

March 28, 2024

TO: Mayor and City Council Members  
FROM: Brian K. Riblet, City Manager *BKR*  
SUBJECT: City Council Business Session of Wednesday, April 3, 2024

As a reminder, City Council is scheduled to meet in Business Session on Wednesday, April 3, 2024 immediately following the conclusion of a Public Hearing at 5:45 p.m.

CIC Meeting

A CIC meeting is scheduled at 5:30 p.m. to consider a Historical Matching Grant Application for 7960 Remington Road.

Public Hearing

A Public Hearing is scheduled at 5:45 p.m. to consider proposed Text Amendments to Chapter 151.1202 Use Regulations or Chapter 1502.02 General Provisions Regarding Retail Sales of Recreational Marijuana.

At the close of each presentation, City Council's options are to:

- Approve the Recommendation
- Deny the Recommendation
- Remand the matter to Staff for more specific information or
- Take the matter under advisement and vote at another public meeting within thirty days.

If City Council chooses the final option, it is suggested that City Council announce the date and time of the subsequent hearing when the matter will be discussed and considered for vote.

As a reminder, the Code does not allow additional new evidence to be submitted for review during the public hearing. City Council is to limit its consideration to the information presented from the City, and any comments, pro or con, from the public.

Business Session

1. Call to Order
2. Roll Call

3. Pledge of Allegiance

4. Special Presentation

- a. Brad Hoener and Jeremy Schmid from PepsiCo will be introduced to City Council as the newest business in the Montgomery Quarter

5. Guest and Residents

6. Legislation for Consideration this Evening

Pending Legislation

*There is no pending legislation*

*Since all following legislation has been made available to the public before this evening's meeting it is moved that Council accept the legislative Agenda and read all legislation by title only.*

*Voice Vote*

New Legislation

- a. An Ordinance Establishing The Schedule Of Municipal Compensation For Employees —(Mr. Dobrozsi-first reading) Information has been previously supplied on this Ordinance that, if approved, will establish a new Schedule of Municipal Compensation for non-bargaining unit employees. It is necessary to establish a new Schedule of Municipal Compensation as the current Schedule does not specify any wage rate adjustments for July 2024 or beyond.

*Move for passage of the first reading of the Ordinance*

*Explain*

*Roll Call Vote*

*The second reading of the Ordinance will be conducted at the May 1, 2024 Business Session. The third reading will be conducted at the June 5, 2024 Business Session with adoption of the Ordinance requested at that meeting.*

- b. An Ordinance Amending Chapter 34, Personnel Policies; Bond —(Mr. Dobrozsi-first reading) Information has been previously supplied on this Ordinance that, if approved, will adopt proposed modifications to Chapter 34 of the Montgomery Ohio Code of Ordinances.

*Move for passage of the first reading of the Ordinance*

*Explain*

*Roll Call Vote*

*The second reading of the Ordinance will be conducted at the May 1, 2024 Business Session. The third reading will be conducted at the June 5, 2024 Business Session with adoption of the Ordinance requested at that meeting.*

7. Administration Report
8. Minutes- March 20, 2024 Work Session
9. Mayor's Court Report
10. Other Business
11. Executive Session
12. Adjournment

Should you have any questions or concerns regarding this information, please do not hesitate to contact me.

C: Connie Gaylor, Executive Assistant/Clerk of Council  
Department Heads  
Terry Donnellon, Law Director



## CITY COUNCIL BUSINESS SESSION AGENDA

10101 Montgomery Road • Montgomery, Ohio 45242  
(513) 891-2424 • Fax (513) 891-2498

April 3, 2024

City Hall

Immediately following a Public Hearing scheduled at 5:45 p.m.

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Special Presentation
  - a. Brad Hoener and Jeremy Schmid from PepsiCo will be introduced to City Council as the newest business in the Montgomery Quarter
5. Guest and Residents
6. Legislation for Consideration for this Evening

### Pending Legislation

*There is no pending legislation*

*Since all following legislation has been made available to the public before this evening's meeting it is moved that Council accept the legislative Agenda and read all legislation by title only.*

*Voice Vote*

### New Legislation

- a. An Ordinance Establishing The Schedule Of Municipal Compensation For Employees—(Mr. Dobrozsi-first reading)

*Move for passage of the first reading of the Ordinance*

*Explain*

*Roll Call Vote*

*The second reading of the Ordinance will be conducted at the May 1, 2024 Business Session. The third reading will be conducted at the June 5, 2024 Business Session with adoption of the Ordinance requested at that meeting.*



- b. An Ordinance Amending Chapter 34, Personnel Policies; Bond—(Mr. Dobrozsi-first reading)

*Move for passage of the first reading of the Ordinance*

*Explain*

*Roll Call Vote*

*The second reading of the Ordinance will be conducted at the May 1, 2024 Business Session. The third reading will be conducted at the June 5, 2024 Business Session with adoption of the Ordinance requested at that meeting.*

7. Administration Report
  8. Approval of Minutes – March 20, 2024 Work Session
  9. Mayor’s Court Report
  10. Other Business
  11. Executive Session
  12. Adjournment
- C: Connie Gaylor, Executive Assistant/Clerk of Council  
Department Heads  
Terry Donnellon, Law Director

ORDINANCE NO. \_\_\_\_\_, 2024

**AN ORDINANCE ESTABLISHING THE  
SCHEDULE OF MUNICIPAL COMPENSATION FOR EMPLOYEES**

**WHEREAS**, Council must establish a Schedule of Municipal Compensation for City employees who are not members of a collective bargaining unit to be effective the first day of the first full pay period in July 2024; and

**WHEREAS**, the Administration has recommended an increase in compensation for such employees, which is reflected in the Schedule of Municipal Compensation attached hereto; and

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Montgomery, Ohio:

**SECTION 1.** Pursuant to requirements of Chapter 34 of the Montgomery Code of Ordinances, the Schedule of Municipal Compensation (“Schedule”) is hereby established to govern the annual compensation of municipal employees who are not governed by collective bargaining agreements, which schedule shall be effective on the first day of the first full pay period in July 2024. The Schedule governing such positions is attached hereto as “Exhibit A” and is hereby made a part of this Ordinance as if fully rewritten herein.

