

RECORD OF PROCEEDINGS
Huber Heights City Council

GOVERNMENT FORMS & SUPPLIES 344-224-3665 FORM NO. 18-041
In Council Chambers

Held 6131 Taylorsville Road March 11, 20 24

1. Call The Meeting To Order - Mayor Jeff Gore

The Huber Heights City Council met in a Regular Session on March 11, 2024. Mayor Jeff Gore called the meeting to order at 6:4 p.m.

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

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

4. Pledge Of Allegiance

5. Roll Call

Present: Scott Davidson, Kathleen Baker, Mark Campbell, Nancy Byrge, Brian Looney, Fred Aikens, Anita Kitchen, Don Webb, Jeff Gore

Staff Present: Clerk Of Council Anthony Rodgers; City Manager Richard Dzik

6. Approval Of Minutes

There were no minutes for approval.

7. Special Presentations/Announcements

A. Special Recognition For Significant Achievement And 90th Birthday Mayoral Proclamation Presentation To Mrs. Jan Vargo - Mayor Jeff Gore

Mayor Jeff Gore said there was a celebration for Mrs. Jan Vargo in the back room prior to the meeting, and it bears repeating what this special woman has meant to many of us and to the City of Huber Heights. He said Jan Vargo is getting ready to celebrate her 90th birthday, and she still serves on the Planning Commission and the Citizens Patrol, and she is extremely active in the community. He said just about any place you go where there is some type of community event you will find Jan Vargo. He said his first memories of Jan Vargo were in the Huber Heights Courier "Did You Know?" column. He said it is a great privilege and honor to give a City of Huber Heights mayoral proclamation to Jan Vargo. He read the proclamation which proclaimed Monday, March 18, 2024, as Jan Vargo Day. He presented Mrs. Vargo with a Key to the City of Huber Heights and a bouquet of flowers.

Montgomery County Commissioner Debbie Lieberman said when you think of Huber Heights when it became a City and think back on some of the names, Jan Vargo is one of the names you think of. She read and presented a proclamation from the Montgomery County Commissioners.

Mrs. Vargo said she would not be here without every person in the room, as each person has made an impression and made her who she is. She said she has been fortunate to make Huber Heights her home. She said to look back on how the City has grown and how she was able to be involved in a lot of that growth means a lot to her. She said she could not have done it without everybody.

Mr. Campbell said it was his honor to have the opportunity to work with Mrs. Vargo, and she taught him what being a public servant is and Huber Heights owes Mrs. Vargo a debt it will never be able to repay. He said he remembers what the City looked like prior to Jan Vargo, and it is obvious what it looks like today, and

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he has missed her every City Council Meeting since she left. He said he never thinks of Jan Vargo without thinking of Judy Blankenship, as those two worked very hard and the City owes them a great deal.

B. State Of The City Address - Mayor Jeff Gore

Mayor Jeff Gore gave the State Of The City address. A full version of the address can be viewed on the City's website at www.hhoh.org. In his address, Mayor Gore said he is very proud to stand before everyone tonight to very confidently declare that the state of this great City is extremely healthy. He said a State Of The City Address is a celebration and he said let us celebrate our accomplishments and shout the story of our success but let us never lose sight of the continuous work that lies ahead. He said from the most senior tenured to the recently hired employees, the employees are the linchpin that holds the entire organization together. He discussed the importance of the employees and residents of the community. He discussed many topics including the housing market and new home construction, the increase in population, and statistics from DiscoveryDayton.net which describes the 90-minute air market and highway market for Huber Heights via the Dayton International Airport. He said the residential new construction market continues to perform well, which is a true testament to the desirability of the community. He said property tax value has increased by \$217 million since 2019. He said the City has supported local businesses such as PVS Plastics and Millat Industries in partnership with Montgomery County for grants, and the City has welcomed new businesses such as Warped Wing Brewery and Buc-ee's. He said new restaurants will be announced soon that offer something different than the quick-serve type of food service. He said the expansion of water and sewer mains to the State Route 4 corridor should also help bring new industry to the eastern edge of the City, bringing with it new jobs. Mayor Gore discussed the economic investment in the southern portion of the City, the City's growth, and diversity. He reviewed the outstanding achievements of the Fire Division and the Police Division along with all the projects and growth from the Engineering Division and the Public Works Division. He said the Human Resources Department is the department that keeps it all together in its efforts to support, attract, and retain high-performing employees committed to serving the residents of the community. Mayor Gore talked about the Rose Music Center and Tax Increment Financing. He closed his speech by stating that he realizes not everyone agrees with the decisions that come from the City Council, but he assured everyone that the work done and the decisions made are calculated with intent and clear purpose. He said this City has a proven history of success time and time again. He said the elected members of the City Council, the professional employees, and the citizens of Huber Heights have over a 40-year history to look back on that should give all confidence. He said Huber Heights is a City that we can still have faith in and most importantly, be proud to call our home. He said he is blessed, humbled, and honored to serve as Mayor of Huber Heights.

