

Notice of Meeting

CITY COUNCIL WORK SESSION

Tuesday, October 4, 2022

at or about 6:00 p.m. at City Hall –

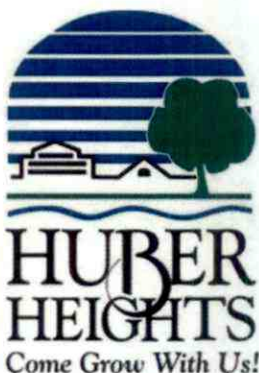
Council Chambers – 6131 Taylorsville Road

Huber Heights Mayor Jeff Gore has scheduled a City Council Work Session to discuss:

- City Manager Report
- Culture And Diversity Citizen Action Commission Update
- Increase Not To Exceed Amount – Dell Computers - IT Department
- Increase Not To Exceed Amount – Capital Electric – Traffic Signal Maintenance/Decorative Lighting
- Water Voucher Program
- ODOT Preliminary Legislation – Brandt Pike Resurfacing
- ODOT Bridge Inspection Agreement
- Stormwater Fees
- Dogtown – Demolition – Award Contract
- Text Amendments – Uses – Agricultural District
- Ordinance To Appropriate Property – Well Field

Please Note:

The meeting will be viewable by the public on live stream available at www.hhoh.org



Distributed – September 28, 2022

For more information, visit www.hhoh.org



**HUBER
HEIGHTS**
Come Grow With Us!

**CITY OF HUBER HEIGHTS
STATE OF OHIO**

City Council Work Session

October 4, 2022

6:00 P.M.

City Hall – Council Chambers – 6131 Taylorsville Road

1. **Call Meeting To Order/Roll Call**

2. **Approval of Minutes**

A. September 20, 2022

3. **Work Session Topics Of Discussion**

A. City Manager Report

Culture And Diversity Citizen Action Commission Update

Increase Not To Exceed Amount - Dell Computers - IT Department

Increase Not To Exceed Amount - Capital Electric - Traffic Signal Maintenance/Decorative Lighting

Water Voucher Program

ODOT Preliminary Legislation - Brandt Pike Resurfacing

ODOT Bridge Inspection Agreement

Stormwater Fees

Dogtown - Demolition - Award Contract

Text Amendments - Uses - Agricultural District

Ordinance To Appropriate Property - Well Field

4. **Adjournment**

**CITY OF HUBER HEIGHTS
STATE OF OHIO**

Council Work Session Meeting Minutes

Name of Body: Council Work Session

Date: October 4, 2022

Time: 6:00 P.M.

Place: City Hall – 6131 Taylorsville Road – Council Chambers

Members Present:

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

Guests Present:

City Staff Present: Branden Payton, Mike Gray, Sarah Williams, Russ Bergman, Bryan Chodkowski, David Montgomery, and Anthony Rodgers.

Topics of Discussion:

- City Manager Report
- Culture And Diversity Citizen Action Commission Update

- Increase Not To Exceed Amount – Dell Computers – IT Department
- Increase Not To Exceed Amount – Capital Electric – Traffic Signal Maintenance/Decorative Lighting
- Water Voucher Program
- ODOT Preliminary Legislation – Brandt Pike Resurfacing
- ODOT Bridge Inspection Agreement
- Stormwater Fees
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- Text Amendments – Uses – Agricultural District
- Ordinance To Appropriate Property – Well Field

1. **Call Meeting To Order/Roll Call**

Mayor Jeff Gore convened the Council Work Session at 6:06 P.M.

Anthony Rodgers took Roll Call.

2. **Approval of Minutes**

The following minutes were approved unanimously at the beginning of this meeting:

- September 20, 2022

There were no changes or corrections to these minutes as submitted.

This Council Work Session was recorded by the City and the recording of this meeting will be posted to the City's website and will also be maintained by the City consistent with the City's records retention schedule.

3. Work Session Topics Of Discussion

City Manager Report

Bryan Chodkowski said City Staff have received the concept plans for the proposed new Senior Center and the proposed new City Council building at the former Marian Meadows site. He said the Clerk of Council would be gathering input from the City Council on these plans. He said the installation of the new sidewalk on Bellefontaine Road near The Oaks Subdivision is scheduled for the week of October 31, 2022. He said road construction work near Old Troy Pike and Taylorsville Road will begin the week of October 10, 2022 and will last for approximately eight weeks. He said the work for the 2022 Streets Program will begin the week of October 10, 2022 and will last for approximately three weeks.

Culture And Diversity Citizen Action Commission Update

Jean Newby and Tara Purvis, members of the Culture and Diversity Citizen Action Commission (CDCAC), distributed information regarding an update on the Culture and Diversity Citizen Action Commission (see attached). Jean Newby and Tara Purvis gave a PowerPoint presentation on the Culture and Diversity Citizen Action Commission (see attached). Jean Newby said the Culture and Diversity Citizen Action Commission has worked hard and had a number of successful events. Jean Newby and Tara Purvis reviewed the mission, purposes, accomplishments, events and activities, goals, initiatives, and the status of the recommendations of the Culture and Diversity Citizen Action Commission. Jean Newby said the CDCAC had disbanded its committees and is now working through task groups.

The City Council posed questions to Jean Newby and Tara Purvis about the CDCAC and expressed appreciation for the work of the CDCAC.

Increase Not To Exceed Amount – Dell Computers – IT Department

Branden Payton distributed information and proposed legislation to increase the not to exceed amount for Dell Technologies for the IT Department (see attached). He said the spending limit increase is needed

to purchase tablets for the Fire Division medics from Dell Technologies. He said the spending limit needs to be increased by \$15,000 to a new spending limit of \$40,000.

After discussion, the City Council agreed to recommend approval of the proposed legislation to increase the not to exceed amount for Dell Technologies for the IT Department and requested that the proposed legislation be placed on the agenda at the October 10, 2022 City Council Meeting for a first reading as non-emergency legislation with adoption of the legislation at the October 10, 2022 City Council Meeting.

Increase Not To Exceed Amount – Capital Electric – Traffic Signal Maintenance/Decorative Lighting

Mike Gray distributed information and proposed legislation to increase the not to exceed amount for Capital Electrical Line Builders for traffic signal maintenance and decorative lighting (see attached). He said the Public Works Division is requesting authorization to amend the not to exceed amount for Capital Electrical Line Builders by \$50,000 to a new spending limit of \$100,000 for traffic signal maintenance and decorative lighting for 2022.

After discussion, the City Council agreed to recommend approval of the proposed legislation to increase the not to exceed amount for Capital Electrical Line Builders for traffic signal maintenance and decorative lighting and requested that the proposed legislation be placed on the agenda at the October 10, 2022 City Council Meeting for a first reading as non-emergency legislation with adoption of the legislation at the October 10, 2022 City Council Meeting.

Water Voucher Program

Sarah Williams distributed information regarding a water voucher program (see attached). She gave a PowerPoint presentation on the water voucher program (see attached). She said, pursuant to the request of the City Council, City Staff have been working to create a drinking water voucher program to support residents who are impacted by water main breaks and boil advisories. She said the proposed program has been established and is ready for testing in the community beginning November 1, 2022.

After discussion, the City Council agreed to recommend approval of the necessary legislation to establish a water voucher program and requested that the necessary legislation be prepared and placed on the agenda at the October 24, 2022 City Council Meeting for a first reading as non-emergency legislation with adoption of the legislation at the October 24, 2022 City Council Meeting.

ODOT Preliminary Legislation – Brandt Pike Resurfacing

Russ Bergman distributed information and proposed legislation to give consent to the Ohio Department of Transportation (ODOT) for the resurfacing of State Route 201 from Fishburg Road to the City's southern corporation limit (see attached). He said ODOT has requested consent legislation from the City to initiate the project programming for the resurfacing of State Route 201 (Brandt Pike) from Fishburg Road to the City's southern corporation limit. He said ODOT will manage and supervise the project. He said this project will be constructed in 2023.

After discussion, the City Council agreed to recommend approval of the proposed legislation to give consent to the Ohio Department of Transportation (ODOT) for the resurfacing of State Route 201 from Fishburg Road to the City's southern corporation limit and requested that the proposed legislation be placed on the agenda at the October 10, 2022 City Council Meeting for a first reading as non-emergency legislation with adoption of the legislation at the October 10, 2022 City Council Meeting.

ODOT Bridge Inspection Agreement

Russ Bergman distributed information and proposed legislation to authorize a contract with the Ohio Department of Transportation (ODOT) for municipal bridge inspection services (see attached). He said ODOT is requesting legislation from the City of Huber Heights to renew the bridge inspections agreement for one more year through 2023. He said this program was created to help municipalities across the State of Ohio to achieve full compliance with Federal Highway Administration (FHWA) bridge inspections. He said this program will be fully funded by ODOT.

After discussion, the City Council agreed to recommend approval of the proposed legislation to authorize a contract with the Ohio Department of Transportation (ODOT) for municipal bridge inspection services and requested that the proposed legislation be placed on the agenda at the October 10, 2022 City Council Meeting for a first reading as non-emergency legislation with adoption of the legislation at the October 10, 2022 City Council Meeting.

Stormwater Fees

Bryan Chodkowski distributed information and proposed legislation to amend Section 922.27 of the Huber Heights Codified Ordinances to increase the monthly and/or annual stormwater sewer rate beginning January 1, 2023 (see attached). He provided the historical background for the proposed rate increase along with information about how the collected funds would be utilized. He said this legislation would increase the stormwater fee for residential and commercial properties within the City from \$2.00 to \$3.50 per Equivalent Residential Unit (ERU) effective January 1, 2023.

After discussion, the City Council agreed to recommend approval of the proposed legislation to amend Section 922.27 of the Huber Heights Codified Ordinances to increase the monthly and/or annual stormwater sewer rate beginning January 1, 2023 and requested that the proposed legislation be placed on the agenda at the October 10, 2022 City Council Meeting for a first reading as emergency legislation with a second reading and adoption of the legislation at the October 24, 2022 City Council Meeting. The City Council also requested that City Staff provide detailed information about how the collected funds would be utilized for discussion at the October 18, 2022 Council Work Session.

Dogtown – Demolition – Award Contract

Russ Bergman distributed information and proposed legislation to enter into a contract for the demolition of the structure at 6121 Brandt Pike (see attached). He said this legislation authorizes a contract with MAK Solve Environmental and Safety Consultants as the lowest and best bidder for the demolition of a building structure at 6121 Brandt Pike at a cost not to exceed \$110,000. He said the building is currently occupied by Dogtown (Sit, Stay & Play) at the former Marian Meadows site.

After discussion, the City Council agreed to recommend approval of the proposed legislation to enter into a contract for the demolition of the structure at 6121 Brandt Pike and requested that the proposed legislation be placed on the agenda at the October 10, 2022 City Council Meeting for a first reading as non-emergency legislation with adoption of the legislation at the October 10, 2022 City Council Meeting.

Text Amendments – Uses – Agricultural District

Bryan Chodkowski distributed information regarding text amendments for special uses in an Agricultural District (see attached). He said Aaron Sorrell could not attend the Council Work Session, but he said Aaron Sorrell had provided a memorandum with a recommendation to expand the allowable uses in the Agricultural District and create appropriate development standards as well as to expand the allowable special uses to include bed and breakfast establishments, automotive/vehicle repair (indoors only), and home occupations in accessory buildings (see attached).

