

December 13, 2024

TO: Mayor and City Council Members

FROM: Brian K. Riblet, City Manager 

SUBJECT: City Council Work Session of Wednesday, December 18, 2024

As a reminder, City Council is scheduled to meet in Work Session on Wednesday, December 18, 2024 immediately following the conclusion of the Montgomery Community Improvement Corporation (CIC) meeting at 5:45 p.m.

### CIC Meeting

A CIC meeting is scheduled at 5:45 p.m. to consider a Historical Matching Grant Application for 7816 and 7786 Cooper Road. A motion was made to commence with the Work Session immediately following the conclusion of the meeting.

### Work Session

1. Call to Order
2. Roll Call
3. Special Presentation
  - a. Kyle Boeckermann and family will be at Council to introduce the newest member of the Montgomery family, Mac Boeckermann
4. Guest and Residents
5. Legislation for Consideration this Evening
  - a. An Ordinance to Modify Appropriations for Current Expenses and Other Expenditures of the City of Montgomery, State of Ohio, During the Fiscal Year Ending December 31, 2024—Please find attached correspondence from Maura Gray, Finance Director, requesting that City Council approve this Ordinance that will amend appropriations for current expenses and other expenditures during the fiscal year ending December 31, 2024. The year-end supplemental appropriations are necessary to reconcile line items which had expenditures exceed budget for various reasons, which need additional appropriations or are required to be reduced by law.

*Add to the Agenda*

*Voice Vote*

*Assign to a City Council Member*

*Move to read the Ordinance by title only*

*Voice Vote*

*Read title and move to suspend the rules requiring reading of the Ordinance on three separate occasions.*

*Roll Call Vote*

*Explain Ordinance*

*Roll Call Vote*

## 6. Establishing an Agenda for January 8, 2025 Business Session

### Pending Legislation

- a. An Ordinance Establishing Compensation For Elected Officials— (Mr. Dobrozsi-3<sup>rd</sup> reading) Information has been previously supplied on this legislation that, if approved, would initiate the process to increase compensation for Council Members and the Mayor commencing January 1, 2026. The Charter allows Council to set compensation for Council Members, but the compensation cannot be increased during a Council Member's term. As a result, those Council Members elected in November 2025 will see an increase in compensation January 1, 2026, whereas those Council Members who are elected for a full term of office in November 2027 will see the increase effective January 1, 2028. Since the Mayor is appointed by Council and the Mayor's term does not commence until after the organizational meeting, the additional stipend for the Office of the Mayor will commence January 1, 2026.

*Add this Ordinance to the January 8, 2025 Business Session with adoption of the Ordinance requested at that meeting.*

### New Legislation

- a. A Resolution of the City of Montgomery, of Ohio, Supporting the Ohio Commission for the United States Semi-Quincentennial (America250-OH)— Please find attached correspondence from Tracy Henao, Assistant City Manager, requesting that City Council consider approving this Resolution that, if passed, will allow the City to become an official AM 250-OH Community and support the efforts of celebrating the 250th anniversary of America.



*Add this Resolution to the January 8, 2025 Business Session agenda, assign it to a City Council member for reading, and consider adoption of the Resolution that evening.*

- b. A Resolution Requesting The County Auditor To Make Tax Advances During The Year 2025 Pursuant To Ohio Revised Code § 321.34 —Please find attached correspondence from Maura Gray, Finance Director, requesting that City Council approve this Resolution that will allow the advance payment of taxes to be drawn on the undivided real estate tax fund of Hamilton County. City Council passed legislation to advance taxes for collection year 2024 on September 4, 2024. Hamilton County requires passage of this legislation for each collection year.

*Add this Resolution to the January 8, 2025 Business Session agenda, assign it to a City Council member for reading, and consider adoption of the Resolution that evening.*

- c. A Resolution Delegating Authority To Make Declarations Of Official Intent And Allocations With Respect To Reimbursements Of Temporary Advances During Fiscal Years 2025 And 2026 Made For Capital Improvements To Be Made From Subsequent Borrowings For The Montgomery Quarter Redevelopment Project (Formerly Known As The Gateway Redevelopment Project)—Please find attached correspondence from Terry Donnellon requesting that City Council approve this Resolution that is required by U.S. Treasury regulations to allow the City to advance certain monies for Stage II of the Montgomery Quarter Redevelopment Project. The City has issued previous reimbursement Resolutions for Stage I and an initial Resolution for Stage II governing calendar years 2023 and 2024. This Resolution will extend the City's right to claim reimbursement during calendar years 2025 and 2026.

*Add this Resolution to the January 8, 2025 Business Session agenda, assign it to a City Council member for reading, and consider adoption of the Resolution that evening.*

- 7. Administration Report
- 8. Law Director Report
- 9. City Council Member Reports
  - a. Mrs. Bissmeyer
  - b. Mrs. Mills-Reynolds
  - c. Mr. Dobrozsi
  - d. Vice Mayor Naiman
  - e. Mr. Suer



f. Mr. Margolis

g. Mayor Messer

10. Approval of Minutes-December 4, 2024 Business Session

11. Other Business

- a. Liquor License Request— Please see the attached correspondence from Police Chief John Crowell regarding a notice received from the Ohio Division of Liquor Control for a change to an existing liquor permit for Kanak India at 10040 B. Montgomery Road.

*Make a Motion to have or not have a hearing regarding this request*

*Voice Vote*

12. Executive Session

13. 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





December 18, 2024

City Hall

Immediately following the CIC meeting at 5:45 p.m.

1. Call to Order
2. Roll Call
3. Special Presentation
4. Guests and Residents
5. Legislation for Consideration This Evening
  - a. An Ordinance to Modify Appropriations for Current Expenses and Other Expenditures of the City of Montgomery, State of Ohio, During the Fiscal Year Ending December 31, 2024

*Add to the Agenda*

*Voice Vote*

*Assign to a City Council Member*

*Move to read the Ordinance by title only*

*Voice Vote*

*Read title and move to suspend the rules requiring reading of the Ordinance on three separate occasions.*

*Roll Call Vote*

*Explain Ordinance*

*Roll Call Vote*

6. Establishing an Agenda for the January 8, 2025 Business Session

Pending Legislation

- a. An Ordinance Establishing Compensation For Elected Officials—(Mr. Dobrozsi-3<sup>rd</sup> reading)

*Add this Ordinance to the January 8, 2025, Business Session with adoption of the Ordinance requested at that meeting.*

## New Legislation

- a. A Resolution of the City of Montgomery, of Ohio, Supporting the Ohio Commission for the United States Semi-Quincentennial (America250-OH)

*Add this Resolution to the January 8, 2025 Business Session agenda, assign it to a City Council member for reading, and consider adoption of the Resolution that evening.*

- b. A Resolution Requesting The County Auditor To Make Tax Advances During The Year 2025 Pursuant To Ohio Revised Code § 321.34

*Add this Resolution to the January 8, 2025 Business Session agenda, assign it to a City Council member for reading, and consider adoption of the Resolution that evening.*

