

RECORD OF PROCEEDINGS

Minutes of

Huber Heights City Council

Meeting

GOVERNMENT FORMS & SUPPLIES MAY 2003 EDITION FORM NO. 100-100  
In Council Chambers

Held 6131 Taylorsville Road May 22, 2023

1. Call The Meeting To Order - Mayor Jeff Gore

The Huber Heights City Council met in a Regular Session on May 22, 2023. Mayor Jeff Gore called the meeting to order at 6:00 p.m.

2. Invocation - Pastor Randy Griffith Of The Free Methodist Church At 6875 Old Troy Pike, Huber Heights, Ohio.

3. Flag Ceremony – Wayne High School Junior ROTC Honor Guard

4. Pledge Of Allegiance

5. Roll Call

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

Absent: Richard Shaw, Mark Campbell

Mrs. Kitchen moved to excuse the absences of Mr. Shaw and Mr. Campbell; Mr. Webb seconded the motion. On a call of the vote, Ms. Baker, Mrs. Byrge, Mr. Otto, Mr. Lyons, Mrs. Kitchen, and Mr. Webb voted yea; none voted nay. The motion passes 6-0.

6. Approval Of Minutes

A. City Council Meeting Minutes – May 8, 2023

The minutes for the May 8, 2023 City Council Meeting were approved by the Huber Heights City Council as submitted.

7. Special Presentations/Announcements

There were no Special Presentations or Announcements.

8. Citizens Comments

Mr. Hal Loeschke said in looking at his water bill for the last four months, Huber Heights has super inflation. He said in January, 2023 there was a 75 percent increase in the stormwater charges, and he guesses the City is just piggybacking on the situation in that everyone is raising prices. He said he would like to hear some answers. He said in February, 2023, water service increased 7.5 percent and in April, 2023, it increased 6.1 percent. He said, by taking the dollar value of these three items, that is a 20.3 percent increase in four months. He asked Council what answers they have for the public. He said he understands there is inflation and a yearly increase, but he asked what is the justification for these increases in four months.

Mayor Gore said there have been water bill increases and rate adjustments based on the annual increases. He said with the water softening and water pressure upgrades, there were some increases that kicked in. He asked Mr. Loeschke to give his bills for the past few months to the City Manager so the bills can be reviewed to make sure the water bills are correct. He said if the charges are legitimate, City Staff will get with Mr. Loeschke to explain the billing.

Mr. Lyons said he remembers the vote on Council regarding the stormwater rate. He asked Mr. Chodkowski if the vote was to raise that rate from \$25 to \$50?

Mr. Chodkowski said he would have to pull the specific legislation. He said there was an adjustment to the stormwater rate to reflect the consumer price index over time. He explained the reasoning and he stated Council made that decision based on a recommendation from City Staff.



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Huber Heights City Council

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GOVERNMENT FORMS & SUPPLIES 044-221-3881 FORM NO. 10-000  
In Council Chambers

Held 6131 Taylorsville Road

May 22, 2023

Mr. Lyons said regarding the annual water rate increase, the City Manager has the option to increase that rate based on Council legislation. He asked what the increase was starting in January, 2023.

Mr. Chodkowski said there were several increases that occurred with respect to the water rates because of the Consumer Price Index as well as independent decisions by Council to increase the resources available to be able to fund capital infrastructure. He said he would have to pull the legislation to come up with the total rate and percentages, but he said there were several increases that did occur.

Mr. Lyons asked if Mr. Chodkowski was addressing the Water Main Replacement Program specifically.

Mr. Chodkowski said, in general, the water rate has been increased several times, partly because of the Consumer Price Index provision within the rate legislation itself, and because there was an increase this year. He said he would have to go back and look at the various increases that occurred.

Mr. Lyons said he remembers when Council was discussing the City Budget last year, and Mr. Jim Bell said there was \$3,000,000 in the Water Fund, and in another meeting Mr. Bell said there was \$3,000,00 to \$4,000,000 in the Water Fund. He said when he went back to the CAFR report from the Ohio State Auditor, and there was \$7 million in the Water Fund. He said that is one of the reasons he voted no on that issue. He said he would like City Staff to look at Mr. Loeschke's bill.