Nancy Byrge posed questions about bathrooms in bed and breakfast establishments and signs for bed and breakfast establishments in the proposed text amendments.

Richard Shaw posed questions about revenue and hotel taxes related to bed and breakfast establishments and other types of vacation rentals in the City.

Nancy Byrge said she is having a hard time reconciling the recommendation that the special use permit expires if the use is discontinued for more than one year with previous discussions about conditional use permits.

The City Council and City Staff had a discussion regarding the process for moving forward with a proposed text amendment.

Ed Lyons commented on the Zoning Code information regarding conditionally permitted uses provided by Aaron Sorrell and he noted that none of the jurisdictions permitted auto repair in the zoning districts under discussion.

Nancy Byrge said she objected to placing a motion to initiate an application for proposed text amendments to the Planning and Zoning Code regarding special uses to the Planning Commission at the October 10, 2022 City Council Meeting until Aaron Sorrell could brief the City Council in person on this matter and answer additional questions.

After discussion, the City Council agreed to recommend approval of a necessary motion to initiate an application for proposed text amendments to the Planning and Zoning Code regarding special uses to the Planning Commission and requested that the necessary motion be prepared and placed on the agenda at the October 10, 2022 City Council Meeting with adoption of the motion at the October 10, 2022 City Council Meeting.

Ordinance To Appropriate Property – Well Field

Bryan Chodkowski distributed information and proposed legislation to direct the appropriation of real estate property for the City's well field (see attached).

Anthony Rodgers said this item could be discussed in Executive Session by the City Council.

Executive Session –To Consider The Sale Or Other Disposition Of Unneeded Property By Competitive Bid/For Discussions With An Attorney For The City Concerning Disputes That Are The Subject Of Imminent Court Action

Don Webb made a motion to go into Executive Session to consider the sale or other disposition of unneeded property by competitive bid and for discussions with an attorney for the City concerning disputes that are the subject of imminent court action at 7:25 P.M. Anita Kitchen 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 passed 8-0. The Council Work Session went into Executive Session at 7:25 P.M.

The Council Work Session adjourned from Executive Session at 8:37 P.M.

After the Executive Session, Mayor Jeff Gore said the City Council agreed to recommend approval of the necessary legislation to authorize a real estate

purchase contract for the sale of property at 7125 Executive Boulevard and requested that the necessary legislation be prepared and placed on the agenda at the October 10, 2022 City Council Meeting for a first reading as non-emergency legislation. Mayor Jeff Gore said the City Council also agreed to recommend approval of the necessary legislation to direct the appropriation of property for a public well field and requested that the necessary legislation be prepared and placed on the agenda at the October 10, 2022 City Council Meeting for a first reading as non-emergency legislation.

There were no actions taken or decisions made by the City Council following the Executive Session.

Other Business

There was no other business conducted at the Council Work Session.

4. Adjournment

Mayor Jeff Gore adjourned the Council Work Session at 8:37 P.M.

AI-8683

Topics of Discussion

Council Work Session

Meeting Date: 10/04/2022

Culture And Diversity Citizen Action Commission Update

Submitted By: Anthony Rodgers

Department: City Council

Council Committee Review?: Council Work Session

Date(s) of Committee Review: 10/04/2022

Audio-Visual Needs: None

Emergency Legislation?: No

Motion/Ordinance/
Resolution No.:

Agenda Item Description or Legislation Title

Culture And Diversity Citizen Action Commission Update

Purpose and Background

Representatives of the Culture and Diversity Citizen Action Commission (CDCAC) will give an update presentation on the activities and work of the Culture and Diversity Citizen Action Commission. A status list of the recommendations from the CDCAC has also been provided in the meeting packet (see attached).

Fiscal Impact

Source of Funds: N/A

Cost: N/A

Recurring Cost? (Yes/No): N/A

Funds Available in Current Budget? (Yes/No): N/A

Financial Implications:

Attachments

CDCAC Recommendations

CDCAC RECOMMENDATIONS

RECOMMENDATION	STATUS
City Council to adopt a resolution denouncing racism and discrimination and declaring that racism is a public health crisis.	Completed.
Add a statement on the Huber Heights website denouncing racism.	Completed.
Revise the Huber Heights website with a diverse equity lens.	Ongoing – City Staff working on recommendation.
Create a webpage layout for the CDCAC with pages and links for CDCAC committees.	N/A – CDCAC no longer has committees.
Create a Citizens Complaint Review Board (CCRB).	Ongoing – City Council, City Staff, and CDCAC representatives working on recommendation.
City Council to provide funding for CDCAC.	Completed – City Council has budgeted \$15,000 annually for CDCAC.
Provide information for time sensitive grants for CDCAC from Montgomery County and United Way.	Completed.
Annual diversity training for City Council, City Staff, and City boards and commissions.	Ongoing – Human Resources Director is working to schedule diversity training in 2022.
Provide support for MLK Day activities.	Completed.
Juneteenth proclamation recognition.	Completed.
Indigenous Peoples Day proclamation recognition.	Completed.
City Council to consider opening meetings with a land acknowledgement in recognition of indigenous peoples.	Ongoing.
Police Division to administer drug and alcohol tests for police officers that discharge weapons.	Ongoing.
Police Division to place policies on Huber Heights website.	Completed.
Host educational community forums on race and cultural diversity related to City.	Completed.
Gather EEO data in applicant process to assist in ensuring the City is an equal opportunity employer.	Ongoing – Human Resources Director is working to implement system for gathering and tracking EEO data.

Adopt a program to recognize Black-owned Business of the Quarter.	Ongoing – CDCAC to develop formal proposal for program. CDCAC asked to consider revising recommendation to minority-owned Business of the Quarter and to seek assistance from Huber Heights Chamber of Commerce.
RFQ – Community Needs Assessment for CDCAC.	Ongoing - City Council adopted Resolution No. 2021-R-6960 to authorize a RFQ for a Community Needs Assessment for the CDCAC. City Council failed to adopt a second Resolution to authorize a RFQ for a Community Needs assessment for the CDCAC over issues with the RFQ. Had a joint meeting on August 4, 2022 to discuss Community Needs Assessment for the CDCAC. CDCAC requested to work with MVRPC Equity Staff to revise the RFQ and resubmit to City Council.
Lu Dale proclamation recognition.	Completed.
City Council to support Culture Week activities and events.	Completed.
Joint meeting of City Council and CDCAC.	Completed.
Hold a public forum with community involvement as part of the City Manager search process.	On Hold – City Manager search process suspended till 2023.
Establish a diverse interview and hiring committee for the City Manager search process with CDCAC and diverse representation from the community.	On Hold – City Manager search process suspended till 2023.
Implement a consistent and unbiased publicly documented interviewing process for the City Manager search process which includes a scoring and ranking system aligned to the requirements of the position.	On Hold – City Manager search process suspended till 2023.

Huber Heights Culture and Diversity Citizens Action Commission 2022

Members:

Yolanda Stephens, Chairperson
Rhonda Sumlin, Co-Chairperson
Dr. Fred Aikens
Bayram Gulalieu
Jean Newby
Tara Purvis
Arrick Richardson
Carla Staigl
Eric Stephens

Mission

The Culture and Diversity Citizen Action Commission was established to act in an advisory capacity to City Council and the City Manager to promote equal opportunity and the full exercise of civil rights for all persons without discrimination because of race, ethnicity, color or national origin to combat discrimination, racism and other biases through education, mediation, policy, legislation, and complaint review/resolution.

HH Culture & Diversity Citizens Action Commission:

Reminder on Why We Are Here

- Make recommendations to the City Council and the City Manager that minimize the effects of civil rights conflicts and promote an appreciation of diversity within the City.
- Provide a variety of services, education and cultural programs that promote global thinking
 - Encourage civil and human rights awareness
 - Reflect the rich diversity found in the City.

Services and programs may include:

- Diversity and inclusion training, topical forums, voter education and registration, and community celebration.

The Culture and Diversity Citizen Action Commission may also serve as a review/advisory panel for investigations and complaint resolution for bias-based issues brought about within the community or City government.

2022 In Review and Future Goals

- 2022 HHCDAC Accomplishments and Recommendations
- Future Goals

New for 2022

No Committees
Task Groups

Focal areas remain the same:


- Advocacy
- Education
- Outreach
- Reform

2022 Reform Accomplishments/ Future Goals


- **Accomplishments**
 - Submitted formal recommendation to City Council to establish an independent Citizens Action Review Board to review citizen complaints. Ongoing meetings with City Manager regarding CCRB.
 - Continuing to meet ongoing with Interim City Manager to define the process
 - Created a draft workflow of the CCRB and met with City Manager on the draft
 - Public Forum on Policing (with Education group)
- **2022/Early 2023 Plan** – collaborate with the High School and Middle school to offer education around policing and knowing your rights

PUBLIC FORUM ON POLICING


Join us for a community conversation on policing presented by the Huber Heights Culture and Diversity Citizens Action Commission



Our Wonderful Panelists:



MARK LIGHTNER
Chief, City of Huber Heights Police Department



KURT ALTHOUSE
Chief, City of Vanata Police Department

**JANUARY 12, 2022
6:30 PM**

HUBER HEIGHTS COMMUNITY CENTER
4301 POWELL RD.
HUBER HEIGHTS, OH 45424

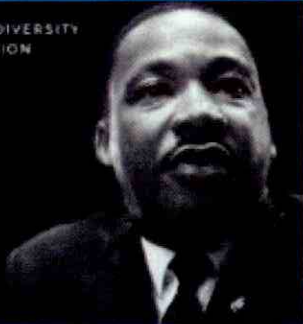
Masks are strongly encouraged and social distancing guidelines will be followed. For more information about this event, please contact Katie Kinsley at kinsley@hoh.org or call 937.257.5847.


2022 Advocacy Accomplishments/ Future Goals

- 3rd Annual Martin Luther King Unity Walk and Day of Service
January 17, 2022, 10am
- October 2023: Make a Difference Day-We will be looking to do a major service project in the city of Huber Heights

HUBER HEIGHTS CULTURE AND DIVERSITY
CITIZEN ACTION COMMISSION

"I have a dream"
DR. MARTIN LUTHER KING, JR.



 **3RD ANNUAL
MLK UNITY WALK &
DAY OF SERVICE**

**MONDAY,
JANUARY 17, 2022**

10:00 A.M. WALK BEGINS NORTH HEIGHTS PLAZA (OLD TROY PIKE) ARRIVE NO LATER THAN 9:30 A.M.	11:00 A.M. COMMEMORATIVE PROGRAM NEW SEASON MINISTRY 5711 SHULL RD, 45424
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****PLEASE BRING A NON-PERISHABLE
FOOD ITEM FOR OUR FOOD DRIVE**

Masks are encouraged and social distancing guidelines will be followed.

2022 Education Accomplishments/Future Goals

Education (collaboration with Reform Committee):

Public Forum on Policing


January 12, 2022

Financial Literacy Seminar
Tuesday, June 21, 2022


"Part II: Racism As a Public Health Crisis"

Thursday, June 23, 2022


Future Goals: Joint Forum with Reform on Youth Awareness on Policing and Continuous DEI discussions


 SPONSORED BY
THE HUBER HEIGHTS CULTURE &
DIVERSITY CITIZEN ACTION
COMMISSION
Free and open to the public

FINANCIAL LITERACY SEMINAR



HUBER HEIGHTS COMMUNITY CENTER
4301 POWELL RD.
HUBER HEIGHTS, OH 45424


DWIGHT DEWBERRY
VPI Business Banking
Relationship Manager
PNC Bank


RON JACKSON
Advisor
B. Thompson Group LLC

For additional info. call: Katie Knisley
937.233.1423

Masks are strongly encouraged and social distancing guidelines will be followed.