- c. A Resolution Delegating Authority To Make Declarations Of Official Intent And Allocations With Respect To Reimbursements Of Temporary Advances During Fiscal Years 2025 And 2026 Made For Capital Improvements To Be Made From Subsequent Borrowings For The Montgomery Quarter Redevelopment Project (Formerly Known As The Gateway Redevelopment Project)

*Add this Resolution to the January 8, 2025 Business Session agenda, assign it to a City Council member for reading, and consider adoption of the Resolution that evening.*

## 7. Administration Report

## 8. Law Director Report

## 9. City Council Member Reports

- a. Mrs. Bissmeyer
- b. Mrs. Mills-Reynolds
- c. Mr. Dobrozsi
- d. Mrs. Naiman
- e. Mr. Suer
- f. Mr. Margolis
- g. Mayor Messer

## 10. Approval of Minutes- December 4, 2024 Business Session

## 11. Other Business

- a. Liquor License Request- Kanak India at 10040 B. Montgomery Road

*Make a Motion to have or not have a hearing regarding this request*

*Voice Vote*

## 12. Executive Session

## 13. 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



December 13, 2024

TO: Brian K. Riblet, City Manager

FROM: Maura Gray, Finance Director *mg1*

SUBJECT: Ordinance Request to Amend Appropriations for Current Expenditures During Fiscal Year 2024

### Introduction

It is necessary for City Council to consider an ordinance to amend the appropriations for current expenditures for FY 2024 to balance the FY 2024 Budget.

### Financial Impact

There are no transfers of cash needed to balance the 2024 Budget. Total reduction in all funds appropriation is \$369,763.10. There is an adequate fund balance in each fund to support the appropriations.

### Background

The original FY 2024 Budget included a total appropriation of \$36,057,455, as passed on Ordinance #14, 2023. Ordinance #6, 2024 increased appropriations by \$482,000. Ordinance #7, 2024 corrected appropriations as they pertained to fund allocation. Ordinance #9, 2024 decreased appropriations \$2,313,813 for a current total appropriation (including transfers) of \$34,225,642. As of the December 10th review of appropriations, there are appropriations changes requested to align appropriation with estimated year end expenditures.

### Financial Impact

General Fund- Adjustments to the personnel object lines are primarily due to overtime and staffing. The decreases suggested for the non-personal object lines are due to anticipated costs in general operating projects being lower than anticipated. Some operating expenditures were reallocated in the 2025 budget.

Special Revenue Funds- Due to the new 2024 Final Rule for ARPA funds, all funds previously set aside as a result of the 2022 Final Rule are required to be obligated by 12/31/2024. Applicable expenses from the Capital Project Fund have been reclassified to the Pandemic Relief Fund to comply with the newest Final Rule.

Debt Service Funds-Increased Montgomery Quarter TIF taxes received necessitated the school compensation to increase as well. In addition, the issuance legal costs on our Bond Anticipation Notes were lower than expected.

Capital Project Funds- Capital Project funds expended are lower than expected due to the reclassification of some project funds to the Pandemic relief fund to comply with the newest Final Rule for ARPA funds.

Fiduciary Funds- Compensated Absence funds expended were slightly lower than the amounts budgeted.

All funds total appropriation budget for 2024 is reduced to \$33,855,878.90.

### Recommendation

It is recommended that City Council pass the proposed ordinance to amend appropriations for the FY 2024 Budget.

## Final Appropriation Revision 2024

<b>Fund</b>	<b>Personnel</b>	<b>Non-Personnel</b>	<b>Total</b>
101 Police Department	107,000.00	(15,000.00)	92,000.00
106 Disaster Services		(1,000.00)	(1,000.00)
201 Public Health and Welfare		(2,000.00)	(2,000.00)
301 Recreation	-		-
303 City Parks	-	(15,000.00)	(15,000.00)
407 Development	(18,500.00)	(30,000.00)	(48,500.00)
408 Planning Commission		(100,000.00)	(100,000.00)
409 Historical Building Operations		(5,000.00)	(5,000.00)
701 City Administration	4,000.00		4,000.00
702 Finance Department		(5,000.00)	(5,000.00)
703 Legal Administration		(40,000.00)	(40,000.00)
709 Public Works Administration	(24,000.00)	(40,000.00)	(64,000.00)
712 Community & Information Svcs	(2,500.00)	(15,000.00)	(17,500.00)
715 General Government	(9,000.00)	112,000.00	103,000.00
<b>General Fund</b>	<b>57,000.00</b>	<b>(156,000.00)</b>	<b>(99,000.00)</b>
215 Law Enforcement		(50,000.00)	(50,000.00)
218 Mayor's Court Technology		(2,000.00)	(2,000.00)
219 Community Oriented Policing	(11,000.00)		(11,000.00)
222 Pandemic Relief		241,236.90	241,236.90
223 Fire Department	41,000.00	(86,000.00)	(45,000.00)
261 Street Maintenance and Repair	-	(5,000.00)	(5,000.00)
<b>Special Revenue Funds</b>	<b>30,000.00</b>	<b>98,236.90</b>	<b>128,236.90</b>
324 General Bond Retirement		(7,000.00)	(7,000.00)
329 Montgomery Quarter TIF Fund		40,000.00	40,000.00
<b>TIF/ Debt Service Funds</b>	<b>-</b>	<b>33,000.00</b>	<b>33,000.00</b>
410 Capital Improvements		(312,000.00)	(312,000.00)
480 Downtown Improvements		(100,000.00)	(100,000.00)
<b>Capital Funds</b>	<b>-</b>	<b>(412,000.00)</b>	<b>(412,000.00)</b>
875 Compensated Absence	(20,000.00)		(20,000.00)
<b>Fiduciary Funds</b>	<b>(20,000.00)</b>	<b>-</b>	<b>(20,000.00)</b>
	67,000.00	(436,763.10)	(369,763.10)



**ORDINANCE NO.     , 2024**

**AN ORDINANCE TO AMEND APPROPRIATIONS FOR CURRENT EXPENSES  
AND OTHER EXPENDITURES OF THE CITY OF MONTGOMERY, STATE OF OHIO,  
DURING THE FISCAL YEAR ENDING DECEMBER 31, 2024**

**WHEREAS**, on December 6, 2023, Council adopted Ordinance No. 14, 2023 entitled, *An Ordinance To Make Appropriations For Current Expenses And Other Expenditures Of The City of Montgomery, State of Ohio, During The Fiscal Year Ending December 31, 2024*, ("Appropriation Ordinance"), appropriating a total of \$36,057,455 for the year 2024; and

**WHEREAS**, on July 10, 2024, Council passed Ordinance No. 6, 2024 to amend fiscal year 2024 appropriations to balance fund expenditures; and

**WHEREAS**, on September 4, 2024, Council passed Ordinance No. 7, 2024 to correct such appropriation balances; and

**WHEREAS**, on November 6, 2024, Council passed Ordinance No. 9, 2024 to amend fiscal year 2024 appropriations to balance fund expenditures; and

**WHEREAS**, as the fiscal year is being closed, appropriations within certain Funds need to be balanced to match expenditures and appropriations and must be adjusted.

