

Notice of Meeting

CITY COUNCIL WORK SESSION

Tuesday, January 3, 2023

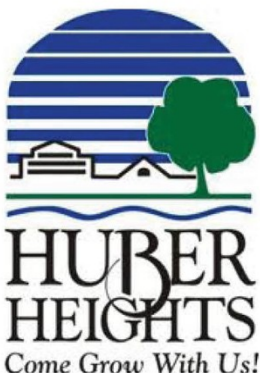
*at or about 6:00 p.m. at City Hall –
Council Chambers – 6131 Taylorsville Road*

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

- City Manager Report
- 2023 Abatement/Mowing Program – Award Contract
- Public Works Division Facility – Design Work – Award Contract
- Purchase – Street Sweeper – Public Works Division
- Water Survey – Phase III – Award Contract
- Staffing Levels/Table Of Organization
- Salary Ranges/Wage Levels
- Case RZ 22-17 – Michael Skilwies – Rezoning/Replat – 9416 Taylorsville Road
- Liquor Permit #6074542 – Sands Seafood And Sports Bar – 6250-6254 Chambersburg Road
- Liquor Permit #3079899 – Marathon – 7851 Old Troy Pike
- Liquor Permit #4044836 – Double Deuce – 5186 Brandt Pike
- Board And Commission Appointments
- 2023 Rules Of Council
- 2023 Vice Mayor

Please Note:

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



Distributed – December 29, 2022

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**CITY OF HUBER HEIGHTS
STATE OF OHIO**

City Council Work Session

**January 3, 2023
6:00 P.M.**

City Hall - Council Chambers - 6131 Taylorsville Road - Huber Heights, Ohio

1. **Call Meeting To Order/Roll Call**
2. **Approval Of Minutes**
 - A. December 6, 2022
3. **Work Session Topics Of Discussion**
 - A. City Manager Report
 - B. 2023 Abatement/Mowing Program - Award Contract
 - C. Public Works Division Facility - Design Work - Award Contract
 - D. Purchase - Street Sweeper - Public Works Division
 - E. Water Survey - Phase III - Award Contract
 - F. Staffing Levels/Table Of Organization

G. Salary Ranges/Wage Levels

H. Case RZ 22-17 - Michael Skilwies - Rezoning/Replat - 9416 Taylorsville Road

I. Liquor Permit #6074542 - Sands Seafood And Sports Bar - 6250-6254 Chambersburg Road

J. Liquor Permit #3079899 - Marathon - 7851 Old Troy Pike

K. Liquor Permit #4044836 - Double Deuce - 5186 Brandt Pike

L. Board And Commission Appointments

- * Military And Veterans Commission - Appointments

- * Culture And Diversity Citizen Action Commission - Appointment

- * Parks And Recreation Board - Appointment

M. 2023 Rules Of Council

N. 2023 Vice Mayor

4. **Adjournment**

**CITY OF HUBER HEIGHTS
STATE OF OHIO**

Council Work Session Meeting Minutes

Name of Body: Council Work Session

Date: January 3, 2023

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: Don Millard, Keith Knisley, Katie Knisley, Mike Gray, Russ Bergman, Bryan Chodkowski, David Montgomery, and Anthony Rodgers.

Topics of Discussion:

- City Manager Report
- 2023 Abatement/Mowing Program – Award Contract
- Public Works Division Facility – Design Work – Award Contract

- Purchase – Street Sweeper – Public Works Division
- Water Survey – Phase III – Award Contract
- Staffing Levels/Table Of Organization
- Salary Ranges/Wage Levels
- Case RZ 22-17 – Michael Skilwies – Rezoning/Replat – 9416 Taylorsville Road
- Liquor Permit #6074542 – Sands Seafood And Sports Bar – 6250-6254 Chambersburg Road
- Liquor Permit #3079899 – Marathon – 7851 Old Troy Pike
- Liquor Permit #4044836 – Double Deuce – 5186 Brandt Pike
- Board And Commission Appointments
- 2023 Rules Of Council
- 2023 Vice Mayor

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

Mayor Jeff Gore convened the Council Work Session at 6:00 P.M.

Anthony Rodgers took Roll Call.

2. **Approval of Minutes**

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

- December 6, 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 provided details for the Martin Luther King Unity Walk and program that will take place on Monday, January 16, 2023. He said the traffic issues in the area surrounding Old Troy Pike and Merily Way are untenable. He said, after an evaluation by Police Chief Mark Lightner, the Police Division will be establishing a special patrol of two uniformed officers and marked police cars to be on duty at this location for the next thirty days from 10:00 A.M. to 6:00 P.M. Additionally, he said "Do Not Block The Intersection" signage will be utilized at this location. He said the special patrol at this location will be evaluated at the end of this thirty days, and further recommendations will be made at that time.

Bryan Chodkowski said he would like to propose necessary legislation to engage TEC Engineering for the purpose of conducting a traffic analysis in the area of Old Troy Pike (State Route 202) and Merily Way. He said this traffic analysis would be in addition to other improvements and projects in this area to address these traffic issues in the short-term and the long-term.

Russ Bergman shared some additional information about the traffic issues at this location. He distributed a map showing planned improvements to Merily Way to help address the traffic issues (see attached).

After discussion, the City Council agreed to recommend approval of the necessary legislation to engage TEC Engineering for the purpose of conducting a traffic analysis in the area of Old Troy Pike (State Route 202) from Taylorsville Road to Executive Boulevard and requested that the proposed legislation be placed on the agenda at the January 9, 2023 City Council Meeting for a first reading as non-emergency legislation with adoption of the legislation at the January 9, 2023 City Council Meeting.

2023 Abatement/Mowing Program – Award Contract

Don Millard distributed information and proposed legislation to authorize a contract for the 2023 Abatement and Mowing Program (see attached). He said this legislation will authorize the City Manager to enter into a contract with T&W General Services, LLC for the 2023 Abatement and Mowing Program at a cost not to exceed \$36,000. He said T&W General Services, LLC, has proven to be a very reliable contractor when doing work for the City. He said the contractor responds quickly and completes all work in a timely fashion. He said the Private Property Nuisance Abatement Fund will be utilized for this program.

After discussion, the City Council agreed to recommend approval of the proposed legislation to authorize a contract for the 2023 Abatement and Mowing Program and requested that the proposed legislation be placed on the agenda at the January 9, 2023 City Council Meeting for a first reading as non-emergency legislation with adoption of the legislation at the January 9, 2023 City Council Meeting.

Public Works Division Facility – Design Work – Award Contract

Russ Bergman distributed information and proposed legislation to authorize a contract for the design of the new Public Works Division facility (see attached). He said City Staff solicited a Request For Qualifications and Proposals from various engineering/architecture firms regarding the design of the new Public Works Facility. He said City Staff analyzed the submitted proposals and selected three prospective firms to interview and present their qualifications and scope for performing this task. He said one of the three selected firms did not respond to the City's request for an interview. He said Kueny Architects showed to be the most qualified firm for this project. He said this legislation will authorize the City Manager to enter into a contract with Kueny Architects, a qualified architectural firm, to design this needed improvement. He said the Capital Improvements Fund will be utilized for this project at a cost not to exceed \$650,000.

Nancy Byrge said she would like to see the factors and criteria that were used by City Staff in the decision-making process leading to the selection of the vendor.

Russ Bergman said he would provide that information to the City Council.

After discussion, the City Council agreed to recommend approval of the proposed legislation to authorize a contract for the design of the new Public Works Division facility and requested that the proposed legislation be placed on the agenda at the January 9, 2023 City Council Meeting for a first reading as non-emergency legislation with adoption of the legislation at the January 9, 2023 City Council Meeting.

Purchase – Street Sweeper – Public Works Division

Mike Gray distributed information and proposed legislation to authorize the purchase of a street sweeper for the Public Works Division (see attached). He said the Public Works Division requests authorization to purchase a new second street sweeper to assist in City operations.

After discussion, the City Council agreed to recommend approval of the proposed legislation to authorize the purchase of a street sweeper for the Public Works Division and requested that the proposed legislation be placed on the agenda at the January 9, 2023 City Council Meeting for a first reading as non-emergency legislation with adoption of the legislation at the January 9, 2023 City Council Meeting.

Water Survey – Phase III – Award Contract

Russ Bergman distributed information and proposed legislation to authorize a contract for with RA Consultants, LLC for the Water Survey – Phase III (see attached). He said this legislation will authorize the City Manager to enter into a contract with RA Consultants, LLC and to waive the competitive bidding requirements for the Water Survey Project - Phase III. He said the scope of this water asset inventory is to survey fire hydrants, main valves, service valves and pinpoint their permanent geographic locations. He said the Water Fund will be utilized for this project at a cost not to exceed \$50,000.

After discussion, the City Council agreed to recommend approval of the proposed legislation to authorize a contract for with RA Consultants, LLC for the Water Survey – Phase III and requested that the proposed legislation be placed on the agenda at the January 9, 2023 City Council

Meeting for a first reading as non-emergency legislation with adoption of the legislation at the January 9, 2023 City Council Meeting.

Staffing Levels/Table Of Organization

Katie Knisley distributed information and proposed legislation to establish and/or amend the City of Huber Heights Table of Organization and to authorize new personnel staffing levels (see attached). She said this legislation establishes the personnel staffing levels for all department/divisions within the City of Huber Heights to include amendments to those staffing levels and the Table Of Organization. She said the only proposed changes to the staffing levels and the Table Of Organization was related to the Parks Manager position.

Ed Lyons inquired about the status of hiring new firefighters and the staffing levels in the Fire Division.

Katie Knisley and Fire Chief Keith Knisley provided an update on the status of hiring new firefighters and the staffing levels in the Fire Division.

Richard Shaw inquired about the status of filling vacant positions in the Tax Division.

Katie Knisley provided an update on the status of filling vacant positions in the Tax Division.

Richard Shaw inquired about the status of filling the Economic Development Director position.

Bryan Chodkowski said an offer was made to a candidate for this position, but the candidate declined the offer. He said the City is back in the market searching to fill this position.

Mark Campbell thanked the City Staff for their efforts.

Nancy Byrge suggested contracting out some of the economic development activities and work.

After discussion, the City Council agreed to recommend approval of the proposed legislation to establish and/or amend the City of Huber Heights Table of Organization and to authorize new personnel staffing levels and requested that the proposed legislation be placed on the agenda at the January 9, 2023 City Council Meeting for a first reading as non-emergency legislation with adoption of the legislation at the January 9, 2023 City Council Meeting.

Salary Ranges/Wage Levels

Katie Knisley distributed information and proposed legislation to establish and/or amend the salary ranges and wage levels for City employees (see attached). She said this legislation establishes the salaries and wage levels of all non-union employees of the City of Huber Heights. She said discussion at the previous City Council Meeting included the position of the Parks Manager and this position has now been amended on the salary legislation. She said all of the other amendments remain as previously recommended.

After discussion, the City Council agreed to recommend approval of the proposed legislation to establish and/or amend the salary ranges and wage levels for City employees and requested that the proposed legislation be placed on the agenda at the January 9, 2023 City Council Meeting for a first reading as non-emergency legislation with adoption of the legislation at the January 9, 2023 City Council Meeting.

Case RZ 22-17 – Michael Skilwies – Rezoning/Replat – 9416 Taylorsville Road

Bryan Chodkowski distributed information and proposed legislation to approve a Rezoning from Agricultural (A) to Planned Industrial (PI) and a Lot Split for property located at 9416 Taylorsville Road in Case RZ 22-17 (see attached). He provided a background history on Case RZ 22-11. He said City Staff recommend denial of approval of the ordinance at the fourth reading at the January 9, 2023 City Council Meeting. He said the applicant, Michael Skilwies, also supports denial of approval of the ordinance.

After discussion, the City Council agreed to recommend denial of the approval of the proposed legislation to approve a Rezoning from

Agricultural (A) to Planned Industrial (PI) and a Lot Split for property located at 9416 Taylorsville Road in Case RZ 22-17 and requested that the proposed legislation be placed on the agenda at the January 9, 2023 City Council Meeting for a fourth reading as non-emergency legislation.

Liquor Permit #6074542 – Sands Seafood And Sports Bar – 6250-6254 Chambersburg Road

Anthony Rodgers distributed information regarding an application for a new liquor permit for Sands Seafood and Sports Bar at 6250-6254 Chambersburg Road (see attached). He said there was an application for new liquor permit #6074542 for Sands Seafood and Sports Bar at 6250-6254 Chambersburg Road. He said the Police Division and Fire Division have reviewed the liquor permit application and have no objections to the new liquor permit.

After discussion, the City Council agreed to recommend that a motion to authorize the Clerk of Council to respond to the Ohio Division of Liquor Control with no objections to the approval of the new liquor permit #6074542 for Sands Seafood and Sports Bar at 6250-6254 Chambersburg Road be prepared and placed on the agenda for the January 9, 2023 City Council Meeting for approval.

Liquor Permit #3079899 – Marathon – 7851 Old Troy Pike

Anthony Rodgers distributed information regarding an application for a new liquor permit for the Marathon at 7851 Old Troy Pike (see attached). He said that there was an application for new liquor permit #3079899 for the Marathon at 7851 Old Troy Pike. He said the Police Division and Fire Division have reviewed the liquor permit application and have no objections to the new liquor permit.

David Montgomery said approval of this liquor permit application for Marathon is part of the settlement agreement between the City and Marathon to get Marathon to relinquish use of its D-5 liquor permit to terminate the sale of liquor shots at the Marathon.

After discussion, the City Council agreed to recommend that a motion to authorize the Clerk of Council to respond to the Ohio Division of Liquor Control with no objections to the approval of the new liquor permit

#3079899 for the Marathon at 7851 Old Troy Pike be prepared and placed on the agenda for the January 9, 2023 City Council Meeting for approval.

Liquor Permit #4044836 – Double Deuce – 5186 Brandt Pike

Anthony Rodgers distributed information regarding an application for a transfer of a liquor permit for Double Deuce at 5186 Brandt Pike (see attached). He said there was an application for a transfer of liquor permit #6076685005 for Double Deuce at 5186 Brandt Pike to liquor permit #4044836 for Huber Petroleum, LLC at 5186 Brandt Pike. He said the Police Division and Fire Division have reviewed the liquor permit application and have no objections to the new liquor permit.

After discussion, the City Council agreed to recommend that a motion to authorize the Clerk of Council to respond to the Ohio Division of Liquor Control with objections to the approval of the transfer of liquor permit #6076685005 for Double Deuce at 5186 Brandt Pike to liquor permit #4044836 for Huber Petroleum, LLC at 5186 Brandt Pike and to request a hearing on the advisability of issuing the liquor permit be prepared and placed on the agenda for the January 9, 2023 City Council Meeting for approval.

Board And Commission Appointments

Anthony Rodgers distributed information regarding appointments to the Military and Veterans Commission (see attached). He said it was the recommendation of City's interview panel to appoint Charles Hancock to the Military and Veterans Commission for a term ending December 31, 2023 and to appoint Larry Johnson, II to the Military and Veterans Commission for a term ending December 31, 2025. He said background checks were completed on Mr. Hancock and Mr. Johnson by Human Resources.

After discussion, the City Council agreed to recommend approval of the appointment of Charles Hancock to the Military and Veterans Commission for a term ending December 31, 2023 and Larry Johnson, II to the Military and Veterans Commission for a term ending December 31, 2025 and requested that the motion be prepared and placed on the agenda for approval at the January 9, 2023 City Council Meeting.

Anthony Rodgers distributed information regarding an appointment to the Culture and Diversity Citizen Action Commission (see attached). He said it was the recommendation of City's interview panel to appoint Christy Trotter to the Culture and Diversity Citizen Action Commission for a term ending December 31, 2025. He said a background check was completed on Ms. Trotter by Human Resources.

After discussion, the City Council agreed to recommend approval of the appointment of Christy Trotter to the Culture and Diversity Citizen Action Commission for a term ending December 31, 2025 and requested that the motion be prepared and placed on the agenda for approval at the January 9, 2023 City Council Meeting.

Anthony Rodgers distributed information regarding an appointment to the Parks and Recreation Board (see attached). He said it was the recommendation of City's interview panel to appoint Justus Bonnoront to the Parks and Recreation Board for a term ending March 31, 2026. He said a background check was completed on Ms. Trotter by Human Resources.

After discussion, the City Council agreed to recommend approval of the appointment of Justus Bonnoront to the Parks and Recreation Board for a term ending March 31, 2026 and requested that the motion be prepared and placed on the agenda for approval at the January 9, 2023 City Council Meeting.

2023 Rules Of Council

Anthony Rodgers distributed information regarding the 2023 Rules of Council (see attached). He said this is the opportunity for the City Council to make any changes or amendments to the Rules of Council.

The City Council had a discussion on adopting a summer schedule for City Council Meetings as an amendment to the Rules of Council.

Anita Kitchen suggested adding an amendment to the Rules of Council to allow for Citizens Comments at Council Work Sessions.

The City Council had a discussion on Citizens Comments at Council Work Sessions as an amendment to the Rules of Council.

Ed Lyons raised the issue of counting abstentions as votes based on a previous legal opinion that he had obtained. He requested that the background information related to this previous issue be sent to the new Law Director, David Montgomery.

After discussion, the City Council agreed to recommend that the Clerk of Council draft proposed amendments to the 2023 Rules of Council regarding a summer schedule for City Council Meetings and Citizens Comments at Council Work Sessions for review and discussion at the next Council Work Session.

2023 Vice Mayor

Anthony Rodgers distributed information regarding the 2023 Vice Mayor (see attached). He said the City Council elects a new Vice Mayor at the first City Council Meeting of each year.

Mayor Jeff Gore asked if there were any nominations for the 2023 Vice Mayor from the City Council.

Mark Campbell said he would like to nominate Kathleen Baker for consideration by the City Council as the 2023 Vice Mayor.