RACISM AS A PUBLIC HEALTH CRISIS

"Understanding the economic, mental and psychological impacts of racism."



A community dialogue sponsored by the Huber Heights Culture & Diversity Citizen Action Commission

Thursday, June 23, 2022
6:30 pm-8:30 pm
Huber Heights Police Division
6121 Taylorsville Rd.
Huber Heights, Ohio 45424


Taylor Curtis
Director of Justice and Equity
YWCA Greater Cincinnati


Dr. Sonia Hunt
Director of Counseling Services
Central State University


Ron Jackson
Advisor
BJ Financial Group LLC

Our Facebook page:
<https://www.facebook.com/HHCDCAC>

For more info. contact:
Katie Knisley, 937.233.1423

Masks are strongly encouraged and social distancing guidelines will be followed.

2022 Outreach Accomplishment

- Outstanding participation from the community
- Estimated 250 at Juneteenth Music Festival
- Estimated 400 in attendance at the Multi-cultural Festival
- Participation from council is needed particularly at the education forums, as this is an opportunity to learn



Huber Heights Culture & Diversity Citizen Action Commission
-presents-

CULTURE WEEK

JUN
19TH

Juneteenth Music Festival
Time: 5:00 p.m.-10:00 p.m.
Eichelberger Amphitheatre
8625 Brandt Pk.
Huber Heights, Ohio 45424

JUN
20TH

Community Health & Wellness Bazaar
Time: 10 a.m.-7:00 p.m.
Huber Heights Community Center
4301 Powell Rd.
Huber Heights, Ohio 45424

JUN
21ST

Financial Literacy Seminar
Time: 6:30 p.m.-8:30 p.m.
Police Division-Community Room
6121 Taylorsville Rd.
Huber Heights, Ohio 45424

JUN
23RD

**Racism is a Public Health Crisis, Part II
Community Forum**
Time: 6:30 p.m.-8:30 p.m.
Huber Heights Community Center
4301 Powell Rd.
Huber Heights, Ohio 45424

JUN
25th

Multi-Cultural Festival
Time: 12:00 p.m.-6:00 p.m.
Eichelberger Amphitheatre
8625 Brandt Pike,
Huber Heights, Ohio 45424

Masks and social distancing is strongly encouraged at all events.



Additional Goals and Initiatives

- Continue to focus on diversity recruitment initiatives
- Continue to support the 8 point initiatives of the NAACP
 - Provide recommendations to the city to work toward developing a concrete plan on how to build and sustain safety, employment opportunities, and equity within our community.
 - Assist and make recommendations that help the city to promote on-going education that will begin to dismantle systems that breed implicit biases, racial misconceptions, hatred, and inequities

-(NAACP letter to Dayton Mayors and Managers Association and Montgomery County Association of Chiefs of Police, 2020)

CDCAC RECOMMENDATIONS

RECOMMENDATION	STATUS
City Council to adopt a resolution denouncing racism and discrimination and declaring that racism is a public health crisis.	Completed.
Add a statement on the Huber Heights website denouncing racism.	Completed.
Revise the Huber Heights website with a diverse equity lens.	Ongoing – City Staff working on recommendation.
Create a webpage layout for the CDCAC with pages and links for CDCAC committees.	N/A – CDCAC no longer has committees.
Create a Citizens Complaint Review Board (CCRB).	Ongoing – City Council, City Staff, and CDCAC representatives working on recommendation.
City Council to provide funding for CDCAC.	Completed – City Council has budgeted \$15,000 annually for CDCAC.
Provide information for time sensitive grants for CDCAC from Montgomery County and United Way.	Completed.
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Provide support for MLK Day activities.	Completed.
Juneteenth proclamation recognition.	Completed.
Indigenous Peoples Day proclamation recognition.	Completed.
City Council to consider opening meetings with a land acknowledgement in recognition of indigenous peoples.	Ongoing.
Police Division to administer drug and alcohol tests for police officers that discharge weapons.	Ongoing.
Police Division to place policies on Huber Heights website.	Completed.
Host educational community forums on race and cultural diversity related to City.	Completed.
Gather EEO data in applicant process to assist in ensuring	Ongoing – Human Resources Director is working to

Adopt a program to recognize Black-owned Business of the Quarter.	Ongoing – CDCAC to develop formal proposal for program. CDCAC asked to consider revising recommendation to minority-owned Business of the Quarter and to seek assistance from Huber Heights Chamber of Commerce.
RFQ – Community Needs Assessment for CDCAC.	Ongoing - City Council adopted Resolution No. 2021-R-6960 to authorize a RFQ for a Community Needs Assessment for the CDCAC. City Council failed to adopt a second Resolution to authorize a RFQ for a Community Needs assessment for the CDCAC over issues with the RFQ. Had a joint meeting on August 4, 2022 to discuss Community Needs Assessment for the CDCAC. CDCAC requested to work with MVRPC Equity Staff to revise the RFQ and resubmit to City Council.
Lu Dale proclamation recognition.	Completed.
City Council to support Culture Week activities and events.	Completed.
Joint meeting of City Council and CDCAC.	Completed.
Hold a public forum with community involvement as part of the City Manager search process.	On Hold – City Manager search process suspended till 2023.
Establish a diverse interview and hiring committee for the City Manager search process with CDCAC and diverse representation from the community.	On Hold – City Manager search process suspended till 2023.
Implement a consistent and unbiased publicly documented interviewing process for the City Manager search process which includes a scoring and ranking system aligned to the requirements of the position.	On Hold – City Manager search process suspended till 2023.

We need your involvement to succeed!

- Attend our meetings and events and show your support
- Spread the word about the Commission events and initiatives in your prospective wards
- Continuously connect with your diverse constituents to understand needs
- Initiate, embrace and be a voice for change
- Be open to new thoughts and ideas
- Be a continuous learner
- Share what you've learned
- Partner with us to create and foster an inclusive community!

AI-8671

Topics of Discussion

Council Work Session

Meeting Date: 10/04/2022

Increase Not To Exceed Amount - Dell Computers - IT Department

Submitted By: Branden Payton

Department: Information Technology

Council Committee Review?: Council Work Session **Date(s) of Committee Review:** 10/04/2022

Audio-Visual Needs: None **Emergency Legislation?:** No

**Motion/Ordinance/
Resolution No.:**

Agenda Item Description or Legislation Title

Increase Not To Exceed Amount - Dell Computers - IT Department

Purpose and Background

This spending limit increase is needed to purchase some tablets for the Fire Division Medics from Dell Technologies.

Fiscal Impact

Source of Funds: IT Department Budget

Cost: \$15,000

Recurring Cost? (Yes/No): No

Funds Available in Current Budget? (Yes/No): Yes

Financial Implications:

Attachments

Resolution

CITY OF HUBER HEIGHTS
STATE OF OHIO

RESOLUTION NO. 2022-R-

TO INCREASE THE NOT TO EXCEED AMOUNT FOR DELL TECHNOLOGIES FOR
CALENDAR YEAR 2022 AND WAIVING THE COMPETITIVE BIDDING
REQUIREMENTS.

WHEREAS, Dell Technologies services are needed to provide software and computer hardware
for City business; and

WHEREAS, the City Charter requires that City Council approve all work performed by a single
vendor in excess of \$25,000.00 in any given year; and

WHEREAS, the City has determined to increase the not to exceed amount to pay Dell
Technologies as needed, without delay; and

WHEREAS, City Council agrees that it is prudent and cost effective to increase the not to exceed
amount to Dell Technologies to allow the company to perform additional work for the City due
to additional services as needed, without delay.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Huber Heights, Ohio that:

Section 1. The City Manager is hereby authorized to increase the not to exceed cost for Dell
Technologies by \$15,000.00 for a new total of \$40,000.00 to cover all additional expenses
throughout Calendar Year 2022 as needed.

Section 2. Consistent with the provisions of the City Charter and the Huber Heights Codified
Ordinances, the competitive bidding requirements are hereby waived.

Section 3. It is hereby found and determined that all formal actions of this Council
concerning and relating to the passage of this Resolution were adopted in an open meeting of this
Council and that all deliberations of this Council and of any of its Committees that resulted in
such formal action were in meetings open to the public and in compliance with all legal
requirements including Section 121.22 of the Ohio Revised Code.

Section 4. This Resolution shall go into effect upon its passage as provided by law and the
Charter of the City of Huber Heights.

Passed by Council on the _____ day of _____, 2022;
_____ Yeas; _____ Nays.

Effective Date:

AUTHENTICATION:

Clerk of Council

Mayor

Date

Date

AI-8679

Topics of Discussion

Council Work Session

Meeting Date: 10/04/2022

Increase Not To Exceed Amount - Capital Electric - Traffic Signal Maintenance/Decorative Lighting

Submitted By: Linda Garrett

Department: Public Works

Division: Public Works

Council Committee Review?: Council Work Session

Date(s) of Committee Review: 10/04/2022

Audio-Visual Needs: None

Emergency Legislation?: No

**Motion/Ordinance/
Resolution No.:**

Agenda Item Description or Legislation Title

Increase Not To Exceed Amount - Capital Electric - Traffic Signal Maintenance/Decorative Lighting

Purpose and Background

The Public Works Division requests authorization to amend the not to exceed amount for Capital Electric by \$50,000 for traffic signal maintenance and decorative lighting for Calendar Year 2022.

Fiscal Impact

Source of Funds:

Public Works Division Budget

Cost:

\$50,000

Recurring Cost? (Yes/No):

No

Funds Available in Current Budget? (Yes/No): No

Financial Implications:

Attachments

Resolution

CITY OF HUBER HEIGHTS
STATE OF OHIO

RESOLUTION NO. 2022-R-

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.

WHEREAS, there have been changes to the required provided services for traffic signal maintenance and decorative lighting with Capital Electrical Line Builders for Calendar Year 2022; and

WHEREAS, the not to exceed amount for Capital Electrical Line Builders needs to be increased by \$50,000.00 to \$100,000.00 for Calendar Year 2022.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Huber Heights, Ohio that:

Section 1. Resolution No. 2022 -R-7097 passed by Council on February 15, 2022 is hereby amended to increase the not to exceed amount for Capital Electrical Line Builders by \$50,000.00 to a new total not to exceed amount of \$100,000.00 for Calendar Year 2022.

Section 2. The City Manager is hereby authorized to enter into an Agreement with Capital Electrical Line Builders for the contract services related to the maintenance, repair and minor construction of traffic signals and decorative lighting at a cost not to exceed \$100,000.00 for Calendar Year 2022.

Section 3. Consistent with the provisions of the City Charter and the Huber Heights Codified Ordinances, the competitive bidding requirements are hereby waived.

Section 4. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its Committees that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 5. This Resolution shall go into effect upon its passage as provided by law and the Charter of the City of Huber Heights.

Passed by Council on the _____ day of _____, 2022;
_____ Yeas; _____ Nays.

