

City of Montgomery
City Council Work Session Minutes
April 17, 2024

Present

Brian Riblet, City Manager
Terry Donnellon, Law Director
Tracy Henao, Asst. City Manager
Kevin Chesar, Community Dev. Dir.
John Crowell, Police Chief
Maura Gray, Finance Director
Gary Heitkamp, Public Works Director
Matthew Vanderhorst, Community and Information Serv. Dir.
Paul Wright, Fire Chief
Amy Frederick, Community Engagement Coordinator
Connie Gaylor, Clerk of Council

City Council Members Present

Ron Messer, Mayor
Lee Ann Bissmeyer
Craig Margolis
Catherine Mills-Reynolds
Ken Suer

Council Members Absent

Sasha Naiman, Vice Mayor
Chris Dobrozsi

City Council convened its Work Session for April 17, 2024 at 6:00 p.m. at City Hall with Mayor Messer presiding.

ROLL CALL

Mayor Messer asked for a roll call.

The roll was called reflecting the absence of Mr. Dobrozsi and Vice Mayor Naiman.

Mayor Messer asked for a motion to excuse Mr. Dobrozsi and Vice Mayor Naiman. Mr. Margolis made a motion to excuse Mr. Dobrozsi and Vice Mayor Naiman from the meeting. Mrs. Bissmeyer seconded. City Council unanimously agreed.

SPECIAL PRESENTATION

Mrs. Mills-Reynolds presented Ruth Richter with a Certificate of Appreciation as the 2023 Winter Seasons of Beauty Winners by the Beautification and Tree Commission.

Staff provided an update on the 2022-2026 Strategic Plan focusing on the progress of each goal from 2022 to current day as well as discussing what was to come throughout the remainder of 2024.

LEGISLATION FOR CONSIDERATION THIS EVENING

There was no legislation for consideration at the meeting.

ESTABLISHING AN AGENDA FOR MAY 1, 2024 BUSINESS SESSION

PENDING LEGISLATION

An Ordinance Establishing The Schedule Of Municipal Compensation For Employees

Mayor Messer explained that this would be the second reading of this Ordinance and asked if there were any updates.

Mr. Riblet replied there were none.

An Ordinance Amending Chapter 34, Personnel Policies; Bond

Mayor Messer explained that this would also be the second reading of this Ordinance and asked if there were any updates.

58 Mr. Riblet replied there were none.

59

60 **NEW LEGISLATION**

61

62 **An Ordinance Providing For The Issuance Of Not To Exceed \$6,000,000 Of Notes By The City Of**
63 **Montgomery, Ohio, For The Purpose Of Making Public Infrastructure Improvements Within The City And**
64 **Declaring An Emergency**

65

66 Mayor Messer assigned the legislation to Mr. Suer.

67

68 Ms. Gray explained that, if approved, this legislation will authorize issuance of not to exceed \$6,000,000 Public
69 Infrastructure Improvements Limited Tax General Obligation Bond Anticipation Notes, Series 2020, 2024
70 Renewal. This was discussed at the April 1 Finance Committee of Council with a unanimous motion to pay down
71 a minimum of \$500,000 towards the BANs and flexibility to pay down more if it is in the City's best interest.

72

73 Ms. Gray provided background on the Note explaining that on June 23, 2020, the City issued \$7,500,000 Series
74 2020 Public Infrastructure Improvements General Obligation Bond Anticipation Notes. The City paid down
75 \$1,000,000 of principal and renewed the BANs on June 13, 2023 in an amount of \$6,500,000 with a final maturity
76 on June 12, 2024. The interest due on June 12, 2024, totals \$291,687.50. The short term borrow was used to fund
77 the construction of public improvements in the Montgomery Quarter development. These Notes can either be
78 converted to General Obligation Bonds in the coming years or continue to be rolled each year as Bond Anticipation
79 Notes. The current plan is to renew the BAN for one more year to mature in June 2025.

80

81 **A Resolution Authorizing A Grant Agreement With The Board Of County Commissioners, Hamilton**
82 **County, Ohio To Accept And Administer A Stormwater Infrastructure Grant**

83

84 Mayor Messer assigned the Resolution to Mr. Margolis.

85

86 Mr. Riblet explained that this Resolution, if approved, will allow the City of Montgomery to receive up to \$340,500
87 of funding through the Hamilton County "Stormwater Infrastructure Grant" program to assist with public
88 infrastructure components for the Huntersknoll Court Drainage Improvement Project. The grant is a reimbursable
89 grant, and it is anticipated work associated to allow us to submit for reimbursement will be completed in late 2024
90 or early 2025.