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

**SECTION 1.** Effective immediately, in order to provide for the ongoing expenses and other expenditures of the City of Montgomery, Ohio for fiscal year 2024 to balance appropriations in certain Funds, the attached Schedule A, Adjustment to

Appropriations, is hereby adopted as if fully set forth herein, and funds are hereby re-appropriated consistent therewith.

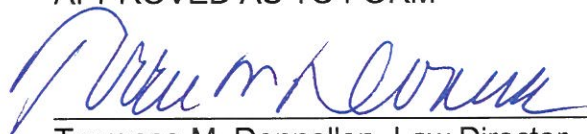
**SECTION 2.** This Ordinance shall take effect the earliest opportunity as allowable by law.

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

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

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

APPROVED AS TO FORM



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

**Schedule A**

Fund Number	Fund Title	Appropriation	Increase/ Decrease	Adjusted Appropriation
101	General Fund	13,835,132.00	(99,000.00)	13,736,132.00
215	Law Enforcement	74,500.00	(50,000.00)	24,500.00
218	Mayor's Court Technology	11,125.00	(2,000.00)	9,125.00
219	Community Oriented Policing	139,543.00	(11,000.00)	128,543.00
222	Pandemic Relief	-	241,236.90	241,236.90
223	Fire Department	5,388,601.00	(45,000.00)	5,343,601.00
261	Street Maintenance and Repair	1,202,662.00	(5,000.00)	1,197,662.00
324	General Bond Retirement	855,200.00	(7,000.00)	848,200.00
329	Montgomery Quarter TIF	1,078,893.00	40,000.00	1,118,893.00
410	Capital Improvements	6,347,990.00	(312,000.00)	6,035,990.00
480	Downtown Improvements	400,550.00	(100,000.00)	300,550.00
875	Compensated Absence	80,000.00	(20,000.00)	60,000.00
	Total of Changed Funds	29,414,196.00	(369,763.10)	29,044,432.90



**ORDINANCE NO.                      , 2024**

**AN ORDINANCE ESTABLISHING COMPENSATION FOR ELECTED OFFICIALS**

**WHEREAS**, Section 3.05 of the Charter of the City of Montgomery, Ohio, requires Council to fix the compensation for City officers and employees, including elected officials; and

**WHEREAS**, after several years and a review of the compensation paid by other communities to their public officials, Council believes it is appropriate to increase the compensation to be paid to Council Members and the Mayor to better reflect the time commitment and at times the related cost to serve in this public role; and

**WHEREAS**, the Charter and Ohio law do not permit an increase in compensation by an elected official during his or her term of office, so any increase as provided herein shall be staggered to commence with the new term of office for public officials elected in 2025 and those whose term may commence in 2027.

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

**SECTION 1.** Commencing January 1, 2026, persons elected to Council for the term commencing at the organizational meeting in December 2025 shall be paid a salary of Five Thousand Dollars (\$5,000) per year, payable in convenient increments consistent with the payroll practices of the City.

**SECTION 2.** Commencing January 1, 2028, persons elected to Council for the term commencing at the organizational meeting in December 2027 shall be paid a salary of Five Thousand Dollars (\$5,000) per year, payable in convenient increments

consistent with the payroll practices of the City.

**SECTION 3.** Additionally, commencing January 1, 2026, the Council Member chosen by the Members of Council to serve as Mayor for the two-year Council term commencing at the organizational meeting in December 2025 shall receive an additional One Thousand Dollars (\$1,000) annual stipend for the additional duties and responsibilities for service as Mayor.

**SECTION 4.** All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.

**SECTION 5.** 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

December 13, 2024

TO: Brian K. Riblet, City Manager  
CC: Kevin Chesar, Community Development Director  
FROM: Tracy Henao, Assistant City Manager  
SUBJECT: America 250 - Ohio

### Background

On July 4, 2026, our nation will commemorate and celebrate the 250<sup>th</sup> anniversary of the signing of the Declaration of Independence. To commemorate and celebrate the country's 250th anniversary, America 250 was created. The mission of America 250 is "To commemorate and celebrate our 250th anniversary with inclusive programs that inspire Americans to renew and strengthen our daring experiment in democracy. The shared experiences of America250 will have ignited our imaginations, elevated our diverse stories, inspired service in our communities, and demonstrated the lasting durability of the American project".

America 250 - Ohio is a commission charged with preparing the state to participate in the United States of America's 250th anniversary. It is a multi-year commemoration where Ohioans from all 88 counties will be in the spotlight of the impact Ohio's unique role in our nation's story. The effort will tell the story of Ohio, from the Native Americans to people who call Ohio home today. America 250 - Ohio is requesting assistance from communities throughout Ohio to become official America 250 - OH (AM 250-OH) communities and help create exciting and engaging opportunities to celebrate and commemorate the 250<sup>th</sup> anniversary.

AM 250-OH communities will receive special recognition and a designation including signage, website recognition, event promotion, resources, and connections to other AM 250 - OH communities. Additionally, there is an opportunity for grant funding to assist with local activations that are supplemental to the programs that America 250 - Ohio is producing statewide.

### Request

To become an official AM 250-OH community, it is requested that City Council pass a Resolution supporting the initiative and Montgomery's participation in the program. Given the City's history and dedication to historic preservation and education, Staff



believes that becoming an official AM 250-OH community is a natural fit and will aid in drawing more attention and visitors to the City's cherished Heritage District. Therefore, Staff is in support of City Council passing a resolution to become an official AM 250-OH Community and support the efforts of celebrating the 250<sup>th</sup> anniversary of America.

**RESOLUTION NO.           , 2024**

**A RESOLUTION OF THE CITY OF MONTGOMERY, OHIO SUPPORTING  
THE OHIO COMMISSION FOR THE UNITED STATES SEMI-QUINCENTENNIAL  
(AMERICA250-OH)**

**WHEREAS**, the Ohio legislature and the Governor created AMERICA250-OH in 2021 to plan, encourage, develop and coordinate the commemoration of the 250th anniversary of the United States' Ohio integral role in that event and the role of its people in the nation's past, present and future; and

**WHEREAS**, AMERICA250-OH hopes to engage ALL Ohioans, all 88 Counties and multiple local governments through their many signature and officially recognized programs, projects and events over the next several years by inspiring future leaders and celebrating the contributions of all Ohioans to the nation's success over the last 250 years; and

**WHEREAS**, by adoption of the AMERICA250-OH Resolution, Council hopes to educate, preserve, innovate, and celebrate this historic milestone.

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

**SECTION 1.** The City of Montgomery hereby endorses AMERICA250-OH and its mission to educate, preserve, innovate and celebrate every Ohioan in every County, City, Village and Township.

**SECTION 2.** A copy of this Resolution be sent to the Ohio Municipal legislative delegation and AMERICA250-OH Commission.