Mayor Gore recessed the City Council Meeting at 6:57 p.m.

Mayor Gore reconvened the City Council Meeting at 7:08 p.m.

C. Announcement: Consistent With The Applicable Provisions Of The Ohio Revised Code, The Clerk Of Council Of The City Of Huber Heights Is In Receipt Of The Complete And Certified Record Of The Proceedings Related To The Petition For Annexation For 296.236+/- Acres More Or Less In Bethel Township To The City Of Huber Heights. The Clerk Of Council Is Providing Notice To The Huber Heights City Council Of The Receipt Of The Complete Record Of The Proceedings Related To The Petition For Annexation To Initiate Consideration Of The Petition For Annexation In Accordance With The Applicable Provisions Of The Ohio Revised Code.

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Clerk of Council Anthony Rodgers read the announcement.

8. Citizens Comments - Agenda Items

There were no comments on agenda items from citizens.

9. City Manager Report

City Manager Richard Dzik said the Stuart and Mimi Rose Foundation has renewed its donation to the Rose Music Center for another ten years. He said the Rose Music Center is a gem of the Dayton area, and while back in his stomping grounds of Mount Vernon, Ohio, less than two weeks ago, he heard about the concerts going on at the Rose Music Center this summer. He said City Staff attended the Ohio City Managers' conference and had the opportunity to learn about potential state and federal funding as well as work on some professional development. He said City Staff also met with State Senator Steve Huffman this morning to discuss economic development projects in the City. He said as always, the City looks forward to working with all of the legislators in Columbus on future City projects. He said the City continues to plan for the April 8, 2024 solar eclipse as Huber Heights is a prime viewing destination. He encouraged residents to stop by City Hall as early as next week to pick up eclipse viewing glasses. He said the City is trying to create programming from home for the eclipse given the large volume of traffic expected.

10. Pending Business

There was no pending business.

11. New Business

CITY COUNCIL
Anthony Rodgers, Clerk Of Council

- A. A Motion To Reappoint Bryan Detty To The Parks And Recreation Board For A Term Ending March 31, 2027.

Mr. Rodgers said this item is a reappointment to a new term to the Parks and Recreation Board. He said the appropriate background check has been completed on Mr. Detty.

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

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

- B. A Motion To Reappoint Jennifer Beard To The Personnel Appeals Board For A Term Ending March 31, 2027.

Mr. Rodgers said this item is a reappointment to a new term to the Personnel Appeals Board. He said the appropriate background check processing has been completed as needed on Ms. Beard.

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

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

- C. An Ordinance Approving The Editing And Inclusion Of Certain Ordinances And/Or Resolutions As Parts Of The Various Component Codes Of The City Code Of Huber Heights, Ohio; Providing For The Adoption And Publication Of New Matter In The Updated And Revised City Code As Supplement 17; And Repealing Ordinances And Resolutions In Conflict Therewith.
(first reading)

Mr. Rodgers said this item is the standard ordinance he brings to Council each quarter for the updates to the City Code. He said this update is Supplement 17 which reflects the fourth quarter of 2023. He said this ordinance and Supplement 17 have been advertised with appropriate legal notice as required by the City Charter. He said this item can go to a second reading.

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

ADMINISTRATION

Richard S. Dzik, City Manager

- D. A Resolution Authorizing The City Manager To Appoint Dave Warren As The Director Of Information Technology.
(first reading)

Mr. Dzik said as discussed in Executive Session, he is bringing a candidate for the position of Director of Information Technology to the City Council as required by the City Charter. He said Dave Warren has a nearly 20-year career as an IT Director, with a significant amount of that time in public safety. He said Mr. Warren came out very far ahead of other candidates. He said 110 resumes were received, eight candidates were interviewed, and there was a final interview with three candidates. He said Mr. Warren was very well received by City Staff.

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

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

- E. A Resolution Authorizing The City Manager To Enter Into A Contract For The Design Of The Carriage Trails Boulevard/Brandt Pike (State Route 201) Intersection Improvements And Signalization.
(first reading)

Mr. Dzik said as discussed in the Council Work Session, the City Staff recommendation is to proceed with a traffic signal at this intersection in order to get safety where it needs to be. He said City Staff will continue to research other options.