**SECTION 2.** The Schedule of Municipal Compensation prescribes the basic rates of pay for various classes of employees. Employees will normally be hired at the starting point of the appropriate salary range, but an employee may be placed at a higher location within their pay range at the discretion of the City Manager depending upon qualifications, experience, and education. Employees may move through their

respective salary range based upon work performance as determined through an annual performance review. The amount of the annual merit increase is dependent upon employee performance and funding availability.

**SECTION 3.** The City Manager is hereby authorized to grant an annual merit bonus, not to exceed two percent (2%) of the base salary of the employee, for full-time employees who have reached the top of their respective pay range. Permanent part-time employees who have reached the top of the pay range may be eligible for a merit bonus of up to 20 hours of pay at their current hourly rate for exceptional work performance.

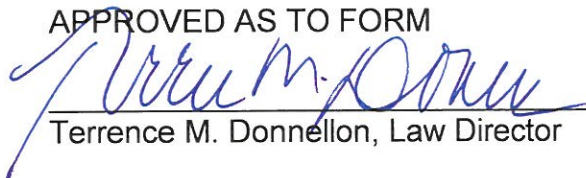
**SECTION 4.** This Ordinance shall be in full force and effect from and after the earliest period allowed by law.

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
Connie M. Gaylor, Clerk of Council

\_\_\_\_\_  
Ronald G. Messer, Mayor

APPROVED AS TO FORM

  
\_\_\_\_\_  
Terrence M. Donnellon, Law Director

Full - Time Schedule

Exhibit "A"

Range	Position	Effective first day of first full pay period in July 2024		Effective first day of first full pay period in July 2025	
		Minimum	Maximum	Minimum	Maximum
1	Assistant City Manager	\$116,292.80	\$166,296.00	\$120,952.00	\$172,952.00
1A	Fire Chief Police Chief Public Works Director Director of Finance	\$116,292.80	\$154,668.80	\$120,952.00	\$160,846.40
1B	Community Development Director Community and Information Services Director	\$110,822.40	\$147,721.60	\$115,252.80	\$153,628.80
2	Assistant Fire Chief Assistant Police Chief Assistant Public Works Director Human Resources Manager Executive Assistant/Clerk of Council	\$106,475.20	\$132,038.40	\$110,739.20	\$137,321.60
3A	Assistant Director of Finance/Tax Commissioner	\$82,534.40	\$108,139.20	\$85,841.60	\$112,465.60
3B	Communications and Engagement Coordinator Recreation Director	\$81,265.60	\$106,371.20	\$84,510.40	\$110,635.20
4	City Planner Public Works Department Supervisor Tax Commissioner	\$72,675.20	\$92,955.20	\$75,587.20	\$96,678.40
5	Construction and Compliance Inspector Mechanic	\$33.66	\$42.40	\$35.01	\$44.10
6	Administrative Coordinator Assistant to the City Manager Office Manager Senior Finance Specialist Clerk of Court	\$31.75	\$39.69	\$33.02	\$41.28
7	Recreation Specialist Customer Service Representative Finance Specialist	\$29.67	\$37.38	\$30.86	\$38.88

All annual, salaried positions in Ranges 1 through 4 are calculated assuming a 26 pay period annual pay schedule, which is the normal annual pay schedule for the City. In the event that the City experiences a year which has 27 bi-weekly pay periods, the City's wage scale will reflect an increase of an additional 1/26th of the maximum salary for the purpose of meeting payroll for the 27th pay period. For all other years, the minimum and maximum salaries are as published on the pay schedule above.



Part - Time Schedule

Exhibit "A"

Range	Position	Effective first day of first full pay period in July 2024		Effective first day of first full pay period in July 2025	
		Minimum	Maximum	Minimum	Maximum
1A	Special Projects Coordinator	\$54.07	\$67.06	\$56.23	\$69.74
1B	Assistant to the City Manager	\$31.75	\$39.69	\$33.02	\$41.28
1C	Finance Specialist	\$26.81	\$33.50	\$27.88	\$34.84
1D	Customer Service Representative Volunteer Coordinator	\$26.25	\$32.72	\$27.30	\$34.03
2	Firefighter/Paramedic	\$20.43	\$26.04	\$21.25	\$27.08
3	Custodian Firefighter/EMT	\$18.24	\$23.26	\$18.97	\$24.19
4	Intern Seasonal Service Worker	\$15.88	\$20.19	\$16.52	\$21.00
6	Auxiliary Police Officer	\$12.26	\$30.68	\$12.75	\$31.91

ORDINANCE NO. , 2024

**AN ORDINANCE AMENDING CHAPTER 34, *PERSONNEL POLICIES; BOND***

**WHEREAS**, Chapter 34 of the Code of Ordinances provides details for compensation and various benefits available to City employees; and

**WHEREAS**, with an ever-increasing menu of options for employees to enjoy benefits through their employment, the Administration has recommended amending Chapter 34 to confirm some additional benefits which the Administration recommends be given to Montgomery employees; and

**WHEREAS**, to provide the maximum flexibility possible, the Administration has requested that specific employment benefits be detailed in Chapter 34, but the Administration be given the flexibility within the policies and procedures of the City to define eligibility and refine the terms and conditions under which these evolving benefits are available to employees of the City.

**NOW THEREFORE, BE IT ORDAINED** by the Council of the City of Montgomery, Hamilton County, Ohio, that:

**SECTION 1.** The attached Chapter 34, *Personnel Policies; Bond*, as revised, is hereby adopted in its entirety as if fully rewritten herein.

**SECTION 2.** Confirming the intent of the modifications to Chapter 34, Council will establish the budget and appropriations for employee benefits, and so long as such employee benefits have been properly budgeted and approved through appropriations, the City Administration is authorized to define, refine and implement such benefit programs.

**SECTION 3.** The previous Chapter 34 is hereby revoked in its entirety and the modified Chapter 34 as attached hereto is hereby adopted.

**SECTION 4.** All Ordinances or parts of Ordinances inconsistent with these modified regulations are hereby repealed.

**SECTION 5.** All sections, subsections, parts and provisions of this Ordinance are hereby declared to be independent sections, subsections, parts and provisions, and the holding of any section, subsection, part or provision to be unconstitutional, void or ineffective for any reason shall not affect or render invalid any other section, subsection, part or provision of this Ordinance.