**SECTION 3.** This Resolution shall be in full force and effect from and after its passage.

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

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

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

APPROVED AS TO FORM:

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

December 10, 2024

TO: Brian K. Riblet, City Manager

FROM: Maura Gray, Finance Director *mg*

SUBJECT: ORC 321.34 Advance Payment of Taxes for Collection Year 2025

## Background

The Ohio Revised Code section 321.34 allows for the advance payment of taxes to be drawn on the undivided real estate tax fund of Hamilton County. City Council passed legislation to advance taxes for collection year 2024 on September 4, 2024. Hamilton County requires passage of this legislation for each collection year.

## Financial Impact

In November of 2024, our General Operating Account earned a 4.39 percent annual yield. Our Property Tax Settlement total is approximately 7 million dollars per half year. Currently, we receive these funds in April and September. If the city was to request monthly distributions of these funds in the three months prior to the settlement on the usual settlement dates, this could result in interest income of over \$100,000.00

	ESTIMATED AMOUNT OF ADVANCE	YIELD RATE 4.39%	MONTHLY INTEREST	NUMBER OF MONTHS	ADVANCE YIELD
JAN	2,333,333.33	0.003658	8,536.11	3	25,608.33
FEB	2,333,333.33	0.003658	8,536.11	2	17,072.22
MARCH	2,333,333.33	0.003658	8,536.11	1	8,536.11
	7,000,000.00				\$ 51,216.67

	ESTIMATED AMOUNT OF ADVANCE	YIELD RATE 4.39%	MONTHLY INTEREST	NUMBER OF MONTHS	ADVANCE YIELD
JUNE	2,333,333.33	0.003658	8,536.11	3	25,608.33
JULY	2,333,333.33	0.003658	8,536.11	2	17,072.22
AUGUST	2,333,333.33	0.003658	8,536.11	1	8,536.11
	7,000,000.00				\$ 51,216.67
POTENTIAL ANNUAL YIELD AT 4.39 %					\$ 102,433.33



### Recommendation

Staff recommends City Council pass this legislation to request the monthly advance of taxes in 2025 in accordance with ORC 321.34.

RESOLUTION NO. , 2025

**A RESOLUTION REQUESTING THE COUNTY AUDITOR TO MAKE  
TAX ADVANCES DURING THE YEAR 2025 PURSUANT TO  
OHIO REVISED CODE § 321.34**

**WHEREAS**, the Ohio Revised Code does allow a municipal corporation to request payment from the County Auditor funds derived from taxes or other sources payable to the County Treasurer which may be held on account of a local subdivision; and

**WHEREAS**, Council does desire to make this statutory request for fiscal year 2025 and to authorize payment to the City.

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

**SECTION 1.** In accordance with R.C. § 321.34, the County Auditor and the County Treasurer are hereby requested to draw, and to pay the City of Montgomery, Ohio, such funds due in any settlement of fiscal year 2025 derived from taxes or other sources payable to the County Treasurer to the account of the City of Montgomery, and lawfully applicable for the purposes of fiscal year 2025. Such payments are to be made from time to time upon the written request to the County Auditor from either Brian K. Riblet, City Manager, or Maura Gray, Director of Finance.

**SECTION 2.** The Clerk of Council of the City of Montgomery is hereby directed to transmit a certified copy of this Resolution to the Auditor of Hamilton County, Ohio.

**SECTION 3.** This Resolution shall be in full force and effect from and after its passage.

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

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

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

APPROVED AS TO FORM:

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

TO: Mayor Ronald G. Messer  
Members of City Council

FROM: Terrence M. Donnellon

RE: Reimbursement Resolution for  
Montgomery Quarter Phase II

DATE: December 12, 2024

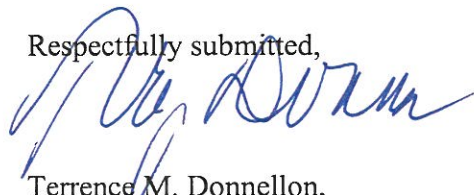
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This Resolution is required by U.S. Treasury regulations to allow the City to advance certain monies for Stage II of the Montgomery Quarter Redevelopment Project. Under the terms of the current Development Agreement between the City and the Developer, it is anticipated that \$16,000,000 of new bonds will be issued for Stage II. From this bond issue the City is authorized to draw \$1,500,000 to cover the cost for Stage II construction of Public Improvements.

Some of the costs for these Public Improvements in Stage II may be advanced in 2025 and 2026 before the bonds are issued. Some of these costs may include engineering and survey work as well as construction of the streetscape. This Resolution, consistent with Treasury regulations, will authorize the City to advance funds today and to be reimbursed later for those expenditures from the Stage II bond issue.

The City has issued previous reimbursement Resolutions for Stage I and an initial Resolution for Stage II governing calendar years 2023 and 2024. This Resolution will extend the City's right to claim reimbursement during calendar years 2025 and 2026.

Respectfully submitted,



Terrence M. Donnellon,  
Law Director

TMD/lld

Enclosure

cc: Brian Riblet, City Manager  
Connie Gaylor, Executive Assistant  
Department Heads  
File

RESOLUTION NO. , ~~2022~~2025

**RESOLUTION DELEGATING AUTHORITY TO MAKE DECLARATIONS OF  
OFFICIAL INTENT AND ALLOCATIONS WITH RESPECT TO REIMBURSEMENTS  
OF TEMPORARY ADVANCES DURING FISCAL YEARS ~~2023~~2025 AND ~~2024~~2026  
MADE FOR CAPITAL IMPROVEMENTS TO BE MADE FROM SUBSEQUENT  
BORROWINGS FOR THE MONTGOMERY QUARTER REDEVELOPMENT PROJECT  
(FORMERLY KNOWN AS THE GATEWAY REDEVELOPMENT PROJECT)**

**WHEREAS**, Treasury Regulation §1.150-2 (the "Reimbursement Regulations"), issued pursuant to Section 150 of the Internal Revenue Code of 1986, as amended, (the "Code") prescribes certain requirements by which proceeds of tax-exempt bonds, notes, certificates or other obligations included in the meaning of "bonds" under Section 150 of the Code ("Obligations") used to reimburse advances made for Capital Expenditures (as hereinafter defined) paid before the issuance of such Obligations may be deemed "spent" for purposes of Sections 103 and 141 to 150 of the Code and therefore, not further subject to any other requirements or restrictions under those sections of the Code; and

**WHEREAS**, such Reimbursement Regulations require that an Issuer (as hereinafter defined) make a Declaration of Official Intent (as hereinafter defined) to reimburse any Capital Expenditure paid prior to the issuance of the Obligations intended to fund such Capital Expenditure and require that such Declaration of Official Intent be made no later than sixty (60) days after payment of the Capital Expenditure and further require that any Reimbursement Allocation (as hereinafter defined) of the proceeds of such Obligations to reimburse such Capital Expenditures occur no later than eighteen (18) months after the later of the date the Capital Expenditure was paid or the date the property acquired with the Capital Expenditure was placed in service, except that any



such Reimbursement Allocation must be made no later than three years after such Capital Expenditure was paid; and

**WHEREAS**, the Reimbursement Regulations provide that an Issuer may delegate the authority for making such Declarations of Official Intent and Allocations to one or more individuals; and

**WHEREAS**, this Council wishes to ensure compliance with the Reimbursement Regulations.

**NOW THEREFORE, BE IT RESOLVED** by the Council of the City of Montgomery, Hamilton County, Ohio (the "City"), that:

**SECTION 1. Definitions.** The following definitions apply to the terms used herein:

"Allocation" means written evidence that proceeds of Obligations issued subsequent to the payment of a Capital Expenditure are to reimburse the City for such payments. "To allocate" means to make such an allocation.