Mr. Webb moved to adopt; Mr. Looney seconded the motion.

Mrs. Byrge asked for this issue to be tabled until more detailed information including the cost for other options is available for consideration. She said this delay will allow Council to make a data-driven decision about the best solution

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for this intersection. She said options should include the feasibility of enacting more cost effective strategies such as adding lanes, rumble strips, signage, and lane striping, etc. to improve safety and to slow drivers down. She said she spoke with two representatives from the Ohio Department Of Transportation (ODOT) and two individuals from Five Rivers Metroparks in the monthly Miami Valley Regional Planning Commission (MVRPC) meeting on Thursday, and none of them were aware of the City's consideration of a roundabout at this location. She said one of the ODOT representatives indicated the subject intersection is under the purview of Huber Heights, so the City has the power to affect speed limits. She said she also spoke to Carrie Scarff at Five Rivers MetroParks who talked with the City Planner last week. She said Ms. Scarff did not know that the City was looking for a way to provide another access to the park during this road change, which piqued her interest. She said Ms. Scarff mentioned that everyone could work together to correct some issues that Five Rivers MetroParks was having as a result of the development at Carriage Trails plus consideration of other changes that would benefit both Huber Heights and the parks district. Mrs. Byrge said she recommends that City Staff sit down with the Five Rivers Metroparks representatives to determine how to partner to work out issues that benefit both the City of Huber Heights and Five Rivers MetroParks much like has been done with the YMCA and the Huber Heights Senior Center. She again requested the motions be withdrawn and this issue tabled.

Mr. Aikens said since there are some options the City could explore that would not cost the City so much, he said maybe this item should go to another Council Work Session to have a conversation about those options before voting to adopt this legislation. He said the City Council owes it to the citizens. He said he does not feel two weeks will do too much damage.

Ms. Baker said she is in favor of continuing because the City has waited too long for something to happen.

Mrs. Kitchen said she agrees with Mr. Aikens and Mrs. Byrge. She said she would like this intersection done correctly.

Mr. Davidson said he is in favor of tabling this item right now. He said he does not want to install a traffic light and then five years later pull it out for a roundabout.

Mr. Webb said he would like to remind everyone this item is a resolution to enter into a contract for the design of that intersection. He said he asked Mr. Chodkowski and Mr. Sorrell during the Council Work Session if the designers will incorporate some of the suggestions into the design. He said the answer was in the affirmative. He cautioned Council to not delay this project any further, to move forward, and to get the design going, and bring suggestions in the next few weeks to the City Manager. He said he is 100 percent against any delay in this process. He said he has been after this City to do something about the traffic situation at Carriage Trails since six months after he sat on the dais. He said legislation is before Council that will provide an engineering and design contract, and now Council wants to put on the brakes and start thinking about everything else. He said he does not want to see anyone hurt at that intersection on his watch because this legislation is being delayed. He said the City Planner told Council the designer is willing to make the necessary changes.

Mrs. Byrge said the changes are the exact things that concern her. She asked what is the engineer going to design? She said she has not seen a Request For Proposals (RFP) that states what the City is tasking the engineering firm to do. She said everything she has heard on this dais is that this engineering firm is to

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install a light, and that is a waste of money if it is not the right solution. She said Council has waited a long time to get to this point, and the right solution is needed not the quick solution. She said more data is needed.

Mr. Webb said he is not a traffic engineer, but he has heard from the City Planner and the Assistant City Manager, and at some point, the City Council has to trust City Staff to make the right decision.

Mrs. Byrge said Council just needs to know what is being done. She said if the alternatives she mentioned are a feasible solution, then Council needs to have that solution identified. She said Mr. Sorrell called Five Rivers MetroParks the day after the Council Work Session last week which was the first time there were any discussions between the two entities. She said she would like to know what came out of those discussions. She said she knows what Mr. Chodkowski has been promoting all this time, but she is into trust but verify.

Mr. Campbell asked Mr. Dzik if this legislation passes, does he know what he is to do?

Mr. Dzik said based on the discussion tonight, he can advise the engineering firm to look at multiple options. He said this intersection has been a point of contention for probably too long, and the desire of City Staff is to get a solution in place as quickly as possible. He said the quickest way is to install a traffic signal. He said the traffic signal does not preclude other options in the future. He said he is willing to go back to City Staff after this meeting and ask them to bring him two options if that is what Council wishes.

Mr. Campbell said at the Council Work Session, Mr. Sorrell indicated that the City could not design a roundabout today because there are businesses that have not developed yet.