91

92 Mr. Riblet added that his grant award will assist with constructing the public infrastructure and improvements
93 associated with the Huntersknoll Court Drainage Improvement Project. Analysis and preparation of this project
94 began several years ago with portions of the project area located within a public drainage easement and portions
95 within private drainage easements providing an opportunity for the city to collaborate with individual homeowners
96 receiving their support to complete the project. It is anticipated that the Hamilton County Board of Commissioners
97 will vote on the approval of this grant at their regularly scheduled meeting on Thursday, April 18 beginning at
98 1:00 p.m.

99

100 Mr. Margolis stated that this project would be a tremendous relief to the residents who have been dealing with
101 flooding issues for years.

102

103 Mr. Suer stated that he was supportive of this project as he feels it is the biggest stormwater issue in the City at
104 this time.

105

106 Mrs. Mills-Reynolds stated her support for the project.

107

108 Mrs. Bissmeyer also supports the project as it is good for the residents.
109

110 Mayor Messer congratulated Mr. Riblet on his success in receiving grants for this projects and many others.
111

112 Mr. Riblet praised Mr. Heitkamp for his work on a very complex grant application. He added that the grant funds
113 were part of ARPA funds that could be issued by Hamilton County.
114

115 **A Resolution Of Necessity To Implement The Huntersknoll Court Stormwater Sewer Project And Special**
116 **Assessments**
117

118 Mayor Messer assigned the legislation to Mr. Margolis.
119

120 Mr. Donnellon explained that this is a companion piece to the previous Resolution. He explained that, if passed,
121 this would authorize the assessment of a portion of the Huntersknoll stormwater improvement costs to five property
122 owners on Huntersknoll Court. He explained that each property owner would be assessed 5% which equates to
123 \$6,000 each. He explained that the property owners have the choice to pay upfront or to have the fee assessed to
124 their taxes over a period of 20 years at 4% interest. Mr. Donnellon explained that Mr. Heitkamp was still working
125 with property owners to acquire signatures on the petition. He anticipated that to be completed prior to the May 1
126 Business Session.
127

128 **An Ordinance Repealing Ordinance 19, 1977 and Declaring an Emergency**
129

130 Mayor Messer assigned the legislation to Mrs. Bissmeyer.
131

132 Mr. Donnellon explained that staff received a public records request from the property owner at 10305
133 Montgomery Road, to reconsider the City's designation of the home as a City Landmark. They purchased the
134 property in early 1977. In researching Council's action in 1977, it was specifically noted that the property owners
135 objected to the designation as a Landmark. Over time the Code has evolved to require the application by or
136 concurrence by a property owner before a Landmark designation is placed upon the property.
137

138 The property owner has indicated that continuing to maintain the property is not only physical, but an economic
139 drain. Looking back through the records, mirroring the Landmarks Commission with the controls imposed for the
140 National Historic Trust Fund, a property may be removed as a Landmark designation if it were determined that
141 there was prejudicial error in nominating and approving the listing property. Based upon that federal regulation,
142 Council is acting now to remove the Landmarks designation from this property at 10305 Montgomery Road. The
143 property lies outside of the Historic District and the City has no identifiable public purpose to purchase the property
144 at its current asking price. Mr. Donnellon stated that weighing all of these factors, it is recommended that
145 Ordinance 19, 1977 be repealed as the best course of action to correct this issue.
146

147 City Council collectively expressed that while they do not like losing a landmark, they do feel this is the right thing
148 to do on behalf of the property owner.
149

150 **An Ordinance Enacting New Section 150.0206 Prohibiting Recreational Marijuana Businesses As A**
151 **Permitted Use Within The City Of Montgomery Zoning Code**
152

153 Mayor Messer assigned the legislation to Mrs. Bissmeyer.
154

155 Mr. Donnellon explained that, if approved, this legislation will advance the recommendation from the Planning
156 Commission to prohibit Adult Use Cannabis Operators as a permitted use within the City. The matter was studied
157 by the Planning Commission, Council held a Public Hearing, and consistent with Chapter 3780 of the Revised

158 Code the City is opting out of the various uses from manufacturing to dispensing as a permitted zoning use within
159 the community.