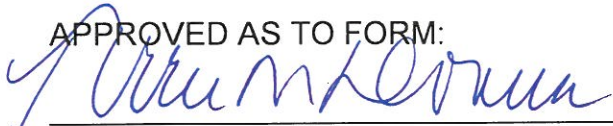
**SECTION 6.** This Ordinance shall take effect the earliest opportunity as allowable by law.

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
Connie M. Gaylor, Clerk of Council

\_\_\_\_\_  
Ronald G. Messer, Mayor

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Terrence M. Donnellon, Law Director

## CHAPTER 34: PERSONNEL POLICIES; BOND

### Section

#### **General Provisions**

- [34.01](#) Compensation/wages and benefits
- [34.02](#) Roster of personnel
- [34.03](#) Employment authorization
- [34.04](#) Full and part-time personnel
- [34.05](#) Employee leave benefits
- [34.06](#) Statutorily required contributions to pensions and retirement funds
- [34.07](#) Longevity pay
- [34.08](#) Collective bargaining agreement
- [34.09](#) Transitional employment appointments

#### **Bond**

- [34.15](#) Municipal officials

#### **Cross-reference:**

*Civil Service Commission and regulations, see §§ [33.15](#) et seq.*

### **GENERAL PROVISIONS**

#### **§ 34.01 COMPENSATION/WAGES AND BENEFITS.**

(A) The Council shall establish a general schedule of municipal compensation for all offices and positions in the municipal service:

(1) The compensation of the municipality's regular personnel and the compensation of part-time, temporary and seasonal personnel shall be governed by a schedule established by the Council for such employees. The schedule shall provide a range of pay for each position.

(2) During the first year of employment in the municipal service, an employee shall be compensated at the lower end of the pay range unless the City Manager shall determine that a higher rate, not exceeding the maximum, is warranted by virtue of skill or experience. Such employee's rate of pay may thereafter be increased annually based on satisfactory performance as set by the City Manager in conjunction with the periodic evaluation of performance until the maximum rate is attained.

(B) Elected officials of the municipality shall be paid on a monthly basis. Payroll periods for employees shall be weekly or bi-weekly as the City Manager shall designate.

(C) *Medical.*

(1) Each full-time employee shall be entitled to medical insurance coverage as established by City Council and subject to any negotiated benefits within a collective bargaining agreement. City Council shall choose the insurance carrier, or carriers, to provide such coverage, the plan options to be offered to employees, and the maximum contribution for such coverage to be paid by the City.

(2) If the cost to provide such insurance coverage exceeds the maximum contribution limits established by City Council, 50% of the cost in excess of such maximum contribution shall be paid by the City and 50% of the cost in excess of the maximum contribution shall be paid by the employee. Insurance cost payments to be paid by the employee shall be paid by payroll deduction.

(3) (a) If the administration determines that it is necessary to change insurance coverages and/or if the anticipated cost of insurance coverage, as it exists or as proposed,



will exceed the maximum contribution limits established by City Council, then these issues shall be referred to the Employee/Management Healthcare Benefits Committee ("EHBC") for review and recommendation to City Council. The EHBC shall be comprised of five members, one of whom shall be appointed by the Police Department bargaining unit, one of whom shall be appointed by the Fire Department bargaining unit, one of whom shall be appointed by the Public Works Department bargaining unit, and one of whom shall be appointed by the administrative employees who are not members of an organized and recognized bargaining unit. The fifth member of the EHBC shall be appointed by the City Manager.

(b) The EHBC shall have the authority to recommend a change in either the level of, or provider for, comprehensive major medical coverage and such additional healthcare benefits as may be authorized by City Council including dental insurance, optical benefits, life insurance or other related benefits. The EHBC shall have the authority to recommend to City Council that Council continue the current plan benefits, even if such plan benefits exceed the maximum contribution limits, if the EHBC determines that such health care benefits at such cost are in the best interest of the City and employees. The EHBC shall not have the authority to modify the maximum contribution limits on employer paid health care benefits. A majority of the EHBC shall constitute a quorum and it may take action or make recommendation only by a consensus vote of its EHBC members. If the EHBC is unable to reach a consensus after exhausting all efforts to do so, their recommendation may be made by a majority of the EHBC members. Council may consider but is not bound by the recommendations of the EHBC.

(D) *Wellness incentive program.* The City may offer a wellness incentive program for its full-time and part-time employees. This program will be developed by the City Manager with the assistance of an employee committee designated by the City Manager. The program shall allow eligible employees to qualify to receive an annual wellness incentive payment in an amount established by City Council. Employees who qualify for an incentive award shall receive their incentive pay no later than March 1 of the year after acceptable levels of program participation by the employee have been achieved.

(E) In addition to the wage compensation, medical insurance and wellness incentive as provided herein, Council may from time to time upon the recommendation from the City Manager authorize additional non-compensatory benefits such as dental insurance, vision benefits, life insurance, accidental death and disability and/or similar benefits.

(F) The compensation and benefits prescribed herein shall constitute the total remuneration for the work performed in the public service by a municipal employee unless otherwise provided by Council.

(Ord. 30-1973, passed 12-27-73; Am. Ord. 27-1981, passed 10-7-81; Am. Ord. 20-1987, passed 9-2-87; Am. Ord. 12-1989, passed 5-3-89; Am. Ord. 11-1999, passed 7-7-99; Am. Ord. 14-2001, passed 11-7-01; Am. Ord. 4-2012, passed 3-7-12; Am. Ord. 6, 2018, passed 6-6-18; Am. Ord. 7, 2020, passed 6-3-20)

#### **§ 34.02 ROSTER OF PERSONNEL.**

A roster of all persons in the employment of the municipality shall be maintained by the City Administration. The roster of personnel shall record the full or part-time classification of each position in the municipal service, the person's name, address, date of appointment to, or employment in, the municipal service, the department in which



employed, the title of the office or the position held, the salary or compensation of the officer or employee, and, in the case of resignation, separation or removal, the date thereof.