Ms. Tonya Wells said she is a resident of Bethel Township and a former resident of Huber Heights. She said she moved to Bethel Township in hopes of raising her kids in Bethel Schools. She said in order to provide a sliver of the idea of the chaos caused by greedy developers, she shared with Council what has happened to the Bethel School District since her son enrolled in 2012. She said in ten years, 764 students were added to the district. In 2018-2019, she said there were 139 new students, and for this school year, the number was almost double. She discussed the percentage of economically disadvantaged students that has increased from 0 percent in 2009 to 21.44 percent since the Carriage Trails Subdivision was developed. She discussed the hardships on the school system now and the proposed annexation. She said the residents of Bethel Township find themselves fending off a City that apparently has not learned compassion for what it went through. She discussed the annexation laws and said Councilmembers are the only ones who can stop this annexation.

Ms. Lorna Furderer discussed the definition of annexation and the downfalls and negative consequences of annexation. She said annexation is a growth Ponzi scheme. She said development fees provide an upfront infusion of cash, but taxpayers are left with a steadily growing maintenance bill long term. She discussed the recognized historical farms and historical heritage. She said the impact on residents has already been seen due to the growth. She said if the annexation moves forward, the developer should have to pay impact fees to alleviate taxes and the burden placed on Bethel Township residents and the schools. She said Huber Heights has a little over 700 acres to the east of Bellefontaine Road and between Chambersburg Road and Taylorsville Road if the City is hell-bent on developing.

Ms. Bailey Leskowich said she attends Bethel Middle School and she is 13 years old. She said Bethel students, staff, and parents will be impacted if the 1,300 houses are built on the 260 acres near Carriage Trails. She discussed the impact on the schools. She said there are many non-English speaking students, and the school staff and students are expected to teach those students what is going on in class. She said it takes time away from teaching her and the other students. She said the teachers have to use Google Translate because the kids do not understand what the teacher is teaching, which makes it hard to teach a lesson and stay on schedule. She



# RECORD OF PROCEEDINGS

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Huber Heights City Council

Meeting

## In Council Chambers

GOVERNMENT FORMS & SUPPLIES 844-224-3556 FORM NO. 1616

Held 6131 Taylorsville Road

May 22, 2023

listed the other difficulties she goes through on a daily basis. She asked Huber Heights to be a good neighbor.

Ms. Jackie Leskovich talked about the history of preserving wilderness areas from economic development in Wyoming, Montana and Idaho which is now referred to as Yellowstone National Park. She said residents of Bethel Township are fighting to preserve land and prevent investors and developers from buying up parceled land for economic benefit. She discussed the draws to Bethel Township and pleaded with Council to disapprove the annexation of 260 plus acres. She said her daughter is very concerned with the effect on the school system. She discussed the hardships of teaching non-English speaking students. She said this development will bring more non-English speaking students and she asked Council to not stress the students with more growth. She asked Council to look the students in the eyes and tell them that increasing the City's tax revenue matters more than their education, because that is the message Council will be sending.

Ms. Natalie Donahue asked Council to vote no on the annexation of 260 plus acres of Bethel Township and she listed many reasons. She said the current residents of Huber Heights should be taken care of instead. She advised Council to take a moment and look around at what the City has accomplished with its growth, and make sure everything is in order before taking another bite.

Ms. Donna Beam said she has lived in this area her whole life, moved to Bethel Township in 1980 for the rural area atmosphere, and is part of four generations in Bethel Township. She said it is not that she does not anticipate growth and does not want it, just not this much this fast. She said Bethel Township cannot keep up with this kind of growth. She said the community is losing 15 teachers because they cannot keep up with this growth.

Ms. Peri Bonner said Bethel Schools cannot dig itself out of the hole it is in now. She asked Council to look at the statistics, look at the numbers, and step back and decide if this annexation is truly what Huber Heights wants to do. She said Huber Heights has been a good neighbor in the past and she asked that the City not do this to Bethel Township.

Ms. Donna Hughes asked that the City not expand and to not do to Bethel Township what Dayton did to Wayne Township. She said Bethel Township does not have the resources. She said if Council chooses to vote yes, Council should make the builder be responsible for a classroom, a teacher, and maintenance of those things for ten years for every 100 to 200 homes.