"Authorized Officer" means City Manager or Director of Finance of the City and any persons with authority at the time to exercise functions of those offices.

"Capital Expenditure" means any expense for an item that is properly depreciable or amortizable or is otherwise treated as a capital expenditure for purposes of the Code, as well as any costs of issuing Reimbursement Bonds.

"Declaration of Official Intent" means a written declaration that the City intends to fund Capital Expenditures with an issue of Reimbursement Bonds and reasonably expects to be reimbursed from the proceeds of such an issue.

"Issuer" means either a governmental unit that is reasonably expected to

issue Obligations or any governmental entity or 501(c)(3) organization that is reasonably expected to borrow funds from the actual issuer of the Obligations.

"Reimbursement" means the restoration to the City of money temporarily advanced from other funds, including moneys borrowed from other sources, of the City to pay for Capital Expenditures before the issuance of Obligations intended to fund such Capital Expenditures.

"To reimburse" means to make such a restoration.

"Reimbursement Bonds" means Obligations that are issued to reimburse the City for Capital Expenditures, and for certain other expenses permitted by the Reimbursement Regulations, previously paid by or for the City.

"Reimbursement Regulations" means Treasury Regulation §150-2 and any amendments thereto or superseding regulations, whether in proposed, temporary or final form, as applicable, prescribing conditions under which the proceeds of Obligations may be allocated to reimburse the City for Capital Expenditures and certain other expenses paid prior to the issuance of the Obligations such that the proceeds of such Obligations will be treated as "spent" for purposes of Sections 103 and 141 to 150 of the Code.

## **SECTION 2. Declaration of Official Intent.**

(a) The City declares that it reasonably expects that the Capital Expenditures described in Section (b), which were paid no earlier than sixty (60) days prior to the date hereof, or which will be paid prior to the issuance of any Obligations intended to fund such Capital Expenditures, will be reimbursed with the proceeds of Obligations, representing a borrowing by the City or other governmental issuer in the maximum principal amount, for such Reimbursements, of \$20,000,000; and

(b) The Capital Expenditures made in fiscal years ~~2023~~2025 and ~~2024~~2026 to be reimbursed are to be used for design and engineering, site preparation, construction of public infrastructure improvements, and related costs for the Montgomery Quarter Redevelopment Project (formerly known as the Gateway Redevelopment Project).

**SECTION 3. Reasonable Expectations.** The City does not expect any other funds (including the money advanced to make the Capital Expenditures that are to be reimbursed) to be reserved, allocated on a long-term basis, or otherwise set aside by the City or any other entity, with respect to the Capital Expenditures for the purposes described in Section 2(b).

**SECTION 4. Open Meeting.** It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council; and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

**SECTION 5. Effective Date.** This Resolution shall be in full force and effect from and after its passage.

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

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

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

APPROVED AS TO FORM:

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

**RESOLUTION NO.                      , 2025**

**RESOLUTION DELEGATING AUTHORITY TO MAKE DECLARATIONS OF  
OFFICIAL INTENT AND ALLOCATIONS WITH RESPECT TO REIMBURSEMENTS  
OF TEMPORARY ADVANCES DURING FISCAL YEARS 2025 AND 2026 MADE FOR  
CAPITAL IMPROVEMENTS TO BE MADE FROM SUBSEQUENT BORROWINGS  
FOR THE MONTGOMERY QUARTER REDEVELOPMENT PROJECT (FORMERLY  
KNOWN AS THE GATEWAY REDEVELOPMENT PROJECT)**

**WHEREAS**, Treasury Regulation §1.150-2 (the "Reimbursement Regulations"), issued pursuant to Section 150 of the Internal Revenue Code of 1986, as amended, (the "Code") prescribes certain requirements by which proceeds of tax-exempt bonds, notes, certificates or other obligations included in the meaning of "bonds" under Section 150 of the Code ("Obligations") used to reimburse advances made for Capital Expenditures (as hereinafter defined) paid before the issuance of such Obligations may be deemed "spent" for purposes of Sections 103 and 141 to 150 of the Code and therefore, not further subject to any other requirements or restrictions under those sections of the Code; and

**WHEREAS**, such Reimbursement Regulations require that an Issuer (as hereinafter defined) make a Declaration of Official Intent (as hereinafter defined) to reimburse any Capital Expenditure paid prior to the issuance of the Obligations intended to fund such Capital Expenditure and require that such Declaration of Official Intent be made no later than sixty (60) days after payment of the Capital Expenditure and further require that any Reimbursement Allocation (as hereinafter defined) of the proceeds of such Obligations to reimburse such Capital Expenditures occur no later than eighteen (18) months after the later of the date the Capital Expenditure was paid or the date the property acquired with the Capital Expenditure was placed in service, except that any

such Reimbursement Allocation must be made no later than three years after such Capital Expenditure was paid; and

**WHEREAS**, the Reimbursement Regulations provide that an Issuer may delegate the authority for making such Declarations of Official Intent and Allocations to one or more individuals; and

**WHEREAS**, this Council wishes to ensure compliance with the Reimbursement Regulations.

**NOW THEREFORE, BE IT RESOLVED** by the Council of the City of Montgomery, Hamilton County, Ohio (the "City"), that:

**SECTION 1. Definitions.** The following definitions apply to the terms used herein:

"Allocation" means written evidence that proceeds of Obligations issued subsequent to the payment of a Capital Expenditure are to reimburse the City for such payments. "To allocate" means to make such an allocation.

"Authorized Officer" means City Manager or Director of Finance of the City and any persons with authority at the time to exercise functions of those offices.

"Capital Expenditure" means any expense for an item that is properly depreciable or amortizable or is otherwise treated as a capital expenditure for purposes of the Code, as well as any costs of issuing Reimbursement Bonds.

"Declaration of Official Intent" means a written declaration that the City intends to fund Capital Expenditures with an issue of Reimbursement Bonds and reasonably expects to be reimbursed from the proceeds of such an issue.

"Issuer" means either a governmental unit that is reasonably expected to



issue Obligations or any governmental entity or 501(c)(3) organization that is reasonably expected to borrow funds from the actual issuer of the Obligations.

"Reimbursement" means the restoration to the City of money temporarily advanced from other funds, including moneys borrowed from other sources, of the City to pay for Capital Expenditures before the issuance of Obligations intended to fund such Capital Expenditures.