(Ord. 30-1973, passed 12-27-73; Am. Ord. 20-1987, passed 9-2-87; Am. Ord. 11-1999, passed 7-7-99; Am. Ord. 4-2012, passed 3-7-12)

### **§ 34.03 EMPLOYMENT AUTHORIZATION.**

Department heads shall, on written application to the City Manager setting forth such facts and circumstances which such department head believes justifies the employment of additional personnel, and with the approval of the City Manager, employ such persons as shall be necessary to conduct the work of the department, provided that the total salaries and wages of a department shall not exceed the total amount appropriated for the department or for the purpose which occasions the employment.

(Ord. 30-1973, passed 12-27-73; Am. Ord. 27-1981, passed 10-7-81; Am. Ord. 20-1987, passed 9-2-87; Am. Ord. 11-1999, passed 7-7-99; Am. Ord. 4-2012, passed 3-7-12)

### **§ 34.04 FULL AND PART-TIME PERSONNEL.**

(A) For the purposes of determining eligibility for employment benefits set forth within this chapter, except as otherwise mandated by pre-empting state or federal legislation, municipal employees and personnel shall be considered as full-time personnel if they work at least 37.5 hours per week on an annual basis. An employee who works less than 37.5 hours per week on an annual basis is considered a part-time employee. These definitions apply to City authorized benefit programs and are not intended to modify eligibility status under any other state or federal program.

(B) Part-time City employees are not eligible to accrue sick leave, vacation leave, personal leave, holiday pay or longevity bonuses. Part-time employees may participate in any other benefit programs established by City Council consistent with the policies for eligibility and participation as established by the City Council and/or City Manager.

(Ord. 12-1976, passed 5-5-76; Am. Ord. 27-1981, passed 10-7-81; Am. Ord. 20-1987, passed 9-2-87; Am. Ord. 13-1995, passed 5-3-95; Am. Ord. 11-1999, passed 7-7-99; Am. Ord. 4-2012, passed 3-7-12; Am. Ord. 3-2013, passed 2-6-13)

### **§ 34.05 EMPLOYEE LEAVE BENEFITS.**

Full-time employees may also receive the following benefits. Eligibility for such benefits and the qualifying events for such benefits shall be defined by City personnel policies established by the City Manager. The roster of benefits may be expanded by City Administration from time to time if appropriately budgeted and appropriated by City Council.

(A) *Vacation.* Each full-time municipal employee with one or more years of credited service with the City and/or with a state agency or political subdivision of the state upon becoming employed by the City shall be entitled to vacation with pay corresponding to the following schedule. Credited service shall only include full-time service with any other state agency or political subdivision of the state. Full-time service with any such agency or subdivision shall be the same as defined in § 34.04(A).

<b><i>Completed years of service</i></b>	<b>Hours to accrue per bi-weekly <i>pay period</i></b>
Less than 6 years	3.077
6	3.385
7	3.692
8	4.000
9	4.308
10	4.615
11	4.923
12	5.231
13	5.538
14	5.846
15 or more	6.154

(1) *Accumulation rights.* Vacation time may be accumulated and carried over in subsequent calendar years in an amount not to exceed the total amount of vacation earned in a two-year period.

(B) *Sick leave.*

(1) Each full-time employee of the municipality shall be entitled to receive sick leave with pay at the rate of 3.692 hours for each completed 80 hours of service. The policies and procedures for utilizing sick leave shall be established by the City Manager subject to any rights reserved within a negotiated collective bargaining agreement.

(2) When an employee has accumulated 864 hours of unused sick leave, the employee may, subject to policies established by the City Manager, surrender or redeem sick leave days at the employee's then current rate of pay at the rate of one hour of such compensation for each one and one-half hours of sick leave surrendered. The City Manager shall establish rules governing the frequency of redemption, the maximum number of days which may be redeemed within a period, and such other incidents of redemption as may be necessary to protect the public interest and rights of employees. Sick leave cannot be accumulated in excess of 960 hours.

(3) An employee who retires from the City with 5 to 9 years of service with the City of Montgomery shall be paid for one-fourth the value of his or her accrued but unused sick leave up to a maximum accumulated sick leave of 960 hours, which equates to a pay-out of 240 hours.

(4) An employee who retires from the City with 10 to 19 years of service with the City of Montgomery shall be paid for one-third the value of his or her accrued but unused sick leave up to a maximum accumulated sick leave of 960 hours, which equates to a pay-out of 320 hours.

(5) An employee who retires from the City with 20 or more years of service with the City of Montgomery shall be paid for one-half the value of his or her accrued but unused sick leave up to a maximum accumulated sick leave of 960 hours, which equates to a pay-out of 480 hours.

(C) *Jury duty.* If a full-time employee is called for jury duty, the City will permit the employee to take the necessary time off and the City will pay the employee's regular pay,

not to exceed their regularly scheduled hours. In order to receive jury duty pay, an employee must present a statement of jury service.

(D) *Bereavement Leave*. Full-time employees are eligible for Bereavement Leave for up to 24 consecutive work hours. Bereavement Leave will be paid at the employee's current rate of pay and will not be deducted from any of the employee's sick leave, vacation leave or personal leave balances.

(E) *Parental Leave*. Non-seasonal, non-probationary, full-time employees experiencing a New Parental Event are eligible for up to 12 consecutive weeks (480) hours) of Paid Parental Leave at 100% base pay immediately following eligible Parental Events. For Fire Department employees on a 24/48-hour schedule, an adjustment to total paid parental leave hours will be made to meet the intent of the Parental Leave Policy. Details of the leave policy can be found in the City's Personnel Policies.

(F) *Holidays*. With the exception of employees whose terms of employment are governed by separate collective bargaining agreements, all full-time employees shall be paid for the holidays declared in this section and should not be required to work on such holidays unless, in the opinion of the employee's supervisor, the failure to work on such holiday would negatively impact public service and/or safety.

(1) The following are recognized holidays for employees other than those whose terms of employment are governed by separate collective bargaining agreements:

- (a) New Years Day;
- (b) Martin Luther King, Jr. Day;
- (c) Memorial Day;
- (d) Independence Day;
- (e) Labor Day;
- (f) Thanksgiving Day;
- (g) The day following Thanksgiving Day;
- (h) Christmas Eve; and
- (i) Christmas Day.

(2) Holidays are scheduled on the day designated by common business practice.