Mr. Dzik said the City does not own the land for the roundabout quite yet, and a little bit of time would give the City an ability to see how the buildout of that area affects traffic. He told Council there is not a wrong answer here. He said the City is going to improve this intersection with a signal or a roundabout. He said at the end of the day, the intersection will become safer which is what Council has desired for a number of years. He said he does not believe there is a waste of money going on and he said if the City spends five to ten years with a traffic signal and then decides to install a roundabout, that equipment will reach its end of life at some point.

Mr. Campbell asked Mr. Dzik if he is indicating tonight that the intersection is not safe?

Mr. Dzik replied yes.

Mrs. Byrge said she agrees with everything Mr. Dzik said, and she is not promoting a roundabout or a stop sign, she said she is asking if there is something that can be done that would make the intersection safer without doing either one of those options.

Mr. Dzik said at a certain point the City needs to control the scope of research. He said the City Council and City Staff came into this meeting tonight with the goal of designing a traffic signal for the intersection. He said through discussions prior to his time with the City, he thinks that all recognize something needs to be done with the intersection.

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Mr. Looney said he gets where Mrs. Byrge is coming from and he agrees, let us do it right and not do something just to do something, but he also agrees with Mr. Webb that it is time to do something. He said if the City does something now and spends a little more money later, the safety aspect of it alone is worth it. He said he cannot be alone in that thought. He said he came into this meeting tonight thinking the City is going with a traffic light. He said if the traffic light is the quickest route, then the traffic light is the best solution for now. He said you cannot put a price on safety.

Mrs. Kitchen said she wants something done too. She said Mrs. Byrge brought up a good point. She asked can a motion be brought forward at the next meeting to drop the speed limit until something happens?

Mr. Dzik said what Mrs. Byrge said is not inaccurate, but the City does not 100 percent own that intersection yet. He said the City is still going through the process of acquiring the land needed from the various parties, and there are agreements in place. He said the City can control the speed limit in that area, but he has received photos from multiple Councilmembers indicating accidents at that intersection that could be avoided. He said from City Staff's perspective, he would like to get something done sooner rather than later. He said he does not think a traffic signal is a waste of money, and the City always airs on the side of safety. He said if it costs a little more money to get the intersection safe in six months to a year versus three years, he said he leans to that option.

Mr. Campbell said during the campaign, Mr. Looney heard constituents say they did not think the City was going to do anything with this intersection. He asked Mr. Looney why would people say that?

Mr. Looney said as constituents were explaining to him, it was probably due to the length of time involved. He said he knows there is more involved than just saying let's do it or let's not do it. He thinks the more time that passes by and the more accidents, the perception is the City is not going to do anything.

Mr. Campbell asked Mr. Webb to establish the wait time from the initiation of the discussion on this matter.

Mr. Webb said approximately since 2019. He said his first conversation was with then City Manager Rob Schommer, and the response given was that the issue was ODOT's area. He said he followed up with Interim City Manager Scott Falkowski who said he would get to it, but he had a lot on his plate at the time. He said Interim City Manager Bryan Chodkowski stated he was aware of the situation and he would take steps to start the process, which he did. He said City Manager Richard Dzik understands his concern. He said his concern is that since 2019, this issue has been on somebody's desk somewhere. He said it has taken everything Council has to try to get this moving forward. He reiterated conversations he had with Mr. Chodkowski and Mr. Sorrell in the Council Work Session. He said Council has been promising the people in Carriage Trails and everyone that travels that area that something is going to be done, and now on the eve of a vote on this subject, Council is talking about holding off to see if there is something better. Mr. Webb outlined for Mr. Campbell the options that have been discussed in the past five years, including in the Town Hall Meeting. He said he will not withdraw his motion because the City needs to move forward with the design aspect.

Mr. Campbell confirmed with Mr. Dzik that in the Town Hall Meeting it was stated that it could be the end of 2025 before something is done and he said that is unacceptable. Mr. Campbell confirmed with Mrs. Byrge that she has worked on a sidewalk project for Thomas Cloud Park for ten years and when a resolution

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was brought to Council, the issue was tabled. He said these projects that Council continues to table continue to not exist. He asked Mr. Dzik if the intersection is unsafe.

Mr. Dzik replied yes.

Mr. Campbell asked Mr. Dzik if he has a City Staff recommendation on the legislation.

Mr. Dzik replied he does. He assured Mr. Campbell that he will quarterback this project and that in the soonest time possible, that intersection will be made safer.

Mrs. Byrge said she agrees with Mr. Webb that this issue has gone on too long, but if this project is going to take until the end of 2025 to put a light at the intersection, Council has the power to lower the speed limit. She said the project would happen much quicker if the City were to add lanes, signage, and rumble strips. She said if Council is looking for a quick, safe solution, that would not include the traffic light. She said the other activities would enhance the situation quicker.