Anita Kitchen said she would like to nominate Richard Shaw for consideration by the City Council as the 2023 Vice Mayor.

Mayor Jeff Gore said the City Council would consider the nominations and hold votes on the election of the 2023 Vice Mayor at the January 9, 2023 City Council Meeting.

Executive Session – To Consider The Purchase Of Property For Public Purposes

Mark Campbell made a motion to go into Executive Session to consider the purchase of property for public purposes at 7:57 P.M. Nancy Byrge 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 7:57 P.M.

The Council Work Session adjourned from Executive Session at 8:13 P.M.

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

Other Business

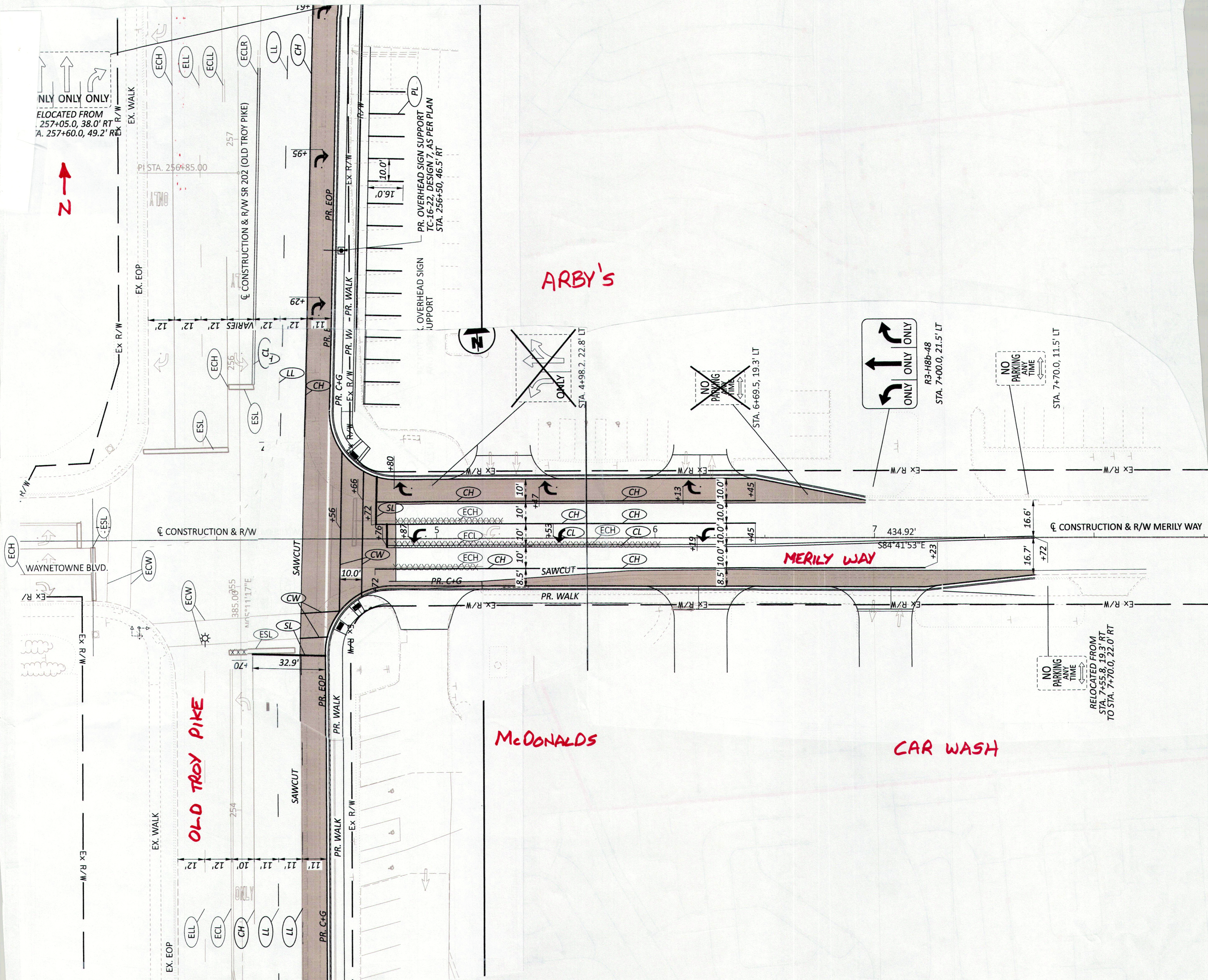
There was no other business conducted at the Council Work Session.

4. **Adjournment**

Mayor Jeff Gore adjourned the Council Work Session at 8:13 P.M.

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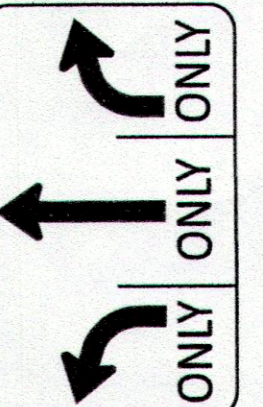
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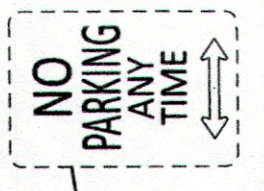
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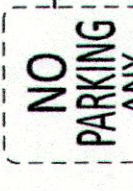
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AI-8887

Topics of Discussion B.

Council Work Session

Meeting Date: 01/03/2023

2023 Abatement/Mowing Program - Award Contract

Submitted By: Geri Hoskins

Department: Planning

Division: Planning

Council Committee Review?: Council Work Session

Date(s) of Committee Review: 01/03/2023

Audio-Visual Needs: None

Emergency Legislation?: No

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

Agenda Item Description or Legislation Title

2023 Abatement/Mowing Program - Award Contract

Purpose and Background

This legislation will authorize the City Manager to enter into a contract with T&W General Services, LLC, for the 2023 Abatement and Mowing Program at a cost not to exceed \$36,000.00. T&W General Services, LLC, has proven themselves to be a very reliable contractor when doing work for the City of Huber Heights. The contractor responds quickly and completes all work in a timely fashion. The Private Property Nuisance Abatement Fund will be utilized for this program.

Fiscal Impact

Source of Funds: Private Property Nuisance Abatement Fund

Cost: \$36,000

Recurring Cost? (Yes/No): No

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

Financial Implications:

Attachments

Bid Results

Resolution

2:00



**CITY OF HUBER HEIGHTS
2023 ABATEMENT AND MOWING PROGRAM
BID RESULT
BID DATE: DECEMBER 21, 2022**

CONTRACTOR'S NAME	GRASS MOWING	ABATEMENT
Top Flight Junk Removal	\$ N/A \$	vehicle batt 20/hr. \$ TRASH 299.00/hr. bed bug 175.00/hr TIRE 60.00/hr AC 40.00/hr
T+W General Services	\$ grass 40.00 \$ bush 80.00 hogging	\$ 70.00/hr.
Oz Scapes	\$ grass 50.00 \$ N/A	\$ 70.00/hr.
Ebony Brinson	\$ grass 38.90 \$ N/A	\$ 69.98/hr.



CITY OF HUBER HEIGHTS
2023 ABATEMENT AND MOWING PROGRAM
BID RESULT
BID DATE: DECEMBER 21, 2022

CONTRACTOR'S NAME	GRASS MOWING	ABATEMENT
Greentech	\$ grass 75./hr \$ bush . 95/hr hogging	\$ 75/hr.
	\$ \$	\$
	\$ \$	\$
	\$ \$	\$

CITY OF HUBER HEIGHTS
STATE OF OHIO

RESOLUTION NO. 2023-R-

AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR THE 2023 ABATEMENT AND MOWING PROGRAM.

WHEREAS, City Council under Resolution No. 2022-R-7182 has previously authorized the securing of bids for the 2023 Abatement and Mowing Program; and

WHEREAS, abatement and mowing bids were received by the City on December 21, 2022; and

WHEREAS, T&W General Services, LLC has been determined to be the most qualified for this work; and

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

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 2023 Abatement and Mowing Program with T&W General Services, LLC at a cost not to exceed \$36,000.00 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 _____, 2023;
_____ Yeas; _____ Nays.

Effective Date:

AUTHENTICATION:

Clerk of Council

Mayor

Date

Date

AI-8890

Topics of Discussion C.

Council Work Session

Meeting Date: 01/03/2023

Public Works Division Facility - Design Work - Award Contract

Submitted By: Hanane Eisentraut

Department: Engineering **Division:** Engineering

Council Committee Review?: Council Work Session **Date(s) of Committee Review:** 01/03/2023

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

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

Agenda Item Description or Legislation Title

Public Works Division Facility - Design Work - Award Contract

Purpose and Background

City Staff solicited a Request For Qualifications and Proposals from various engineering/architecture firms regarding the design of the new Public Works Facility. City Staff analyzed the submitted proposals and selected three prospective firms to interview and present their qualifications and scope for performing this task. One of the three selected firms did not respond to the City’s request for an interview. Kueny Architects showed to be the most qualified firm for this project.

This legislation will authorize the City Manager to enter into a contract with Kueny Architects, a qualified architectural firm, to design this needed improvement. The Capital Improvements Fund will be utilized for this project at a cost not to exceed \$650,000.

Fiscal Impact

Source of Funds: Capital Improvements Fund

Cost: \$650,000

Recurring Cost? (Yes/No): No

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

Financial Implications:

Attachments

Bid Results

Resolution



**CITY OF HUBER HEIGHTS
NEW PUBLIC WORKS FACILITY
PROPOSAL RESULT
BID DATE: NOVEMBER 23, 2022**

CONSULTANT / ARCHITECT'S NAME	PROPOSAL AMOUNT
KUENY ARCHITECTS	\$558,800
PCA ARCHITECTURE	\$565,000
LWC	\$609,519
MSP DESIGN	\$625,000
JPA	\$648,700
REW	\$697,986
RUETSCHLE	\$798,000

CITY OF HUBER HEIGHTS
STATE OF OHIO

RESOLUTION NO. 2023-R-

AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR THE DESIGN OF THE NEW PUBLIC WORKS FACILITY.

WHEREAS, it is necessary to obtain outside engineering/architecture services to design the new Public Works Facility; and

WHEREAS, Kueny Architects has been determined to be the most qualified firm for this project; and

WHEREAS, Council has determined to proceed with this project; and

WHEREAS, the Capital Improvements Fund is available to cover the cost of this work.

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 design of the new Public Works Facility with Kueny Architects at a cost not to exceed \$650,000.00.

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 _____, 2023;
_____ Yeas; _____ Nays.

Effective Date:

AUTHENTICATION:

Clerk of Council

Mayor

Date

Date

AI-8888

Topics of Discussion D.

Council Work Session

Meeting Date: 01/03/2023
Purchase - Street Sweeper - Public Works Division

Submitted By: Linda Garrett

Department: Public Works **Division:** Public Works

Council Committee Review?: Council Work Session **Date(s) of Committee Review:** 01/03/2023

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

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

Agenda Item Description or Legislation Title

Purchase - Street Sweeper - Public Works Division

Purpose and Background

The Public Works Division requests authorization to purchase a new street sweeper.

Fiscal Impact

Source of Funds: Storm Water Funds

Cost: \$345,000.00

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. 2023-R-

AUTHORIZING THE CITY MANAGER TO PURCHASE A STREET SWEEPER AND APPURTENANT EQUIPMENT THERETO FOR THE PUBLIC WORKS DIVISION AND WAIVING THE FORMAL BIDDING REQUIREMENTS.

WHEREAS, the City of Huber Heights Public Works Division recognizes its obligation and need to safely maintain City properties and for efficient operations; and

WHEREAS, pricing for a Tymco 600 Street Sweeper meeting the specifications of the Public Works Division is available through the 2023 State of Ohio, Department of Administrative Services, State Term Schedule OHIO STS, CONTRACT #800936, TYMCO MODEL 600 through Best Equipment Company, Inc., 5550 Poindexter Drive, Indianapolis, IN 46235, FEDERAL ID 35-1097778: and

WHEREAS, the funds for the purchase are available within the Public Works Division Capital Fund for Fiscal Year 2023.

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

Section 1. In accordance with Section 171.09 of the City's Codified Ordinances, Council hereby waives the requirements to formally bid the purchase of one (1) Tymco 600 Street Sweeper and appurtenant equipment; and in accordance with Section 171.12(a)(1) of the City's Codified Ordinances, Council hereby waives the requirements to formally bid the purchase of one (1) Tymco 600 Street Sweeper.

Section 2. The City Manager is hereby authorized to purchase one (1) Tymco 600 Street Sweeper thereto for the Public Works Division with Best Equipment Company, Inc., 5550 Poindexter Drive, Indianapolis, IN, for Fiscal Year 2023 in an amount not to exceed \$345,000.00.

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 _____, 2023;
_____ Yeas; _____ Nays.

Effective Date:

AUTHENTICATION:

Clerk of Council

Mayor

Date

Date

AI-8889

Topics of Discussion E.

Council Work Session

Meeting Date: 01/03/2023

Water Survey - Phase III - Award Contract

Submitted By: Hanane Eisentraut

Department: Engineering

Division: Engineering

Council Committee Review?: Council Work Session

Date(s) of Committee Review: 01/03/2023

Audio-Visual Needs: None

Emergency Legislation?: No

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

Agenda Item Description or Legislation Title

Water Survey - Phase III - Award Contract

Purpose and Background

This legislation will authorize the City Manager to enter into a contract with RA Consultants, LLC and waive the competitive bidding requirements for the Water Survey Project - Phase III. The scope of this water asset inventory is to survey fire hydrants, main valves, service valves and pinpoint their permanent geographic locations. The Water Fund will be utilized for this project at a cost not to exceed \$50,000.

Fiscal Impact

Source of Funds: Water Fund

Cost: \$50,000

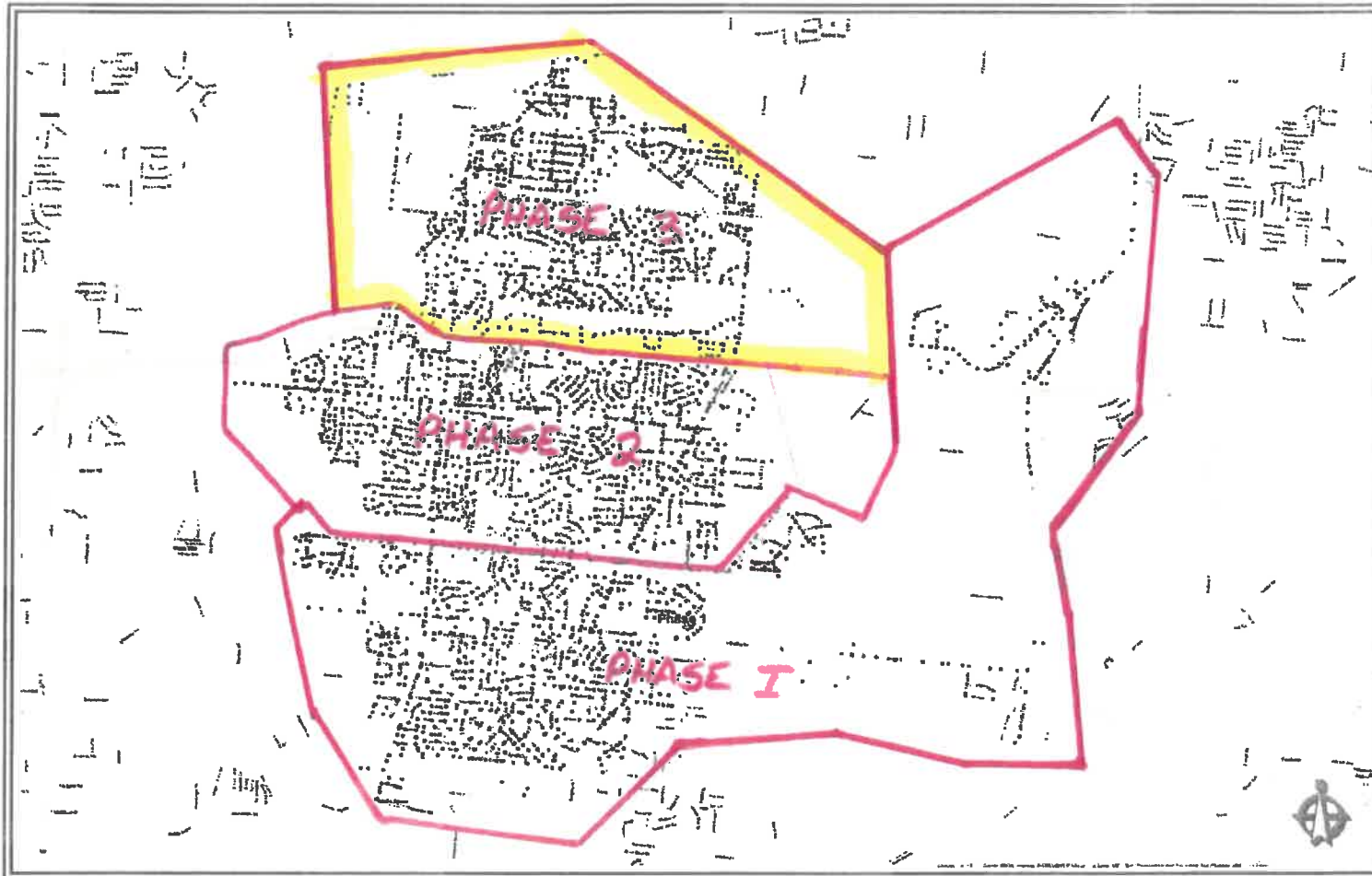
Recurring Cost? (Yes/No): No

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

Financial Implications:

Attachments

Map
Resolution



Project Location Map
WATER MAIN SURVEY – PHASE III
Huber Heights, Ohio

CITY OF HUBER HEIGHTS
STATE OF OHIO

RESOLUTION NO. 2023-R-

AUTHORIZING THE CITY MANAGER TO AWARD A CONTRACT TO RA CONSULTANTS, LLC FOR THE WATER SURVEY – PHASE III AND WAIVING THE COMPETITIVE BIDDING REQUIREMENTS.