Mr. Lyons thanked everyone for coming out and voicing their opinions. He asked Mr. Anthony Rodgers if the Bethel Township land annexation is on the agenda and he asked the deadline for Council to vote on the annexation.

Mr. Rodgers said there is nothing scheduled to be voted on related to the annexation, and the deadline for Council to vote on the annexation is June 27, 2023.

### 9. Citizens Registered To Speak On Agenda Items

There were no citizens registered to speak on agenda items.

### 10. City Manager Report

Interim City Manager Bryan Chodkowski said the City is participating in the Miami Valley Age Friendly Communities Project. He said representatives from that program are hosting roundtable discussions in the community. He said the first two meetings were today. He said there is a third session on Thursday, May 25, 2023 at the Huber Heights Police Division Community Room from 6:00 p.m. to 8:00 p.m. He said these discussions promote Huber Heights' initiative to become a more age-



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friendly and livable community. He said this project gives residents and other stakeholders the opportunity to share their vision for a more livable community. He said on May 27, 2023, the Kroger Aquatic Center will open for the 2023 season. He said pass holders and residents are invited at 12:00 p.m., and the public is welcome at 1:00 p.m. He said the hours for the Kroger Aquatic Center can be found on the City's website, season passes are still available, and if passes are purchased before opening day, customers receive a ten percent discount. He said on May 29, 2023 at 5:00 p.m., the City will host a wreath laying ceremony at the Veterans Memorial in Thomas Cloud Park. He said the Y on the Fly will be coming to the Huber Heights Community Center this summer, and it is a program that will be available on Fridays from 10:00 a.m. to 11:30 a.m. every week and will begin on June 5, 2023 and continue through the end of July, 2023. He said the van would come to the Huber Heights Community Center every week to offer a healthy snack and summer games led by YMCA staff. He said an update on the Fire Division staffing levels is that the 41st firefighter started today, and the 42nd firefighter accepted the City's offer and will begin employment on June 1, 2023.

## 11. Pending Business

- A. An Ordinance Establishing The ARPA First Responders Grant Fund.  
(second reading)

Mr. Chodkowski said this legislation will establish the fund required to track the ARPA First Responders Grant. He asked that Council adopt this legislation so the ARPA First Responders Grant Fund is in place when the money arrives.

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

Mrs. Byrge moved to adopt; Ms. Baker seconded the motion. On a call of the vote, Mrs. Byrge, Mr. Otto, Mr. Lyons, Mrs. Kitchen, Mr. Webb, and Ms. Baker voted yea; none voted nay. The motion passes 6-0.

- B. An Ordinance Amending Ordinance No. 2007-O-1687 Regarding Certain Limitations In Accepting Cash Sureties To Be Deposited In The #802 Cash Surety Fund.  
(second reading)

Mr. Chodkowski said this measure will improve the City's ability to do business with the general contracting public.

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

Mr. Webb moved to adopt; Mr. Otto seconded the motion. On a call of the vote, Mr. Otto, Mrs. Kitchen, Mr. Webb, Ms. Baker, and Mrs. Byrge voted yea; Mr. Lyons voted nay. The motion passes 5-1.

- C. An Ordinance Amending Chapter 193 – Transient Guest Tax, Section 193.02 – State Definitions Incorporated Of The Huber Heights Codified Ordinances.  
(second reading)

Mr. Chodkowski said this legislation will empower the City to be able to charge the Transient Guest Tax on temporary rentals such as Airbnb's and other types of establishments.

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

Mrs. Byrge moved to adopt; Ms. Baker seconded the motion. On a call of the vote, Mrs. Kitchen, Mr. Webb, Ms. Baker, Mrs. Byrge, and Mr. Otto voted yea; Mr. Lyons voted nay. The motion passes 5-1.



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Huber Heights City Council

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GOVERNMENT FORMS & SUPPLIES 344-220-3281 FAX 344-220-3282  
In Council Chambers

Held 6131 Taylorsville Road

May 22, 20 23

12. New Business

CITY COUNCIL

Anthony Rodgers, Clerk Of Council

- A. A Motion To Appoint Thomas Underwood To The Military And Veterans Commission For A Term Ending December 31, 2024.