Mayor Gore said the sooner the City engages a company to come up with a design, the sooner the City gets some of the other options. He said the City passed legislation five years ago to install a traffic light at the intersection. He said the City can come up with some design standards to make that intersection safer while the intersection is being designed. He said unless the City hires a design firm, nothing is going to happen. He asked Mr. Dzik if both things can be done at the same time.

Mr. Dzik said he will work with City Staff tomorrow and he will advise the design firm to look at multiple options. He said the project has to be scoped at some point. He said by passing this resolution tonight, it does not mean anything is set in stone. He said from what he has heard, Council would like City Staff to look at all of the options, and also to get this project done quickly. He said if in looking at options he sees this project is going to take an extra one to two years to get something done, he is going to come back to Council and say he does not think the City should do that option. He said if by some miracle he finds out it can happen quicker, he will come back to Council also. He said Council needs to remember that the City is hiring a design firm to design the project. He said the project has not been bid and a contract has not been awarded. He said both of those things have to come back before Council.

Mr. Campbell encouraged his colleagues to vote yes on this motion.

Mayor Gore said perfection does not exist, but when you continue to let perfect get in the way of the good, you end up where Council is, and that is with nothing.

Mrs. Byrge said waiting two weeks to get an answer is not tabling the issue indefinitely, and it would not make a huge difference. She said she does not know what Mr. Dzik is going to ask the design firm to do and it bothers her. She reiterated her wishes.

Mr. Dzik said he will ask the firm to provide all realistic options. He said at the end of the day, there will either be a traffic signal or a roundabout. He said there will still be accidents if the speed limit is lowered or if rumble strips are installed. He said if the desire of the City Council is to mitigate accidents as much as possible, those are the two options and it needs to be determined which one can be accomplished quicker within reason. He said his guidance to the firm is to

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present all of the realistic options but primarily provide the cost and timeframe of a traffic signal versus a roundabout.

Mrs. Byrge said she disagrees and there is no data to prove there has to be either a light or a roundabout. She said the lack of detail is disheartening.

Mr. Dzik said what City Staff needs and what he thought City Staff had going into this project is guidance from the City Council. He said City Staff came into the project understanding that Council had a concern with the intersection. He said that concern is not unfounded. He said now the process is how to fix the problem. He said he can go out to design, and he can work with City Staff to design a whole lot of things, and all Council is doing is authorizing that direction. He said if Council votes this legislation down tonight, the question he has is, is this a problem? He said this issue has been pitched as a problem for five years and if it is not a concern, City Staff can move on to other projects. He said City Staff really want to make sure everyone is safe and to move the City Council's initiatives forward. He said all City Staff need tonight is guidance about whether Council wants to try to improve this intersection, and he will then go back to City Staff and say look at a couple of options.

Mr. Aikens said if Council votes to approve this item tonight, is it possible to lower the speed limit in the interim?

Mr. Dzik said he believes so, but he needs to check with the City Engineer as it requires the City to own the intersection. He said if the speed limit can be lowered, it will be lowered.

Mr. Webb said it is his understanding that the boundary line has to be moved and approved prior to the City being able to put up reduced speed limits, and the limits would only be enforced to the new boundary line. He confirmed with Mr. Dzik that the boundary lines have not been adjusted yet.

Mr. Davidson asked if the parcels needed for a traffic light are the same as the parcels needed for a roundabout.

Mr. Dzik said the parcels for a traffic light are simpler to design. He said City Staff believe additional parcels will be needed from Five Rivers MetroParks for a roundabout and potentially from the property owner to the west.

On a call of the vote, Mr. Aikens, Mr. Looney, Mrs. Kitchen, Mr. Webb, Mr. Davidson, Ms. Baker, Mr. Campbell, and Mrs. Byrge voted yea; none voted nay. The motion passes 8-0.

- F. An Ordinance Vacating And Extinguishing Certain Utility Easements At The Former Marian Meadows Property.
(first reading)

Mr. Dzik said this legislation was discussed at the Council Work Session and it is for vacating easements within the former Marian Meadows property.

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

- G. A Resolution Authorizing The City Manager To Make Improvements To Shullgate Park And Repealing Resolution No. 2023-R-7330.
(first reading)

Mr. Dzik said annual inspections were done this year, and it was found that the Shullgate Park playground equipment deteriorated more quickly than City Staff

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thought it would. He said the legislation is requesting Council to redirect some funding from the Dial Park Project back to Shullgate Park. He said he looked into the legislation from October 23, 2023, and the City reappropriated \$300,000 of funds that were for Shullgate Park's playset equipment toward Dial Park. He said at the time, the Public Works Manager believed the life of the equipment would be sufficient, but the equipment had to be shut down. He said his recommendation and the recommendation of the Parks and Recreation Department is attention needs to be focused on Shullgate Park right now and then Council can come back to Dial Park down the road.