"To reimburse" means to make such a restoration.

"Reimbursement Bonds" means Obligations that are issued to reimburse the City for Capital Expenditures, and for certain other expenses permitted by the Reimbursement Regulations, previously paid by or for the City.

"Reimbursement Regulations" means Treasury Regulation §150-2 and any amendments thereto or superseding regulations, whether in proposed, temporary or final form, as applicable, prescribing conditions under which the proceeds of Obligations may be allocated to reimburse the City for Capital Expenditures and certain other expenses paid prior to the issuance of the Obligations such that the proceeds of such Obligations will be treated as "spent" for purposes of Sections 103 and 141 to 150 of the Code.

## **SECTION 2. Declaration of Official Intent.**

(a) The City declares that it reasonably expects that the Capital Expenditures described in Section (b), which were paid no earlier than sixty (60) days prior to the date hereof, or which will be paid prior to the issuance of any Obligations intended to fund such Capital Expenditures, will be reimbursed with the proceeds of Obligations, representing a borrowing by the City or other governmental issuer in the maximum principal amount, for such Reimbursements, of \$20,000,000; and

(b) The Capital Expenditures made in fiscal years 2025 and 2026 to be reimbursed are to be used for design and engineering, site preparation, construction of public infrastructure improvements, and related costs for the Montgomery Quarter Redevelopment Project (formerly known as the Gateway Redevelopment Project).

**SECTION 3. Reasonable Expectations.** The City does not expect any other funds (including the money advanced to make the Capital Expenditures that are to be reimbursed) to be reserved, allocated on a long-term basis, or otherwise set aside by the City or any other entity, with respect to the Capital Expenditures for the purposes described in Section 2(b).

**SECTION 4. Open Meeting.** It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council; and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

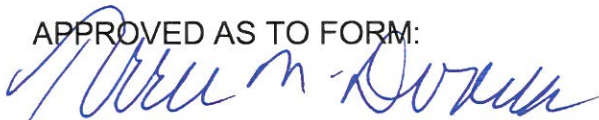
**SECTION 5. Effective Date.** This Resolution shall be in full force and effect from and after its passage.

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

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

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

APPROVED AS TO FORM:

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

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City of Montgomery  
City Council Business Session Minutes  
December 4, 2024

Present

Brian Riblet, City Manager  
Terry Donnellon, Law Director  
Tracy Henao, Asst. City Manager  
John Crowell, Police Chief  
Maura Gray, Finance Director  
Gary Heitkamp, Public Works Director  
Matthew Vanderhorst, Communications and Information Service Director  
Paul Wright, Asst. 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  
Chris Dobrozsi  
Craig Margolis  
Catherine Mills-Reynolds  
Ken Suer

City Council convened in Council Chambers at 6:00 p.m. with Mayor Messer presiding.

ROLL CALL

Mayor Messer explained that Vice Mayor Naiman would be late and asked for a roll call.

The roll was called and showed the following vote:

AYE: Bissmeyer, Mills-Reynolds, Dobrozsi, Messer, Suer, Margolis	(6)
NAY:	(0)
ABSENT: Naiman	(1)

Mr. Margolis made the motion to excuse Vice Mayor Naiman. Mrs. Bissmeyer seconded. City Council unanimously agreed.

LEGISLATION FOR CONSIDERATION THIS EVENING

PENDING LEGISLATION

Mayor Messer asked for a motion to accept the agenda and read all legislation by title only since all of the legislation has been made available to the public before the meeting.

Mr. Margolis made the motion to accept the agenda and read all legislation by title only. Mrs. Bissmeyer seconded. City Council unanimously agreed.

Vice Mayor Naiman arrived at 6:03 p.m.

Mr. Dobrozsi recused himself from the next piece of legislation as it includes funding for the Montgomery Quarter and could pose a potential professional conflict. He exited the dais.

**An Ordinance to Make Appropriations for Current Expenses and Other Expenditures of the City of Montgomery, State of Ohio During the Fiscal Year Ending December 31, 2025**

Mr. Suer read the title and moved to amend the Ordinance to include updated budget attachments. Mr. Margolis seconded. City Council unanimously agreed.

Mr. Suer moved for passage of the final reading of the Ordinance. Mr. Margolis seconded.

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City Council Business Session Minutes

December 4, 2024

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Mr. Suer explained that information has been previously supplied on this Ordinance that, if passed, will establish the City's budget for fiscal year 2025. These documents were reviewed with City Council at the September 12 Budget Review meeting. Mr. Suer stated that all updates are indicated on the attachments.

The roll was called and showed the following vote:

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

NAY: (0)

ABSTAIN: Dobrozsi (1)

Mr. Dobrozsi rejoined Council on the dais.

### **An Ordinance Establishing Compensation For Elected Officials**

Mr. Dobrozsi read the title and moved for passage of the second reading of the Ordinance. Mr. Margolis seconded.

Mr. Dobrozsi explained that information has been previously supplied on this Ordinance that, if passed, will initiate the process to increase compensation for Council Members and the Mayor commencing January 1, 2026. The Charter allows Council to set compensation for Council Members, but the compensation cannot be increased during a Council Member's term. As a result, those Council Members elected in November 2025 will see an increase in compensation January 1, 2026, whereas those Council Members who are elected for a full term of office in November 2027 will see the increase effective January 1, 2028. Since the Mayor is appointed by Council and the Mayor's term does not commence until after the organizational meeting, the additional stipend for the Office of the Mayor will commence January 1, 2026.

The roll was called and showed the following vote:

AYE: Mills-Reynolds, Dobrozsi, Messer, Naiman, Suer, Margolis, Bissmeyer (7)

NAY: (0)

Mayor Messer stated that the third and final reading of the Ordinance will be read at the January 8, 2025 meeting with passage requested that night.

### **NEW LEGISLATION**

Mr. Dobrozsi recused himself from the next piece of legislation as it includes funding for the Montgomery Quarter and could pose a potential professional conflict. He exited the dais.

### **A Resolution Adopting a Five-Year Capital Improvement Program for The City of Montgomery**

Mr. Suer moved for passage of the Resolution. Mr. Margolis seconded.

Mr. Suer explained that information has been previously supplied on this Resolution that, if approved, will adopt the City's proposed Five-Year Capital Improvement Program. This was reviewed by City Council as a companion piece to the proposed 2025 Operating and Capital Budget with Four Year Forecast and represents a comprehensive planning tool for capital investment in the community over the next five years.

Mr. Suer asked if there were any updates.

Ms. Gray replied there were none.

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The roll was called and showed the following vote:

AYE: Messer, Naiman, Suer, Margolis, Bissmeyer, Mills-Reynolds	(6)
NAY:	(0)
ABSTAIN: Dobrozsi	(1)

Mr. Dobrozsi rejoined Council on the dais.

**A Resolution Authorizing The City Manager To Enter Into A Contract With Anthem (Dba Anthem ERC And Anthem) To Provide Medical Insurance And Dental Insurance For Full-Time Employees**

Mr. Dobrozsi read the title and moved for passage of the Resolution. Mr. Margolis seconded.