(3) In the event any of the above listed holidays should fall on Sunday, the Monday immediately following such holiday shall be observed as the holiday. In the event any of the above holidays should fall on a Saturday, the Friday immediately preceding the observed date shall be the holiday. If a non-exempt employee is scheduled to work on any of the listed holidays, those employees shall be paid at one and one-half times the rate of pay for the hours worked on the holiday.

(G) *Personal leave*.

(1) Each full-time employee, other than those employees whose terms of employment are governed by a separate collective bargaining agreement, shall be provided with 32 hours annually for personal leave which must be used during the calendar year in which the leave is awarded. Such leave shall not be charged to the employee's vacation time.

(2) Personal leave may be used by the employee subject to the approval of the employee's supervisor and such regulations as the City Manager may promulgate. The regulations may vary among departments and offices.

(3) Personal leave shall be calculated annually and will be pro-rated for new employees. Personal leave not taken shall not carry forward beyond the calendar year.



Personal leave not taken shall not be compensable in money unless the City Manager establishes regulations to the contrary.

(H) *Prior service credit.*

(1) Any employee who transfers from one political subdivision of the state to the City shall be credited with the unused balance of his accumulated sick leave up to a maximum of 960 hours upon presentation of appropriate documentation.

(2) Upon presentation of appropriate documentation, any employee previously employed by a political subdivision of the state is entitled to have his prior service with any of these employers counted as service with the City for the purpose of computing vacation credit as detailed in § 34.05(A). The anniversary date of his employment, for the purpose of computing the amount of vacation leave, is the anniversary date of such prior service.

(Ord. 19-1995, passed 6-7-95; Am. Ord. 9-1998, passed 7-1-98; Am. Ord. 11-1999, passed 7-7-99; Am. Ord. 12-1999, passed 7-21-99; Am. Ord. 9-2001, passed 8-1-01; Am. Ord. 2-2002, passed 1-2-02; Am. Ord. 9-2004, passed 6-2-04; Am. Ord. 11-2007, passed 8-1-07; Am. Ord. 9-2008, passed 5-7-08; Am. Ord. 4-2012, passed 3-7-12; Am. Ord. 3-2013, passed 2-16-13)

#### **§ 34.06 STATUTORILY REQUIRED CONTRIBUTIONS TO PENSIONS AND RETIREMENT FUNDS.**

(A) (1) Effective July 26, 1998, the full amount of the statutorily required employee contributions to the Public Employees Retirement System of Ohio shall be withheld from the gross pay of each employee who is or will become a contributing member of the Public Employees Retirement System of Ohio and shall be "picked up" (assumed and paid to the Public Employees Retirement System of Ohio) by the City. This "pick-up" by the City is, and shall be designated as, public employee contributions and shall be in lieu of contributions to the Public Employees Retirement System of Ohio by each person who is a contributing member of the Public Employees Retirement System of Ohio. No person subject to this "pick-up" shall have the option of choosing to receive the statutorily required contribution to the Public Employees Retirement System of Ohio directly instead of having it "picked-up" by the City or of being excluded from the "pick-up".

(2) Effective August 1, 2001, City employees who are or become contributing members of the Public Employees Retirement System of Ohio may purchase additional service credit, tax deferred, and the City of Montgomery shall withhold the required service credit deduction from the gross pay of each person who elects to do so and shall "pick up" (assume and pay) such deduction to the Public Employees Retirement System of Ohio. A person electing this "pick up" deduction shall not have the option of choosing to receive the payroll deduction directly instead of having this deduction "picked up" by the City. Members who have elected to participate in this plan cannot increase, decrease, or terminate the amount of the "pick up" deduction.

(B) (1) Effective July 26, 1998, the full amount of the statutorily required contributions to the Police & Firemen's Disability & Pension Fund of Ohio shall be withheld from the gross pay of each employee who is or will become a contributing member of the Police & Firemen's Disability & Pension Fund of Ohio and shall be "picked up" (assumed and paid to the Police & Firemen's Disability & Pension Fund of Ohio) by the City of Montgomery. This "pick-up" by the City of Montgomery is, and shall be designated as, public employee



contributions and shall be in lieu of contributions to the Police & Firemen's Disability & Pension Fund of Ohio by each person who is a contributing member to the Police & Firemen's Disability & Pension Fund of Ohio. No person subject to this "pick up" shall have the option of choosing to receive the statutorily required contribution to the Police & Firemen's Disability & Pension Fund of Ohio directly instead of having it "picked up" by the City or of being excluded from the "pick up".

(2) Effective August 1, 2001, City employees who are or become contributing members of the Police and Firemen's Disability and Pension Fund may purchase additional service credit, tax deferred, and the City of Montgomery shall withhold the required service credit deduction from the gross pay of each person who elects to do so and shall "pick up" (assume and pay) such deduction to the Police and Firemen's Disability and Pension Fund. A person electing this "pick up" deduction shall not have the option of choosing to receive the payroll deduction directly instead of having this deduction "picked up" by the City of Montgomery. Members who have elected to participate in this plan cannot increase, decrease, or terminate the amount of the "pick up" deduction.

(Ord. 7-1998, passed 7-1-98; Am. Ord. 8-1998, passed 7-1-98; Am. Ord. 11-1999, passed 7-7-99; Am. Ord. 7-2001, passed 8-1-01; Am. Ord. 8-2001, passed 8-1-01; Am. Ord. 11-2001, passed 9-5-01; Am. Ord. 4-2012, passed 3-7-12)

**§ 34.07 LONGEVITY PAY.**

(A) All full-time municipal personnel shall be compensated with an annual longevity bonus computed solely upon the employee's tenure in the municipal service of Montgomery and payable at the close of the first full pay period following the employee's anniversary of hire. The amount of the bonus shall correspond to the following schedule:

<i>Length of Service</i>	<i>Amount</i>
1 Year or more	\$100 and an additional \$50 per year of service after 1 year up to 5 years of service
5 Years or more	\$500 and an additional \$50 per year of service after 5 years up to 10 years of service
10 Years or more	\$1,000 and an additional \$50 per year of service after 10 years up to 15 years of service
15 Years or more	\$1,500 and an additional \$50 per year of service after 15 years up to 20 years of service
20 Years or more	\$2,000 and an additional \$50 per year of service after 20 years up to 25 years of service
25 Years or more	\$2,500 and an additional \$50 per year of service after 25 years up to 30 years of service
30 Years or more	\$3,000 and an additional \$50 per year of service after 30 years

(B) A municipal employee who is rated, graded or tested for qualification or for performance of the duties assigned to that employee shall not receive his or her longevity payment for any year in which the employee fails to secure a satisfactory performance review.