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

Ms. Baker moved to adopt; Mr. Webb seconded the motion.

Mr. Davidson said he walked through the Dial Park area, and in his interactions, he is getting a lot more people asking for a gazebo or a pavilion. He asked if this legislation can be amended to allocate funds back to Shullgate Park but also to amend what is still left over for a pavilion or gazebo at Dial Park.

Mrs. Kitchen said she agrees with Mr. Davidson, and she would like to see something at Dial Park for the neighborhood kids even if it is just a swing and a slide. She said the General Fund obviously has some money to do something simplistic so the neighborhood has something.

Mr. Dzik said if Council approves this change tonight, he is happy to go back to the Parks Manager to see what smaller project can be done. He said the purchase order is encumbered for half a million dollars for Dial Park. He said what the Parks Manager wants guidance on at this point is if money can be taken and moved to Shullgate Park. He said that is what the legislation is about tonight, and Council can come back and have the discussion about a small improvement to Dial Park as well.

After discussion about Dial Park, Mr. Dzik said the Dial Park Project kept growing and the budget eventually became half a million dollars. He said energy should be focused on Shullgate Park, and he is emailing City Staff to see what can be done with Dial Park.

Mr. Webb said he and Mayor Gore walked door to door in the Dial Park area, and he found the residents' desire was more towards a gazebo to gather with family and friends. He said it is a good first step and he does not object to a playground set.

Ms. Baker asked Mrs. Kitchen to keep in mind the playset being bought for Shullgate Park is \$397,000 and it is handicap accessible. She said a small playset that is not accessible cannot just be installed. She asked Mrs. Kitchen to make sure her expectations are that the City is going to be inclusive and it is going to cost a lot of money. She said she does not just want a little playset, she wants it to be inclusive of everybody, and that is her appetite.

Mrs. Kitchen said she has 35 years experience working in the disability field. She said a swingset can be installed with a wheelchair swing attached that makes it totally accessible.

Mr. Dzik said he has been to Community Park which has an accessible playground which was not designed well. He said if you cannot get from one play feature to another in a wheelchair, crutches, or whatever else, he does not

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consider it accessible. He said it is worth the money to do it right, but it was not done well at Community Park.

Mrs. Byrge said according to Ohio law any new park has to be ADA compliant and inclusive. She said it is not cheap anymore. She said what Mr. Davidson has suggested is a first good step.

Mayor Gore said a great example of a handicap accessible playground is the one installed at Thomas Cloud Park.

Mrs. Kitchen asked Mr. Dzik to get with her when that point comes, and she will take him over to Developmental Disability Services and they will take a trip to Owens Place in Greene County.

Mr. Campbell confirmed with Mr. Dzik that approving this legislation will allow the City to order the equipment for Shullgate Park and will allow the City to take down the unsafe structure as soon as possible and that he will work with Mr. Davidson, Ward 1 Councilmember, and City Staff will come back to Council with a recommended approach.

On a call of the vote, Mr. Looney, Mrs. Kitchen, Mr. Webb, Mr. Davidson, Ms. Baker, Mr. Campbell, Mrs. Byrge, and Mr. Aikens voted yea; none voted nay. The motion passes 8-0.

- H. A Resolution To Increase The Not To Exceed Amount For SHI International For Additional Software Services For The IT Department In Calendar Year 2024. (first reading)

Mr. Dzik said SHI International provides a lot of the software and licensing for products through Microsoft and Adobe. He said as discussed in the Council Work Session, some unexpected expenses came up this year. He asked Council to increase the not to exceed amount for SHI International to \$100,000.

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

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

- I. A Resolution To Amend Resolution No. 2022-R-7101 To Increase The Not To Exceed Amount Annually For Greentech Lawn And Irrigation For Additional Mowing And Landscaping Services For The Public Works Division In Calendar Year 2024. (first reading)

Mr. Dzik said as discussed in the Council Work Session, the City has decided to expand the contracting of mowing and irrigation services to Thomas Cloud Park and other areas of the City. He said this contract will free up the Public Works Division to do other necessary work. He asked Council to increase the not to exceed amount for Greentech Lawn and Irrigation.

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

Mr. Campbell moved to adopt; Ms. Baker seconded the motion.