Mr. Dobrozsi explained that information has been previously supplied on this Resolution that, if approved, will authorize the City Manager to enter a contract with Anthem DBA Anthem ERC and Anthem for both medical and dental insurance coverages for the City's full-time employees for the January 1, 2025 through December 31, 2025 benefit period. The Anthem proposal for medical insurance represents a 6% percent increase but includes enhancements (i.e., greater prescription drug coverage and opportunities to save on renewals and recoup a portion of paid premiums.) The Anthem dental insurance proposal for 2025 is a renewal of the current plan with a rate hold.

Mr. Dobrozsi asked if there were any updates.

Mr. Riblet replied there were none.

The roll was called and showed the following vote:

AYE: Naiman, Suer, Margolis, Bissmeyer, Mills-Reynolds, Dobrozsi, Messer	(7)
NAY:	(0)

**A Resolution Establishing City Contributions for Health Care Benefits**

Mr. Dobrozsi read the title and moved for passage of the Resolution. Mr. Margolis seconded.

Mr. Dobrozsi explained that information has been previously supplied on this Resolution that, if approved, will establish the City's maximum contribution limits (caps) for a 12-month period beginning January 2025 for medical and dental insurance. The caps determine the amount of money the employees must contribute toward the cost of their medical and dental insurance coverages. Typically, the City has increased these "caps" annually by six percent (6%) for medical insurance and three percent (3%) for dental insurance. It should be noted that the recommended caps for medical and dental insurance are already in place in AFSCME, FOP and IAFF collective bargaining agreements.

The roll was called and showed the following vote:

AYE: Suer, Margolis, Bissmeyer, Mills-Reynolds, Dobrozsi, Messer, Naiman	(7)
NAY:	(0)

**A Resolution Authorizing the City Manager to Enter into a Contract with CT Associates, Inc. For Professional Services Related To General Engineering And Architectural Services For Calendar Year 2025**

Mrs. Bissmeyer read the title and moved for passage of the Resolution. Mr. Margolis seconded.



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City Council Business Session Minutes

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Mrs. Bissmeyer explained that information has been previously supplied on this Resolution that, if approved, will authorize the City Manager to enter a contract with CT Consultants, Inc. for professional engineering and architectural services for calendar year 2025. The City has contracted with CT Consultants to provide civil, traffic, structural, electrical and storm water engineering services. CT Consultants has provided a competitive fee structure for 2025 including slight hourly rate increases for engineering services.

The roll was called and showed the following vote:

AYE: Margolis, Bissmeyer, Mills-Reynolds, Dobrozsi, Messer, Naiman, Suer (7)

NAY: (0)

**A Resolution Authorizing the City Manager to Contract With National Inspection Corporation For Professional Services To Serve As Building Official And To Provide Plan Review And Field Inspection Authority And Services For The City's Building Department For The Calendar Year 2025**

Mrs. Bissmeyer read the title and moved for passage of the Resolution. Mr. Margolis seconded.

Mrs. Bissmeyer explained that information has been previously supplied on this Resolution that, if approved, will authorize the City Manager to enter into a contract with National Inspection Corporation for professional services to serve as Building Official and to provide plan review and field inspection authority and services for the City's Building Department for the calendar year 2025.

Ms. Henao explained that there was a minor modification to Clause 4, Page 2 of the contract with NIC regarding the language precluding 90% of fees paid to NIC does not include reinspection fees. She explained that the current contract allows for two inspections per permit applicaiton, however if a third inspection is required NIC wants to be able to bill for that. She explained that Mr. Donnellon is drafting language to cover the City and NIC to collect the fees.

The roll was called and showed the following vote:

AYE: Bissmeyer, Mills-Reynolds, Dobrozsi, Messer, Naiman, Suer, Margolis (7)

NAY: (0)

**An Ordinance Amending Chapter 34 Of The Montgomery Code Of Ordinances To Modify Sick Leave Benefits**

Mr. Dobrozsi read the title and moved to suspend the second and third readings of the Ordinance. Mr. Margolis seconded.

The roll was called and showed the following vote:

AYE: Mills-Reynolds, Dobrozsi, Messer, Naiman, Suer, Margolis, Bissmeyer (7)

NAY: (0)

Mr. Dobrozsi explained that information has been previously supplied on this Ordinance that, if approved, will amend Chapter 34 of the Montgomery Ohio Code of Ordinances. On May 15, 2024, City Council approved Ordinance #5 which included an initial group of modifications to Chapter 34. This modification request is specific to Section 34.05 (B) Sick Leave and would provide a minimal increase in the accrual rate.

Mr. Dobrozsi asked if there were any updates.

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City Council Business Session Minutes

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Mr. Riblet stated that a sentence was added to the last page of the Ordinance to identify an effective date of the first pay period in January 2025.

Mr. Dobrozsi moved passage of the Ordinance. Mr. Margolis seconded.

The roll was called and showed the following vote:

AYE: Dobrozsi, Messer, Naiman, Suer, Margolis, Bissmeyer, Mills-Reynolds (7)

NAY: (0)

### ADMINISTRATION REPORT

Mr. Riblet gave the following report:

- City Council Work Session is scheduled for December 18, 2024 at 6:00 p.m.
- The Parks and Recreation, Financial Planning and Public Works Committees will meet at 3:30, 4:00 and 4:30 p.m., respectively, on Monday, December 9. The Government Affairs Committee has cancelled their meeting for December.
- Staff would like to request a CIC meeting on December 18 at 5:45 p.m. prior to the City Council Work Session to consider an application for the Historic Preservation Matching Grant for restoration work on Former Village Hall at 7816 Cooper Road. If Council is so inclined, a motion could be made to commence with the Work Session immediately after the conclusion of the CIC meeting.

Mr. Dobrozsi made a motion to commence with the Work Session immediately following the conclusion of the CIC meeting. Mrs. Bissmeyer seconded. City Council unanimously agreed.

- Public works staff installed the Holiday Tree on the Commons Plaza on Monday. The 35' Blue Spruce was donated by the Lammert Family who reside in Sycamore Township.

### Human Resources

- Sergeants Jeff Barger, Kenney Bertz, and TJ Shreve participated in an interview process, with TJ Shreve selected to be appointed Assistant Police Chief effective January 5.

### Events

- Holiday in the Village will once again take place this Saturday. The event runs from 5:00-7:30 p.m.
- A reminder that the City's Holiday Luncheon is next Friday, December 13 from 11:00 am to 1:00 p.m.
- The very popular Breakfast with Santa will be held Saturday, December 14 at Terwilligers Lodge. Firefighter Ken Lynch has graciously agreed to be Santa. Thank you to all the staff that made this event possible and so special for the kids.
- A reminder that a retirement celebration for Asst. Chief Greg Vonden Benken for his 27 years of service on Friday, December 20 at St. Barnabas Church from 11:00-2:00.
- A Menorah Lighting is scheduled for Monday, December 30 at 5:30 p.m. here at City Hall.