Effective Date:

AUTHENTICATION:

Clerk of Council

Mayor

Date

Date

AI-8685

Topics of Discussion

Council Work Session

Meeting Date: 10/04/2022

Water Voucher Program

Submitted By: Bryan Chodkowski

Department: City Manager

Council Committee Review?: None

Date(s) of Committee Review: 10/04/2022

Audio-Visual Needs: None

Emergency Legislation?: No

Motion/Ordinance/
Resolution No.:

Agenda Item Description or Legislation Title

Water Voucher Program

Purpose and Background

Pursuant to the request of the City Council, City Staff have been working to create a Drinking Water Voucher Program to support residents who are impacted by water main breaks. A suitable program has been established and is ready for testing in the community beginning November 1, 2022. Community Engagement Specialist Sarah Williams, who led this effort, will brief the City Council on the program.

Fiscal Impact

Source of Funds: N/A

Cost: N/A

Recurring Cost? (Yes/No): N/A

Funds Available in Current Budget? (Yes/No): N/A

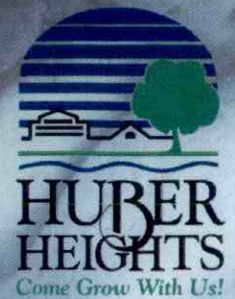
Financial Implications:

Attachments

No file(s) attached.

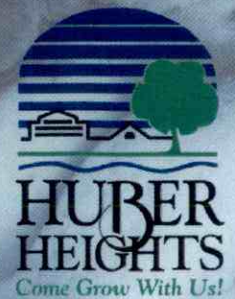
Water Voucher Program

City of Huber Heights



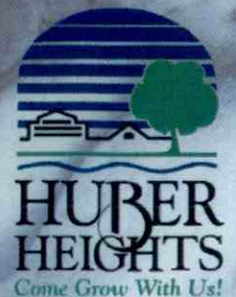
Background

- Water main breaks happen resulting in some residents being placed under a boil advisory.
- Veolia works quickly to make repairs and restore water service.
 - Average time without water is 2-4 hours depending on complexity of break.
- Red door tags noting boil advisory are hung once repair is completed.
- Water samples are taken to lab to verify water still meetings EPA standards for drinking water.
- Blue door tags hung once boil advisory has been lifted.



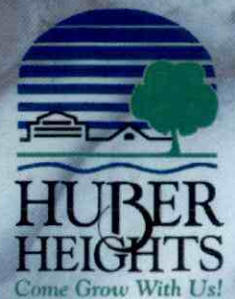
Objectives of Program

- Provide an avenue for drinkable water to those impacted by a boil advisory due to a water main break.
- Improve communication and reduce spread of misinformation.
- Increase awareness on what types of water main breaks/repairs require a boil advisory.
- Increase transparency and accountability.
- Increase/improve customer service for Veolia and the City.



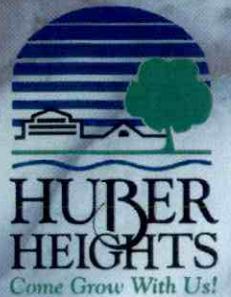
Impact of Program

- Residents - awareness for what types of water main breaks/repairs require a boil advisory and what they need to boil water for (ie. Boil for drinking, but not for showering).
- City Council – better communication & information about water main breaks/repairs from Veolia, fostering better constituent relationships.
- City Staff – increased customer service by assisting those who have barriers to redeeming a voucher for water.
- Veolia – ensuring residents know they are impacted by a water main break and timelines for repairs.



Proposed Water Voucher Program

- To provide 1 case of drinkable water to a residence impacted by boil advisory and receive a RED door tag.
- Voucher will be printed on RED door tag.
- Redeemable at LOWES.
- No cash value to voucher.
- If there are barriers to redeem voucher, assistance may be available.



AI-8680

Topics of Discussion

Council Work Session

Meeting Date: 10/04/2022

ODOT Preliminary Legislation - Brandt Pike Resurfacing

Submitted By: Hanane Eisentraut

Department: Engineering

Division:

Engineering

Council Committee Review?: Council Work Session

Date(s) of Committee Review: 10/04/2022

Audio-Visual Needs: None

Emergency Legislation?: No

Motion/Ordinance/
Resolution No.:

Agenda Item Description or Legislation Title

ODOT Preliminary Legislation - Brandt Pike Resurfacing

Purpose and Background

ODOT requests to obtain consent legislation from the City to initiate the project programming for the resurfacing of Brandt Pike (State Route 201) from Fishburg Road to the south City limit. ODOT will manage and supervise the project. This project will be constructed in 2023.

Fiscal Impact

Source of Funds: N/A

Cost: N/A

Recurring Cost? (Yes/No): N/A

Funds Available in Current Budget? (Yes/No): N/A

Financial Implications:

Attachments

Resolution

CITY OF HUBER HEIGHTS
STATE OF OHIO

RESOLUTION NO. 2022-R-

CONSENTING TO THE OHIO DIRECTOR OF TRANSPORTATION TO RESURFACE STATE ROUTE 201 FROM FISHBURG ROAD TO THE SOUTH CORPORATE LIMITS.

WHEREAS, the State has identified the need for the described project:

Resurface State Route 201 from SLM 04.36 (south corporate limits) to SLM 06.00 (Fishburg Road) in the City of Huber Heights.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Huber Heights, Ohio, that:

Section 1: Being in the public interest, the City gives consent to the Director of Transportation to complete the above-described project.

Section 2: The City shall cooperate with the Director of Transportation in the above-described project as follows:

The City agrees to participate in the cost of the project. The City further agrees to pay 100 percent of the cost of those features requested by the City which are determined by the State and Federal Highway Administration to be unnecessary for the Project.

The City further agrees that change orders and extra work contracts required to fulfill the construction contracts shall be processed as needed. The State shall not approve a change order or extra contract until it first gives notice in writing to the City. The City shall contribute its share of the cost of these items in accordance with other sections herein.

The City further agrees to pay 100 percent of the cost to install and/or repair curb ramps at all necessary intersections to ensure compliance with the Americans with Disability Act.

Section 3: The City agrees to acquire and/or make available to ODOT in accordance with current State and Federal regulations all necessary right-of-way required for the described project. The City also understands that right-of-way includes eligible utility costs.

The City agrees to be responsible for all utility accommodation, relocation and reimbursement and agrees that such accommodations, relocations, and reimbursements shall comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

Section 4: Upon completion of the project, and unless otherwise agreed, the City shall: (1) provide adequate maintenance for the project in accordance with all applicable State and Federal law, including, but not limited to Title 23, U.S.C., Section 116; (2) provide ample financial provisions, as necessary, for the maintenance of the project; (3) maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

Section 5: The City Manager is hereby empowered to enter into contracts with ODOT pre-qualified consultants for the preliminary engineering phase of the Project and to enter into contracts with the Director of Transportation which is necessary to complete the above-described project.

Upon request of ODOT, the City Manager is also empowered to assign all rights, title, and interests of the City of Huber Heights to ODOT arising from any agreement with its consultant in order to allow ODOT to direct additional or corrective work, recover damages due to errors or omissions, and to exercise all other contractual rights and remedies afforded by law or equity.

The City agrees that if Federal Funds are used to pay the cost of any consultant contract, the City shall comply with 23 CFR 172 in the selection of its consultant and administration of the consultant contract. Further the City agrees to incorporate ODOT's "Specifications for Consulting Services" as a contract document in all of its consultant contracts. The City agrees to require, as a scope of services clause, that all plans prepared by the consultant must conform to ODOT'S current design standards and that the consultant shall be responsible for ongoing consultant involvement during the construction phase of the Project. The

City agrees to include a completion schedule acceptable to ODOT and to assist ODOT in rating the consultant's performance through ODOT's Consultant Evaluation System.

Section 6. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its Committees that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 7. This Resolution shall go into effect upon its passage as provided by law and the Charter of the City of Huber Heights.

Passed by Council on the _____ day of _____, 2022;
_____ Yeas; _____ Nays.

Effective Date:

AUTHENTICATION:

Clerk of Council

Mayor

Date

Date

AI-8682

Topics of Discussion

Council Work Session

Meeting Date: 10/04/2022

ODOT Bridge Inspection Agreement

Submitted By: Hanane Eisentraut

Department: Engineering

Division: Engineering

Council Committee Review?: Council Work Session

Date(s) of Committee Review: 10/04/2022

Audio-Visual Needs: None

Emergency Legislation?: No

**Motion/Ordinance/
Resolution No.:**

Agenda Item Description or Legislation Title

ODOT Bridge Inspection Agreement

Purpose and Background

The Ohio Department of Transportation (ODOT) is requesting consent legislation from the City of Huber Heights to renew the bridge inspections agreement for one more year going through 2023. This program was created to help municipalities across the State of Ohio to achieve full compliance with Federal Highway Administration (FHWA) bridge inspections. This program will be fully funded by ODOT.

Fiscal Impact

Source of Funds: N/A

Cost: N/A

Recurring Cost? (Yes/No): N/A

Funds Available in Current Budget? (Yes/No): N/A

Financial Implications:

Attachments

Resolution

Exhibit A

CITY OF HUBER HEIGHTS
STATE OF OHIO

RESOLUTION NO. 2022-R-

AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR MUNICIPAL
BRIDGE INSPECTION SERVICES.

WHEREAS, the City of Huber Heights, Ohio has determined the need for the described project:

Bridge Inspection Program Services, Including, but not limited to routine inspections, element level inspections, critical findings reports, fracture critical member inspections, load rating calculations and reports, weight limits posting sign recommendations, scour assessments, scour plan of actions, development of fracture critical plans, and underwater dive inspection reports if needed.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Huber Heights, Ohio that:

Section 1. Being in the public interest, the City gives its consent to the Director of Transportation to complete the above-described project.

Section 2. The City shall cooperate with the Director of Transportation in the above-described project as follows:

The State shall assume and bear One Hundred Percent (100%) of all of the cost for Bridge Inspection Program Services requested by the City and agreed to by the State. Eligible Bridge Inspection Services are described in the Consultant's Scope of Services Task Order Contract attached hereto as Exhibit A.

In addition, the City agrees to pay One-Hundred Percent (100%) of the cost of those features which are not included in Exhibit A. Those features may include but not limited to the purchasing and erecting the recommended weight limits postings signs, the implementation of critical findings reports such as partial or total bridge closures, the implementation of the scour plan of actions. When recommendations affect public safety, ODOT expects full implementation by the City. Starting in October 2019, FHWA requires installing weight limits posting signs within 30 days from the official date of the approved recommendations. Timely implementation is essential to the success of this program.

Section 3. The City agrees that all right-of-way required for the project will be made available in accordance with current State and Federal regulations.

Section 4. The Project is based on the available funds provided by ODOT aimed at assisting the City in reaching compliance with the State and Federal laws and policies for bridge inspection. The Project specifics (program duration, PID number, and consultant scope of services (Exhibit A) shall be provided to the designated City Contractual Agent via email sent by ODOT Office of Structural Engineering (OSE).

ODOT will seek additional funds to renew the project in future years. If such funds are allocated, ODOT will send an email with the Project specifics to the designated City Contractual Agent seeking approval for the new Project. ODOT will not proceed with any Project that does not have written authorization via email from the designated City Contractual Agent.

Section 5. The City Manager of said City of Huber Heights is hereby empowered on behalf of the City of Huber Heights to provide written authorization via email to the Director of Transportation to complete the above-described project and any renewals.

Section 6. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its Committees that resulted in

such formal action were in meetings open to the public and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 7. This Resolution shall go into effect upon its passage as provided by law and the Charter of the City of Huber Heights.

Passed by Council on the _____ day of _____, 2022;
_____ Yeas; _____ Nays.