(Ord. 19-1995, passed 6-7-95; Am. Ord. 9-1998, passed 7-1-98; Am. Ord. 11-1999, passed 7-7-99; Am. Ord. 12-1999, passed 7-21-99; Am. Ord. 4-2012, passed 3-7-12)

#### **§ 34.08 COLLECTIVE BARGAINING AGREEMENT.**

If anything contained in this chapter should be in conflict with provisions of a collective bargaining agreement governing the employment of municipal personnel, the terms of such collective bargaining agreement shall supersede and shall prevail over provisions of this chapter.

(Ord. 15-1989, passed 5-3-89; Am. Ord. 11-1999, passed 7-7-99)

#### **§ 34.09 TRANSITIONAL EMPLOYMENT APPOINTMENTS.**

During an employment transition, such as the retirement or resignation of an employee, when an overlapping period of employment with the transitioning employee and the proposed appointee may be important for succession training, the City Manager is authorized to appoint two persons to the same job position within the City. Such overlap appointment may not exceed a period of 45 days and the cost for such overlapping appointment must be appropriately budgeted. Under such circumstances, the incumbent, or transitioning employee, will hold the official job designation for all statutory, signatory, and decision-making purposes.

(Ord. 20-2014, passed 12-17-14)

### **BOND**

#### **§ 34.15 MUNICIPAL OFFICIALS.**

(A) The following elected and appointed officials of the municipality shall, upon election or appointment to office, furnish a corporate surety bond issued by a company authorized to do business in Ohio to protect the municipality against loss due to his/her actions in the amounts set forth below. Premiums thereon shall be paid by the municipality.

(1) City Manager: \$25,000

(2) Finance Director: \$25,000

(3) Assistant Finance Director/Tax Commissioner: \$25,000

(B) Whenever, in the opinion of the City Manager, by reason of the scope and nature of the responsibilities of a position in the municipal service, bonding is considered desirable in order to protect the interests of the municipality, the City Manager shall require that such officer or employee furnish an official bond in an amount he/she deems sufficient, based upon his/her evaluation of the amount of money or negotiable paper for which such officer or employee is responsible.

(Ord. 30-1973, passed 12-27-73; Am. Ord. 27-1981, passed 10-7-81; Am. Ord. 11-1999, passed 7-7-99; Am. Ord. 4-2012, passed 3-7-12)



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City of Montgomery  
City Council Work Session Minutes  
March 20, 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  
Sasha Naiman, Vice Mayor  
Lee Ann Bissmeyer  
Catherine Mills-Reynolds  
Chris Dobrozsi  
Ken Suer

Council Members Absent

Craig Margolis

City Council convened its Work Session for March 20, 2024 at 6:00 p.m. at City Hall with Mayor Messer presiding.

ROLL CALL

Mayor Messer explained that Mr. Margolis was not in attendance at the meeting and asked for a roll call.

The roll was called and showed all members present except for Mr. Margolis.

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

SPECIAL PRESENTATION

Mayor Messer explained that the scheduled presentation from Judge Jennifer Kingsley has been postponed.

LEGISLATION FOR CONSIDERATION THIS EVENING

There was no legislation for consideration at the meeting.

ESTABLISHING AN AGENDA FOR APRIL 3, 2024 BUSINESS SESSION

PENDING LEGISLATION

There was no pending legislation.

NEW LEGISLATION

**An Ordinance Establishing The Schedule Of Municipal Compensation For Employees**

Mayor Messer assigned the legislation to Mr. Dobrozsi.

Mr. Riblet explained that traditionally the City's Schedule of Municipal Compensation for non-collective bargaining and exempt employees is adjusted annually in July to be consistent with collective bargaining employee wage rate adjustments. The current Schedule of Municipal Compensation does not specify any wage rate adjustments for July 2024 or beyond; therefore, a new compensation schedule needs to be adopted. He stated that a long-established goal of the City has been to maintain consistency with cost of living adjustments for its collective bargaining and non-collective bargaining and exempt employees. Last year in collective bargaining



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55 with the American Federation of State, County and Municipal Employees (AFSCME), a contract agreement was  
56 reached for full-time bargaining unit Public Works Department employees which included wage increases of  
57 3.00% effective in September 2023, 3.75% effective in September 2024, and 4.00% effective in September 2025.  
58 Through a collective bargaining agreement with the Fraternal Order of Police (FOP), full-time patrol officers and  
59 sergeants will receive a 3.75% wage increase in July 2024. Full-time firefighter/paramedics and fire lieutenants  
60 who are under a collective bargaining agreement with the International Association of Firefighters (IAFF) are in  
61 the final year of their contract and staff will be conducting negotiations with this bargaining unit in the upcoming  
62 months. Mr. Riblet pointed out that while all classifications remained the same, a mechanic position was added to  
63 Range 5 to provide the Public Works department with a full time mechanic replacing the void left with the  
64 retirement of Robert Dunham.

65  
66 Mr. Riblet added that it should also be noted that a comprehensive position wage survey of comparable local  
67 communities (Blue Ash, Forest Park, Indian Hill, Loveland, Madeira, Mason, Sharonville, Springdale and  
68 Wyoming) was conducted earlier this year. From the survey results staff were able to determine that with an  
69 adjustment to the pay ranges for our position classifications consistent with cost of living adjustment (COLA)  
70 increases scheduled for our bargaining unit employees, our pay ranges would remain competitive in comparison  
71 to these other communities. With a 3.75% COLA increase for July 2024, and a 4.00% COLA increase for July  
72 2025, wage ranges for our position classifications would generally continue to rank among the top third among  
73 the surveyed communities.

74  
75 Mr. Dobrozsi stated that he was glad a mechanic position was being added. He thanked staff for their work on  
76 updating the schedule and supported the recommendation.

77  
78 Mr. Suer stated he was fine with the changes and supports keeping all staff up to date on equal cost of living rates.