160
161 Mr. Donnellon added that when Issue 2 was adopted in the November 2023 election, the resulting Chapter 3780
162 of the Ohio Revised Code, specifically under § 3780.25, reserved to the local communities the right to regulate
163 Adult-Use Cannabis Operators within the jurisdictions. This power under Home Rule allows the City to either
164 regulate or prohibit Adult Use Cannabis operations as a permitted use within the City. Previously, the City passed
165 a restriction against Medical Marijuana Dispensaries, and this expands that ban consistent with Ohio law to prohibit
166 Adult-Use Cannabis Operators throughout the City. This would not impact the rights reserved to residents under
167 Ohio law to grow a restricted number of cannabis plants on their property. This restriction would still be managed
168 by the State of Ohio.

169
170 Mrs. Mills-Reynolds stated that she supports following the advice of the Planning Commission.

171
172 Mrs. Bissmeyer stated that she felt if Council were to approve the dispensing of marijuana, it should be for
173 medicinal use.

174
175 **ADMINISTRATION REPORT**

176
177 Mr. Riblet reported the following items:

- 178
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 - A Council Business Session is scheduled for Wednesday, May 1 at 6:00 p.m.
 - As a reminder, the first round of Board and Commission Chair Updates will begin on Wednesday, May 1
182 beginning at 5:00 p.m.
 - 5:00 – Mary Jo Byrnes – BZA
 - 5:15 – Marcallene Shockey- Sister Cities
 - 5:30 – Dennis Hirotsu – Planning Commission
 - 5:45 – Aaron Kellenberger- Beautification & Tree
 - At this time, it is anticipated that the Law and Safety and Financial Planning Committees will have agenda
190 items for the May 6 Committee meetings. The Planning, Zoning and Landmarks Committee is not
191 anticipated to have any agenda items. An update will be provided at the May 1 Business Session for all
192 Committee meetings.
 - Thank you to everyone involved in our 2nd Annual Mental Health Fair and our host Twin Lakes. It was a
195 tremendous success.
 - Thanks to everyone involved with the Solar Eclipse Watch Party at Weller Park. We estimated between
198 300-400 people in attendance, and it was a great event. There was also good attendance at the MQ Park.
 - The Beautification and Tree Commission completed the annual Hanging Basket planting project Tuesday,
201 April 16 at the Public Works Departments with a total of 27 volunteers pitching in to plant 400 baskets.
 - The used Street Sign Sale was also a big success. Of the first batch of 121 signs, we have sold 88 signs.
204 \$2,200 has been collected so far.
 - Officer Paul Payne will be officially retiring effective June 1, 2024. Plans are underway for his retirement
207 party, stay tuned for details.

208

- 209 • A contract was signed with Hydro-Klean LLC in the amount of \$43,250 to complete the 2024 Corrugated
210 Metal Pipe Repair Program which includes the lining of two 24” pipes at 7441 and 7511 Cornell Road.
211

212 Human Resources

- 213
214 • Terrence Zellars will begin his employment with us on Monday, April 29 as a Firefighter/Paramedic.
215 Terrence comes to us from Colerain Township and fills the final opening within the Fire Department.
216

217 Events

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219 • As a reminder, the annual Volunteer Dinner is next Wednesday, April 24 beginning at 6:30 p.m. at
220 Montgomery Inn.
221
222 • The Arts Commission is hosting the first-ever Montgomery Food Tour on Saturday, April 27. There are 2
223 tour groups with 15 people each. One tour will begin at 1:00 and the second one at 3:00 pm. Restaurants
224 participating include: Forno, Taglio, Bru Burger, Livery, Napa Kitchen, Montgomery Inn, Euro Café and
225 MPH. Arts Commission Chair, Greg Leader will lead the tour and provide a bit of history along the way.
226

227 LAW DIRECTOR REPORT

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229 Mr. Donnellon reported that he had no additional report outside of the legislation already discussed.
230

231 CITY COUNCIL REPORTS

232
233 Mrs. Bissmeyer

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235 Mrs. Bissmeyer commented on the Mental Health Fair and thanked staff for spending their Saturday morning to
236 conduct the Fair. She stated that it was a good resource for the residents.
237

238 Mrs. Bissmeyer stated that she attended the Eclipse Celebration at the MQ and commented on how well it was
239 attended.
240

241 Mrs. Bissmeyer participated in the basket planting event and stated that it was a well ran operation.
242

243 Mrs. Mills-Reynolds

244
245 Mrs. Mills-Reynolds stated that she also attended the Mental Health Fair, along with her children. She stated that
246 she didn't feel it would be an event inviting of children but found that it was and that they enjoyed the therapy cat
247 from Pet Partners.
248