Effective Date:

AUTHENTICATION:

Clerk of Council

Mayor

Date

Date

EXHIBIT A

**General Engineering Services Scope of Services
Central Office, Office of Structural Engineering
PID No. 117554**

Scope of Services Meeting Date: **/**/**
Approved Final Scope of Services Minutes Date: **/**/**

GENERAL ENGINEERING SERVICES Central Office, Office of Structural Engineering Scope of Services

The CONSULTANT may be required to perform the following services on a task order type basis for bridges designated by regulation or by agreement as City or Village inspection responsibility. Consultants must be prequalified for Level 1 Bridge Inspection services, which may include but are not limited to the following:

Task 1 - Scour Tasks

- Task 1A - Scour Critical Assessment
- Task 1B - Scour Plan-of-Action

Task 2 - Load Rating Tasks

- Task 2A - Field Measurements for Load Rating
- Task 2B - Load Rating Calculations

Task 3 – AssetWise Structure Inventory and Review, Including New SNBI Fields

Task 4 – Inspection Procedures

- Task 4A - Fracture Critical Plan
- Task 4B – Underwater Inspection Procedures

Task 5 - Bridge Inspection

- Task 5A – Routine Bridge Inspection
- Task 5B – Fracture Critical Inspection
- Task 5C – Underwater Dive Inspection

Services shall be conducted in accordance with the following:

- ODOT Manual of Bridge Inspection, Latest Version
- ODOT Bridge and Inventory Coding Guide, Latest Version
- ODOT Bridge Design Manual, Section 900), Latest Version
- Hydraulic Engineering Circulars 18, 20 and 23
- The Manual for Bridge Evaluation, Third Edition 2019 interim with revisions, AASHTO

Publication

- Bridge Inspector's Reference Manual, FHWA NHI Publication Number: 12-049,
Publication Year: 2012
- Underwater Bridge Inspection, FHWA Publication Number: FHWA NHI-10-027,
Publication Year: 2010

The CONSULTANT shall maintain a project cost accounting system that will segregate costs for individual task orders. The invoicing progress reports shall be detailed enough to show the breakdown of each assigned structure indicating the status of all subtasks. Completion of the individual subtasks is necessary for reimbursement credits.

The duration of the agreement will be twelve (12) months from the authorization date of the agreement.

The Department will be performing an annual Quality Assurance Review (QAR) for each selected consultant in accordance with Manual of Bridge Inspection to ensure accuracy and consistency of the inspection and documentation in AssetWise. This typically includes an office and field review.

The project will be divided into four (4) sub-projects (SP). A CONSULTANT will be selected for each sub-project. Municipalities opted into the previous inspection program will have the option to renew their legislation. Municipalities with population greater than 50,000 people are excluded from the program. The sub-projects have the following general geographic areas, category characteristics, and maximum contract values for the municipalities with municipal inspection responsibility obtained from AssetWise data as of July 2022.

Project: SP01 - District (1, 2, &3), Total Structures = 485*

Type	L ≤ 20'	20' < L ≤ 60'	60' < L ≤ 200'	L > 200'	Total
Single Span	192	178	26	0	396
Multi-Span	24	20	31	14	89
Culvert	119	29	1	0	149
Truss	0	1	3	0	4
Fracture Critical Inspection	0	0	2	0	2
Underwater Inspection	0	0	0	0	0
Load Rating**	108	99	29	7	243

* Level 1 Bridge Inspection structures

** Tasked as budget allows w/priority for NBI bridges with many BrR updates

General Engineering Services Scope of Services
Central Office, Office of Structural Engineering
PID No. 117554

Project: SP02 - District (4, 11, &12), Total Structures = 392*

Type	L ≤ 20'	20' < L ≤ 60'	60' < L ≤ 200'	L > 200'	Total
Single Span	127	126	35	0	288
Multi-Span	22	25	37	20	104
Culvert	84	40	1	0	125
Truss	1	2	6	0	9
Fracture Critical Inspection	0	0	3	0	3
Underwater Inspection	0	0	0	0	0
Load Rating**	75	76	36	10	197

* Level 1 Bridge Inspection structures

** Tasked as budget allows w/priority for NBI bridges with many BrR updates

Project: SP03 - District (5, 6, &10), Total Structures = 515*

Type	L ≤ 20'	20' < L ≤ 60'	60' < L ≤ 200'	L > 200'	Total
Single Span	189	206	40	0	435
Multi-Span	11	11	37	21	80
Culvert	111	87	4	0	202
Truss	0	0	7	0	7
Fracture Critical Inspection	0	0	7	1	8
Underwater Inspection	0	0	0	0	0
Load Rating**	80	87	31	8	259

* Level 1 bridge inspection structures

** Tasked as budget allows w/priority for NBI bridges with many BrR updates

Project: SP04 - District (7, 8 &9), Total Structures = 508*

Type	L ≤ 20'	20' < L ≤ 60'	60' < L ≤ 200'	L > 200'	Total
Single Span	177	157	36	1	371
Multi-Span	29	45	49	14	137
Culvert	126	85	3	0	214
Truss	0	0	7	1	8
Fracture Critical Inspection	0	1	4	1	6
Underwater Inspection	0	0	0	0	0
Load Rating	103	101	43	8	255

* Level 1 bridge inspection structures

** Tasked as budget allows w/priority for NBI bridges with many BrR updates

**General Engineering Services Scope of Services
Central Office, Office of Structural Engineering
PID No. 117554**

Please note that the total number of structure types is estimated based on current AssetWise data queries, and it may be adjusted when tasks are assigned in the future which may include newly found orphan bridges. The estimated annual contract price value for each sub-project is as follows:

SP01 \$560,000
SP02 \$530,000
SP03 \$570,000
SP04 \$590,000

DBE Participation:

Project	Goal
SP01	10%
SP02	0%
SP03	0%
SP04	0%

CONSULTANT shall clearly designate in the letter of intent the SP(s) they wish to be considered for.

Three (3) copies of the letter of intent shall be submitted. The letter of intent shall demonstrate that the CONSULTANT has a clear understanding of the scope of services.

Price Proposal Due Date: **//****

UNDERSTANDING

1. Inspections shall be completed by firm's full-time staff prequalified with ODOT for Level 1 bridge inspection according to the Manual of Bridge Inspection.

2. Task order are intended for maintaining compliance with the FHWA 23-Mertics, Ohio Revised Code, and ODOT policy manuals. Deadlines set by the task orders shall be respected.

3. All reports and records compiled under this agreement shall become the property of the City or Village and shall be housed in the City or Village. ODOT shall receive an electronic copy of plans, analysis files, reports and other items mentioned below.

- a) CONSULTANT shall perform all applicable updates to ASSETWISE with new or revised information for structure inventory and appraisal data, inspections, scour, fracture critical members, and load ratings.
- b) CONSULTANT shall submit copies of all reports and calculations electronically, or in hard copies when requested, to the City or Village for inclusion in their bridge records.
- c) This includes, as applicable, a printed copy of the inspection report, Scour Plan-of-Action, Fracture Critical Plan, load rating report, gusset plate analysis, inspection procedures, and field measurement notes, digital pictures as well as a reproducible digital data file (.pdf, .doc, .xml, and .xls formats).

4. Copies of all transmittal letters and emails related to this Task Order shall be submitted to Central Office, Office of Structural Engineering.

- a) When required, CONSULTANTS shall locate the original construction plans, as-built, and shop drawings from archive locations specified by the municipality and upload them onto ASSETWISE.

Services to be furnished by CONSULTANT may include:

TASK 1 - SCOUR TASKS

Task 1A – Scour Critical Susceptibility NBIS Item 113) - The CONSULTANT shall refer to the most recent ODOT Manual of Bridge Inspection. Deliverables include field notes, a completed Scour Critical Assessment Checklist as per Appendix I of the 2014 Manual of Bridge Inspection, and any other reference material needed for the bridge owner to properly maintain their bridge files. Channel photos or cross sections maybe tasked under this item if assigned. Please use the latest scour assessment form.

Task 1B - Scour Plan-of-Action - The CONSULTANT shall refer to the most recent ODOT Manual of Bridge Inspection Appendix H for the scope of this task. Deliverables include a completed Scour Plan-of-Action, field notes, calculations, and any other reference material needed by bridge owner to maintain bridge files.

TASK 2 – LOAD RATING TASKS

Task 2A - Field Measurements for Load Rating - Should no plans exist or if additional information is required, each main member shall be field measured for load rating. The condition of the member should be noted on the field documentation. All measurements shall be included in the load rating report.

Task 2B - Load Rating Calculations – A bridge carrying vehicular traffic shall be rated to determine the safe load carrying capacity. The CONSULTANT shall review existing bridge plans and inspection reports and other inspection information such as photographs and estimates of section loss for bridge members and connections. The analysis for existing structures shall be performed for AASHTO HS20-44 [MS 18] (truck, lane, & military) loading for both inventory and operating levels, and for the four Ohio Legal Loads including the special hauling vehicles (2F1, 3F1, 4F1, and 5C1, SU4, SU5, SU6, SU7, Type 3, Type 3S2, Type 3-3, NRL, EV2, and EV3) at operating level. The CONSULTANT shall try to complete the load rating analysis utilizing BrR (Virtis) at first. Hand-calculations or Spreadsheets if BrR is not applicable. The BrR analysis file, other load rating files, and the latest BR100 shall be included with the submittal to OSE.

The inventory and operating ratings shall be coded as per the most recent version of the ODOT Bridge Inventory Coding Guide. Update ASSETWISE Inventory with the load rating results and upload BR100 pdf file.

The electronic deliverable shall include if applicable an Excel spreadsheet or other files used for analysis for each bridge which shall include the member areas, member capacities both with and without section loss, influence lines (can be the ordinates or graph of the lines), dead loads and dead load stresses in members, live loads and live load stresses in members for all truck loadings and the load ratings of the members. Truck loadings to be used for the ratings are specified in BDM Section 900.

The Load Rating Report shall be prepared by a registered or non-registered engineer, and it shall be checked, signed, sealed and dated by an Ohio Registered Professional Engineer.

The Load Rating Report shall explain the method used to calculate the load rating of each bridge.

AASHTO Load Factor Rating (LFR) shall be utilized for all bridges not designed by Load and Resistance Factor Design. AASHTO Load and Resistance Factor Rating (LRFR) shall be utilized for all structures designed for HL93 loading starting October 2010.

Load Rating Report Submittal to the City or Village shall include:

- a. Two (2) printed copies and one electronic pdf copy of the Load Rating Report for each bridge.
- b. Final summary of inventory and operating ratings for each member and the overall ratings of the structure shall be presented for each live load truck. An acceptable format is ODOT form BR-100.
- c. Analysis program input files. Both input and output files shall be submitted when programs other than BrR or spreadsheets are used.
- d. All calculations related to the load rating.
- e. If applicable, the weight limits posting recommendations including a copy of the standard posting sign; such as R12-1 (24" x 30"), R12-H5 (30" x 48"), and R12-H7 (30" x 30").