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In Council Chambers

GOVERNMENT FORMS & SUPPLIES 644-224-3336 FORM NO. 10116

6131 Taylorsville Road

March 11, 2024

Held

Mr. Webb said Mayor Gore mentioned in his State Of The City Address the number of man hours the Public Works Division puts in. He commended Mike Gray on an outstanding job of putting employees in the right positions.

Mr. Campbell asked who will manage this contract?

Mr. Dzik said either the Public Works Manager or the Parks Manager will be the point person on this contract.

Mr. Campbell confirmed that someone will report if the lawn sprinklers are not working in July.

On a call of the vote, Mr. Webb, Mr. Davidson, Ms. Baker, Mr. Campbell, Mrs. Byrge, Mr. Aikens, Mr. Looney, and Mrs. Kitchen voted yea; none voted nay. The motion passes 8-0.

- J. A Resolution Authorizing The City Manager To Issue A Request For Proposals To Provide The Necessary Products And Services For The Purpose Of Emergency Medical Billing For The Fire Division.
(first reading)

Mr. Dzik said the City has a medical billing company which is pivoting in a different direction. He said the company no longer wants to provide EMS billing services to the City. He said this legislation is for a Request For Proposals (RFP) for a new billing company. He said medical billing brings in over \$1,000,000 a year, primarily through insurance companies.

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

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

Mrs. Byrge said she heard on the news before she came to the meeting that the City of Huber Heights had experienced a second breach relating to this company. She asked Mr. Dzik to explain. She said the way it sounded was the company that provided the billing services experienced the breach.

Mr. Dzik said he has not heard that information and he hopes it is not true. He said if the company experienced a breach of its own, it may take some time to notify the City. He said he has not heard anything from the billing company. He said he cannot promise the company the City contracts with can 100 percent guarantee it will not lose information, but the City considers that in all the contracts it institutes.

On a call of the vote, Mr. Davidson, Ms. Baker, Mr. Campbell, Mrs. Byrge, Mr. Aikens, Mr. Looney, Mrs. Kitchen, and Mr. Webb voted yea; none voted nay. The motion passes 8-0.

- K. A Resolution Declaring Certain City Property In The Police Division No Longer Needed For Municipal Purposes As Surplus And Authorizing Disposal Of Said Surplus Property.
(first reading)

Mr. Dzik said the Police Division would like to donate an old K9 vehicle to the Montgomery County Sheriff's Department as a backup for Montgomery County's K9 unit.

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

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

Mrs. Kitchen said the Montgomery County Sheriff's Department was great to the City in letting employees move in when the City had a security breach and she said the donation is a good thank you.

Mr. Davidson recused himself as he is an active volunteer for the Montgomery County Sheriff's Department.

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

- L. A Resolution Authorizing The City Manager To Enter Into A Contract For The Thomas Cloud Park Path Resurfacing Project.
(first reading)

Mr. Dzik said as discussed at the Council Work Session, this contract for the Thomas Cloud Park Path Resurfacing Project will be awarded to the best and lowest bidder per the City Engineer.

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

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

12. Citizens Comments - General

Ms. Julie Reese said she is opposed to annexation and she listed the reasons, including an overcrowding of the school system, the current road design has not been upgraded to handle the current Carriage Trails traffic, the dangers additional traffic will propose, and annexation is changing the rural culture of Bethel Township. She said Mayor Gore mentioned quality of life in his address this evening. She said he must understand how important quality of life is, and it is Bethel Township's diminishing quality of life that most concerns her.

Ms. Jenny Hodge addressed Council as a mother, a landowner in Bethel Township, and as Vice President of the Miami County Farm Bureau. She shared her personal life story of returning to a rural life with her husband, starting a family, and their current farming life. She said it rips her heart apart to think that because of what Huber Heights has already done with the Carriage Trails Development and what it is looking to annex jeopardizes her family's safety every day on the road with their farming equipment. She said it is unfair that a City such as Huber Heights can come in and take Bethel Township land with no recourse. She asked if Council forgot what it felt like when Dayton encroached on Huber Heights. She said if Council thinks the Carriage Trails intersection is dangerous, she invites them to ride with her family on their farming equipment. She said if the City wants a roundabout, how about putting one around Bethel Township.