79  
80 **An Ordinance Amending Chapter 34, Personnel Policies; Bond**

81  
82 Mayor Messer assigned the legislation to Mr. Dobrozsi.

83  
84 Mr. Riblet explained that earlier this year, City Administration along with key staff members and members of the  
85 Goal F Team of the City of Montgomery 2022-2026 Strategic Plan, began a comprehensive review of Chapter 34  
86 of the Montgomery Ohio Code of Ordinances to update many sections to be more adaptive of the current  
87 environment locally and regionally, and to be more reflective of the work environment and culture of the City of  
88 Montgomery's organization.

89  
90 Mr. Riblet stated that as part of the work associated with Goal F of the current Strategic Plan, staff evaluated  
91 Chapter 34 to continue the desire of cultivating a "Top Workplace" culture and doing this by increasing the ability  
92 to both recruit and retain exceptional employees to ensure that staffing levels and quality of services are meeting  
93 the demands of the community.

94  
95 Mr. Riblet provided an overview of the changes to City Council. He pointed out that many of the changes were  
96 grammatical and updating terminology; however, there were some changes that were more substantive. He  
97 highlighted the deletion of a Bonus Program that was established many years ago and never used. He explained  
98 that staff supported deleting that from the Code. He detailed updates to the sick leave buy-out clause, adding in  
99 employees with 5-9 years of service; the addition of the updated Bereavement Leave; and the new Parental Leave  
100 section. Lastly, Mr. Riblet explained the update to the Longevity Pay table that had not been updated for  
101 approximately 20 years or more. Again, payout for an employee with one year of service up to four years was

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102 added to provide all employees with a benefit from this policy. Mr. Riblet closed by saying that these changes  
103 will go a long way in sending a message to new and long-term employees of their value to the City.

104  
105 Mr. Suer stated that he felt the proposed changes make sense and look reasonable.

106  
107 Vice Mayor Naiman asked if Bereavement Leave was allowed only one time a year or for each qualifying event.

108  
109 Mr. Riblet responded that it was for each qualifying event.

110  
111 Vice Mayor Naiman stated that something to consider for the future is to allow Bereavement Leave to be used in  
112 nonconsecutive days.

113  
114 Mr. Riblet stated that the policy specifies that he has the authority to waive the consecutive requirement for special  
115 circumstances.

116  
117 Mr. Dobrozsi stated that he felt the changes were long overdue.

118  
119 Mrs. Mills-Reynolds asked if staff were still eligible for a bonus.

120  
121 Mr. Riblet replied that while the language for bonuses was in Chapter 34 of the Code, it was never used and he  
122 felt it was very subjective, not supporting the culture of the City. He stated that with this update the bonus language  
123 would be stricken from the section of the Code. He added that every staff member has an annual review that could  
124 result in a performance increase and then their annual cost of living increase. He explained that if a staff member  
125 has topped out of their pay range, they then could qualify for a 2% merit increase as well. He stated that this was  
126 the standard for all staff.

127  
128 Mrs. Bissmeyer stated that all the changes were good and overdue and important for recruitment and retention  
129 efforts. She asked if the Code would be reviewed annually or biannually.

130  
131 Mr. Riblet replied that it is his goal to review the Code as a companion piece to the compensation schedule  
132 biannually.

133  
134 **ADMINISTRATION REPORT**

135  
136 Mr. Riblet reported the following items:

- 137
- 138 • A Council Business Session is scheduled for Wednesday, April 3 immediately following a Public Hearing  
139 scheduled for 5:45 p.m.
  - 140
  - 141 • Staff would also like to request a CIC meeting prior to the Public Hearing at 5:30 p.m. to consider a historic  
142 matching grant application for property owned by Ann Henry at 7960 Remington Road. City Council  
143 agreed to scheduling the CIC meeting.
  - 144
  - 145 • The Financial Planning Committee will hold their monthly meeting on Monday, April 1 at 4:30 p.m. The  
146 Law and Safety has cancelled their meeting for the month of April. Mr. Suer suggested that the Planning  
147 Zoning and Landmarks Committee meet on April 1 to conduct interviews for the Landmarks Commission.  
148 It was determined that the meeting would meet at 5:00 p.m. with Ms. Gaylor confirming interview times.
  - 149

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- Mr. Riblet suggested that the Committee meetings typically scheduled for Monday, April 8 be postponed to Monday, April 15 as April the 8<sup>th</sup> is the Solar Eclipse and there are many activities centered around it that day. He explained that there are agenda items for Government Affairs and asked Mrs. Mills-Reynolds if the Parks and Recreation Committee would be holding a meeting to conduct interviews for a vacancy on the Parks and Recreation Commission. Mrs. Mills-Reynolds replied that if the other Committee members were agreeable to conduct interviews, she would like to schedule the Committee meeting on April 15. Mr. Riblet suggested holding the Government Affairs Committee meeting at 3:30 p.m. followed by the Parks and Recreation Committee meeting to allow time for interviews later in the afternoon. All Committee members agreed to the schedule.
  - Mr. Riblet formally thanked Amy Frederick and Matthew Vanderhorst as well as all staff for another successful Montgomery Citizens Leadership Academy.
  - A sign that Spring has arrived is the annual pansy planting performed by the Public Works Department. On Wednesday, 740 pansies were delivered to the public works facility and will be planted over the next couple of days. This is on top of the other "Spring has sprung" duties of prepping parks, restrooms, fountains, ponds, playgrounds, etc.
  - Staff met today with representatives from the Development Team and Cushman Wakefield to further discuss programming at the MQ. Staff are tentatively targeting Friday, June 7 for a larger event to include a band. Staff anticipates finalizing this in the next two weeks so we can advertise in the May Bulletin.

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172 Human Resources

- 173
- Dan Pohl and Andy McGuffey will start on April 1. Both individuals come from the Fairfield Police Department.
  - Emilie Ziese has been hired as a firefighter/paramedic and she will begin employment with us on April 5. Emilie is currently employed by Goshen Township Fire Department.