TASK 3 – ASSETWISE STRUCTURE INVENTORY AND REVIEW

The scope of this task includes a limited review of the structure inventory data in the ODOT ASSETWISE. In general, the CONSULTANT shall review specific existing ODOT bridge inventory records (as provided by the City and approved by ODOT) of the designated bridge. The CONSULTANT may download the inventory report, which contains inventory data for each bridge on file with ODOT from the ODOT website. The CONSULTANT shall verify this data and determine if the ODOT ASSETWISE structure file information needs to be updated on the system. If no changes are necessary, then no ASSETWISE inventory needs to be filled out. If changes are necessary, the scope of this task shall also include completing and filing inventory updates (and supplements, as needed) in ASSETWISE. The CONSULTANT shall refer to the ODOT Office of Structural Engineering Inventory and Coding Guide of ASSETWISE for inventory coding details. In 2023, ODOT will start the transition toward SNBI, the consultants shall fill out all empty fields for this purposes as communicated by OSE.

TASK 4 – INSPECTION PROCEDURES

Task 4A – Fracture Critical Plan – A Fracture Critical Member Plan and inspection procedure shall be developed and updated. For more details, refer to Chapter 4: Inspection Types in the Manual of Bridge Inspection. It shall include:

1. Sketches of the superstructure with locations of all fatigue and fracture prone details identified.
 - a. Use framing plan or schematic with detail locations labeled and a legend explaining each labeled item on the scheme.
 - b. Use an elevation view for trusses.

- c. Classify similar fatigue/fracture prone details as types (e.g. end of partial cover plate).
2. A table or location of important structural details indicating:
 - a. Type of detail (e.g. end of partial cover plate, short web gap, etc.)
 - b. Location of each occurrence of detail
 - c. AASHTO Fatigue Category of detail
 - d. Identify retrofits previously installed
3. Risk Factors Influencing the inspector access.

Photos and sketches shall be properly referenced. The CONSULTANT shall refer to the most recent ODOT Manual of Bridge Inspection for additional details on the scope of this task.

Task 4B – Underwater Inspection Procedures – An underwater inspection procedure shall be developed. For more details, refer to Chapter 4: Underwater Inspections in the Manual of Bridge Inspection. Please note that ODOT has recently revised the format of the procedures file. The diving team shall fill out or update the latest form and upload it on ASSETWISE prior to performing the actual dives. Please contact OSE for a copy of a blank form if not uploaded on ASSETWISE at the time.

TASK 5 – BRIDGE INSPECTION

Task 5A – Routine Bridge Inspection (ASSETWISE Input) - Perform a routine field inspection of the structure to determine the general condition. The CONSULTANT shall refer to the most recent ODOT Manual of Bridge Inspection for additional details on the scope of this task. Section 1111 of the Moving Ahead for Progress in the 21st Century Act (MAP-21) modified 23 U.S.C.144, requires Ohio to report bridge element level data for NBIS bridges on the National Highway System (NHS) to FHWA. A condition rating or element level inspection will be assigned. This task includes Condition Rating Inspection for non-NBI structures, Condition Rating Inspection for NBI structures, and Element Level Inspection for NBI classified as NHS. The consultant shall probe the channel around the footing in water to determine depth of scour and report the date in AssetWise.

Task 5B – Fracture Critical Inspection - Perform a fracture critical field inspection of fracture critical items. The CONSULTANT shall update the FCM inspection procedure with current photos and descriptions. The CONSULTANT shall refer to the most recent ODOT Manual of Bridge Inspection for additional details on the scope of this task.

Task 5C – Underwater Dive Inspection – Perform Underwater/ In-Water inspection of substructure units according to the cycle shown in ASSETWISE. Emergency underwater inspection may arise for specific structures over the duration of the contract period. Work shall be done in accordance with the reference manuals and inspection procedure. Scour risk shall be evaluated after field and data collection.

AI-8684

Topics of Discussion

Council Work Session

Meeting Date: 10/04/2022

Stormwater Fees

Submitted By: Hanane Eisentraut

Department: Engineering

Division: Engineering

Council Committee Review?: Council Work Session

Date(s) of Committee Review: 10/04/2022

Audio-Visual Needs: None

Emergency Legislation?: No

**Motion/Ordinance/
Resolution No.:**

Agenda Item Description or Legislation Title

Stormwater Fees

Purpose and Background

This legislation is to increase the stormwater fee for residential and commercial properties within the City from \$2.00 to \$3.50 per Equivalent Residential Unit (ERU) effective January 1, 2023.

Fiscal Impact

Source of Funds: N/A

Cost: N/A

Recurring Cost? (Yes/No): N/A

Funds Available in Current Budget? (Yes/No): N/A

Financial Implications:

Attachments

Stormwater Fund Utilization Plan
Ordinance

STORMWATER MANAGEMENT FUND

- Stormwater Fee began in 2003 as an EPA Requirement for Cities with population greater than 40,000. Fee has remained at \$2.00 per month per residential lot ever since.

Current Expenses Utilizing Stormwater Fund

1) Engineering CIP Annual Budget (\$150,000)

The following are examples of the Stormwater Capital Engineering projects:

- Existing storm sewer and box culvert repairs/replacements (pipe collapse/sinkholes)
- Storm sewer extensions and drainage improvements
- Roadside swale regrading
- Snap tile pipe installations
- Curtain/French drain installation
- Pump replacement - Storm Pump Stations
- Repair of ditch erosion issues

2) Public Works Annual Expenses Items (\$40,000)

- Annual gasoline and diesel fuel
- Annual solid waste disposal
- Annual purchase concrete, catch basin pre-casts, storm tile, and other supplies

3) 2021 Debts Services (\$44,510)

4) 2021 Salaries: Management, Engineering, and Public Works Including Benefits/Insurance (\$381,410)

2021 Total Expenses (12 months) = \$ 615,920.00

2021 Revenue based on current fee (12 Months) = \$ 628,564.34

STORMWATER MANAGEMENT FUND

Reasons for a Stormwater Fee increase:

- City Residential and Commercial Growth
- City's Aging Infrastructure
- Increases in Inflation
- Equipment Cost

****Stormwater fee increase from \$2 to \$3 will generate \$314,000 each year**

New and Upcoming Expenses Needing to Utilize the Stormwater Fund:

1) New

- Storm sewer portion in roadway widening projects
Including large culvert replacements \$150,000/year*
- Catch basin repair currently in Street Program \$100,000/year
- Bridge and culvert repair for erosion \$25,000/year

2) Existing/Upcoming

- Salary/Benefit increases \$25,000/year (minimum)
- Street sweeper \$320,000 (2023)
- Leaf removal vacs \$230,000 (2026)

Public Works – Stormwater Fund was utilized previously to purchase the following items/equipment which will need to be replaced in future years.

Leaf removal vacs	Mulch and leaf grinder
Storm pipe jetter	Street sweeper
Mini excavator	Front end loader
Out roads bush hog tractor	

***Upcoming Roadway projects that will utilize the new increase in fees (in next 5 years):**

- | | | |
|------------------------------|------------------------------|---------------------------|
| ➤ Old Troy Pike Widening | Project Cost = \$1.0 million | Storm Portion = \$50,000 |
| ➤ Fishburg Road Widening | Project Cost = \$700,000 | Storm Portion = \$116,000 |
| ➤ Chambersburg Road Phase IV | Project Cost = \$1.8 million | Storm Portion = \$217,000 |
| ➤ Chambersburg Road West | Project Cost = \$3.5 million | Storm Portion = \$356,000 |

\$739,000

*\$739,000 / 5 years = \$147,800 year

Current Stormwater Fees for Surrounding Cities

City	Stormwater Fee Per Month
Huber Heights	\$2.00
Brookville	\$3.38
Dayton	\$4.32
Troy	\$5.65
Oakwood	\$10.00
Springboro	\$3.00
Xenia	\$2.50
Urbana	\$5.00 per meter
Franklin	\$3.50
Piqua	\$6.70

CITY OF HUBER HEIGHTS
STATE OF OHIO

ORDINANCE NO. 2022-O

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.

WHEREAS, Section 922.27 of the Codified Ordinances of the City of Huber Heights sets forth
the stormwater sewer rate at \$2.00 per Equivalent Residential Unit (ERU); and

WHEREAS this rate has been in effect since 2002; and

WHEREAS, City Council has determined it is necessary to increase the stormwater sewer rate
across the board to \$3.50 per ERU beginning January 1, 2023.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Huber Heights, Ohio that:

Section 1. Section 922.27 of the Codified Ordinances of the City of Huber Heights is hereby
amended to read as follows:

922.27 - Monthly charge per equivalent residential unit.

Effective January 1, 2023, the monthly charge per ERU shall be \$3.50.

Section 2. It is hereby found and determined that all formal actions of this Council
concerning and relating to the passage of this Ordinance were adopted in an open meeting of this
Council and that all deliberations of this Council and of any of its Committees that resulted in
such formal action were in meetings open to the public and in compliance with all legal
requirements including Section 121.22 of the Ohio Revised Code.

Section 3. This Ordinance shall go into effect upon its passage as provided by law and the
Charter of the City of Huber Heights.

Passed by Council on the _____ day of _____, 2022;
_____ Yeas; _____ Nays.

Effective Date:

AUTHENTICATION:

*Clerk of Council

Mayor

Date

Date

AI-8677

Topics of Discussion

Council Work Session

Meeting Date: 10/04/2022

Dogtown - Demolition - Award Contract

Submitted By: Hanane Eisentraut

Department: Engineering

Division:

Engineering

Council Committee Review?: Council Work Session

Date(s) of Committee Review: 10/04/2022

Audio-Visual Needs: None

Emergency Legislation?: No

Motion/Ordinance/
Resolution No.:

Agenda Item Description or Legislation Title

Dogtown - Demolition - Award Contract

Purpose and Background

This legislation will authorize the City Manager to enter into a contract with MAK Solve Environmental & Safety Consultants as the lowest and best bidder for the demolition of a building structure at 6121 Brandt Pike at a cost not to exceed \$110,000. The building is currently occupied by Dogtown or Sit, Stay & Play at the former Marian Meadows.

Fiscal Impact

Source of Funds:

General Fund/TED Fund

Cost:

\$110,000

Recurring Cost? (Yes/No):

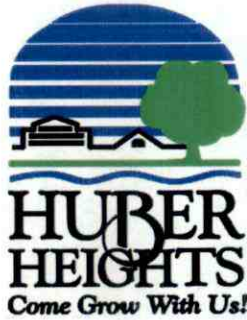
No

Funds Available in Current Budget? (Yes/No): Yes

Financial Implications:

Attachments

Bid Results
Resolution



CITY OF HUBER HEIGHTS

DEMOLITION OF BUILDING STRUCTURE AT 6121 BRANDT PK

BID RESULT

BID DATE: SEPTEMBER 16, 2022

CONTRACTOR'S NAME	BID AMOUNT	
Advanced Demolition	\$ 112,750.00	28 Calendar Days
	Bid Bond - Yes	
Steve Rauch	\$ 130,480.00	30 Calendar Days
	Bid Bond - Yes	
Durst Brothers	\$ 235,200.00	30 Calendar Days
	Bid Bond - Yes	
O'Rourke	\$ 194,000.00	60 Calendar Days
	Bid Bond - Yes	
Mak/Solve	\$ 97,400.00	40 Calendar Days
	Bid Bond - Yes	

CITY OF HUBER HEIGHTS
STATE OF OHIO

RESOLUTION NO. 2022-R-

AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR THE
DEMOLITION OF A BUILDING STRUCTURE AT 6121 BRANDT PIKE.