WHEREAS, Engineering Staff desires to survey the water system; and

WHEREAS, completing this project will help the City’s different departments/divisions in tasks and increased productivity and services to the citizens; and

WHEREAS, RA Consultants, LLC is a uniquely qualified firm to perform this type of service; and

WHEREAS, RA Consultants, LLC already performed the Water Survey - Phase I and Phase II and the Sanitary Sewer Survey and have been assisting the City in implementing the GIS program; and

WHEREAS, the project includes services and designs which involve proprietary knowledge and special skills as defined in Section 171.12(a)(4) in the Codified Ordinances of Huber Heights, and which are linked to the specifics of the existing and original GIS system.

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 with RA Consultants, LLC for the Water Survey – Phase III at a cost not to exceed \$50,000.00.

Section 2. Consistent with the provisions of the City of 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 _____, 2023.
_____ Yeas; _____ Nays.

Effective Date:

AUTHENTICATION:

Clerk of Council

Mayor

Date

Date

AI-8884

Topics of Discussion F.

Council Work Session

Meeting Date: 01/03/2023

Staffing Levels/Table Of Organization

Submitted By: Katie Knisley

Department: Human Resources

Council Committee Review?: Council Work Session **Date(s) of Committee Review:** 01/03/2023

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

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

Agenda Item Description or Legislation Title

Staffing Levels/Table Of Organization

Purpose and Background

This legislation amends and establishes the staffing levels and the table of organization for the City of Huber Heights. Discussion was held at the previous City Council Meeting to keep the position of Parks Manager within the staffing levels and the Table of Organization; therefore, amendments have been made to reflect the position of Parks Manager. All other amendments to the legislation remain as recommended.

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

Table Of Organization

CITY OF HUBER HEIGHTS
STATE OF OHIO

RESOLUTION NO. 2023-R-

AMENDING AND/OR ESTABLISHING THE CITY OF HUBER HEIGHTS ORGANIZATIONAL CHART AND AUTHORIZING THE NEW PERSONNEL STAFFING LEVELS AS DETAILED BELOW.

WHEREAS, the citizens of Huber Heights require the efficient and effective delivery of municipal services.

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

Section 1. The attached organizational chart, personnel staffing levels, and position control numbers as established hereafter is hereby adopted and effective December 18, 2022.

Section 2. The authorized personnel staffing levels for the Clerk of Council are as follows.

<u>City Council</u>	<u>No.</u>	<u>Position Control No.</u>	<u>Pay Grade</u>
Clerk of Council	1	504-101-2-2-01-F	50
Deputy Clerk of Council	1	504-202-1-2-01-F	25
Public Records Technician	1	504-213-1-2-01-P/H	20

Section 3. The authorized personnel staffing levels for the City Manager's Office are as follows:

<u>City Manager's Office</u>	<u>No.</u>	<u>Position Control No.</u>	<u>Pay Grade</u>
City Manager	1	505-100-2-2-01-F	per contract
Assistant City Manager/Director of Public Services	1	505-117-2-2-01-F	75
Assistant to City Manager	1	505-618-2-2-01-F	40
Administrative Assistant III	1	505-209-2-2-01-F	25
Community Engagement Specialist	1	505-615-2-1-01-F	40

Section 4. The authorized personnel staffing levels for the Department of Public Safety are as follows:

<u>Department of Public Safety</u>	<u>No.</u>	<u>Position Control No.</u>	<u>Pay Grade</u>
Director of Public Safety	1	505-116-2-2-01-F	75
<u>Division of Fire</u>			
Fire Chief	1	102-401-2-2-01-F	70
Medical Director/Wellness Coordinator	1	102-406-2-2-01-F	60
Battalion Chief	4	102-403-1-1-01-- 04F	PS
Captain	2	102-402-1-1-01—02F	PS
Fire Lieutenant	10	102-404-1-1-01--10-F	Contract
Firefighter/Paramedic	42	102-405-1-1-01—42-F	Contract
Administrative Assistant III	2	102-200-1-2-01--02-F	25
Administrative Assistant I	1	102-200-1-2-01-P/H	10
Fire Inspector	1	102-501-1-2-01-F	30
Fire Inspector	3	102-501-1-2-01- 03-P/H	30
Fire-Prevention Manager/Plans Review	1	102-502-1-2-01-P/H	50
Fire Fleet/Facility Mgt. Clerk	1	102-503-1-2-01-P/H	10
Auxiliary \$1.00 per year	30	102-411-3-0-01--30-V	V
Chaplains – Fire	2	102-601-3-0-01--02-V	V
Medical Advisor	1	102-604-3-0-01-V	V

Division of Police

Police Chief	1	101-406-2-2-01-F	70
Police Lieutenant	3	101-408-1-1-01--03-F	Contract
Police Sergeant	8	101-409-1-1-01--08-F	Contract
Police Officer	43	101-410-1-1-01--43-F	Contract
Administrative Assistant III	1	101-200-1-2-01-F	25
Administrative Assistant II	1	101-213-1-2-01-F	20
Police Accreditation Technician	1	101-515-1-1-01-F	30
Police Records Clerks	2	101-204-1-1-01--02-F	Contract
Police Evidence/Fleet Mgt. Clerk	2	101-205-1-2-02-P/H	20
Communications/Records Manager	1	101-611-2-1-01-F	45
Communications/Records Supervisor	1	101-613-1-1-01-F	35
Communications Officer	14	111-502-1-1-01-14-F	Contract
Chaplain – Police	3	101-601-3-0-01—03-V	V

Division of Code Enforcement

Code Enforcement Manager	1	310-621-2-1-01-F	45
Code Enforcement Officer II	1	310-513-1-1-01-01-F	35
Code Enforcement Officer I	4	310-513-1-2-01-04-P/H	20
Seasonal Laborer	2	310-305-1-2-01-02-S	S

Section 5. The authorized personnel staffing levels for the Department of Information Technology are as follows:

<u>Department of Information Technology</u>		<u>Position Control No.</u>	<u>Pay Grade</u>
Information Technology Director	1	509-105-2-2-01-F	60
Information Technology Systems Analyst	2	509-609-1-2-02-F	45
Information Technology Systems Analyst	1	509-609-1-2-01-P/H	45
GIS Technician	1	509-510-1-1-01-F	35

Section 6. The authorized personnel staffing levels for the Department of Finance are as follows:

<u>Department of Finance</u>	<u>No.</u>	<u>Position Control No.</u>	<u>Pay Grade</u>
Director of Finance	1	506-102-2-2-01-F	65
<u>Division of Accounting</u>			
Deputy Director of Finance	1	506-602-2-2-01-F	50
Accounting Generalist	2	506-603-2-2-02-F	40
Accounts Payable Technician	1	506-504-1-1-01-F	25
Payroll Technician	1	506-505-1-1-01-F	30
Account Technician	1	506-206-1-1-01 F	25
<u>Division of Taxation</u>			
Tax Administrator	1	507-104-2-2-01-F	50
Assistant Tax Administrator	1	507-612-2-2-01-F	45
Tax Analyst	2	507-506-1-1-01--02-F	30
Tax Technician	6	507-507-1-1-01 -06-F	20
Administrative Assistant I	3	507-212-1-2-01- 03P/H	10

Section 7. The authorized personnel staffing levels for the Department of Public Services are as follows:

<u>Department of Public Services</u>	<u>No.</u>	<u>Position Control No.</u>	<u>Pay Grade</u>
Director of Public Services	1	505-114-2-2-01-F	75
<u>Division of Engineering</u>			
City Engineer	1	320-106-2-2-01-F	65
Assistant City Engineer	1	320-119-2-2-01-F	55
Civil Engineer	1	320-605-2-2-01-01-F	50
Engineering Technician	2	320-509-1-1- 02-F	35

Administrative Assistant III	1	320-200-1-2-01-F	25
<u>Division of Public Works</u>			
Public Works Manager	1	401-108-2-2-01-F	60
Public Works Supervisor	2	401-109-1-1-02-F	50
Public Works Crew Leader	2	401-302-1-1-02-F	Contract
Vehicle & Equipment Mechanic	3	401-300-1-1-03-F	Contract
Maintenance Technician	20	401-301-1-1-20-F	Contract
Administrative Assistant III	1	401-200-1-2-01-F	25
Custodian	1	401-305-1-2-01-F	10
Custodian	1	401-305-1-2-01-P/H	10

Section 8. The authorized personnel staffing levels for the Department of Economic Development are as follows:

<u>Department of Economic Development</u>	<u>No.</u>	<u>Position Control No.</u>	<u>Pay Grade</u>
Economic Development Director	1	305-111-2-2-01-F	60
Economic Development Coordinator	1	305-614-2-1-01-F	40

Section 9. The authorized personnel staffing levels for the Department of Planning and Zoning are as follows:

<u>Department of Planning & Community Dev.</u>	<u>No.</u>	<u>Position Control No.</u>	<u>Pay Grade</u>
Planning & Community Dev. Director	1	310-121-2-2-01-F	60
City Planner	1	310-118-2-2-01-F	55
Administrative Assistant III	1	310-200-1-2-01-F	25
Administrative Assistant I	1	310-207-1-1-01-F	10
Administrative Assistant I	1	310-207-1-2-01-P/H	10

Section 10. The authorized personnel staffing levels for the Department of Human Resources are as follows:

<u>Department of Human Resources</u>	<u>No.</u>	<u>Position Control No.</u>	<u>Pay Grade</u>
Human Resources Director	1	510-120-2-2-01-F	60
Human Resources Specialist	1	510-617-1-1-01-F	40
Human Resources Assistant	1	510-514-1-2-01-P/H	30

Section 11. The authorized personnel staffing levels for the Department of Parks and Recreation Facilities are as follows:

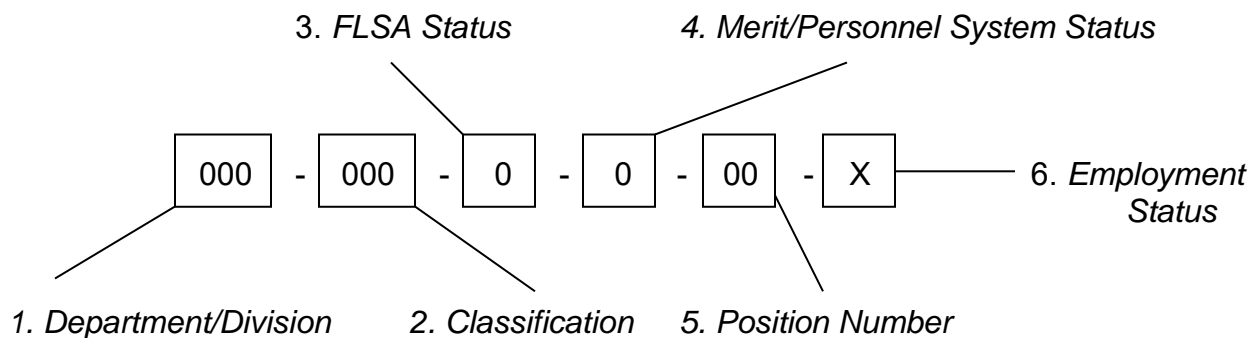
<u>Department of Parks and Recreation Facilities</u>	<u>No.</u>	<u>Position Control No.</u>	<u>Pay Grade</u>
Parks Manager	1	216-616-2-2-01-F	45
Senior Center Program Coordinator	1	215-110-2 -2 -01-P/H	25
Seasonal Laborer – Music Center	125	219-306-1-2-01--125-S	S
Seasonal Laborer	4	216-303-1-2-01--04-S	S

Section 12. Council further ratifies and affirms any and all previous legislation of Council that established, abolished or altered the functions and structures of any administrative department.

Section 13. 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 14. This Resolution shall go into effect upon its passage as provided by law and the Charter of the City of Huber Heights.

Section 15. Position Control Number Explanation:



1. Department/Division: Number represents Fund Number in General Ledger:

- | | | | |
|------------------------|-----------------------|------------------|-----------|
| 101-Police | 305-Economic Dev. | 401-Public Works | 507-Tax |
| 102-Fire | 310 Planning & Zoning | 505-City Mgr. | 509-I. T. |
| 215-Senior Center | 320-Engineering | 506-Accounting | 510-H.R |
| 219 Parks & Recreation | | | |

2. Classification: Number for classification or rank to which position is assigned, divided into defined series as shown below:

- | | | |
|--------------------|------------------|------------------|
| 100-Administrative | 300-Labor | 500-Technical |
| 200-Clerical | 400-Sworn Safety | 600-Professional |

3. FLSA Status:

- 01-Non-exempt from minimum wage/overtime rules of FLSA (hourly)
- 02-Exempt from minimum wage/overtime rules of FLSA (salaried)
- 03-Unpaid Volunteer

4. Merit & Personnel System Status:

- 01-Position is in Non-exempt service of city per Section 8.02 of Charter
- 02-Position is in Exempt service of city per Section 8.02 of Charter

5. Position Number:

Unique two-digit number for each employment position authorized by this Resolution.

6. Employment Status:

- F-Full-time Position
- P-Part-time Position
- H-Hourly Position
- T-Temporary (created for specific time)
- S-Seasonal Position
- V-Volunteer Position

Passed by Council on the _____ day of _____, 2023;
 _____ Yeas; _____ Nays.

Effective Date:

AUTHENTICATION:

 Clerk of Council

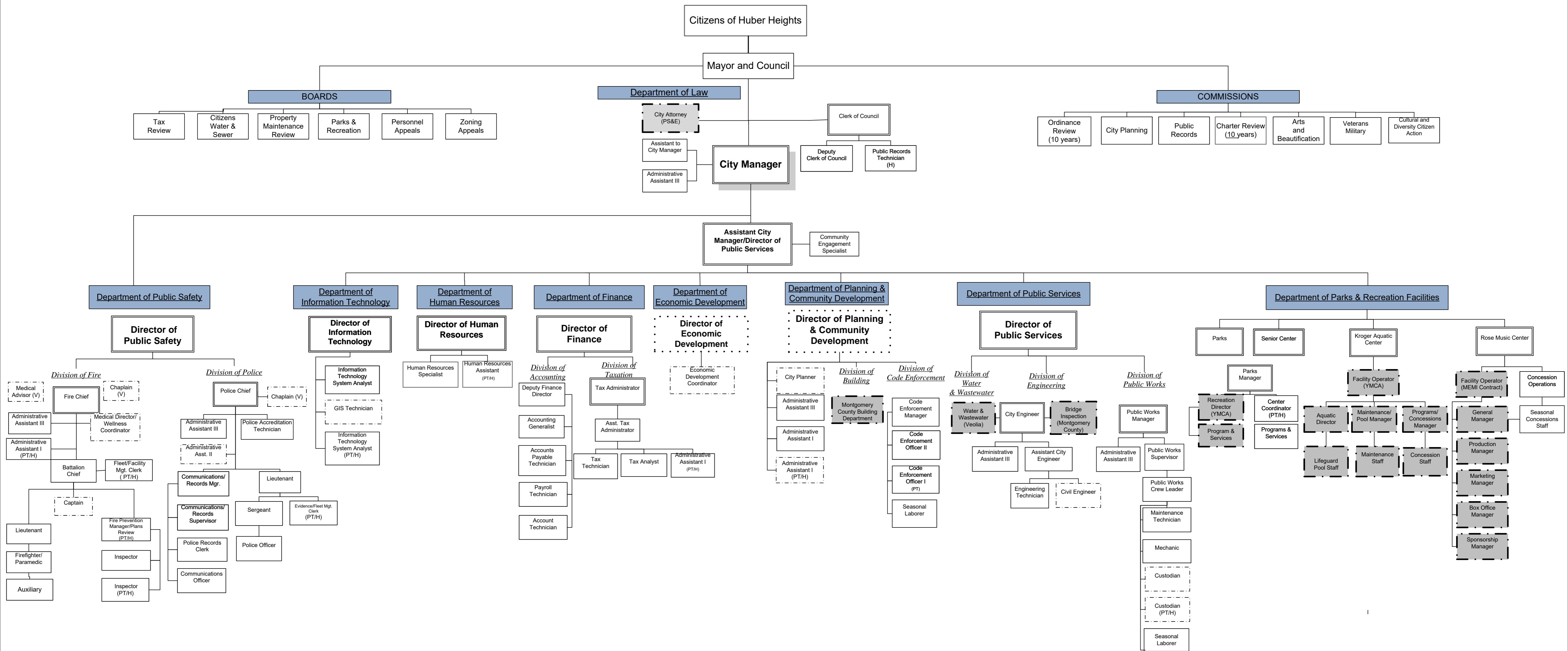
 Mayor

 Date

 Date



City of Huber Heights Organizational Chart



City of Huber Heights
Revised January 2023

- All employees are permanent / full time unless specified otherwise.
 - (PT) = Part Time, (H) = Hourly (T) = Temporary, (V) = Volunteer, (S)=Seasonal
 Contractor Relationship - - - - -
 Vacant Position

Authorized Staffing Levels			
City Council (FT):	2	Department of Finance (FT):	1
City Council (PT/H):	1	Department of Human Resources (FT):	2
City Manager (FT):	5	Department of Human Resources (PT):	1
Fire Division (FT):	63	Department of Planning (FT):	4
Fire Division (PT/H):	6	Division of Code Enforcement (PT/H):	4
Police Division (FT):	76	Division of Code Enforcement (S):	2
Police Division (PT/H):	2	Division of Code Enforcement (FT):	2
Department of IT (FT):	4	Department of Economic Development (FT):	2
Department of IT (PT/H):	1	Department of Parks & Recreation Facilities (S):	129
Division of Accounting (FT):	6	Department of Parks & Recreation Facilities (PT/H):	1
Division of Public Works (FT):	30	Department of Parks & Recreation Facilities (FT):	1
Division of Taxation (PT/H):	3	Division of Planning (PT/H):	1
Director of Public Safety (FT):	1	Division of Public Works (PT/H):	1
Director of Public Services (FT):	1	Division of Public Works (FT):	1
Department of Planning (FT):	10	Department of Parks & Recreation Facilities (FT):	1
Department of Planning (PT/H):	1		
Department of Engineering (FT):	6		

AI-8885

Topics of Discussion G.