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180 Events

- 181
- A reminder that the second annual Mental Health Fair will be held on Saturday, April 6 from 9:00-11:30 a.m. at Twin Lakes. There are currently 26 vendors committed for the event.
  - A reminder that the Volunteer Walk of Fame Ceremony will be held on Wednesday, April 17 at 5:30 p.m., prior to the Work Session meeting.
  - Also, the annual Volunteer Dinner is scheduled for the following Wednesday, April 24 at Montgomery Inn. Social hour begins at 6:30 with the program commencing at 7:30.

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191 Mr. Riblet requested an Executive Session for matters related to preparing for negotiations with public employees and also to consider the purchase or sale of real estate for a public purpose.

192

193

194 LAW DIRECTOR REPORT

195

196 Mr. Donnellon reported that he was working through title issues at the Montgomery Quarter and has one parcel left to complete title work on.

197

198

199



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200 **CITY COUNCIL REPORTS**

201

202 **Mrs. Bissmeyer**

203

204 Mrs. Bissmeyer reported that she attended a Comprehensive Plan meeting along with Mr. Dobrozsi and Mr. Suer  
205 and feels the plan development is on track.

206

207 Mrs. Bissmeyer explained that interviews have been conducted with applicants for the two vacancies on the Board  
208 of Zoning Appeals. As a result, she made a motion for the following appointments:

209

210 • Mark Berliant to the Board of Zoning Appeals with a term ending January 31, 2026

211 • Eric T. Roth to the Board of Zoning Appeals with a term ending January 31, 2028

212

213 As this was a Planning, Zoning and Landmarks Committee recommendation, no second was needed. City Council  
214 unanimously agreed to the appointments.

215

216 **Mrs. Mills-Reynolds**

217

218 Mrs. Mills-Reynolds reported the following:

219

220 • The Parks and Recreation Commission has changed their meeting times to 5:30 p.m. Jorge Tameron was  
221 voted to be the Chair, Reza Ghoorkhanian is the Vice Chair and John Tholking remains the Secretary. She  
222 added that the Montgomery Amazing Race will be held on September 28.

223 • The Beautification and Tree Commission will hold their next Tree Talk on April 9 and basket planting is  
224 scheduled for April 16 at 9:00 a.m.

225 • She attended a Sycamore Advisory Council and is participating on a Work Force Team as part of their  
226 strategic planning session. She stated the Team would present their ideas on April 8, focusing on retention  
227 of high school graduates moving on to higher education.

228

229 **Mr. Dobrozsi**

230

231 Mr. Dobrozsi reported the following:

232

233 • The Government Affairs Committee met on March 11 and discussed the Boards and Commission  
234 appointment process. He stated there would be more discussion among the Committee to come and  
235 anticipated bringing an update to all of Council in the future. He added that the Committee also discussed  
236 Elected Officials compensation and would report back to Council on that in the future as well.

237 • The Sister Cities Commission did not meet in March due to the elections but is still very busy with Bastille  
238 Day planning, securing food vendors and sponsorship.

239 • The Arts Commission held the annual Improv Show at the Universalist Church. He stated that the group of  
240 Sycamore Students that participated in this show were very impressive, and it was a great show. He added  
241 that all Live at the Uni shows for 2024 were scheduled and would be shared in an upcoming Bulletin. The  
242 Food Tour opened for registration and is already sold out. The Tour is on April 27.

243 • He added to Mrs. Bissmeyer's comments about the Comprehensive Plan meeting, stating that Yard &  
244 Company have led a great process.

245 • He praised staff again for an awesome MCLA program.

246 • He will be out of town from April 17 through April 29 so he will miss the Volunteer Walk of Fame  
247 Ceremony and the Volunteer Walk of Fame.

248

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**Vice Mayor Naiman**

Vice Mayor Naiman reported the following:

- She is excited about Asha, the therapy dog, joining the staff and felt that she would be a great support for staff and outreach to the community.
- She stated she also agreed with the compliments regarding MCLA and the graduation, stating how very nice it was run.
- She reported that the Diversity and Inclusion Commission met at which time an update was given on the war in Ukraine and how it is effecting local refugees. She stated that the Commission is also continuing the work of diversifying City marketing materials.
- The Civil Service Commission met and approved a Police Patrol eligibility list.

**Mr. Suer**

Mr. Suer added to Mr. Dobrozsi's comments about the Board and Commission appointment process stating that included in the Training Manual is a list of selection criteria that is very detailed and seems to be working well. He stated that there is a good framework for this process but there could be a few things that could be tweaked. Overall, he feels the process works well.

Mr. Suer stated that the Comprehensive Plan process is coming along but there is more to be done. He stated that Mr. Chesar and Ms. Henao have a good handle on it.

**Mr. Margolis**

Mr. Margolis was absent from the meeting.

**Mayor Messer**

Mayor Messer reiterated how great the MCLA program is.

Mayor Messer reported on the Know Your Neighbor program conducted by the group *Equasion*, which is made up of several Diversity and Inclusion members and focuses on bringing all faiths together to work to bring inclusion into the discussion.

**MINUTES**

Mr. Dobrozsi moved to accept the March 6, 2024 Business Session minutes as written. Vice Mayor Naiman seconded. City Council unanimously agreed.

**EXECUTIVE SESSION**

Mayor Messer asked for a motion for City Council to adjourn into Executive Session for matters related to preparing for negotiations with public employees and also to consider the purchase or sale of real estate for a public purpose.

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298 Vice Mayor Naiman made a motion to adjourn into Executive Session for matters related to preparing for  
299 negotiations with public employees and also to consider the purchase or sale of real estate for a public purpose. Mr.  
300 Dobrozsi seconded.

301

302 The roll was called and showed the following vote:

303

304 AYE: Bissmeyer, Mills-Reynolds, Dobrozsi, Messer, Naiman, Suer (6)

305 NAY: (0)

306 ABSENT: Margolis (1)

307

308 City Council adjourned into Executive Session at 6:52 p.m.

309

310 City Council returned to Public Session at 7:45 p.m.

311

312 **ADJOURNMENT**

313

314 Mayor Messer asked if there was any further business to discuss in Public Session. There being none he asked for  
315 a motion to adjourn.

316

317 Mr. Dobrozsi moved to adjourn. Vice Mayor Naiman seconded. City Council unanimously agreed.

318

319 City Council adjourned at 7:45 p.m.

320

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322

323

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Connie Gaylor, Clerk of Council