

City of Montgomery
City Council Work Session Minutes
July 24, 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
Ben Shapiro, Asst. Fire Chief
Matthew Vanderhorst, Community and Information Services Director
Connie Gaylor, Clerk of Council

City Council Members Present

Ron Messer, Mayor
Sasha Naiman, Vice Mayor
Lee Ann Bissmeyer
Chris Dobrozsi
Craig Margolis
Ken Suer

Council Members Absent

Catherine Mills-Reynolds

City Council convened its Work Session for July 24, 2024 at 6:00 p.m. at City Hall with Mayor Messer presiding.

ROLL CALL

Mayor Messer explained that Mrs. Mills-Reynolds was absent and requested a roll call.

The roll was called with all members present except Mrs. Mills-Reynolds.

Mayor Messer noted that as Mrs. Mills-Reynolds had advised Council of her absence this evening, he asked for a motion to excuse her absence.

Mr. Margolis moved to excuse Mrs. Mills-Reynolds absence. Mrs. Bissmeyer seconded. City Council unanimously agreed.

ESTABLISHING AN AGENDA FOR AUGUST 7, 2024 BUSINESS SESSION

NEW LEGISLATION

A Resolution Authorizing The City Manager To Accept The Opioid Settlement And Enter Into The Participation Agreement With Opioid Distributor Kroger Co.

Mayor Messer assigned the legislation to Mr. Suer.

Mr. Donnellon explained that, if approved, this Resolution will authorize the City Manager to enter into a Participation Agreement and Settlement Agreement as necessary to resolve this litigation with Kroger Company. Mr. Donnellon stated the City has received the notice of another potential Settlement in the national opioid litigation. This proposed Settlement concerns The Kroger Company with a proposed \$1,200,000,000 Settlement to be paid over several years. The Settlement is contingent upon the sufficient number of states and local communities supporting the Settlement. Mr. Donnellon added that this is a very similar process to what the City has done in the past with other Manufacturers and/or Distributors.

Mayor Messer explained that this legislation will be added to the August 7 agenda for consideration that evening.

A Resolution Establishing City Contributions To Employee Health Savings Accounts And Health Reimbursement Accounts For Plan Year 2024-2025

Mayor Messer assigned the legislation to Mr. Dobrozsi.

Mr. Riblet explained that, if approved, this Resolution will continue the City's incentive contribution to employees' Health Savings Accounts (and to Health Reimbursement Accounts for employees who, as a result of being enrolled in Medicare, are no longer eligible for a Health Savings Account) for the period beginning September 1, 2024

through August 31, 2025. The City's contribution to employees' Health Savings Accounts and Health Reimbursement Accounts is recommended to be continued at \$1050 for a family plan and \$750 for a single plan. Mr. Riblet stated that in addition to the base City incentive contribution, it is recommended that the City continue to match the employee's contribution to his/her Health Savings Account in an amount up to \$700 for employees with family plans and up to \$500 for employees with single plans. He explained that employees cannot make contributions to Health Reimbursement Accounts (HRA's); therefore, no matching employer contribution is recommended for HRA's.

Mr. Margolis asked if staff had conducted a comparison of what other communities provide for their employees.

Mr. Riblet replied that the Health Care Benefits Committee does that research. However, since communities vary in their health care plans and tiers of coverage, it is very hard to compare apples to apples.

Mayor Messer explained that this legislation will be added to the August 7 agenda for consideration that evening.

A Resolution Amending and restating the Investment Policy for the City of Montgomery

Mayor Messer assigned the legislation to Mr. Suer.

Mr. Donnellon explained that, if approved, this Resolution will amend the City's investment policy. This Resolution approves an updated and amended Investment Policy for the City adding an additional category of allowable investment of City funds. He stated that the category mirrors what is authorized by the State of Ohio. In amending the policy, we also have given flexibility to the Finance Department to invest in such other funds or intangibles which are authorized by the State of Ohio. Mr. Donnellon reported this will give the Finance Department flexibility if a new category is added before an updated policy is fully amended. The legislation also clarifies the process for amending the policy in the future.

Mayor Messer explained that this legislation will be added to the August 7 agenda for consideration that evening.

An Ordinance Repealing Section 33.01 Of The Code Of Ordinances Creating An Investment Committee And Establishing Its Authority

Mayor Messer assigned the legislation to Mr. Suer.