Council Work Session

Meeting Date: 01/03/2023

Salary Ranges/Wage Levels

Submitted By: Katie Knisley

Department: Human Resources

Council Committee Review?: Council Work Session **Date(s) of Committee Review:** 01/03/2023

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

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

Agenda Item Description or Legislation Title

Salary Ranges/Wage Levels

Purpose and Background

This legislation establishes the salaries and wage levels of all non-union employees of the City of Huber Heights. Discussion at the previous City Council Meeting included the position of the Parks Manager and this legislation has now been amended on the salary legislation. All other amendments remain as previously recommended.

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. 2023-R-

ESTABLISHING AND/OR AMENDING THE SALARY RANGES AND WAGE LEVELS FOR EMPLOYEES OF THE CITY OF HUBER HEIGHTS, OHIO.

WHEREAS, the citizens of Huber Heights require efficient and effective delivery of municipal services.

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

Section 1. The pay ranges, compensation procedures, and administrative rules for non-bargaining employees as established hereafter shall be effective for the pay period beginning December 18, 2022 through the pay period ending December 16, 2023.

Section 2. City Council shall be responsible for establishing the actual salaries for the City Manager, the Clerk of Council, and the Deputy Clerk of Council. The salary ranges of the City Manager, the Clerk of Council, and the Deputy Clerk of Council are set forth in the following plan document.

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.

THE CITY OF HUBER HEIGHTS

PERFORMANCE COMPENSATION PLAN FOR NON-BARGAINING EMPLOYEES

1. Compensation Philosophy

It is the city's philosophy to support and enhance organizational performance through a fair, objective, and equitable merit-based pay plan which will attract, retain, and motivate high performing non-bargaining employees.

2. General Administrative Responsibilities

The Human Resources Director, under the direction of the City Manager is responsible for the administration of the Performance Compensation Plan, including the processing of pay rate increases, the adjustment of pay for promotions, re-employments and reassignments, and the initiation of necessary revisions in pay ranges. The Human Resources Director is responsible for interpreting the application of the program to all pay issues which are not specifically covered by this ordinance, using the principles expressed herein as a policy guide.

3. Plan Administration

- A. Market Surveys. The Human Resources Director shall conduct market surveys every three years or from time to time in order to collect updated comparable and competitive salary data, recommend revised pay structures and pay ranges as necessary, and recommend revised merit-based pay procedures. Such surveys and recommendations shall be conducted as positions become vacant, or upon request of a department/division head, or upon the initiation of the Human Resources Director when it is determined necessary for the effective administration of the Performance Compensation Plan.
- B. Structure Adjustments. Periodically, the Human Resources Director may recommend pay range adjustments to the City Manager in keeping with labor market trends, who in turn may make appropriate recommendations to City Council. Pay ranges (except

for seasonal positions) shall include a minimum and maximum amount stated either as an annual salary or hourly rate.

- C. Assignment of Positions to Pay Ranges. The Human Resources Director shall be responsible for assigning each city employment position to a pay range based on market data and the City Manager’s determination of the strategic value of positions and/or employees to the organization. Strategic value considerations may involve turnover, skill needs, attraction and retention issues, supply and demand for qualified applicants for particular positions, the impact of specific positions and employees on the organization’s mission, and/or other relevant factors.

4. Applicability

This resolution and Performance Compensation Plan shall apply to and is the sole authority for setting rates of pay for the following categories of positions and employees: All regular full-time, regular part-time, provisional full-time, provisional part-time, hourly, temporary, and seasonal employees of the City of Huber Heights, Ohio except: the Mayor; members of City Council, the City Law Director; and all employees who are members of a collective bargaining unit recognized by the State Employment Relations Board.

5. Positions and Pay Ranges

<i>Pay Grade</i>	<i>Minimum Pay</i>	<i>Maximum Pay</i>
10	\$15.2400	\$22.2264
Custodian Administrative Assistant I Fire Fleet/Facility Management Clerk	\$31,699.20	\$46,230.91
20	\$17.5000	\$26.8920
Administrative Assistant II Public Records Technician Tax Technician Police Evidence/Fleet Management Clerk Senior Center Program Coordinator Code Enforcement Officer I	\$36,400.00	\$55,935.36
25	\$20.2900	\$29.5812
Account Technician Accounts Payable Technician Administrative Assistant III Deputy Clerk of Council	\$42,203.20	\$61,528.90
30	\$20.7500	\$31.0339
Police Accreditation Technician Payroll Technician Tax Analyst Fire Inspector Human Resources Assistant	\$43,160.00	\$64,550.51
35	\$24.0000	\$34.1755
GIS Technician Engineering Technician Code Enforcement Officer II Communications/Records Supervisor	\$49,920.00	\$71,085.04
40	\$26.5534	\$37.1727
Accounting Generalist Assistant to City Manager Community Engagement Specialist Economic Development Coordinator Human Resources Specialist	\$55,231.07	\$77,319.22

45	\$25,313.1	\$39,700.0
Code Enforcement Manager Assistant Tax Administrator IT Systems Analyst Communications/Records Manager Parks Manager	\$52,651.25	\$82,576.00
50	\$33,540.0	\$47,183.0
Deputy Director of Finance Fire Prevention Manager/Plans Review Tax Administrator Public Works Supervisor Clerk of Council Civil Engineer	\$69,763.20	\$98,140.64
55	\$37,440.0	\$52,420.0
Assistant City Engineer City Planner	\$77,875.20	\$109,033.60
60	\$41,180.0	\$57,650.0
Human Resources Director IT Director Public Works Manager Economic Development Director Planning & Community Dev. Director Medical Director/ Wellness Coordinator	\$85,654.40	\$119,912.00
65	\$45,300.0	\$65,322.6
City Engineer Director of Finance	\$94,224.00	\$135,871.01
70	\$52,100.0	\$72,940.0
Fire Chief Police Chief	\$108,368.00	\$151,715.20
75	\$47,363.7	\$80,230.0
Assistant City Manager/Director of Public Services Director of Public Safety	\$98,516.50	\$166,878.40
80		
City Manager		Per Contract

<i>Position</i>	<i>Minimum Pay</i>	<i>Mid-point Pay</i>	<i>Maximum Pay</i>
Seasonal Laborer	N/A	N/A	\$20.00
Public Safety (PS)			
	Step 1		Step 2
Battalion Chief	2% below Step 2		14% above top step Fire Lieutenant
Fire Captain	2% below Step 2		6% above top step Fire Lieutenant

Employees are paid bi-weekly on an hourly or salary basis. The bi-weekly pay rate for salaried employees is a calculation of the annual pay rate divided by 26 and the bi-weekly amount for hourly employees is a calculation of the annual pay rate divided by 2080 hours, to include those budget years with 27 pay periods. The bi-weekly amount for part-time/hourly

employees, working less than a 40-hour week in a 2080 work year, is a calculation of the annual pay rate multiplied by the number of hours worked.

6. Compensation Adjustments

All of the following pay rate adjustments are subject to funding by City Council based upon the availability of funds and economic and budget projections and priorities.

- A. New Hires. Newly hired employees shall be hired at a rate of pay between the minimum and maximum of the applicable pay range. The exact pay rate shall be based on the employee's education, experience, knowledge, skills, and abilities. Prior to the making of a conditional offer of employment to a prospective new or newly promoted employee, the department/division head shall recommend a starting rate of pay which shall be forwarded to the Human Resources Manager for review and then to the City Manager for final action.
- B. Completion of Probation. Department/division heads may recommend a pay increase, not to exceed 2%, for newly hired or promoted employees upon the successful completion of probation or one year of employment. The department/division head should consider the employee's starting rate as related to their pay range, the pay of other employees in the position and in the employee's division, and the employee's performance in making this decision. Any such increase, upon approval by the City Manager, shall be paid from the division's regular payroll budget.
- C. Promotion. Employees who are promoted to positions with a higher level of duties and responsibilities shall be placed at a rate of pay between the minimum and maximum of the applicable pay range.
- D. Demotion. Employees who are demoted to positions with a lower level of duties and responsibilities because of less than satisfactory performance, failure to meet job requirements, or for disciplinary reasons shall be placed at the minimum of the new range, or receive a pay decrease not to exceed 10%, whichever results in the least loss of pay.
- E. Reassignment. Employees who are reassigned to positions with a lower pay grade through no fault of their own (i.e., reorganization, job abolishment, reduction-in-force, or market/technological factors, etc.), shall remain at their current rate of pay, or shall be placed at the maximum of the pay range, whichever is less. An employee who voluntarily requests and is granted a reassignment to a position with a lower pay grade will have their pay adjusted between the minimum and maximum of the lower pay grade.
- F. Temporary Upgrade to a Higher Position. Employees who are temporarily assigned (for a minimum of 7 consecutive calendar days) to perform all of the duties and assume all of the responsibilities of a position due to a position vacancy or an approved leave of absence of a position incumbent shall be receive a pay increase not to exceed 5%. Temporary upgrades shall be recommended to the Human Resources Manager and approved by the City Manager in advance.
- G. Modification of Pay Ranges. When a position's pay range is modified upward, based on market data and/or strategic value, and the position is occupied, the incumbent shall retain his/her existing pay rate or be placed at the minimum of the new pay range, whichever is greater. When a position's pay range is modified downward, and the position is occupied, the incumbent shall remain at his/her current rate of pay.
- H. Transfers. Employees who transfer to another job in an identical pay range or to an identical position in another division in the same pay range, there will be no change in the employee's rate of pay.
- I. Transitional and Paid Intern Positions: In cases deemed necessary and appropriate by the City Manager, an appointment to a position in the non-exempt service which is not yet vacated, but which position incumbent has provided the City Manager with a written notice of resignation or retirement on a date certain, which date is within 90 days following the date of such appointment. In cases deemed necessary and appropriate by the City Manager, an appointment of a student intern may be made based on skill, experience, and the scope of the project to be completed.

7. Compensation Increases

The compensation of each employee shall be reviewed annually by the department director/division manager, or Mayor and Council, for the purpose of determining which employees may be entitled to a performance-based increase. All personnel records, performance, and experience shall be considered in making recommendations with major emphasis placed on the evaluation. The City Manager or Mayor and Council is authorized to pay non-union employees a performance-based increase provided that said increase is within the approved salary range for the respective position. The performance-based increase may also be provided in the form of a bonus. The annual performance-based increase is determined upon the availability of funds and economic and budget projections and priorities.

Providing the Collective Bargaining Agreements receive an annual increase, the City shall adjust the compensation of all non-union employees, to include employees of the City Council, to reflect the same annual increase within the respective year.

To be eligible for a performance-based increase, an employee must be employed with at least six months of continuous service before the merit award date.

An employee whose pay is at the maximum of the compensation range may not be granted an increase that would cause the base compensation to exceed the maximum of the range for that position. The employee would continue to be eligible for an annual increase and performance bonus, with a lump sum increase based upon the percentage increase. The pay range, however, does not change until a new market study is conducted, every three years, and a recommendation is made to revise pay structures and pay ranges as necessary.

Passed by Council on the ____ day of _____, 2023;
____ Yeas; ____ Nays.

Effective Date:

AUTHENTICATION:

Clerk of Council

Mayor

Date

Date

AI-8897

Topics of Discussion H.

Council Work Session

Meeting Date: 01/03/2023

Case RZ 22-17 - Michael Skilwies - Rezoning/Replat - 9416 Taylorsville Road

Submitted By: Geri Hoskins

Department: Planning

Division: Planning

Council Committee Review?: Council Work Session

Date(s) of Committee Review: 07/05/2022 and 07/19/2022 and 09/06/2022 and 01/03/2023

Audio-Visual Needs: SmartBoard

Emergency Legislation?: No

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

Agenda Item Description or Legislation Title

Case RZ 22-17 - Michael Skilwies - Rezoning/Replat - 9416 Taylorsville Road

Purpose and Background

The applicant, Michael Skilwies, is requesting a replat and rezoning of 3.55 acres from Agriculture (A) to Planned Industrial (PI).

The ordinance to approve a replat and rezoning in Case RZ 22-17 had a third reading at the September 12, 2022 City Council Meeting. At the September 12, 2022 City Council Meeting, the City Council postponed action on this ordinance to a fourth reading at the January 9, 2023 City Council Meeting.

In the interim, City Staff have been working on text amendments to the Planning Commission and the City Council for consideration to address the issues in Case RZ 22-17. This agenda item is to discuss a course of action regarding Case RZ 22-17 prior to the fourth reading of the ordinance at the January 9, 2023 City Council Meeting.

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

Memorandum - Options
Ordinance



COMMUNITY PLANNING INSIGHTS

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

August 30, 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,

This letter outlines the background and options available to the city regarding the possible next steps in the Skilwies case. If the City Council desires Mr. Skilwies to continue to operate his business at this location, there are five options:

- 1) Rezone the property to I-1 or Planned Industrial;
- 2) Amend the zoning code to allow the Board of Zoning Appeals to consider Use Variances;
- 3) Expand the definition of a Home Occupation;
- 4) Expand the allowable Special Uses within the Agricultural District;
- 5) A combination of the above options.

If the Council only wishes to address the case at hand, the rezoning option is the most expeditious path and can be scope-limiting. However, if the Council desires to take a broader consideration of expanding business uses within the agricultural districts, I recommend expanding the definition of a home occupation or expanding the allowable special uses to include bed and breakfast establishments and vehicle repair (indoors only).

Background

Mr. Skilwies has been operating a truck and heavy equipment repair business at this location for many years. Based on complaints received in August 2021, staff initiated enforcement action because non-farm related truck and heavy equipment repair is not permitted in the agricultural district. In August 2021, the applicant requested a use variance for the diesel truck and equipment repair operations. The BZA unanimously denied the application at their October 6, 2021 meeting.

The applicant was provided with the lot split and rezoning application shortly after the BZA decision as an alternative path to allow the continued operation of the repair facility. On or about March 28, 2022, staff filed minor misdemeanor charges for the continued operation of the repair facility, and the applicant subsequently applied for a lot split and rezoning.

Current Zoning Code Options

The current zoning code provides limited options to allow Mr. Skilwies to continue his business without rezoning to I-1, I-2 or PI (Planned Industrial). The BZA cannot grant a use variance because Section

1127.03 (C) states in part "... No variance may be granted which permits the establishment of any use which is not otherwise permitted in the district". Thus, the BZA was forced to deny the application.

The option for the Planning Commission to grant a Special Use Permit for vehicle repairs is similarly unavailable. Section 1135.10(a) and 1135.10(j) limit granting a special use permit to only those uses established under the specific zoning district. In the agricultural district, special uses are limited to private and public recreational uses, kindergartens, nurseries and daycare facilities, residential care facilities, places of worship, and private and public utilities. Seeking rezoning was the only course of action available to Mr. Skilweis under the current zoning code framework to keep the business operating at the current location.

Rezoning Options

The I-1 (Light Industrial and Mixed Use) district permits, as a Special Use, "Garages for storage, repair and servicing of motor vehicles, including but not limited to body repair; painting and engine rebuilding." If the area were to be rezoned to I-1, Mr. Skilweis must still seek special use approval from the BZA. Additionally, the land is open to all principally permitted uses within the I-1 district with very limited discretion or oversight by the city. This is the least desirable approach because it carries the greatest risk of negative impacts to surrounding properties.

The PI (Planned Industrial) district can accommodate the current use, and allows the city to restrict the range of potential future uses, hours of operation, and impose additional conditions to reduce the impacts of the use on the adjacent property owners. However, once the rezoning occurs, the land will remain zoned PI until the Council amends the zoning map, regardless of whether Mr. Skilweis sells the property or discontinues the use. Approving the PI rezoning is the shortest timeline to address the immediate issue at hand. If Council approves a rezoning and basic development plan, Mr. Skilweis could have his zoning certificate in 60 – 90 days, depending on when applications are received, and conditions contained in the rezoning / basic development plan ordinance.

Rezoning Process and Timeline:

- Council approves rezoning ordinance and basic development plan
- Required referendum period (non-emergency legislation) – 30 days
- Planning Commission review and approval of Detailed Development Plan – 30 days upon receipt of application

Zoning Text Amendment Options

If the City Council desires to accommodate this use, as well as addressing a broader range of issues, amending the zoning text is an option the Council should consider. The zoning text amendments can either provide a use variance option through the BZA, expand the definition of home occupations, or expand the special uses allowed in the agricultural district. I recommend expanding the definition of home occupations or the allowable special uses in the agricultural district as an incremental step to address this particular case. All text amendments will take 90 to 120 days to complete.

Text Amendments Timeline:

- Council adopts a motion that directs planning staff to prepare a text amendment application to the Planning Commission – 15 to 30 days
- Planning staff drafts text amendment language and application for Planning Commission consideration - 30 days

- Planning Commission holds a public hearing on text amendments – 20 to 30 days
- Planning Commission transmits recommendation to City Council – 10 days
- City Council holds a public hearing on text amendments – 30 days

Use variance

Creating two types of variances (area and use) could provide the BZA with additional tools to address unforeseen development challenges. The use variance can be beneficial in redeveloping single-purpose constructed buildings where rezoning is not desired. For example, granting a use variance to convert a vacant church in a residential neighborhood to an office, or limited commercial use, rather than rezoning the property to B-1 or B-2. Rezoning the property would open up the church to the district's entire range of allowable uses. Additionally, the variance is not subject to a referendum action.