WHEREAS, City Council under Resolution No. 2022-R-7161, dated August 22, 2022, has
previously authorized the securing of bids for the demolition of the structure at 6121 Brandt Pike;
and

WHEREAS, construction bids were properly received on September 16, 2022; and

WHEREAS, funds are available to cover the cost of this improvement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Huber Heights, Ohio that:

Section 1. The City Manager is hereby authorized to enter into a contract for the demolition of a
building structure at 6121 Brandt Pike with Maksolve Environmental & Safety Consultants
as the lowest and best bidder at a cost not to exceed \$110,000.00 on the terms and conditions as
substantially set forth in the bid documents.

Section 2. It is hereby found and determined that all formal actions of this Council
concerning and relating to the passage of this Resolution were adopted in an open meeting of this
Council and that all deliberations of this Council and of any of its Committees that resulted in
such formal action were in meetings open to the public and in compliance with all legal
requirements including Section 121.22 of the Ohio Revised Code.

Section 3. This Resolution shall go into effect upon its passage as provided by law and the
Charter of the City of Huber Heights.

Passed by Council on the _____ day of _____, 2022;
_____ Yeas; _____ Nays.

Effective Date:

AUTHENTICATION:

Clerk of Council

Mayor

Date

Date

AI-8686

Topics of Discussion

Council Work Session

Meeting Date: 10/04/2022

Text Amendments - Uses - Agricultural District

Submitted By: Bryan Chodkowski

Department: Planning

Council Committee Review?: Council Work Session

Date(s) of Committee Review: 09/06/2022 and 09/20/2022 and 10/04/2022

Audio-Visual Needs: SmartBoard

Emergency Legislation?: No

**Motion/Ordinance/
Resolution No.:**

Agenda Item Description or Legislation Title

Text Amendments - Uses - Agricultural District

Purpose and Background

In follow-up to the City Council's discussion and questions on this matter, contracted Planner, Aaron Sorrell of Community Planning Insights, will be reviewing this matter with Council and providing a final recommendation to address use compliance issues at the heart of the proposed rezoning in Case RZ 22-17.

Fiscal Impact

Source of Funds: N/A

Cost: N/A

Recurring Cost? (Yes/No): N/A

Funds Available in Current Budget? (Yes/No): N/A

Financial Implications:

Attachments

No file(s) attached.



COMMUNITY PLANNING INSIGHTS

128 McDaniel Street, Suite D, Dayton, OH 45405 | (937) 331-8333 | www.cpi-planning.com

September 29, 2022

Bryan RH Chodkowski, ICMA-CM
Interim City Manager
City of Huber Heights
6131 Taylorsville Rd.
Huber Heights, OH 45424

RE: Skilwies Options

Dear Mr. Chodkowski,

If the City Council desires Mr. Skilwies to continue to operate his business at this location, I recommend expanding the allowable Special Uses within the Agricultural District and including specific development criteria. Expanding the number of special uses within the Agricultural District and creating appropriate development standards could provide relief in this case and widen the potential use of lands while limiting the impact to adjacent property owners. The potential downside is all lands zoned agricultural are subject to those expanded uses. However, unlike rezoning or variance, the special use permit expires if the use is discontinued for more than one year.

I recommend expanding the allowable special uses to include bed and breakfast establishments, automotive / vehicle repair (indoors only), and home occupations in accessory buildings. To limit impacts on adjacent properties, development standards must be developed specifically for each use. These standards address minimum lot size, setbacks from neighboring properties, hours and location of operations, screening and buffering. Proposed Special Use development standards are illustrated below:

Automotive / Vehicle Repair

The following standards shall apply to any automotive or vehicle repair use:

- 1) Lot area must be greater than 3 acres.
- 2) Activities shall be limited to the servicing of motor vehicles with minor repair work, including engine and transmission repair. All activities shall be performed in an enclosed building.
- 3) Bodywork and painting shall be prohibited.
- 4) The storage of non-operational vehicles for longer than one week shall be prohibited. All vehicles shall be required to have a valid license plate.
- 5) Parking, storage, or salvaging of junk vehicles, as defined by the ORC, shall be prohibited
- 6) The building shall be set back a minimum of 25 feet from any adjacent residential lot and 200 feet from any adjacent residential structure. The parking for the storage of vehicles, whether operational or non-operational, shall be set back a minimum of 35 feet from any adjacent residential lot.

- 7) Parking areas within 100 feet of an adjacent residential lot shall be screened along said lot line by a 6-foot solid fence, or dense evergreen vegetation with a height of at least 8' feet within two years of planting.

Bed and Breakfast Establishments

The following standards shall apply to any bed and breakfast establishment:

- 1) Bed and breakfast establishments shall only be permitted within a single-family, detached dwelling, unless otherwise approved by the BZA.
- 2) The owner of the premises shall reside full-time in the dwelling, or in a dwelling on an adjoining lot.
- 3) No more than five bedrooms in any dwelling may be used for bed and breakfast lodging and at least one bathroom shall be dedicated to guest use.
- 4) One off-street parking space shall be provided for each bedroom used for guest lodging in addition to those normally required for the single-family dwelling.
- 5) There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of the bed and breakfast establishment that will indicate from the exterior that the building is being utilized in part for any purpose other than a dwelling unit.
- 6) Meals provided for cost in a bed and breakfast establishment shall only be served to the guests who are lodging at the bed and breakfast establishment.
- 7) Guests shall be permitted to reside at the facility for not longer than three continuous weeks.

Regulations in surrounding jurisdictions

I reviewed seven zoning codes from the neighboring jurisdictions of: Bath Twp., Bethel Twp., Butler Twp., Dayton, Fairborn, and Vandalia. All but Butler and Harrison Townships conditionally permit Bed and Breakfast uses in agricultural or rural residential districts. None appear to permit auto repair in those same districts, but that could be due to a limited need or desire to expand the types of uses in those areas. However, while other jurisdictions may not conditionally permit certain uses, it does not preclude Huber Heights from moving forward with the amendments. I believe the draft development standards will reduce the deleterious impacts to adjacent properties.

Timeline

If Council directs staff to move forward with proposing text amendments to the Planning Commission to expand the Special Uses, the draft text language will be submitted to the Planning Commission within 30 days.

If you have any questions or concerns, please contact me at (937) 219-6384.

Sincerely,



Aaron K. Sorrell, AICP
Interim Planning Director

AI-8681

Topics of Discussion

Council Work Session

Meeting Date: 10/04/2022

Ordinance To Appropriate Property - Well Field

Submitted By: Stephanie Wunderlich

Department: Engineering

Division:

Engineering

Council Committee Review?: Council Work Session

Date(s) of Committee Review: 09/06/2022 and 09/20/2022 and 10/04/2022

Audio-Visual Needs: None

Emergency Legislation?: No

Motion/Ordinance/
Resolution No.:

Agenda Item Description or Legislation Title

Ordinance To Appropriate Property - Well Field

Purpose and Background

This ordinance is to appropriate two properties on Rip Rap Road to provide water supply for the City and its inhabitants with the construction of wells, pumps, and water works. A map is included to show the location and size of the two properties (see attached). A description of the properties (Exhibit A and Exhibit B) are also included (see attached).

Fiscal Impact

Source of Funds:

N/A

Cost:

N/A

Recurring Cost? (Yes/No):

N/A

Funds Available in Current Budget? (Yes/No):

N/A

Financial Implications:

Attachments

Map

Ordinance

Exhibit A

Exhibit B

B02 00507 0000
B02 01182 0003 P70 04013W 0000 P70 04009 0002

INTERSTATE 70

SCQUIRE HILL CT
TIMBER HILL DR
MIDFORD ST
KENILWOOD AVE
RED MAPLE CT
HUMPHREY ST DR

B02 01202 0003

P70 04009 0018

P70 04009 0076

RIP RAP RD

P70 04009 0093

P70 04009 0022

44.24 ACRES

P70 04009 0091

62.07 ACRES

R72617225 0001

R72617225 0010

Sources: Esri, Airbus DS, USGS, NOAA, NASA, NOAA, NADAR, N Robinson, N
the GIS user community

City of Huber Heights

ft

CITY OF HUBER HEIGHTS
STATE OF OHIO

ORDINANCE NO. 2022-O-

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.

WHEREAS, the orderly and balanced development of the City of Huber Heights is necessary for the health, safety and general welfare of the citizens; and

WHEREAS, there is a need for acquisition of certain property for providing a water supply for the City; and

WHEREAS, the City has attempted to negotiate the purchase of the property but has not been able to reach an agreement with the property owners; and

WHEREAS, the City deems it necessary to acquire a fee interest in the property; and

WHEREAS, the purpose of the acquisition is to acquire the land necessary for providing a water supply for the City and its inhabitants by the construction of wells, pumps, and water works, and for the protection thereof and

WHEREAS, Ohio Revised Code Section 719.01 provides that any municipal corporation may appropriate, enter upon, and hold real estate within its corporate limit for public purposes including providing a water supply for the City and its inhabitants; and

WHEREAS, a Notice of Intent to Appropriate and Good Faith Offer and Resolution of Intent to Appropriate were provided to the property owners as required by law.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Huber Heights, Ohio that:

Section 1. The City of Huber Heights appropriates:

- I. A fee interest in and to 44.2441 acres of property titled in the name of Carson Schwab and Hollie Alexandria Endsleigh located on the land off of Rip Rap Road being Montgomery County Parcel # P70 04009 0022/0023 more particularly described in Exhibit A, which is attached hereto and incorporated into this Ordinance by reference (hereinafter "Parcel A").
- II. A fee interest in and to 62.068 acres of property titled in the name of John Harvey Schwab, Jr. located on the land off of Rip Rap Road being Montgomery County Parcel # P70 04009 0091 more particularly described in Exhibit B, which is attached hereto and incorporated into this Resolution by reference (hereinafter "Parcel B"); and

Section 2.

- I. Council hereby fixes the value of the property so taken and identified as Parcel A above hereunder at Three Hundred Fifty-Four Thousand Dollars (\$354,000.00).
- II. Council hereby fixes the value of the property so taken and identified as Parcel B above hereunder at Five Hundred Thousand Dollars (\$500,000.00).

Section 3. Council finds that the above appropriations are necessary for the stated public purpose, that the City has been unable to agree with the owners of the property, and that the City intends to obtain possession of the property, which is necessary for the stated public purpose.

Section 4. The Law Director or his designee is directed to file a petition for appropriation in a court of competent jurisdiction and to have a jury impaneled to assess the compensation to be paid for the real estate described above.

Section 5. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its Committees that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 6. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare and for the further reason that acquisition of the subject parcels are need at the earliest time possible to assure the city can complete the design of the well field project and apply for and receive anticipated grant funding prior to project deadlines; therefore, this Ordinance shall take full force and effect immediately upon its adoption by Council.

Passed by Council on the _____ day of _____, 2022;
_____ Yeas; _____ Nays.