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City Council Business Session Minutes

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## **MINUTES**

Mrs. Mills-Reynolds requested a correction to be made to her Council report in the November 20 minutes. She explained the changes.

Mr. Margolis made a motion to approve the minutes as amended. Mrs. Bissmeyer seconded. City Council unanimously agreed.

## **MAYOR'S COURT REPORT**

Mayor Messer requested a motion to disburse the November Mayors Court collections in the amount of \$5,815.

Vice Mayor Naiman made the motion to disburse the November Mayors Court collections in the amount of \$5,815. Mrs. Bissmeyer seconded. City Council unanimously agreed.

## **OTHER BUSINESS**

### **New Liquor License**

Chief Crowell explained that a notice was received from the Ohio Division of Liquor Control for a new liquor permit for Bengal Beef, LLC dba New York Butcher Shoppe. He explained that the license was for a C1 and C2 license which allows the sale of beer and wine for carryout until 1:30 a.m. He explained that as the business was new and the owners have no record to report there was no reason to request a hearing. He recommended making a motion to not request a hearing with the Ohio Division of Liquor Control.

Mrs. Bissmeyer made a motion not to request a hearing. Vice Mayor Naiman seconded. City Council unanimously agreed.

### **Other Business**

Vice Mayor Naiman reported that the Law and Safety Committee met and were provided an update on Mayors Court. She explained that with the sudden resignation of the Magistrate, a temporary magistrate will be named by the Mayor until a new one is selected in 2025. She stated that there were modifications made to the magistrate and prosecutor contracts to reduce costs, and that staff will be tracking data over 2025 to identify usage of Mayors Court. She added that the court will also be moved to City Hall.

Mayor Messer stated that he would be out of town from December 20 through December 22. Since Vice Mayor Naiman will be out of town from December 19 through December 22 Mayor Messer asked for a motion to appoint Mr. Dobrozsi as Mayor Pro-Tem during his absence. Mrs. Bissmeyer made a motion to appoint Mr. Dobrozsi as Mayor Pro-Tem from December 20 through December 22. Vice Mayor Naiman seconded. City Council unanimously agreed.

## **ADJOURNMENT**

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

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

City Council adjourned at 6:28 p.m.

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December 4, 2024

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Connie Gaylor, Clerk of Council

DRAFT

December 13, 2024

To: Connie Gaylor, Clerk of Council

From: John Crowell, Police Chief



Subject: Liquor Permit

---

I am in receipt of a notification from the Ohio Division of Liquor Control, for the transfer of stock and membership of an existing liquor license for Kanak India located at 10040 B Montgomery Road from Kang & Muhammad, LLC to Sukhdev Kang.

It is my understanding that this notice is for the restructuring of stock membership and does not change the permit classes that the license covers. I am not aware of any information that would cause the City of Montgomery to object to the issuance of this permit or any need to request a hearing.

Should you have any questions, please do not hesitate to contact me.





December 13, 2024

To: Connie Gaylor, Clerk of Council

From: John Crowell, Police Chief



Subject: Liquor Permit

---

I am in receipt of a notification from the Ohio Division of Liquor Control, for the transfer of stock and membership of an existing liquor license for Kanak India located at 10040 B Montgomery Road from Kang & Muhammad, LLC to Sukhdev Kang.

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Should you have any questions, please do not hesitate to contact me.

NOTICE TO LEGISLATIVE  
AUTHORITY

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

TO

4470720		STCK		KANG & MUHAMMAD LLC DBA KANAK INDIA 10040 B MONTGOMERY RD MONTGOMERY OH 45242
PERMIT NUMBER		TYPE		
ISSUE DATE				
05 11 2023				
FILING DATE				
D5 D6		PERMIT CLASSES		
31	264	A	F32402	
TAX DISTRICT		RECEIPT NO.		

FROM 11/18/2024

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



MAILED 11/18/2024

RESPONSES MUST BE POSTMARKED NO LATER THAN.

12/19/2024

**IMPORTANT NOTICE**

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

REFER TO THIS NUMBER IN ALL INQUIRIES

**A STCK 4470720**

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

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

WE DO NOT REQUEST A HEARING. ☐

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

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

(Signature)

(Title)- ☐ Clerk of County Commissioner

(Date)

☐ Clerk of City Council

☐ Township Fiscal Officer

CLERK OF MONTGOMERY CITY COUNCIL  
10101 MONTGOMERY RD  
MONTGOMERY OHIO 45242

## SECTION A – Issued Permit Holder Information

2024 OCT 10 AM 11:14

*Issued Permit Holder's Business Name as listed on the issued permit: <b>KANG &amp; MUHAMMAD LLC</b>		*Issued Permit Holder #: <b>4470720</b>	
*Permit Premises Address: <b>10040 B MONTGOMERY RD</b>		*Is Permit Holder an Agency Store? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO If YES, what is the assigned agency # _____	
*Township (if premises is outside city limits):	*City: <b>MONTGOMERY</b>	*Zip Code: <b>45242</b>	*County: <b>Hamilton</b>
*Contact Name: <b>SUKHDEV S KANG</b>		*Who will be the Primary Contact for this Application: <input type="checkbox"/> Contact Listed <input checked="" type="checkbox"/> Attorney Listed Below	
Phone: <b>(513) 773-8877</b>		*Business Phone:	
*Primary Contact's Email Address: d i p a n k a n g 5 @ g m a i l . c o m			
*Attorney Information (if applicable):		Name: <b>Brad Thomas</b>	
Address: <b>810 Sycamore Ste. 211</b>	City: <b>Cincinnati</b>	State: <b>Ohio</b>	Zip Code: <b>45202</b>
Phone #: <b>(513) 515-4696</b>			
*Attorney Email Address: b r a d @ j t h l a w . c o m			

## SECTION B – LLC Ownership Description

1. \* List the **CURRENT 5% or more** owners in the issued permit as currently disclosed to us – Not sure who/what we have on record? Go to [com.ohio.gov/liquorinfo](http://com.ohio.gov/liquorinfo) (select "who has a disclosed ownership interest in a particular liquor permit" tab and enter the permit number listed on your issued permit).

	Person or Company Name	Membership Units	
		# Held	% Held
1	SUKHDEV S KANG	50	50
2	MUHAMMAD S AHSAN	50	50
3			
4			

2. \* List the **NEW/REVISED 5% or more** owners as they should be listed in the issued permit **AFTER** the change. (Note, depending on your proposed change it's possible that some individuals might be listed above and below.) Any real persons **MUST** be at least 21 years of age. In addition to filling out the below information, please submit an updated **LLC Membership Disclosure Form** (OR [com.ohio.gov/requiredforms](http://com.ohio.gov/requiredforms) - select form "Limited Liability Disclosure" form) that matches the "NEW/REVISED" information below.

	Person or Company Name	Membership Units	
		# Held	% Held
1	SUKHDEV S KANG	100	100
2			
3			
4			

Send