The standards for granting a use variance are an intentionally high bar because it should be used in limited circumstances and not as an end-run around a zoning change. In this case, a use variance may have been a helpful tool for the BZA when considering the application's merits.

Expand the definition of a Home Occupation

The home occupation definition is very limiting, especially considering the number of professions that have broadened work-at-home opportunities and advances in technology that make working from a home office easier. Additionally, traditional concerns about impacts from a home occupation such as delivery vehicles have primarily vanished with the increased popularity of Etsy, Amazon and other retailers who ship directly to consumers. Fed Ex, UPS and Amazon delivery vehicles are a ubiquitous sight in all residential areas.

Regarding this case, home occupations within Huber Heights are prohibited within accessory buildings and do not include vehicle services. If Council desires to expand home occupations, I suggest the following zoning text change, which addresses this case:

Home Occupations

Home occupations may be permitted with standards when compliant with the following regulations and any other applicable sections of this resolution:

- 1) Such use shall be conducted entirely within the dwelling unit or an accessory building. In all cases, all activities related to home occupation must take place within the enclosed building.
- 2) Home occupations shall not change the character of the residential use and shall not adversely affect the uses permitted in the residential district of which they are a part.
- 3) The nature of home occupation as an accessory use relative to its location and conduct of activity is such that the average neighbor, under normal circumstances, would not be aware of its existence.
- 4) Any home occupation activities on the property shall be conducted only by persons residing in the dwelling unit and one additional person who does not reside at the home where the occupation takes place. No building or structure shall be used to operate a business, store equipment, or supplies used for a business, or serve as a location where more than four employees meet or park prior to going to work off-site but where such employees do not work anywhere on the property.
- 5) The maximum floor area the use may cover shall not exceed 25 percent of the total floor area of the dwelling unit.

- 6) One, non-illuminated sign with a maximum square footage of four square feet is permitted, without a permit, if it is mounted flat against the wall of the principal building.
- 7) Home occupations which provide a service shall not have more than two customers (including those arriving and waiting for service) at any one time.
- 8) The storage of all equipment, machinery, supplies, materials, files, and the like, shall be stored completely within the residence or accessory buildings.
- 9) Any need for parking generated by the conduct of such home occupation shall be accommodated on off-street parking spaces or areas that are paved for the purpose of parking.
- 10) No traffic shall be generated by such home occupation in greater volume than is normally expected for the residential neighborhood.
- 11) An auto or vehicle repair business, shop, or use shall only be allowed on lots greater than two (2) acres, and when all work is completed within an enclosed garage, and where there is no storage of vehicles being serviced outside of such garage.
- 12) The following are examples of permitted types of home occupations:
 - (i) Clerical and other similar business services;
 - (ii) Instruction in music, dance or other types of teaching with a maximum number of two students at a time;
 - (iii) The office of a professional accountant, attorney, broker, consultant, insurance agent, realtor, architect, engineer, sales representative, and similar office-oriented occupations;
 - (iv) Artists, sculptors, photographers, and other providers of home crafts;
 - (v) Barber shop/beauty salon with a maximum of one chair;
 - (vi) A licensed massage therapist who provides massage therapy for a maximum of one client at any given time; or
 - (vii) Any similar use as determined by the Zoning Inspector.

Expand Special Uses

As described above, there is a limited list of allowable special uses in the agricultural district. Expanding this list and creating appropriate standards could provide relief in this case and widen the potential use of lands without impacting 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), 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) 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.
- 2) Bodywork and painting shall be prohibited.

- 3) 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.
- 4) Parking, storage, or salvaging of junk vehicles, as defined by the ORC, shall be prohibited
- 5) 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.
- 6) 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.

If you have any questions or concerns, please contact me at (937) 219-6384. I can prepare the required legislation once the City Council has indicated its preferred direction.

Sincerely,



Aaron K. Sorrell, AICP
Interim Planning Director

CITY OF HUBER HEIGHTS
STATE OF OHIO

ORDINANCE NO. 2022-O-

TO APPROVE A REZONING FROM AGRICULTURAL (A) TO PLANNED INDUSTRIAL (PI) AND A LOT SPLIT FOR THE PROPERTY LOCATED AT 9416 TAYLORSVILLE ROAD AND FURTHER IDENTIFIED AS PARCEL NUMBER P70 03902 0018 ON THE MONTGOMERY COUNTY AUDITOR'S MAP AND TO NOT ACCEPT THE RECOMMENDATION OF THE PLANNING COMMISSION (CASE RZ 22-17).

WHEREAS, the citizens of Huber Heights require the efficient and orderly planning of land uses within the City; and

WHEREAS, the City Planning Commission has reviewed Case RZ 22-17 and on May 24, 2022, opposed approval by a vote of 4-1 of the Rezoning from Agricultural (A) to Planned Industrial (PI) and a Lot Split; and

WHEREAS, the City Council has considered the issue.

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

Section 1. The application requesting approval of a Rezoning from Agricultural (A) to Planned Industrial (PI) and a Lot Split (Case RZ 21-17) is hereby approved in opposition to the Planning Commission's recommendation of denial by a vote of 4-1 with the following conditions:

1. The applicant shall obtain all necessary zoning and business licenses required by the City of Huber Heights.
2. All business and repair operations shall occur indoors, consistent with the requirements of the Planned Industrial District.
3. No outdoor storage of equipment, parts, inoperable or junk vehicles, or other materials associated with the truck and equipment repair business shall be permitted.
4. Repaired vehicles shall be stored on site no longer than five consecutive days.
5. The applicant shall comply with the Huber Heights Fire Division regarding the onsite storage of hazardous and/or industrial materials.
6. Hours of operation shall be limited to 8:00 a.m. – 6:00 p.m., Monday through Friday.
7. The applicant shall pave and widen the driveway to minimum width of 35'.
8. The applicant shall install screening along west property line, subject to detailed development plan approval.

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-8899

Topics of Discussion I.

Council Work Session

Meeting Date: 01/03/2023

Liquor Permit #6074542 - Sands Seafood And Sports Bar - 6250-6254 Chambersburg Road

Submitted By: Anthony Rodgers

Department: City Council

Type of New

Liquor Permit:

Motion/Ordinance/

Resolution No.:

Agenda Item Description

Liquor Permit #6074542 - Sands Seafood And Sports Bar - 6250-6254 Chambersburg Road

Review and Comments - Police Division

The Police Division has no objections to the approval of this liquor permit.

Review and Comments - Fire Division

The Fire Division has no objections to the approval of this liquor permit.

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

Liquor Permit

**NOTICE TO LEGISLATIVE
AUTHORITY**

OHIO DIVISION OF LIQUOR CONTROL
6806 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43088-9005
(614)644-2380 FAX(614)644-3166

TO

6074542 <small>PERMIT NUMBER</small>		NEW <small>TYPE</small>	MNIR VENTURES LLC DBA SANDS SEAFOOD & SPORTS BAR 6250- 6254 CHAMBERSBURG RD HIBER HGTS OH 45424	
ISSUE DATE				
11 25 2022 <small>FILING DATE</small>				
D1 D2 D3 D3A <small>PERMIT CLASSES</small>				
57 <small>TAX DISTRICT</small>	083	A	D61251 <small>RECEIPT NO.</small>	

FROM

11/29/2022

PERMIT NUMBER		TYPE	
ISSUE DATE			
FILING DATE			
PERMIT CLASSES			
TAX DISTRICT		RECEIPT NO.	

MAILED 11/29/2022

RESPONSES MUST BE POSTMARKED NO LATER THAN.

12/29/2022

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.
REFER TO THIS NUMBER IN ALL INQUIRIES A NEW 6074542

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD IN OUR COUNTY SEAT. IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)- Clerk of County Commissioner

(Date)

CLERK OF HUBER HGTS CITY COUNCIL
6131 TAYLORSVILLE RD
HUBER HGTS OH 45424

Clerk of City Council

Township Fiscal Officer

AI-8900

Topics of Discussion J.

Council Work Session

Meeting Date: 01/03/2023

Liquor Permit #3079899 - Marathon - 7851 Old Troy Pike

Submitted By: Anthony Rodgers

Department: City Council

Type of New

Liquor Permit:

Motion/Ordinance/

Resolution No.:

Agenda Item Description

Liquor Permit #3079899 - Marathon - 7851 Old Troy Pike

Review and Comments - Police Division

The Police Division has no objections to the approval of this liquor permit.

Review and Comments - Fire Division

The Fire Division has no objections to the approval of this liquor permit.

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

Liquor Permit

**NOTICE TO LEGISLATIVE
AUTHORITY**

OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

3079899		NEW	GAVIN QUICK STOP LLC	
PERMIT NUMBER		TYPE	DBA MARATHON 7851	
ISSUE DATE		7851 OLD TROY PIKE		
12 01 2022		HUBER HGTS OH 45424		
FILING DATE				
C1		PERMIT CLASSES		
57	083	A	D61328	
TAX DISTRICT			RECEIPT NO.	

FROM **12/05/2022**

PERMIT NUMBER		TYPE			
ISSUE DATE					
FILING DATE					
PERMIT CLASSES					
TAX DISTRICT			RECEIPT NO.		



MAILED **12/05/2022**

RESPONSES MUST BE POSTMARKED NO LATER THAN. **01/05/2023**

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.
REFER TO THIS NUMBER IN ALL INQUIRIES **A NEW 3079899**

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD IN OUR COUNTY SEAT. IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)- Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

CLERK OF HUBER HGTS CITY COUNCIL
6131 TAYLORSVILLE RD
HUBER HGTS OHIO 45424

AI-8901

Topics of Discussion K.

Council Work Session

Meeting Date: 01/03/2023

Liquor Permit #4044836 - Double Deuce - 5186 Brandt Pike

Submitted By: Anthony Rodgers

Department: City Council

Type of Transfer

Liquor Permit:

Motion/Ordinance/

Resolution No.:

Agenda Item Description

Liquor Permit #4044836 - Double Deuce - 5186 Brandt Pike

Review and Comments - Police Division

The Police Division has no objections to the transfer of this liquor permit.

Review and Comments - Fire Division

The Fire Division has no objections to the transfer of this liquor permit.

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

Liquor Permit

**NOTICE TO LEGISLATIVE
AUTHORITY**

OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

4044836		TRFO	HUBER PETROLEUM LLC	
PERMIT NUMBER		TYPE	5186 BRANDT PIKE & PATIO	
06	01	2022		
ISSUE DATE		HUBER HGTS OH 45424		
12	09	2022		
FILING DATE				
D5	D6	PERMIT CLASSES		
57	083	A	F28830	
TAX DISTRICT		RECEIPT NO.		

FROM 12/13/2022

60766850005			MODERN FOOD & GAS LLC	
PERMIT NUMBER		TYPE	DBA DOUBLE DUECE	
06	01	2022		
ISSUE DATE		HUBER HGTS OH 45424		
12	09	2022		
FILING DATE				
D5	D6	PERMIT CLASSES		
57	083			
TAX DISTRICT		RECEIPT NO.		



MAILED 12/13/2022

RESPONSES MUST BE POSTMARKED NO LATER THAN. 01/13/2023

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES **A TRFO 4044836**

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD IN OUR COUNTY SEAT. IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)- Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

CLERK OF HUBER HGTS CITY COUNCIL
6131 TAYLORSVILLE RD
HUBER HGTS OHIO 45424

AI-8891

Topics of Discussion L.

Council Work Session

Meeting Date: 01/03/2023

Military And Veterans Commission Appointments - C. Hancock/L. Johnson

Submitted By: Karen Powell

Department: City Council

Council Committee Review?: Council Work Session

Date(s) of Committee Review: 01/03/2023

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

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

Agenda Item Description or Legislation Title

Board And Commission Appointments

* Military And Veterans Commission - Appointments

Purpose and Background

The City's interview panel recommends the appointment of Charles Hancock to the Military and Veterans Commission for a term ending December 31, 2023 and Larry Johnson, II to the Military and Veterans Commission for a term ending December 31, 2025. Background checks were completed on Mr. Hancock and Mr. Johnson by Human Resources.

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

Application - C. Hancock

Application - L. Johnson



6131 Taylorsville Road
 Huber Heights, Ohio 45424
 Phone: (937) 233-1423
 Fax: (937) 233-1272
www.hhoh.org
 An Equal Opportunity Employer

Application For City Boards and Commissions

RECEIVED ON:

OCT 12 2022

CLERK OF COUNCIL

Qualified applicants are considered for all positions without regard to race, color, religion, sex, national origin, marital or veteran status, or disability.

PLEASE COMPLETE ALL SECTIONS AND EACH QUESTION COMPLETELY AND ACCURATELY

Board or Commission Applied For: Military & Veterans Review Culture & diversity Citizen action, personnel Appeals, Planning Commission	Date Applied: 11 OCT 2022
--	-------------------------------------

Last Name	First Name	Middle Name	
HANCOCK	Charles	M W	
Address	City	State	Zip Code
1234 Waterside Circle	Tipp City	OH	45371
Home Phone Number	Daytime Phone Number	E-mail Address	
	937 672 7597		

EDUCATION

	SCHOOL	COURSE OF STUDY OR DEGREE EARNED
HIGH SCHOOL	WAYNE	Diploma
COLLEGE	N/A	N/A
GRADUATE SCHOOL	N/A	N/A
OTHER (Specify)	MVCTC	Diploma

COMMUNITY INVOLVEMENT

Please list all civic, community, or non-profit organizations to which you have belonged or currently do belong, and your dates of service.

Organization	Dates of Service
Tierrasanta Cougars	2017-2022
Rock Church	2019-2022

Candice Margolis H @ yahoo.com

EMPLOYMENT HISTORY

Name of Employer	Position(s) Held	Dates of Employment
UNITED States NAVY	Military police ^{Officer} Antiterrorism	2012 - 2022

REFERENCES

Melissa Sheek	Chesapeake Virginia	757 839 2524
Name	Address	Telephone Number
NICK Turner	PENSACOLA Florida	864 363 5207
Name	Address	Telephone Number
Courtney Purvis	Huber Heights Ohio	937 266 4599
Name	Address	Telephone Number

STATEMENT OF INTEREST

Please tell us why you are interested in serving on this board or commission

Giving back to the community is something that I enjoy doing. Making sure that Huber Heights is there to support its residents is a big part of that. Come grow with us, to me is more than getting people to move here. Its about taking a big community & making it small, its about making sure that those who do come are supported by a community thats giving them its very best and to do that we need people who care. thats why I want to be a part of the board or commission of Huber Heights

REQUIREMENTS AND APPLICANT STATEMENT

Are you at least 18 years of age? Yes No

Do you currently reside in the City of Huber Heights? Yes No

Have you resided in the City of Huber Heights for at least one year prior to making this application? Yes No

Are you a registered voter? Yes No

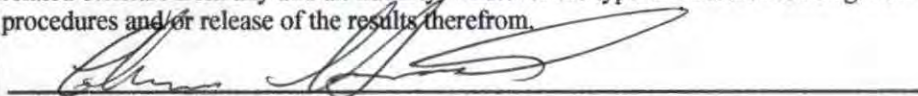
Are you willing to sign a release to allow the City of Huber Heights to perform a background screening and criminal records check? Yes No

I certify that all of the information furnished in this application and its addenda are true and complete to the best of my knowledge. I understand that the City of Huber Heights may investigate the information I have furnished and I realize that any omissions, misrepresentation or false information in this application and/or its addenda may lead to revocation of any volunteer appointment.

I hereby acknowledge that I, voluntarily and of my own free will, have applied for a volunteer position with the City of Huber Heights with the understanding that the City may use a variety of screening procedures to evaluate my qualifications and suitability for appointment. I have been advised that these screening procedures might include, but are not limited to, interviews, criminal record checks, driving records checks and reference checks. I also acknowledge that any such screening procedures, as reasonably required by the City of Huber Heights, are prerequisites to my appointment to a volunteer position with the City of Huber Heights.

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Signature

11 OCT 2022

Date



NOV 14 2022

CLERK OF COUNCIL

Application For City Boards and Commissions

6131 Taylorsville Road
Huber Heights, Ohio 45424
Phone: (937) 233-1423
Fax: (937) 233-1272
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Qualified applicants are considered for all positions without regard to race, color, religion, sex, national origin, marital or veteran status, or disability.

PLEASE COMPLETE ALL SECTIONS AND EACH QUESTION COMPLETELY AND ACCURATELY

Board or Commission Applied For: <i>Military and Veterans Commission Board</i>	Date Applied: <i>11/14/2022</i>
--	---

<i>Johnson II</i>	<i>LARRY</i>	<i>Lee</i>
Last Name	First Name	Middle Name
<i>6637 Charlesgate Rd.</i>	<i>Huber Heights</i>	<i>OH</i>
Address	City	State
<i>45424</i>	<i>937-825-3316</i>	<i>11johnson2@outlook.com</i>
Zip Code	Home Phone Number	E-mail Address
<i>937-825-3316</i>	Daytime Phone Number	

EDUCATION

	SCHOOL	COURSE OF STUDY OR DEGREE EARNED
HIGH SCHOOL	<i>Henderson County High School</i>	<i>High School Diploma</i>
COLLEGE	<i>American Military University</i>	<i>BA - Intelligence Studies (Intelligence Analysis)</i>
GRADUATE SCHOOL	<i>American Military University</i>	<i>MA - Homeland Security (Counter-Terrorism Studies)</i>
OTHER (Specify)	<i>Professional Military Training</i>	<i>PME, NCOA, SNCOA (Coir), FSA</i>

COMMUNITY INVOLVEMENT

Please list all civic, community, or non-profit organizations to which you have belonged or currently do belong, and your dates of service.