Effective Date:

AUTHENTICATION:

Clerk of Council

Mayor

Date

Date

EXHIBIT A

"PARCEL A"

Situate in Fractional Section 5, Town 1, Range 8 MRS, and Section 35, Town 2 Range 8 MRS, in the City of Huber Heights, Montgomery County, Ohio, being part of the 105 acre (Parcel 6) (by deed) Tract and part of the 19 acre (Parcel 7) (by Deed) tract conveyed to Harvey John Schwab and Walter Louis Schwab by deed recorded in Microfiche No. 85-496 B01 of the deed records of Montgomery County, Ohio, being part of the Miami and Erie Canal (abandoned) and being a tract of land more particularly described as follows:

Starting for reference at a stone found at the southeast corner of Lot ELEVEN (11) of Taybridge Industrial Park, Section Two, recorded in Plat Book 176, Page 2 of the Plat Records of said County;

Thence from said starting point, N. $86^{\circ} 44' 05''$ W with the South line of said Lot 11 and Lot TEN (10) of said Taybridge Industrial Park, Section Two, a distance of 816.63 feet to a $5/8''$ iron pin found at the southwest corner of said Lot 10;

Thence N $86^{\circ} 48' 12''$ W with the South line of the 31.572 acre tract conveyed to Jimsco, Inc. by deed recorded in MF # 92-461-A10 a distance of 86.78 feet to a $5/8''$ iron pin set for a new corner, said pin being the true point of beginning for the herein described parcel;

Thence from said true point of beginning S $03^{\circ} 09' 10''$ W with a new division line through said 19 acre tract and said 105 acre tract a distance of 1304.30 feet to a $5/8''$ iron pin set for a new corner;

Thence N $86^{\circ} 50' 50''$ W with a new division line through said 105 acre tract parallel with and 200.00 North of the South line of said Sections 35 and 5 a distance of 2558.51 feet (passing a $5/8''$ iron pin set at the East right of way of Rip Rap Road (40' right of way) at 2516.50 feet and a mag nail set in the centerline of Rip Rap Road at 2537.09 feet) to a $5/8''$ iron pin set for a new corner on the East bank of the Great Miami River;

Thence N $16^{\circ} 50' 45''$ E with the East bank of the Great Miami River and its meanderings a distance of 945.63 feet to a $5/8''$ iron pin set at the southwest corner of the 5.183 acre tract conveyed to Robert L. Murray and Gladys J. Murray by deed recorded in MF #77-99-D02;

Thence S. $86^{\circ} 38' 26''$ E with the South line of said 5.183 acre tract a distance of 1332.51 feet (passing a mag nail set in the centerline of Rip Rap Road at 21.40 feet, a $5/8''$ iron pin set at the East right of way line of said Road at 41.97 feet and a $5/8''$ iron pin found at 1275.36 feet) to a $5/8''$ iron pin set in the center of the abandoned Miami and Erie Canal (width varies);

Thence N. $40^{\circ} 54' 44''$ W with the center of said abandoned canal a distance of 385.71 feet to a $5/8''$ iron pin set at an angle point in said centerline;

Thence N. 31° 47' 44" W continuing with the center of abandoned canal a distance of 139.37 feet to a 5/8" iron pin found at the southwest corner of said Jimsco, Inc. 31.572 acre tract;

Thence S. 86° 48' 12" E with the South line of said Jimsco, Inc. 31.572 acre tract a distance of 1350.22 feet to the True Point of Beginning, containing 62.068 acres of land (included 10.659 acres of said 19 acre tract, 51.409 acres of said 105 acre tract) and being 13.625 acres in said Section 5 and 48.443 acres in said Section 35.

Also subject to a lease of the abandoned Miami and Erie Canal recorded in Lease Volume 101, Page 440 of the Lease records of Montgomery County, Ohio.

This description prepared by McDougall Associates, Inc. based on a survey made by same in June 2002 under the direct supervision of Thomas K. Marsh, PS #7735. All iron pins set are 30" x 5/8" capped "McDougall Assoc." Bearings are based on the north line Section 34, Town 2, Range 8 MRS (S 86° 50' 50" E) as shown on Deed Book 2234, Page 363.

EXCEPTING THE FOLLOWING DESCRIBED REAL EESTATE (17.8239 ACRES)

Situate in Section 5, Town 1, Range 8 MRS, and Section 35, Town 2, Range 8 MRS, in the City of Huber Heights, Montgomery County, Ohio, and being more particularly described as follows:

Commencing at a stone found at the southeast corner of Lot ELEVEN (11) of Taybridge Industrial Park, Section 2, recorded in Plat Book 176, Page 2; thence with the South line of Lot 11, Section 2 and Lot FOURTEEN (14), Section 3, recorded in Plat Book 187, Page 20, North 84° 41' 59" West for a distance of 816.63 feet to an found iron pin and cap at the southwest corner of Lot 14; thence with the south line of the 31.572 acre tract conveyed to JIMSCO, Inc. by deed recorded in MF# 92-416 A10, for the following two calls: North 84° 46' 06" West, passing a found iron pin and cap at 86.78 feet, for a total distance of 1437.03 feet to a 5/8" iron pin and cap; thence with the lines of a 62.068 acres parcel of property conveyed to Todd A. Schwab in IR Deed 17-027676, for the following three calls: South 29° 45' 38" East for a distance of 139.37 feet; thence South 38° 52' 38" East for a distance of 385.71 feet; thence North 84° 36' 20" West for a distance of 543.34 feet to a set iron pin and the True Point of Beginning for this description;

Thence with new division lines, for the following two calls: South 05° 11' 16" West for a distance of 865.91 feet to a set iron pin; thence North 84° 48' 44" West passing through a set iron pin on the East right of way of Rip Rap Road at 958.82 feet and a set mag nail in the centerline of Rip Rap Road at 979.41 feet for a total distance of 1000.83 feet to a set iron pin on the east bank of the Great Miami River, thence with said East bank, North 18° 52' 51" East for a distance of 894.17 feet to a set iron pin; thence with the south line of a 5.183 acre parcel of property conveyed to the City of Huber Heights in IR Deed 04-134093, South 84° 36' 20" East, passing a set mag nail in the centerline of Rip Rap Road at 21.40 feet and a set iron pin on the east right of way of Rip Rap Road at 41.97 feet, for a total distance of 789.17 feet to the Point of Beginning, containing 17.8239 acres of land, 12.1142 acres in said Section 5 and 5.7097 acres in

said Section 35 as recorded in the Montgomery County Engineer's Record of Land Surveys in Vol. 2018 Page 205.

The basis of bearings for this legal description is Ohio State Plane Grid Coordinates (NAD 83-95). Monuments used Brink and Brink AZ MK. North $84^{\circ} 38' 21''$ W. MCE VRS Calibration 2007 (GEOID 2003). All pins referred to as set are 5/8" iron pins with a plastic cap reading "Scott 7407" affixed to the top.

The above legal description being taken from a survey and plat by IDE Incorporated, under the supervision of Mark P. Scott, Ohio Registered Land Surveyor No. 7407, said survey being dated June 25, 2018.

Parcel No. P70 04009 0022, 0023

EXHIBIT B

"PARCEL B"

Situate in Fractional Section 5, Town 1, Range 8 MRs, and Section 35, Town 2, Range 8 MRS, in the City of Huber Heights, Montgomery County, Ohio, being part of the 105 acre (Parcel 6) (by deed) tract and part of the 19 acre (Parcel 7) (by deed) tract conveyed to Harvey John Schwab and Walter Louis Schwab by deed recorded in Microfiche No. 85-496 B01 of the Deed Records of Montgomery County, Ohio, being part of the Miami and Erie Canal (abandoned) and being a tract of land more particularly described as follows:

Beginning at a stone found at the southeast corner of Lot ELEVEN (11) of Taybridge Industrial Park, Section Two, recorded in Plat Book 176, Page 2 of the Plat Records of said County;

Thence from said Point of Beginning S. 03° 25' 03" W with the West line of the 10.00 acre tract conveyed to Bowser-Morner Properties, Limited Partnership by deed recorded in Microfiche No. 89-44-B07 a distance of 321.92 feet to a 5/8" iron pin found at the southwest corner of said tract;

Thence South 86° 46' 26" E with the South line of said 10.00 acre tract and the South line of the 20.000 acre tract conveyed to the State of Ohio by deed recorded in MF #77-95-E02 and as shown on SUR 3-M-730 of the Montgomery County Engineer's Record of Land Surveys a distance of 703.69 feet to a stone found at a northeast corner of Lot 119 of Willow Creek Estates, recorded in Plat Book 140, Page 31;

Thence S. 03° 04' 00" W with the west line of said Lot 119 a distance of 518.95 feet to a 1/2" iron pipe found at the northwest corner of Lot THIRTEEN THOUSAND ONE HUNDRED FOUR (13104) of Herbert C. Huber Plat No. 52, Section Eight ("B", recorded in PB 100, Page 74;

Thence S. 03° 14' 40" W with the west line of said Lot 13104 a distance of 660.86 feet to a 3/4" iron pin found at the southwest corner of said Lot 13104, said pin being on the south line of said Section 35;

Thence N. 86° 50' 50" W with the south line of said Sections 35 and 5, the North line of the 171.0112 acre tract conveyed to Meridian Land Group by deed recorded in MF# 00-416-A08

and as shown on SUR 2000-0211, a Corporation Line of the City of Huber Heights, the north line of Part Lot 80788, Lots 80793, 80794, 80795, 80797 and 80798 of the Revised and Consecutive Numbers of Lots on the Plat of the City of Dayton, Ohio, all of which conveyed to American Aggregates Corporation by deed recorded in Deed Book 2234, Page 363, the north line of Part Lot 80788 (1.656 acres) conveyed to Five Rivers Metroparks by deed recorded in MF #99-790-A11 and as shown on SUR 1999-364 a distance of 4209.83 feet (passing a 5/8" iron pin set at the east right-of-way line of Rip Rap Road (40' right-of-way) at 4164.13 feet and a 5/8" iron pin found at the centerline of said road at 4184.96 feet) to a stone with an "X" found on the East bank of the Great Miami River at the northwest corner of said Part Lot 80788;

Thence N 14° 10' 45" E with the East bank of the Great Miami River and its meanderings a distance of 57.11 feet to a 5/8" iron pin set;

Thence N. 16° 50' 45" E continuing with the East bank of the Great Miami River and its meanderings a distance of 148.15 feet to a 5/8" iron pin set for a new corner;

Thence S 86° 50' 50" E with a new division line through said 105 acre tract parallel with and 200.00' north of the South line of said Sections 5 and 35 a distance of 2558.51 feet (passing a MAG nail set in the centerline of Rip Rap Road at 21.42 feet and a 5/8" iron pin set at the East right-of-way of said road at 42.01 feet) to a 5/8" iron pin set for a new corner;

Thence N 03° 09' 10" E with a new division line through said 105 acre tract and said 19 acre tract a distance of 1304.30 feet to a 5/8" iron pin set for a new corner on the south line of the 31.572 acre tract conveyed to Jimsco, Inc. by deed recorded in MF #92-416-A10;

Thence S. 86° 48' 12" E with the South line of said 31.572 acre tract a distance of 86.78 feet to a 5/8" iron pin found at the southwest corner of Lot 12 of said Taybridge Industrial Park, Section Two;

Thence S. 86° 44' 05" E with the South line of said Lots 12 and 11 a distance of 816.63 feet to the Point of Beginning, containing 62.068 acres of land, (including 8.094 acres of said 19 acre tract, 53.974 acres of said 105 acre tract) and being 3.701 acres in said Section 5 and 58.367 acres in said Section 35, subject to all legal conditions, easements, and rights-of-way pertaining to the premises herein described. Also subject to a lease of the abandoned Miami and Erie Canal recorded in Lease Volume 101, Page 400 of the Lease Records of Montgomery County, Ohio. This description prepared by McDougall Associates, Inc. based on a survey made by same in June 2002 under the direct supervision of Thomas K. Marsh, PS #7735. All iron pins set are 30" x 5/8" capped "McDougall Assoc.". Bearings are based on the north line of Sections 34, Town 2, Range 8 MRs (S 86° 50' 50" E) as shown on Deed Book 2234, Page 363.

Parcel No. P70 04009 0091