Clerk of Council Anthony Rodgers said the applicable background checks have been processed for Mr. Underwood.

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

Mr. Webb moved to adopt; Mrs. Kitchen seconded the motion. On a call of the vote, Mrs. Kitchen, Mr. Webb, Ms. Baker, Mrs. Byrge, Mr. Otto, and Mr. Lyons voted yea; none voted nay. The motion passes 6-0.

ADMINISTRATION

Bryan Chodkowski, Interim City Manager

- B. A Resolution Consenting To A Sublease Of The YMCA Property.  
(first reading)

Mr. Chodkowski said this legislation will allow a new vendor to continue to operate the dialysis center at the YMCA through a sublease. He said it was the recommendation that this item be adopted.

Mrs. Kitchen moved to adopt; Mr. Webb seconded the motion. On a call of the vote, Mr. Webb, Ms. Baker, Mrs. Byrge, Mr. Otto, Mr. Lyons, and Mrs. Kitchen voted yea; none voted nay. The motion passes 6-0.

- C. A Resolution Declaring Certain City Property Located At The Rose Music Center No Longer Needed For Municipal Purposes As Surplus And Authorizing Sale Of Said Surplus Property.  
(first reading)

Mr. Chodkowski said this legislation allows the City to sell three pieces of equipment at the Rose Music Center to reinvest those funds back into the facility.

Mrs. Byrge moved to adopt; Ms. Baker seconded the motion. On a call of the vote, Ms. Baker, Mrs. Byrge, Mr. Otto, Mr. Lyons, Mrs. Kitchen, and Mr. Webb voted yea; none voted nay. The motion passes 6-0.

- D. A Resolution Authorizing The City Manager To Execute A Waiver Of Potential Conflict/CRA Agreement Between The City Of Huber Heights And Charles V. Simms Development Corporation And Simms The Gables Of HH, Ltd. For The Residential Development Known As The Gables.  
(first reading)

Mr. Chodkowski said this measure will allow the City and Simms Development to utilize the same attorney for the purposes of providing a CRA agreement to be voted on later in this meeting.

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

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



RECORD OF PROCEEDINGS

GOVERNMENT FORMS & SUPPLIES 3344-220-0001 FORM NO. 3-03In Council Chambers

Held6131 Taylorsville RoadMay 22, 2023

- E.

A Resolution Authorizing The City Manager To Enter Into A Community Reinvestment Area Agreement With Charles Simms Development Under Certain Terms And Conditions.

(first reading)

Mr. Chodkowski said this agreement provides the City with approximately \$5.6 million in additional revenue than without the CRA agreement, and it was the recommendation that this item be approved.

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

A Resolution Authorizing The City Manager To Participate In The Ohio Association Of Public Treasurers 2024 Workers' Compensation Group Retrospective Program Administered By Sedgwick.

(first reading)

Mr. Chodkowski said the City is required to provide Workers' Compensation insurance and this legislation will allow the City to do that through a retrospective program which provides for the largest benefit back to the City with respect to premium costs.

Mr. Otto moved to adopt; Ms. Baker seconded the motion. On a call of the vote, Mr. Lyons, Mrs. Kitchen, Mr. Webb, Ms. Baker, Mrs. Byrge, and Mr. Otto voted yea; none voted nay. The motion passes 6-0.
- G.

A Resolution Amending The City Of Huber Heights "Pick Up" Of A Portion Of The Statutorily Required Contribution To The Ohio Police And Fire Pension Fund For Qualifying And Participating Members Of The Huber Heights Fire Division.

(first reading)

Mr. Chodkowski said, as was negotiated through the collective bargaining process, the IAFF bargaining unit agreed to forego the 1 percent pension pickup from the City in exchange for a 0.75 percent wage increase. He said the Ohio General Administrative Code requires that Council adopt legislation affirming that agreement.

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

Mrs. Byrge moved to adopt; Mrs. Kitchen seconded the motion. On a call of the vote, Mrs. Kitchen, Mr. Webb, Ms. Baker, Mrs. Byrge, Mr. Otto, and Mr. Lyons voted yea; none voted nay. The motion passes 6-0.
- H.