Organization	Dates of Service
<i>InFraGard, DAYTON Chapter</i>	<i>2019 - Present</i>
<i>DAYTON THINK TANK</i>	<i>2019 - Present</i>
<i>Homeland Security Network</i>	<i>2015 - Present</i>
<i>Alpha Phi Sigma, Criminal Justice Society</i>	<i>2014 - Present</i>
<i>Personnel Appeals Board, Huber Heights</i>	<i>2019 - 2022</i>

EMPLOYMENT HISTORY

Name of Employer	Position(s) Held	Dates of Employment
Riverside Research	Technical Project Manager (NASIC)	Oct 2022 - Present
SRC, Inc.	Intelligence Analyst	Apr 2018 - Oct 2022
Azimuth Corp	Industrial Base Analyst	May 2013 - Apr 2018
ATIC (2X)	Consultant, Open Source Analyst	Jun 2012 - May 2013
U.S. Air Force	SIGINT Analyst / First Sergeant	Jul 1984 - Aug 2007

REFERENCES

LARA BROWN	5972 Deer Park Place, Huber Heights, OH 45424	937-689-9329
Name	Address	Telephone Number
Henry Lee	6647 Charlesgate Rd, Huber Heights, OH 45424	937-962-4480
Name	Address	Telephone Number
Steve James	6627 Charlesgate Rd, Huber Heights, OH 45424	937-626-1316
Name	Address	Telephone Number

STATEMENT OF INTEREST

Please tell us why you are interested in serving on this board or commission

As a retired U.S. Air Force servicemember, I feel it is both crucial and important to maintain a strong and consistent relationship with not only our community's military veterans, but also those still serving and their families. Wright-Patt AFB is one of the largest employers of military, DoD civilians, and contractors in the state of Ohio. A large majority of the DoD civilian/contractor population are military veterans and live in Huber Heights and neighboring cities and counties. The leadership, commitment, and loyalty these veterans bring to Huber Heights is immeasurable. We, as a community, must embrace these qualities and always remember the sacrifices each veteran has made. The nexus between Huber Heights and its veterans is something I want to help continue to grow and cultivate.

REQUIREMENTS AND APPLICANT STATEMENT

Are you at least 18 years of age? Yes No

Do you currently reside in the City of Huber Heights? Yes No

Have you resided in the City of Huber Heights for at least one year prior to making this application? Yes No

Are you a registered voter? Yes No

Are you willing to sign a release to allow the City of Huber Heights to perform a background screening and criminal records check? Yes No

I certify that all of the information furnished in this application and its addenda are true and complete to the best of my knowledge. I understand that the City of Huber Heights may investigate the information I have furnished and I realize that any omissions, misrepresentation or false information in this application and/or its addenda may lead to revocation of any volunteer appointment.

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Signature

Date

11/14/2022

AI-8895

Topics of Discussion

Council Work Session

Meeting Date: 01/03/2023

Culture And Diversity Citizen Action Commission Appointment - C. Trotter

Submitted By: Karen Powell

Department: City Council

Council Committee Review?: Council Work Session

Date(s) of Committee Review: 01/03/2023

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

Motion/Ordinance/

Resolution No.:

Agenda Item Description or Legislation Title

* Culture And Diversity Citizen Action Commission - Appointment

Purpose and Background

The City's interview panel recommends the appointment of Christy Trotter to the Culture and Diversity Citizen Action Commission for a term ending December 31, 2025. A background check was completed on Ms. Trotter by Human Resources.

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

Application - C. Trotter

RECEIVED ON:

NOV 30 2022

Rodgers, Anthony

From: WriterChicky <clstrotter@gmail.com>
Sent: Wednesday, November 30, 2022 3:54 PM
To: Rodgers, Anthony
Subject: Attached application for the CD Citizen Action Commission
Attachments: Trotter CDCAC app.docx

CLERK OF COUNCIL

CAUTION EXTERNAL EMAIL: This message originated from a non Huber Heights email server. DO NOT CLICK ANY LINKS or OPEN ANY ATTACHMENTS unless you have contacted the sender to verify its legitimacy or confirmed you were expecting it. Contact the IT Department if you need assistance.

Hello Mr. Rodgers,

I've attached my application for the Culture and Diversity Citizen Action Commission vacancy for your consideration.

Thank you for your time.

Sincerely,

Christy Lynne Trotter



Application For City Boards and Commissions

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PLEASE COMPLETE ALL SECTIONS AND EACH QUESTION COMPLETELY AND ACCURATELY

Board or Commission Applied For: Culture and Diversity Citizen Action Commission	Date Applied: 11/30/2022
--	------------------------------------

Trotter, Christy Lynne			
Last Name	First Name	Middle Name	
5451 Bellefontaine Road, Huber Heights, OH 45424			
Address	City	State	Zip Code
815-822-4514 937-496-8584 clstrotter@gmail.com			
Home Phone Number	Daytime Phone Number	E-mail Address	

EDUCATION

	SCHOOL	COURSE OF STUDY OR DEGREE EARNED
HIGH SCHOOL	Fairborn High School	Academic
COLLEGE	Sinclair/Wright State University	Fine Arts/Mass Communications
GRADUATE SCHOOL	Antioch	Creative Writing
OTHER (Specify)		

COMMUNITY INVOLVEMENT

Please list all civic, community, or non-profit organizations to which you have belonged or currently do belong, and your dates of service.

Organization	Dates of Service
Champion City Scholars (Springfield)	2016 and 2017
Yellow Springs Street Fair	2018, 2019, and 2022

EMPLOYMENT HISTORY

Name of Employer	Position(s) Held	Dates of Employment
Dayton Metro Library	External Relations Content Writer	2/28/21 to present
Sinclair Community College	English Instructor	Fall term 2016 to present
Clark State Community College	English Instructor	Fall term 2013 to end of year 2018
Antioch College	Literature Instructor	Summer term 2017

REFERENCES

Claudine Bennett, cbennett@daytonmetrolibrary.org, 937-3070593

Name	Address
Caitlin Wissler, cwissler@daytonmetrolibrary.org , 937-496-8671	
Cynthia Woodruff, cwoodruff@daytonmetrolibrary.org , 937-215-8500	

STATEMENT OF INTEREST

Please tell us why you are interested in serving on this board or commission

Having lived in Huber Heights since 2011 (and having grown up in Fairborn), I enjoy spending what free time I have within our community. I enjoy the small, hidden nugget places and the people. With my work experience and background alone, I not only have a huge interest in the ideology of culture and diversity, but I also embrace and work within the realm of culture and diversity in the work I do on a daily basis.

During my time teaching and working at the Library, I have served on a variety of committees over the years and have participated in a volunteer capacity for several events and programs. My most recent endeavor is being a writer for someone in the community who has a story to share about the eviction and housing crisis in Dayton. Stories will be collected and placed in an anthology through the Facing Project and Sinclair Community College, which will also correlate with an exhibit that the Library will be hosting in February, called "Evicted," which Sinclair will put together. My participation is strictly voluntary – I just happen to work for both the Library and Sinclair.

I'll be honest – I'd like to see MORE culture and diversity exemplified in our community. I'd like to see people in Huber Heights embrace a little bit more of what we have to offer as a community other than the new Starbucks. We have a decent amount of local business owners from all different walks of life representing the same different walks of life who live here, so the events we can do within our community, if we put forth the effort to do it, would be amazing – and I think I could help with that.

REQUIREMENTS AND APPLICANT STATEMENT

Are you at least 18 years of age? Yes No

Do you currently reside in the City of Huber Heights? Yes No

Have you resided in the City of Huber Heights for at least one year prior to making this application? Yes No

Are you a registered voter? Yes No

Are you willing to sign a release to allow the City of Huber Heights to perform a background screening and criminal records check? Yes No

I certify that all of the information furnished in this application and its addenda are true and complete to the best of my knowledge. I understand that the City of Huber Heights may investigate the information I have furnished and I realize that any omissions, misrepresentation or false information in this application and/or its addenda may lead to revocation of any volunteer appointment.

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Signature

Date

AI-8894

Topics of Discussion

Council Work Session

Meeting Date: 01/03/2023

Parks And Recreation Board Appointment - J. Bonnoront

Submitted By: Karen Powell

Department: City Council

Council Committee Review?: Council Work Session

Date(s) of Committee Review: 01/03/2023

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

Motion/Ordinance/

Resolution No.:

Agenda Item Description or Legislation Title

* Parks And Recreation Board - Appointment

Purpose and Background

The City's interview panel recommends the appointment of Justus Bonnoront to the Parks and Recreation Board for a term ending March 31, 2026. A background check on Mr. Bonnoront was completed by Human Resources.

Fiscal Impact

Source of Funds: N/A

Cost: N/A

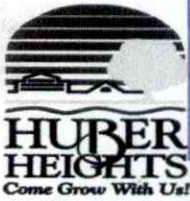
Recurring Cost? (Yes/No): N/A

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

Financial Implications:

Attachments

Application - J. Bonnoront



RECEIVED
NOV 30 2022

Application For City Boards and Commissions

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PLEASE COMPLETE ALL SECTIONS AND EACH QUESTION COMPLETELY AND ACCURATELY

Board or Commission Applied For: Parks and Recreation Board	Date Applied: 11/30/2022
---	------------------------------------

Bonneront	Justus	Jon
Last Name	First Name	Middle Name
7126 Mandrake Dr	Huber Heights	OH
Address	City	State
		45424
		Zip Code
(937) 489-6831	(937) 489-6831	jbonnoront@gmail.com
Home Phone Number	Daytime Phone Number	E-mail Address

EDUCATION

	SCHOOL	COURSE OF STUDY OR DEGREE EARNED
HIGH SCHOOL	Anna High School	Gen Ed
COLLEGE	Wright State University	Bachelor's Degree in Language Art - French
GRADUATE SCHOOL		
OTHER (Specify)		

COMMUNITY INVOLVEMENT

Please list all civic, community, or non-profit organizations to which you have belonged or currently do belong, and your dates of service.

Organization	Dates of Service
Cub Scouts - Pack 169 - St. Peter	August/2021 to present
Huber Heights Soccer	September/2021 to Present

EMPLOYMENT HISTORY

Name of Employer	Position(s) Held	Dates of Employment
Synchrony Financial	Various - Current: ^{New Client} Implementation	September/2009 to present

REFERENCES

Bryan Detty		(937) 608-6707
Name	Address	Telephone Number
Liza Conklin		(937) 270-0699
Name	Address	Telephone Number
Cathy Reinard		(570) 854-9356
Name	Address	Telephone Number

STATEMENT OF INTEREST

Please tell us why you are interested in serving on this board or commission

I have lived in this community for 10 plus years. I love it here, it's a wonderful town that offers so much. Huber is constantly growing and changing. I want to be a part of that change. I have 3 young kids and I want their town to be the very best for them, and all who choose to make Huber Heights their home. For me, it is an opportunity to give back to my community, and to help make the amenities provided the best that they can be.

REQUIREMENTS AND APPLICANT STATEMENT

Are you at least 18 years of age? Yes No

Do you currently reside in the City of Huber Heights? Yes No

Have you resided in the City of Huber Heights for at least one year prior to making this application? Yes No

Are you a registered voter? Yes No

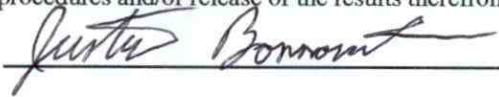
Are you willing to sign a release to allow the City of Huber Heights to perform a background screening and criminal records check? Yes No

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11/30/2022

Signature

Date

AI-8893

Topics of Discussion M.

Council Work Session

Meeting Date: 01/03/2023

2023 Rules Of Council

Submitted By: Anthony Rodgers

Department: City Council

Council Committee Review?: Council Work Session **Date(s) of Committee Review:** 01/03/2023

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

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

Agenda Item Description or Legislation Title

2023 Rules Of Council

Purpose and Background

At least annually, City Council reviews, updates and approves the Rules of Council by a motion of the City Council at a City Council Meeting. The current 2022 Rules of Council are attached for consideration and review. This agenda item is for a discussion on the Rules of Council for 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

2022 Rules Of Council

City of Huber Heights **RULES OF COUNCIL**

(Adopted by the Huber Heights City Council on January 10, 2022)



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I. POWERS, JURISDICTION, FUNCTIONS AND LIMITATIONS

Except as otherwise provided under the City Charter, all legislation and other powers of the City are vested in the Council. The Council has the power to enact ordinances, resolutions, and other measures to carry out municipal functions involving the City's departments, divisions, offices, boards, commissions, officers, and employees (Section 4.01, City Charter).

Councilmembers have power and may exercise that power only when Council is in session. Councilmembers and the Council itself are not bound by any statement or action taken by individual members, City officials, or employees unless in accord with Council action. Individual Councilmembers shall not direct any City official or employee to perform services or take action related to City operations (Section 4.06 (C), City Charter). Only as a body does Council have power to direct City operations and that direction is executed through the City Manager.

Some specific Council functions include:

1. Making policy necessary for the operation of the City.
2. Appointing a City Manager and establishing a salary for the City Manager (Section 6.01, City Charter).
3. Appointing a Clerk of Council (and Deputy Clerk of Council) and establishing a salary for the Clerk(s) (Section 4.08, City Charter).
4. Appointing a Law Director and establishing a salary for the Law Director (Section 7.05, City Charter).
5. Obtaining reports from the City Manager concerning conditions, efficiencies, needs, and other affairs and related City matters.
6. Evaluating and approving the City budget and appropriations and their modifications.
7. Evaluating the effectiveness of City programs and the performance of the City Manager, the Clerk of Council, and the Law Director.
8. Informing the public of City activities and needs.
9. Regulating its own organization and membership (Sections 4.02, 4.03, 4.05, 4.06, 4.07, 4.10 and 4.13, City Charter).

Council shall adopt, by a simple majority vote of its members currently holding office, its own Rules of Council which shall not conflict with the City Charter and which shall remain in effect until amended, changed or repealed by a majority vote of the members of Council then holding office. The Rules of Council shall go into immediate effect unless a later date is specified, and shall not be subject to initiative or referendum. The Rules of Council shall provide for the number, composition and manner of appointment of committees of Council, and such other matters as the Council shall determine to be necessary for the proper functioning and government of Council (Section 4.14, City Charter).

II. MEETINGS

- A. Regular City Council Meetings:** Regular Council City Meetings will be held on the second and fourth Mondays of each month (except for December) unless the day falls on a City holiday. If such a conflict occurs, the meeting schedule will be

adjusted to address the holiday. Meetings will begin at 6:00 P.M. and will be held in the Council Chambers at the City Hall Building.

- B. Special City Council Meetings:** Special City Council Meetings may be called for any purpose by the Mayor or any five (5) Councilmembers upon at least twenty-four (24) hours' notice to the Mayor and each Councilmember. Councilmembers and the Mayor may waive receipt of notice of a special meeting either prior or subsequent to the meeting (Section 4.13, City Charter). The member or members calling the meeting will, through the Clerk of Council, notify the media and other individuals that have requested notification of the time, place and purpose of any special meeting.
- C. Council Work Sessions:** Council Work Sessions are working committee meetings of Council and are not utilized for legislative action or other formal Council actions appropriate to Regular or Special City Council Meetings. Council Work Sessions will be generally held on the Tuesday of the week prior to the Regular Council City Meetings unless the day falls on a City holiday. If such a conflict occurs, the meeting schedule will be adjusted to address the holiday. Council Work Sessions will generally begin at 6:00 P.M. and will be held in the Council Chambers at the City Hall Building. Council Work Sessions may also be called for any purpose at other dates and times by the Mayor or any five (5) Councilmembers upon at least twenty-four (24) hours' notice to the Mayor and each Councilmember. Councilmembers and the Mayor may waive receipt of notice of a special meeting either prior or subsequent to the meeting (Section 4.13, City Charter). The member or members calling the meeting will, through the Clerk of Council, notify the media and other individuals that have requested notification of the time, place and purpose of any special meeting.
- D. Committee of the Whole:** Council may schedule committee meetings of the entire Council as a Committee of the Whole meeting. Committee of the Whole meetings may be called for any purpose by the Mayor or any five (5) Councilmembers upon at least twenty-four (24) hours' notice to the Mayor and each Councilmember. Councilmembers and the Mayor may waive receipt of notice of a special meeting either prior or subsequent to the meeting. The member or members calling the meeting will, through the Clerk of Council, notify the media and other individuals that have requested notification of the time, place and purpose of any special meeting.
- E. Between Regularly Scheduled City Council Meetings:** Councilmembers are to be informed of incidents involving the City that, in the judgment of the City Manager, the Law Director, or the Clerk of Council; may require immediate consideration by the Council. A Council meeting may be the means required for conveying information regarding these incidents. In addition, Councilmembers are to be informed at the onset of incidents which may eventually require budgetary or policy decisions by Council.
- F. Public Notification of Meetings:** The Clerk of Council will make public notice of all Regular or Special City Council Meetings, Council Work Sessions, and other

meetings of Council at least twenty-four (24) hours in advance of such meetings or sessions. This public notice will include the date, time, place, and purpose for the meeting or session. This public notice will be done in the following manner:

1. Posting of the public notice at the City Hall building.
2. Posting of the public notice on the City of Huber Heights official website.
3. Posting of the public notice on the City of Huber Heights official Facebook and Twitter accounts.
4. Distribution of the public notice by email via the Internet through an electronic distribution list maintained by the Clerk of Council that includes media outlets and individual members of the public who have requested notification in advance (see below).

The public may also obtain notice of the date, time, place, and purpose of all Regular or Special City Council Meetings, Council Work Sessions, and other meetings of Council by contacting the Office of the Clerk of Council.