Mr. Jeff Morford said the results of annexation are apparent and the damage to Bethel Schools and the community are well known. He said the current legislation

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regarding annexation was lobbied for by big developers. He said the legislation may be legal, but it does not make it right. He asked Council to vote no to the annexation request. He said Bethel Township is a disadvantaged community and has no representation at the negotiating table. Mr. Morford said it amazes him how often elected officials find ways to hinder or impede the community's ability to voice an opinion and make it difficult to engage. He said the most recent achievement was moving public comments to the end of the meeting, making it difficult for citizens with limited time to be able to attend a City Council Meeting, voice an opinion, and get home quickly to make supper for the kids. He said the vote to move Citizens Comments to the end of the meeting was a benefit to Council, who are elected to serve the people, not the other way around. He asked Council to reverse the vote. He discussed the changes to the rules for referendum and initiative petitions stating that Huber Heights is muffling the voice of the community. He discussed the previous year's vote for annexation and alleged Mayor Gore took a straw poll, did not like what he saw, and canceled the vote. He said what better way to fix a vote than to have no vote at all. He discussed the suspicious nature of the vote. He quoted the Golden Rule.

Mayor Gore addressed comments Mr. Morford made regarding the City Charter. He said the 15 percent issue on referendums has always been in the City Charter and is nothing the City has changed recently. He said he has heard many times from the podium that Huber Heights is taking the land. He said it was never Bethel Township's land and it was never Miami County's land. He said the property owners of the land sold their land, Huber Heights did not take the land. He explained the reason Citizens Comments have been moved to the end of the meeting and he stated that Bethel Township residents have not been targeted. He said when an annexation item is on the agenda, the residents can register to speak on that item when it is being addressed by Council.

Ms. Donna Hughes discussed the intersection at State Route 201 and Carriage Trails Boulevard. She said it would be helpful to have a traffic light for the school buses because roundabouts do not accommodate buses. She discussed her feelings on annexation and she asked that the builder set aside ten years' worth of costs for classrooms and teachers so the residents have some way of building schools and paying for teachers. She asked Council to vote no on annexation.

Mr. Webb said the significant accidents are T-bone accidents with people going northbound and turning left into Carriage Trails

13. City Official Reports And Comments

Mr. Campbell recapped the Town Hall Meeting regarding the intersection at State Route 201 and Carriage Trails Boulevard. He discussed with Mr. Dzik the title search of properties at the intersection regarding roundabouts and land that Five Rivers MetroParks bought from the Siler family. He asked Mr. Dzik if City Staff could hire someone to find out what the last transaction prices were and come back to Council with the information.

Mr. Dzik said he would check to see how much he can bring to Council by the next Council Work Session.

Mayor Gore said the recommendation was a traffic light and he said the roundabout will be more lengthy and cost prohibitive. He recapped the conversation from Item 11-E.

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Mr. Campbell said he does not think there is anyone on the dais that did not agree that a roundabout is the ultimate decision that might be made. He told Mr. Dzik the information he asked Mr. Dzik to obtain would be in an effort for that roundabout even if it was not done for five years, so the research would not be wasting City Staff's time.

Mrs. Kitchen said she would like to see the plan from 2003 that did have a roundabout and a walking path. She said on April 15, 2024, there will be two sessions on locking credit for cybersecurity at the Huber Heights Library. She asked Mrs. Judy Blankenship to pass that information on to the Huber Heights Senior Center.

Mrs. Byrge said she has been getting inquiries on the beautiful buses that have wraps on them from different communities. She said the RTA representative said the Huber Heights bus is being painted and the wrap will be installed. She said he estimated the bus will be available by the end of March or beginning of April. She said there will be a big media blitz with the Huber Heights bus and Council to announce the completion of the project.

14. Executive Session

Mr. Rodgers read Item 14-A.

Mayor Gore said there is a need for an Executive Session.

Ms. Baker moved to enter into Executive Session to consider the appointment of a public official under personnel matters; Mr. Campbell seconded the motion. On a call of the vote, Mrs. Byrge, Mr. Aikens, Mr. Looney, Mrs. Kitchen, Mr. Webb, Mr. Davidson, Ms. Baker, and Mr. Campbell voted yea; none voted nay. The motion passes 8-0.

The City Council entered into Executive Session at 8:42 p.m.

The City Council adjourned from Executive Session at 9:19 p.m.

After the Executive Session, Mayor Gore said the recommendation was to move Item 14-A to a second reading.

No other actions were taken or decisions made following the Executive Session by the City Council.

- A. A Resolution Authorizing The City Of Huber Heights To Enter Into An Agreement With Coolidge Wall Co., L.P.A. For Legal Services As City Attorney/Law Director For The City Of Huber Heights, Ohio.
(first reading)

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

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In Council Chambers

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15. Adjournment

Mayor Gore adjourned the Regular Session City Council Meeting at 9:19 p.m.

Anthony C. Ruck
Clerk of Council

03 - 26 - 2024
Date

Guy Gore
Mayor

3-26-24
Date