An Ordinance Amending Ordinance No. 2022-O-2562 By Making Supplemental Appropriations For Expenses Of The City Of Huber Heights, Ohio For The Period Beginning January 1, 2023 And Ending December 31, 2023.

(first reading)

Mr. Chodkowski said this legislation provides the necessary funding for the City to continue its daily operations. He said City Staff request that the second reading of the legislation be waived.

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

Mr. Webb moved to waive the second reading; Ms. Baker seconded the motion. On a call of the vote, Mr. Webb, Ms. Baker, Mrs. Byrge, Mr. Otto, and Mrs. Kitchen voted yea; Mr. Lyons voted nay. The motion to waive fails 5-1.

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



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- I. A Resolution To Increase The Not To Exceed Amount For Lennon & Company, CPA For Additional Professional Services For The Finance Department In Calendar Year 2023.  
(first reading)

Mr. Chodkowski said these services are to assist the Finance Department with completing the annual CAFR. He asked Council to adopt this item.

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

Mrs. Byrge moved to adopt; Mr. Otto seconded the motion. On a call of the vote, Ms. Baker, Mrs. Byrge, Mr. Otto, Mrs. Kitchen, and Mr. Webb voted yea; Mr. Lyons voted nay. The motion passes 5-1.

- J. An Ordinance Authorizing The Execution Of A Master Lease-Purchase Agreement And Related Payment Schedule For The Purpose Of Acquiring An Emergency Medical Vehicle For Use By The City, And Declaring An Emergency.  
(first reading)

Mr. Chodkowski asked Council to waive the second reading and to adopt this item to provide sufficient funding to take delivery of a medic for the Fire Division which is on a regularly scheduled replacement plan.

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

Ms. Baker moved to waive the second reading; Mrs. Byrge seconded the motion. On a call of the vote, Mrs. Byrge, Mr. Otto, Mr. Lyons, Mrs. Kitchen, Mr. Webb, and Ms. Baker voted yea; none voted nay. The motion passes 6-0.

Mrs. Kitchen moved to adopt; Mr. Webb seconded the motion. On a call of the vote, Mr. Otto, Mr. Lyons, Mrs. Kitchen, Mr. Webb, Ms. Baker, and Mrs. Byrge voted yea; none voted nay. The motion passes 6-0.

- K. An Ordinance Authorizing The Execution Of A Master Lease-Purchase Agreement And Related Payment Schedule For The Purpose Of Acquiring A Street Sweeper For Use By The City, And Declaring An Emergency.  
(first reading)

Mr. Chodkowski requested the second reading be waived and this item be adopted as this legislation is to fund a street sweeper for the Public Works Division and the request is based on ensuring the City gets the best rate available for this lease.

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

Mr. Webb moved to waive the second reading; Mr. Otto seconded the motion. On a call of the vote, Mr. Lyons, Mrs. Kitchen, Mr. Webb, Ms. Baker, Mrs. Byrge, and Mr. Otto voted yea; none voted nay. The motion passes 6-0.

Mr. Otto moved to adopt; Mr. Webb seconded the motion. On a call of the vote, Mrs. Kitchen, Mr. Webb, Ms. Baker, Mrs. Byrge, Mr. Otto, and Mr. Lyons voted yea; none voted nay. The motion passes 6-0.

13. City Official Reports And Comments

Mr. Otto said he appreciates everyone from Bethel Township coming out expressing their concerns about the annexation and reminding Council of the consequences and that the City was in the position once before as well. He said they have a friend in him, and he will stand with them.

RECORD OF PROCEEDINGS

Minutes of

Huber Heights City Council

Meeting

GOVERNMENT FORMS & SUPPLIES 344-224-3884 FORM NO. 48-10  
In Council Chambers

Held 6131 Taylorsville Road


May 22, 20 23

14. Executive Session

There was no need for an Executive Session.

15. Adjournment

Mayor Gore adjourned the Regular Session City Council Meeting at 6:58 p.m.

  
Clerk of Council

06-13-2023  
Date

  
Mayor

6/20/2023  
Date