Any person may obtain advance notification of all Council meetings by email via the Internet through an electronic distribution list maintained by the Clerk of Council at no charge. This request should be made in writing to the Clerk of Council. Any such request shall be effective indefinitely from the date of filing with the Clerk of Council or until the Clerk of Council receives written notice from an individual canceling or modifying such request. Notification of any special meeting shall be sent to those who have requested such notification. A reasonable attempt at notification shall constitute notification in compliance with these Rules of Council.

- G. Executive Session Meetings:** Meetings in Executive Session shall be closed, private, and confidential; and shall be held in accordance with Ohio Revised Code 121.22, the Ohio Sunshine Law. These meetings are to be noted on the agenda of regular meetings, when practicable. Any individual Councilmember may motion that Council recess to Executive Session when circumstances are such that satisfactory answers or useful discussion may be provided only in Executive Session. A motion, to include the general purpose of the Executive Session as specified in Ohio Revised Code 121.22 and passed by a majority or unanimous vote (depending on the purpose of the Executive Session), is required for Council to recess to Executive Session.

All other Council meetings must also comply with the requirements of Ohio Revised Code Section 121.22 as described above.

Minutes of the Executive Session discussions shall not be kept. Neither shall any participant record the proceedings of the any Executive Session by any electrical or mechanical device.

The minutes of the Regular City Council Meetings or Special City Council Meetings, as well as Council Work Sessions and other Council meetings, should reflect the general subject matter of discussion held in Executive Session authorized under Division G of the Section 121.22 of the Ohio Revised Code. In addition, the

aforementioned minutes should reflect the vote on the motion to go into Executive Session and the commencement and termination times of the Executive Session meeting.

Discussion in Executive Session is confidential. No participant shall compromise the confidentiality of an Executive Session.

- H. Pre-Meeting Information:** Two (2) business days prior to scheduled City Council Meetings, Council Work Sessions, or other Council meetings, Councilmembers are to be furnished a meeting packet with information germane to the meeting agenda items. This meeting packet will include background information on the agenda items and/or copies of proposed ordinances and resolutions, historical information, and any additional relevant information on the agenda items. The agenda will normally be finalized on the Thursday immediately preceding each meeting; however, proposed agenda items must be submitted to the Office of the Clerk of Council through the AgendaQuick system and approved by the City Manager on the Wednesday immediately preceding each meeting by 5:00 P.M. The Law Director will also be provided all of this information to allow for proper legal review.
- I. Recesses and Adjournments:** City Council Meetings, Council Work Sessions, or other Council meetings may be adjourned or recessed to another time, date, or place without giving the notice required in paragraph B, Special Meetings, above (Section 4.13 (C), City Charter). Short recesses (5-15 minutes) may be designated by the Presiding Officer during regular or special meetings without a vote of Council. Other recesses require a simple majority vote of Council.
- J. Presiding Officer:** The Mayor presides over Regular City Council Meetings, Special City Council Meetings, Council Work Sessions, Committee of the Whole meetings, or other Council meetings; however, in the absence of the Mayor, the Vice Mayor presides (Section 4.04, City Charter). In the absence of the Mayor and the Vice Mayor or at the discretion of the Mayor or Vice Mayor, the Council may elect a Councilmember to serve as Presiding Officer for that meeting provided a Council quorum is present. The Mayor is a member of Council, but does not have voting rights on issues in Regular City Council Meetings or Special City Council Meetings except in cases of tie votes (Section 4.04, City Charter). The Mayor is a non-voting member of all Council appointed committees (Section 4.04, City Charter). The Vice Mayor serves as a Councilmember with all voting and other rights accorded that position (Section 4.04, City Charter).
- K. Clerk of Council:** The Clerk of Council (with the assistance of the Deputy Clerk of Council) serves as Council administrator. The Clerk attends Council meetings, records proceedings, maintains City records, handles public records requests, authenticates legislation and signatures, prepares correspondence and minutes, and performs other duties as directed by Council and required by law (Section 4.08, City Charter). The job duties and functions of the Clerk of Council and the Deputy Clerk of Council are also defined in the applicable position descriptions. These job duties and functions are further defined through the day to day general supervision and

assignment of duties, tasks, and responsibilities by the Clerk of Council to the Deputy Clerk of Council.

L. Quorum and Majority Votes:

1. Quorum: Five (5) members of Council, other than the Mayor, shall constitute a quorum for all Council meetings. Confronted with a lack of a quorum, a smaller number of Councilmembers may convene and may compel the attendance of absent members and may adjourn meetings to a subsequent date (Section 4.12, City Charter).
2. Majorities: In determining a simple, a two-thirds (2/3), or a three-fourths (3/4) majority vote of Council, the Mayor is counted. Majorities are based on the total number of Councilmembers holding office (not simply those present). Therefore, majorities are calculated, in normal situations, using the number nine (9) as denominator. Thus, five (5) constitutes a simple majority, six (6) a two-thirds (2/3) majority, and seven (7) a three-fourths (3/4) majority.

M. Attendance, Absences, and Removals: Councilmembers are required and expected to attend all Regular City Council Meetings and Special City Council Meetings. Absences from Council meetings may be excused for reasonable cause. All absences from meetings will be communicated through the Clerk of Council's Office. For the official record purposes, a motion of Council to excuse a member's absence must be passed by a simple majority vote.

Unexcused absences from three (3) consecutive Regular City Council Meetings may result in the removal of a Councilmember. A two-thirds (2/3) majority of the Councilmembers then holding office, exclusive of the Councilmember being considered for removal, is required (Section 13.08, City Charter).

A Councilmember or the Mayor may be expelled from a Council meeting for disorderly conduct or violation of the Rules of Council by a vote of a two-thirds (2/3) majority of Councilmembers. Expulsions are considered unexcused absences.

N. Agendas:

1. Preparation: The Clerk of Council shall be responsible for preparing the agendas for all Council meetings in consultation with the City Manager and the Presiding Officer. The Presiding Officer may also solicit input from Councilmembers and the Mayor for the agendas for all Council meetings. Any three (3) Councilmembers may also compel an item to be placed on the agenda for Council Work Sessions as described under Section II, C. of this document.
2. Review: Council will be previously apprised and informed of all proposed legislation/motions and/or other matters of significance on the agendas through Council Work Sessions, other Council meetings, or written

communications from the City Manager or the Clerk of Council (except for emergency situations) or as otherwise determined by Council.

3. Format:

A. Regular City Council Meetings of Council will follow this format unless changed by any five (5) Councilmembers:

1. Call the Meeting to Order
2. Invocation
3. Flag Ceremony
4. Pledge of Allegiance
5. Roll Call
6. Approval of Minutes
7. Special Presentations/Announcements *
8. Citizens Comments **
9. Citizens Registered to Speak on Agenda Items **
10. City Manager Report
11. Pending Business
12. New Business
13. City Official Reports and Comments
14. Executive Session
15. Adjournment

* Usually reserved to accommodate non-profit or citizen groups whose purpose is to make a short, formal presentation.

** Citizens wishing to reserve time to speak must complete a Citizens Comments Request.

B. Council Work Sessions will normally follow this format:

1. Call the Meeting to Order/Roll Call
2. Approval of Minutes
3. City Manager Report
4. Work Session Topics of Discussion
5. Executive Session
6. Adjournment

O. Public Participation at Meetings: The Presiding Officer of Regular or Special City Council Meetings, Council Work Sessions, or other Council meetings will recognize persons requesting to be heard. If the topic to be discussed is not on the agenda, it may be discussed under Citizens Comments. Members of the public desiring to speak at Regular City Council Meetings and Special City Council Meetings must request time using the Citizens Comments Request. Members of the public desiring to speak at Council Work Sessions or other Council meetings may approach the podium and be recognized at the discretion of the Presiding Officer. Citizens

granted time to speak may do so following recognition by the Presiding Officer. Individuals wishing to speak are asked to abide by the following procedures:

1. Wait to speak until recognized by the Presiding Officer.
2. Approach the microphone and state your name.
3. Address remarks to the Presiding Officer.
4. Respond to questions from Councilmembers through the Presiding Officer.
5. Limit comments to subject under discussion (if speaking on an agenda item).
6. Limit comments to five (5) minutes.
7. Avoid complaints and/or remarks directed against individual employees or Councilmembers. (These types of complaints and/or remarks will be ruled out of order by the Presiding Officer and should be handled instead through the proper procedures for filing complaints).

Public statements on agenda items by other than properly registered or properly recognized citizens will generally not be allowed during the discussion and/or decision of such agenda items. Public statements will be accepted during public hearings, citizens' comments agenda time, and at other times as allowed by the Presiding Officer. Regarding pending legislation, citizen comments will be heard only after the reading of the legislation and explanation by City Staff and discussion by Council.

- P. Minutes:** The minutes shall record actions taken at the meeting and shall not be a verbatim transcript of what is said at the meeting. Council may, by a simple majority vote, direct that more detailed minutes be kept for all or part of a meeting.
- Q. Councilmember Decorum:** During all official meetings of the Council, whether Committee Meetings, Council Work Sessions, Regular City Council Meetings, or Special City Council Meetings, the members of Council in attendance will represent the City in a professional manner by directing their comments to the business of the Council and the policy implications of such business.

Disparaging comments about a specific member of Council's personhood, political affiliations, or matters of a personal nature will be ruled out of order by the Presiding Officer. For repeated offenses, the Presiding Officer shall put the question of whether the offender shall be removed from the meeting which shall be determined by a vote of three-fourths (3/4) of Councilmembers then present (excluding the offender) without debate.

In no way is this section designed to eliminate the natural and appropriate disagreement or communication of such disagreements between Councilmembers on particular views, positions, directions, or political and/or philosophical positions of individual Councilmembers. Additionally, this section is not designed to limit any First Amendment rights of individual Councilmembers in their private or political capacities outside of official City meetings.

III. LEGISLATION

- A. The Legislative Process:** Actions of the Council are by ordinance, resolution, or motion. A motion is used to make or approve appointments of personnel, to conduct the business of Council in procedural matters, to conduct elections required by Council, and for other similar matters provided by the Charter (Section 5.01, City Charter). All motions of Council require seconds. Voting records by individual Councilmembers on each item voted on are to be kept by the Clerk of Council.

Article V of the City Charter prescribes procedures that must be adhered to in regard to legislation. The Law Director assures that any proposed legislation fulfills all legal requirements.

Step 1. If determined appropriate, the Presiding Officer will refer proposed legislation to a Council Work Session for Council to review the proposed legislation and to make any recommendations regarding the proposed legislation. Council may also refer the matter to additional Council Work Session(s) to review the proposed legislation in between the ongoing reading(s) of the legislation. In most cases, the proposed legislation will have already been reviewed by a Council Work Session prior to being placed on the meeting agenda for a Regular City Council Meeting or Special City Council Meeting. After discussion on proposed legislation, the Presiding Officer will inquire if there any objections from Councilmembers to placing the proposed legislation on the agenda of a Regular City Council Meeting or Special City Council Meeting for a first reading. If there are any objections to placing the proposed legislation on the agenda of a Regular City Council Meeting or Special City Council Meeting for a first reading, the Presiding Officer may continue the discussion on the proposed legislation to determine an appropriate course of action.

Step 2. The proposed legislation is placed on the agenda of a Regular City Council Meeting or Special City Council Meeting for a first reading. A copy of all proposed legislation, except personnel-related actions, will be posted on the bulletin board in City Hall. The Clerk of Council will endeavor to have legislation posted as soon as available prior to the meeting. All readings of legislation are made by title only unless a majority of Council approves by an adopted motion a full text reading. No discussion by Councilmembers will occur until after a motion is on the floor and the motion is seconded. Each resolution must be read on one separate Council meeting day. Each ordinance must be read on two separate Council meeting days, unless this requirement is waived by a vote of two-thirds (2/3) of the Councilmembers then holding office (Section 5.04, City Charter). Approval or rejection of a proposed resolution usually takes place immediately after this first reading, but the resolution can be read at additional readings at the discretion of Council.

Step 3. A second reading is held for a proposed ordinance, unless this requirement is waived by a vote of two-thirds (2/3) of the Councilmembers

then holding office (Section 5.04, City Charter). Approval or rejection of the proposed ordinance usually takes place immediately after this second reading but the ordinance can be read at additional readings at the discretion of Council.

Step 4. When approved by Council, the legislation is assigned an index number from the legislation journal and typed in final form by the Clerk of Council. An annual indexing system is used. Ordinances are coded “O” and Resolutions “R”; for example, 2017-O-1000 and 2017-R-1000. The legislation is then authenticated by the signatures of the Clerk of Council and the Presiding Officer (Section 5.08(A), City Charter) after the City Council Meeting when available or in a forthwith manner. Amended legislation or legislation not available for authentication by the Clerk of Council and the Presiding Officer during or immediately following the City Council Meeting will also be authenticated forthwith. Motions by Council (beginning in 2009) are also assigned an index number and typed in final form by the Clerk of Council using an annual indexing system. Motions are coded “M”; for example, 2017-M-1000.

Step 5. Any legislation which is enacted by less than a two-thirds (2/3) majority vote must be presented to the Mayor for approval except those enacted by the Mayor having cast the deciding vote. If the Mayor does not approve (i.e., vetoes) the legislation, the Mayor shall return it after its passage or adoption, with any objections in writing, to the Council at the next Regular City Council Meeting. The Mayor's written objections shall be entered upon the journal of the Council. The Mayor may approve or disapprove the whole or any item of an ordinance or resolution appropriating money. If the Mayor does not return such ordinance or resolution with written objections within the time limited in this Section, it shall take effect in the same manner as if the Mayor had signed it, unless the Council, by adjournment, prevents its return. When the Mayor disapproves an ordinance or resolution, or any part thereof, and returns it as herein provided with any written objections, the Council may reconsider it no later than the Regular City Council Meeting, and if such ordinance or resolution upon such reconsideration is approved by a two-thirds (2/3) vote of the members of Council then holding office, it shall take effect as if signed by the Mayor. If Council does not reconsider the Mayor's veto as herein provided, the content of the legislation in question may be considered thereafter in the same way all new legislation is considered (Section 5.12, City Charter).

Step 6. Legislation is published by posting the full text of the ordinance or resolution for a period of not less than ten (10) days after its passage in public places within the City or places of public access as determined by Council. The designated public places are:

1. Legislative Bulletin Board - City Hall Building
2. Legislative Public Binder - City Hall Building
3. Clerk of Council's Office

4. Huber Heights Public Library
5. Huber Heights Police Station
6. City of Huber Heights Official Website

Step 7. The Clerk of Council certifies in the legislative journal the dates that publication occurred.

- B. Effective Date of Legislation:** Any resolutions take effect immediately upon adoption by Council, unless a later date is specified. Ordinances dealing with appropriations of money; annual tax levies for current expenses of the City; certain improvements petitioned for by owners; questions to be submitted to the electorate or determinations to proceed with elections; approval of revisions, codifications, recodifications, or rearrangements of the City Code; and, any emergency ordinances take effect immediately upon adoption by Council, unless a later date is specified. All other ordinances take effect thirty (30) days after adoption by Council, unless a later date is specified. The thirty (30) day effective date of legislation is calculated by counting from the date after adoption by Council of the ordinance with the effective date being the thirty-first (31st) day after date of adoption by Council of the ordinance.
- C. Emergency Legislation:** Emergency ordinances are those necessary for the immediate preservation of the public peace, health, safety or welfare, or an emergency in the operation of the City. Emergency ordinances must contain a statement, “the emergency clause”, describing the necessity for the emergency. A vote of two-thirds (2/3) of Councilmembers holding office is required to approve emergency ordinances (Section 5.06, City Charter). Any emergency ordinances take effect immediately upon adoption by Council, unless a later date is specified.
- D. Copies of Ordinances and Resolutions:** The Clerk of Council shall provide copies of ordinances and resolutions adopted by Council to persons requesting such copies. Copies of proposed ordinances and resolutions shall also be provided to persons requesting such copies. The Clerk of Council shall charge the established rate in the Huber Heights Public Records Policy for such copies.

IV. MOTIONS

Unless there is a conflict with these Rules of Council or the City Charter, Roberts Rules of Order will be used as guidance during Council meetings. The following specific procedures shall be followed during Council meetings:

1. **Main Motions:** A motion to introduce a subject (**requires majority vote**).
2. **Motions When Question Is Before Council:** When a question or proposition is before or under debate by Council or when a motion has been made, only the following motions can be accepted:
 - a. To adjourn (**requires majority vote**).
 - b. To recess (**requires majority vote**).

- c. To raise a question of privilege. Questions of privilege have precedence over all other questions except adjournment. Questions of privilege are those affecting the rights of the Council collectively, its safety, dignity, comfort, and the integrity of its proceedings and those rights, reputations, and conduct of Councilmembers in the capacity as members of Council **(decision of Presiding Officer)**.
- d. To call for orders of the day to require the Council to conform to its agenda, program, or order of business, or to take up a general or special order **(decision of Presiding Officer)**.
- e. To lay on the table to set aside the pending question when something else of immediate urgency has arisen or when something else needs to be adopted before consideration of the pending question is resumed **(requires majority vote)**.
- f. To call the previous question and request that discussion end and that the motion being considered be voted on **(requires two thirds vote)**.
- g. To limit or extend limits of debate **(requires two thirds vote)**.
- h. To postpone any action to a certain time (or definitely) **(requires majority vote)**.
- i. To commit or refer the proposal to a committee or special meeting of Council for further investigation or to put into better condition for consideration **(requires majority vote)**.
- j. To amend. A motion to amend is to modify the main motion by inserting or adding; striking out; or striking out and inserting. No motions can be made to amend an amendment. A rejected amendment may not be moved again in the same form **(requires majority vote)**.
- k. To postpone indefinitely. When motions to postpone indefinitely are passed, the principle question is declared lost. The motion rejects or “kills” the main motion for the duration of the session **(requires majority vote)**.
- l. To postpone any action indefinitely **(requires majority vote)**.

Note: These motions have precedence in the order given. Motions listed above in “a”, “b”, “c” and “f” are decided without debate.