249 Mrs. Mills-Reynolds attended the Solar Eclipse Party at Weller Park and praised staff for hosting a very fun event.
250

251 Mrs. Mills-Reynolds reported the following:
252

- 253 • She participated in a presentation at a Sycamore Advisory Council meeting focused on Work Force
254 Development. She stated that as part of this presentation she learned that out of a large majority of
255 Sycamore students that go to college, 40 % of those students do not finish. She stated that reasons for this
256 include finances, mental health conditions, and choices in majors.
257
258 • The Parks and Recreation Committee is conducting interviews for the vacancy on the Parks and Recreation
259 Commission.
260

- 261 • The Beautification and Tree Commission held a B & T Talk on Rain Gardens.

262

263 **Mr. Dobrozsi**

264

265 Mr. Riblet reported on behalf of Mr. Dobrozsi who had a planned vacation on items discussed at a recent
266 Government Affairs Meeting:

267

268 • Proposed modifications to the Board and Commission guidelines for those interested in applying.
269 City Council discussed the recommendations. Mr. Margolis moved to approve the recommended
270 changes. Mrs. Mills-Reynolds seconded. City Council unanimously agreed.

271 • There were five qualified applicants for the Service to Community Grant that were recommended
272 to each receive a portion of the \$5,000 grant.

273 • Updates were approved for the Hopewell Cemetery Internal Policy.

274 • Government Affairs supported the concept of Co-Branding with Montgomery Businesses.

275

276 **Vice Mayor Naiman**

277

278 No report

279

280 **Mr. Suer**

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282 Mr. Suer stated that the sale of the street signs was more popular than anticipated and asked Mr. Heitkamp how
283 long the process would take to replace all the street signs.

284

285 Mr. Heitkamp stated that public works staff have divided the streets into zones that they inventory in order to place
286 orders for the signs. He explained that this does take time and is a project that is done as time permits. He stated
287 that it would take a couple of years to get through all the streets in the City. He added that he will work with staff
288 to provide an update on the process on the website.

289

290 **Mr. Margolis**

291

292 Mr. Margolis stated how well the Mental Health Fair went.

293

294 Mr. Margolis reported on the following items:

295

- 296 • The EAC partnered with Hamilton County to host a ReUse presentation.
297 • Staff and the EAC are working on an opportunity for possibly collecting organics.
298 • He attended a Hamilton County Municipal League (HCML) meeting that was a joint meeting for Cities and
299 Townships. He stated that the following topics were discussed.

300 ○ Recreational Marijuana-There is a moratorium in most communities.

301 ○ Senator Blessing is working on readjusting property taxes in a revenue neutral manner.

302 ○ Representative Seitz is focused on workforce development, urging prior convictions to be sealed.

303 **Mayor Messer**

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305 Mayor Messer also expressed his appreciation of the Mental Health Fair.

306

307 Mayor Messer rode along with both the Fire and Police Departments on separate occasions the prior week and
308 expressed how professional the staff were during their interactions in every situation.

309

310 Mr. Messer attended a ceremony for Sgt. Kenny Bertz who was named as 1st Responder of the Month for his actions
311 during a SWAT event.

312

313 Mayor Messer added to Mr. Margolis's comments regarding the HCML meeting. He stated that what was alarming
314 is how little State legislatures really knew about the new law. He added that Rep. Seitz also made everyone aware
315 of the energy usage in the State. He explained that as demand is going up, supply is going down and by 2027 the
316 State could see a critical gap in providing energy. Rep. Seitz stated that there may be an increase in natural gas
317 production in order to close the gap.
318

319 **MINUTES**

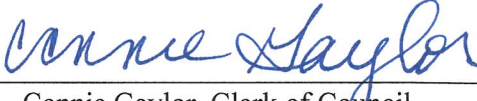
320
321 Mr. Margolis moved to accept the April 3, 2024 Public Hearing and Business Session minutes as written. Mrs.
322 Bissmeyer seconded. City Council unanimously agreed.
323

324 **ADJOURNMENT**

325
326 Mayor Messer asked if there was any further business to discuss in Public Session. There being none he asked for
327 a motion to adjourn.
328

329 Mr. Margolis moved to adjourn. Mrs. Bissmeyer seconded. City Council unanimously agreed.
330

331 City Council adjourned at 7:47 p.m.
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333
334
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336



Connie Gaylor, Clerk of Council