.

Mr. Lyons confirmed with Mr. Chodkowski that the contract begins on December 18, 2022, not January 1, 2023.

Mr. Chodkowski said it starts for the pay period that ends under the first portion of the new contract. He said the pay period ends in January of 2023. He said if it starts on the December 18, 2022 and ends in January, 2023, that is why it applies to that pay period.

Mr. Lyons said if Parks Technician is pulled out of the legislation, there should be enough votes to pass this item tonight.

Mr. Montgomery posed a draft motion for Council's consideration and he read it out loud.

Mr. Shaw made a motion to amend the legislation with the proposed language; Ms. Baker seconded the motion.

Mr. Webb said since Council did not approve the organizational chart, Council should not be amending a position that does not exist. He said he does not see any harm in leaving in the Parks Technician position.

Mr. Chodkowski described the situation to Council. He said he would have to assume the Finance Department has the ability and capability if it needs to retroactively or immediately address a wage issue for one position within the organization, it has the ability to do so within a six-day period. He explained the measures that would need to be taken at the next City Council Meeting if this legislation were passed tonight.

Mr. Shaw withdrew his motion; Ms. Baker withdrew her second to the motion.

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

- C. A Resolution Repealing Section 8.1 Of Article 8 – Employee Benefits Of The City's Employee Personnel Manual For City Of Huber Heights Employees And Adopting A New Section 8.1 To The City Of Huber Heights Employee Personnel Manual. (first reading)

Mr. Chodkowski said this legislation provides for an adjustment of the City's health insurance benefits for employees, specifically regarding the insurance opt-out provision for spouses.

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

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



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GOVERNMENT FORMS & SUPPLIES BY THE CITY OF HUBER HEIGHTS, OHIO

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- D. A Resolution Authorizing Certain Actions Made To Amend All Of The Current Collective Bargaining Agreements And The City Of Huber Heights Employee Personnel Manual To Recognize Christmas Eve As A Full Day City Paid Holiday For All Employees.  
(first reading)

Mr. Chodkowski said this resolution is brought forth to provide for the full holiday of Christmas Eve for City employees.

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

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

Mr. Webb thanked the City Manager and said this holiday was an excellent suggestion and a benefit for the employees.

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

- E. A Resolution Authorizing The City Manager To Negotiate And Enter Into A Second Lease Agreement With Columbia Building Company Regarding The Huber Heights Tax Division Office.  
(first reading)

Mr. Chodkowski said this lease allows the Tax Division to stay at the current location at the Huber Centre, but provides the flexibility to vacate the premises in the future once rehabilitating and relocating various operations is complete.

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

- F. A Resolution Declaring Certain Property Eligible For Alternative Special Assessment Under Section 176.05 Of The Huber Heights Codified Ordinances And Authorizing The Director Of Finance To Assess The Property.  
(first reading)

Mr. Chodkowski said this legislation is brought forth to accommodate a utility connection under various City codes.

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

- G. An Ordinance Directing The Board Of Elections Of Montgomery County And Miami County To Place On The Ballot Of The Next Election The Question Of Whether The City Of Huber Heights Should Effect A Governmental Natural Gas Aggregation Program With Opt-Out Provisions Pursuant To Section 4929.26 Of The Ohio Revised Code.  
(first reading)



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Huber Heights City Council

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## In Council Chambers

GOVERNMENT FORMS & SUPPLIES 800-221-3829

Held 6131 Taylorsville Road November 28, 2022

Mr. Chodkowski said this ordinance brings forth the measure of natural gas aggregation to the ballot in May, 2023.

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

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

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

Mrs. Kitchen said social media has been lighting up about how Council is trying to control everything. She encouraged residents to vote when this item is on the ballot and make their wishes known.

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

- H. A Resolution Authorizing The City Manager To Enter Into A Contract With Woolpert For Professional Services For The Comprehensive Facilities Maintenance Plan Project. (first reading)

Mr. Chodkowski said this is an opportunity to put together a plan to make sure the City is maintaining the assets created. He asked that this item be adopted tonight so City Staff can engage Woolpert to create this plan.

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

Mr. Webb 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, and Mrs. Byrge voted yea; none voted nay. The motion passes 7-0.

- I. A Resolution Authorizing The City Manager To Enter Into Contract For The Mardi Gras Area Water Main Replacement Project. (first reading)

Mr. Chodkowski said this resolution allows the City to make certain improvements in the Mardi Gras Drive area to replace old and outdated water main and to improve the utility conditions for residents in that area.

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

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

- J. A Resolution Authorizing The City Manager To Solicit Requests For Proposals From Qualified Consulting Firms To Provide Engineering Design For The Installation Of New Well No. 7 At The Rip Rap Road Water Treatment Plant. (first reading)

Mr. Chodkowski said this legislation will allow City Staff the ability to begin designing the new well so when the property acquisition is complete, construction can begin sooner rather than later.



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

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

### 13. City Official Reports and Comments

Mr. Lyons said regarding the ordinance passed tonight dealing with the election ballot for natural gas aggregation, he wants to remind everyone in the City that it is the perfect legislation. He said even though it deals with City-wide aggregation in a program, it gives every resident the opportunity to opt out per the City's legislation and per state law. He said if someone does not like the program, the ability is there to opt out and choose a provider.

Mayor Gore said when you look at the success of the energy aggregation legislation passed six or seven years ago, the residents saved hundreds of thousands if not millions of dollars. He said residents were upset when the program ended and everyone saw what AES was charging with the regular rates. He said it only makes sense to give the residents who want that opportunity, the opportunity to at least have a say and a vote.

Mr. Shaw said Mr. Otto has been in communication with some opportunities from the National League of Cities Conference. He said he will hopefully be having a conversation with the City Manager later this week to discuss some of the items he brought back as well involving infrastructure so it is his hope Council sees those funds for water projects in the upcoming budget. He said it is his understanding that the Miami County Commissioners will be taking up the writ of mandamus on the annexation. He said it is his hope that he will be attending that meeting as well. He said he hopes Council sees the Table Of Organization for discussion at the next Council Work Session. He said he hopes everyone enjoys the Christmas Concert. He said the City has done a great job for many years with the Christmas Concert.

### 14. Executive Session

There was no need for an Executive Session.

### 15. Adjournment

Mayor Gore adjourned the Regular Session City Council Meeting at 7:52 p.m.

Anthony C. Ruck  
Clerk of Council

12-19-22  
Date

[Signature]  
Mayor

12/19/22  
Date