- 3. **Motion to Take Matter From Committee:** When ordinances, resolution, or other matters have been referred to a committee and said committee fails within a reasonable or specified time to report or offer a valid reason for failure to report, any member of Council has a right to move that ordinance, resolution, or matter of concern be taken from that committee and placed before Council for action **(requires majority vote)**.

4. **Motion to Reconsider:** Motions to reconsider an approved item must be made before adjournment of that session of Council for those items of legislation that are effective immediately; motions to reconsider other legislation must be made prior to the close of the next following regular meeting of Council. A motion to reconsider may be made only by a Councilmember who voted with the prevailing side. A motion to reconsider, being laid on the table, may be taken up and acted upon at any time when the Council is engaged in the transaction of other business. No motion to reconsider may be made more than once on any matter and the same number of votes is required to reconsider the action of Council as was required to pass or adopt the matter (**requires majority vote**).

V. **COUNCIL WORK SESSIONS/COMMITTEES**

- A. **Council Work Sessions:** Council Work Sessions are working committee meetings of Council and are not utilized for legislative action or other formal Council actions appropriate to Regular or Special City Council Meetings. The Council Work Sessions shall consist of the Mayor and all of the Councilmembers. Council Work Sessions shall be supported by the Clerk of Council, the City Manager, the Law Director, and City Staff as directed by the City Manager.

Proposed legislation/motions and/or other matters of significance will generally be reviewed initially through assignment to a Council Work Session. Exceptions to the review of proposed legislation/motions and/or other matters of significance through assignment to a Council Work Session can be made by Council for routine matters, including approval of expenses legislation and end of the year legislation. Council may also opt to review proposed legislation/motions and/or other matters of significance that arise in emergency situations at Regular City Council Meetings or Special City Council Meetings without assignment to a Council Work Session.

All Council Work Sessions shall comply with the requirements of Ohio Revised Code Section 121.22 under Ohio's Open Meetings Act. It shall be the responsibility of the Presiding Officer to advise the Office of the Clerk of Council of all scheduled meetings so that public notice can be given. It shall also be the responsibility of the Office of the Clerk of Council to ensure and/or prepare written minutes of all such meetings and to maintain a copy of all meeting notices, information, and minutes in the Office of the Clerk of Council's records.

- B. **Committee of the Whole:** The working business of the Council may also be conducted through Committee of the Whole meetings. The Committee of the Whole shall consist of the Mayor and all of the Councilmembers. The Committee of the Whole meetings shall be supported by the Clerk of Council, the City Manager, the Law Director, and City Staff as directed by the City Manager.
- C. **Special Committees:** The Mayor may appoint temporary special committees, unless objected to by Council, as may be appropriate to gather information, conduct surveys, make findings and recommendations on proposed legislation, or perform other specified tasks. The work of the special committees shall be confined to

specific assignments and these committees shall have only the authority granted by Council. These special committees shall be temporary and terminate upon presentation of their final reports to the Council. All special committees appointed by the Mayor shall be advisory only. The Mayor shall be a non-voting ex-officio member of all special committees. A Special Committee Chair will be elected by the members of the special committee to act as the Presiding Officer of meetings of the special committee. The Special Committee Chair shall advise the Mayor of all committee meetings at the same time that members are notified of such meetings.

All special committee/subcommittee meetings shall comply with the requirements of Ohio Revised Code Section 121.22 under the Ohio's Open Meetings Act. It shall be the responsibility of each such Chair to advise the Office of the Clerk of Council of all scheduled meetings so that public notice can be given. It shall also be the responsibility of the Office of the Clerk of Council to ensure and/or prepare written minutes of all such meetings and to maintain a copy all meeting notices, information, and minutes in the Office of the Clerk of Council's records.

- D. Outside Committees:** For those Councilmembers selected to serve as individual representatives of City Council on outside committees or organizations, ongoing reports shall be provided to City Council in a timely manner. Representation of City Council on outside committees or organizations should be made by a motion of Council and approval by a simple majority vote of Council.

VI. COMPENSATION AND EXPENSES

Council may increase or decrease the compensation of its members by ordinance or resolution. However, no Councilmember shall benefit from any increase in compensation enacted during such Councilmember's current term of office (with the exception of increases or decreases in fringe benefits). Any ordinance or resolution changing the compensation of Council shall be adopted no later than June 1 of any odd numbered year (Section 4.10, City Charter).

Councilmembers shall be reimbursed their actual expenses incurred in the performance of authorized travel on official business of the City for approved training seminars, conferences, etc. The mode of travel and types of expenses covered (meals, tips, lodgings, fees, materials, etc.) for Council must first be approved by the Mayor before such expenses are reimbursable. The Mayor's mode of travel and types of expenses covered (meals, tips, lodgings, fees, materials, etc.) must first be approved by the Vice Mayor before such expenses are reimbursable. Those who use a personal vehicle during authorized travel will be reimbursed at the same rate as that authorized for City employees. Travel vouchers requesting reimbursement for approved travel expenses shall be submitted to the Office of the Clerk of Council after approval by the Mayor (or Vice Mayor for the Mayor's travel expenses) for processing by the Finance Department.

VII. IN-SERVICE TRAINING

The Mayor and Councilmembers may avail themselves of educational opportunities by attendance at professional meetings, conferences, educational institutions, and purchases of

information that enhance a Councilmember's ability to perform Council duties. Councilmembers shall be reimbursed for these expenses.

VIII. LAW DIRECTOR AND OTHER LEGAL COUNSEL

No legal services shall be performed by the Law Director except as authorized by the City Charter and City Council, or as requested by the City Manager, the Clerk of Council, and Senior City Staff. City Council, through the Council Work Sessions or any other Council meetings including the Committee of the Whole as determined by City Council, shall be responsible for administration and management of the Law Director and the Law Department. All administrative matters involving the Law Director shall be brought before the appropriate Council meeting including the Council Work Session or the Committee of the Whole. Conflicts of interest shall be resolved between Law Director and City Council through the appropriate Council meeting including the Council Work Session or Committee of the Whole.

The Law Director shall attend all Council meetings, including Executive Sessions, unless unable to do so because of a conflict in court scheduling or other business related to the conduct of official business. The Law Director shall attend meetings of other City bodies when, in the Law Director's judgment, the subject matter at those meetings is such that a presence is required or appropriate. The chairs of City boards, committees, and commissions generally should request, through the City Manager, the attendance of the Law Director at any meetings, if necessary. Communication will also be forwarded to City Council by the City Manager regarding the attendance of the Law Director regarding such meetings.

Preliminary drafts of legislation should be submitted to the Law Director for review as part of the legislative process established in Section III of the Rules of Council. In addition, the Law Director will draft legislation at the specific direction of the City Manager, the Clerk of Council, or from Council meetings and shall review all legislation for legal form and propriety.

The Law Director will provide Council, the City Manager, and the Clerk of Council with copies of each significant legal document issued; however, entire briefs, etc. too bulky for reproduction will not be reproduced in their entirety except upon request or will be provided in electronic format.

The Law Director will provide Council with a quarterly activity report, including a verbal and written update on all significant active legal actions (such as civil suits, etc.). Between these reports, the Law Director will advise Council and the City Manager of any matters warranting immediate attention. Additionally, to ensure the City's best interest are always protected, the Law Director will attend other City meetings, as requested, and coordinate day-to-day activities with the City Manager.

The Council may employ additional legal counsel to provide supplemental legal services and to represent the City. These services are to be paid for from the City's legal budget.

IX. COUNCIL/ADMINISTRATION COMMUNICATIONS

Official communications between Council or its individual members and City officers and employees are to be conducted solely through the City Manager (Section 4.06(C), City Charter).

Requests to the City Manager for routine information, which involve minimal extra work by City Staff, can be handled without approval of Council as a whole (for example; a copy of existing information, brief project status reports, opinions, etc.).

The City Manager may determine that a request for information is not routine or will require more than minimal effort, in which case the requesting Councilmember will be informed and has the option of taking the matter before the entire Council for consideration. Similarly, routine complaints or requests received by the City Manager from elected officials will be handled promptly without Council approval.

On matters pending before Council, any new information that is developed by the City Staff will be shared by the City Manager with all Councilmembers prior to the discussion of the matter. Additionally, all Councilmembers inquiries to the Law Director for non-routine requests (greater than one hour of work) shall be approved by a majority of Council before the work begins and will be detailed on the Law Director's billing statements.

If a request for new information on matters not presently before Council is received that would suggest the issue would be a policy matter for the entire Council to consider, the City Manager shall inform all members of Council and seek approval for the City Staff work necessary to respond to the request (with majority approval of Council necessary). Requests for information or reports which will interrupt the established day-to-day utilization of City Staff time must be approved and authorized by Council. If the request is approved, all information compiled will be shared with all Councilmembers.

In order to assure that the City Manager's time is directed to implementing a common agenda reflecting the wishes of Council, a goal setting session shall be held every six (6) months.

X. INVESTIGATIONS

Council may make investigations in coordination with the City Manager into the affairs of the City and the conduct of any City office, department, division, board, commission, or committee. Such investigations must be authorized by a majority of the Councilmembers. Councilmembers who request such investigations shall bring the request and the reasons for the request to Council in Executive Session. Such investigations shall be carried out within parameters established by the City Charter, federal and state law, and in consultation with the Law Director.

XI. BOARDS AND COMMISSIONS

Council is empowered to create City boards and commissions, in addition to those established by the City Charter. Council also appoints members to City boards and

commissions. A simple majority vote of Councilmembers currently holding office at the time of appointment is required to appoint. Appointments will be made in accordance with the process set forth in the City of Huber Heights Board and Commission Handbook.

XII. CONFLICTS OF INTEREST AND ETHICS

Councilmembers are subject to all Ohio and local statutes and federal and state law regarding conflicts of interest, criminal misbehavior, ethics, and financial disclosure by municipal officials (Section 13.09, City Charter). Members of Council shall abstain from voting on and the formal discussion of any motion or issue wherein the member might have a conflict of interest. Members having conflicts are expected to notify other members of the conflict as soon as such conflict becomes evident.

XIII. COMPLAINTS

Complaints against employees are to be made to the City Manager and handled in accordance with the City Personnel Policy Manual. Complaints against Councilmembers, the City Manager, the Law Director, the Clerk of Council, or members of City boards or commissions appointed by Council are to be made to the Mayor. Complaints against the Mayor are to be made to the Vice Mayor. Complaints are required to be in writing.

Only complaints against Councilmembers or the Mayor that are limited to the following grounds will be investigated:

1. Alleged ethical violations/conflicts of interest.
2. Alleged failure of a Councilmember or Mayor to possess or maintain the qualifications of the office as prescribed by the City Charter.
3. Alleged intentional violation of the prohibitions set forth in Section 4.06 of the City Charter.
4. Alleged violation of any other expressed provision of the City Charter.

* Alleged violations of State or Federal law are not considered complaints under this rule and should be filed by the complainant with the City Prosecutor or law enforcement.

Upon receipt of a complaint, that is to be investigated under this rule, the Mayor or Vice Mayor shall distribute a copy of the complaint to all members of the City Council for review. All actions taken to investigate and resolve the complaint shall be documented as a matter of record. The Mayor or Vice Mayor will complete a written response as soon as possible advising the initiator and the City Council of the disposition of the complaint. In those cases where resolution requires longer than ten (10) business days, an interim written response and target date for completion will be provided to the initiator of the complaint and the City Council.

If the Mayor or Vice Mayor as the case may be, believes the complaint is unfounded, the Mayor or Vice Mayor shall advise the complainant and City Council in a written response. If the same individual complainant has three or more determinations of an unfounded complaint within a twelve (12) month period, City Council may advise the Mayor or Vice Mayor to disregard any future complaints from that individual for one (1) year. Oral

complaints against individual employees by the public or Councilmembers at City Council Meetings are out of order. The Presiding Officer shall rule the complaint out of order and explain the proper procedure for filing complaints.

The above are not to be construed to deny the rights of the public to criticize, state dissatisfaction, or complain about the City Council or City services, but to protect individuals from public censure without the chance to answer specific complaints.

XIV. EVALUATION OF CITY OFFICIALS

It shall be the responsibility of Council to provide a written evaluation of the performance of the City Manager, the Law Director, and the Clerk of Council annually. There shall be a formal Executive Session discussion of these evaluations by Council prior to the finalization of these evaluations. The Mayor or the Vice Mayor shall consolidate and present final evaluations to all City Officials.

XV. SUSPENSION OR WAIVER OF THE RULES OF COUNCIL

Council may suspend or waive the adopted Rules of Council, in full or in part, for a specified time by a motion. The motion to suspend or waive the Rules of Council must be properly seconded and approved by a simple majority vote of Councilmembers currently holding office.

XVI. SOCIAL MEDIA GUIDELINES AND STANDARDS FOR COUNCIL

These Guidelines and Standards apply to City Councilmembers (“Elected Officials”) that may maintain and use personal web pages, websites, blogs, and social networking sites (collectively “Internet Platform”).

Elected Official’s Internet Platforms are not controlled by the City of Huber Heights. The City does not require or promote such sites, nor provides web space or access (links) for such sites through any official City channels. Communications on Elected Official’s Internet Platforms are not created, received, maintained or used by the City. Nor are they meant to document the organization, functions, policies, decisions, procedures, operations, or other activities of the City or its Council as a whole.

Social Media Guidelines

1. The site should NOT be designated as a “governmental” page.
2. The site should NOT appear to be an official City internet platform.
3. The site should have a disclaimer predominantly featured on the site, such as:

This is a private page under the sole control of _____. The comments expressed by me are my own and do not reflect the opinions and/or position of the City of Huber Heights or its officers and employees. This page is not sanctioned or monitored by the City. This Page cannot be used for service of any legal notice, administrative notice or any other legal

process directed to the City. As this site is not monitored by the City, do not use this site to request City records.

4. Elected Officials should NOT promote their private Internet Platforms at official City meetings or in official City correspondence.
5. If the Internet Platform is interactive (allows third parties to post) the site should expressly provide that it is not intended to be a public forum and that posts that are vulgar, off topic, hate speech etc. will be deleted according to a posted policy advising of such. A sample provision is:

I reserve the right to remove or edit any posts that are unlawful, threatening, libelous, defamatory, obscene, pornographic, invasive of privacy, infringing of intellectual property rights, or otherwise violate any law. This includes comments or content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, genetics, status with regard to public assistance, national origin, physical or intellectual disability, or sexual orientation. Spam, links to other sites, information that is clearly off topic, and/or apparent spamming or trolling will be removed.

Social Media Standards

1. Elected Officials should not disclose information that is considered privileged or confidential. By way of example, such information may include but is not limited to certain personnel information, non-public information from criminal investigations and business trade secrets.
2. Elected Officials should be honest and accurate when posting information or news, and should quickly correct any mistakes, misstatements and/or factual errors in content upon discovery.
3. Elected Officials should never represent themselves as a spokesperson for the City Council, board, committee, or commission.
4. Elected Officials should consider the potential impact of social media statements prior to posting.
5. Elected Officials should not post information about matters involving pending or threatened litigation, items that are or may be appealed to them in their official capacity or to City boards or commissions.
6. Elected Officials should not use internet platforms to communicate with city employees about City-related matters.
7. Elected Officials should not “tag” a matter to a City employee’s personal internet platform site.

8. Elected Officials should be mindful of the risks of electronic communication in relation to the Ohio Public Records Laws and the Open Meeting Law; communication between elected officials should be avoided on internet platforms.
9. Elected Officials should not reference any document(s) as a basis for making an official decision unless that document is available through the City as a public record.
10. Removing a user's comment or post because the person is criticizing some government action is not advisable.
11. When an Elected Official desires to have a matter posted to an Official City Internet Platform, the Elected Official shall provide the item or link to the Clerk of Council who will then forward it to the designated person in charge of the City Internet Platform for posting consistent with the City's Social Media Policy.

AI-8892

Topics of Discussion N.

Council Work Session

Meeting Date: 01/03/2023

2023 Vice Mayor

Submitted By: Anthony Rodgers

Department: City Council

Council Committee Review?: Council Work Session

Date(s) of Committee Review: 01/03/2023

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

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

Agenda Item Description or Legislation Title

2023 Vice Mayor

Purpose and Background

The City Charter dictates that Council select a Vice Mayor each year. This agenda item is an opportunity for Councilmembers to present to Council their desire to serve as Vice Mayor or their desire for another Councilmember to seek that position.

SECTION 4.04 - MAYOR AND VICE MAYOR.

(B) Vice Mayor. Council shall, at the first regular meeting in January following its election and every year thereafter, choose, by a vote of no less than five (5) members of Council, one of its members as Vice Mayor, who shall act as Mayor during the absence or disability of the Mayor. If a vacancy in the Mayor's office occurs, the Vice Mayor shall serve as Mayor until the next regular municipal election. At such election a Mayor shall be elected to serve for the unexpired or a full term, as appropriate. At least ten (10) days prior to the date for filing for the office of Mayor at such election, the Vice Mayor who assumed the office of Mayor shall file with the Clerk of Council a written statement indicating whether such person will become a candidate for Mayor at such election or will reassume office of Councilmember, and such person shall be bound by such decision. If such decision is made in favor of reassuming the office of Councilmember, then upon the election of a Mayor and upon the assumption of the office by the person so elected, the Vice Mayor shall reassume the office previously held as councilmember for the remainder of the unexpired term to which elected. In the event of a vacancy in the office of Mayor whereby the Vice Mayor assumes the office of Mayor under this Section, the Council shall select a person to fill the vacancy in Council as provided in Section 4.07 of this Charter; however, the person so chosen to fill the vacancy in Council shall serve only until a Mayor is elected as provided herein, if the Vice Mayor elects to reassume office as a Councilmember for the remainder of the unexpired term as provided for in this Section.

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.