Mr. Donnellon explained that with the approval of an Investment Policy, as required by the Ohio Auditor, there is no longer a need for an Investment Committee within the City, and this Ordinance repeals Section 33.01 of the Code of Ordinances appointing an Investment Committee. All investments are controlled by the policy and investments may only be made consistent with the policy. To avoid any confusion, this Section is being repealed. He added that in repealing this Section, we also are repealing the Linked Deposit Program which has been dormant for several years.

Mr. Suer explained that the Financial Planning Committee discussed these revisions at their previous meeting. He stated that the amending of the investment policy and the repealing of Section 33.01 were both done to provide clarification and to remove obsolete language. He stated that as these policies and codes change with current processes, they require review and updates.

Mayor Messer explained that this legislation will be added to the August 7 agenda for first reading with the second reading held at the September 4, 2024 Business session and the third reading being held at the October 2, 2024 Business Session with adoption requested at that meeting.

ADMINISTRATION REPORT

Mr. Riblet reported the following items:

- A Council Business Session is scheduled for Wednesday, August 7 at 6:00 p.m.
- The Financial Planning Committee will meet on Monday, August 5 at 4:30 p.m. The Law and Safety and Planning, Zoning and Landmarks Committees have cancelled their meetings for the month of August.
- The Government Affairs Committee will meet on Monday, August 12 at 4:30 p.m. The Parks and Recreation and Public Works Committees have no agenda items at this time and are recommended to be cancelled.
- A big thank you goes out to everyone involved in making Bastille Day a great success.
- It was anticipated that legislative requests would be brought to Council this evening that would allow the City to participate in a Cooperative Purchasing Program followed by a request to enter into an agreement with a vendor who is a participating member of the Cooperative Purchasing Program to construct Pickleball courts at Weller Park. Staff is working through some final numbers with the vendor so rather than introduce both pieces this evening we are targeting to respectfully ask Council to consider adding and voting on both pieces of legislation at our next meeting on Wednesday, August 7.
- The Cincinnati Business Courier has named its Forty under 40 class of 2024 which recognizes young leaders and professionals from across Greater Cincinnati and the Executive Director of The Children's Law Center, our very own Vice Mayor Naiman is one of the distinguished award winners.
- A contract with Pavement Maintenance Services Inc. in an amount of \$18,043 was approved to complete the 2024 Annual Pavement Marking Program this year. The primary areas this year include Montgomery Road from the Heritage District to Schoolhouse Lane and Pfeiffer Road with much of the work being performed during the overnight hours.

Human Resources

- Police Officer positions – Conditional offers have been extended to four candidates.
- Firefighter/Paramedic positions – Five candidates have submitted applications and are scheduled to take the written and agility tests on July 30.
- Mechanic position – Print and media advertising for this position began this week. Deadline for applications is August 16.

Events

- City Council Appreciation Lunch for Staff is this Friday at Terwilliger Lodge from 11:00 a.m. to 1:00 p.m.
- Touch a Truck will be held on Thursday, August 1 from 9:00 am to noon at Weller Park.
- Community Wide Garage Sale- August 3 from 9:00 am to 1:00 p.m.

Mr. Riblet requested an Executive Session to consider confidential information of an applicant for economic development assistance.

LAW DIRECTOR REPORT

Mr. Donnellon reported that the Ohio Municipal League is monitoring an effort from the Ohio Chamber of Commerce that negatively states local earnings taxes are a burden to tax payers and are working to take away local control to collect earnings taxes. He stated that he will continue to provide updates to Council on the progress of this effort that violates the Home Rule of local governments.

CITY COUNCIL REPORTS

Mrs. Bissmeyer

Mrs. Bissmeyer stated she had no formal report but wanted to thank staff and volunteers who made Bastille Day such a great day.

Mr. Dobrozsi

Mr. Dobrozsi reported on the following:

- Arts Commission events:
 - Food Tour on September 14 sold out within the first 30 minutes of opening registration.
 - Live @the Uni has up to 134 registrations for all concerts.
- Bastille Day was well attended and set record numbers of visitors and alcohol sales.
- The City Council staff appreciation pizza lunch is Friday, July 26 from 11:00 a.m. to 1:00 p.m. He advised Council members arrive at Terwilliger Lodge at approximately 10:40 a.m.

Vice Mayor Naiman

Vice Mayor Naiman reported that she is part of a steering committee working with Mayor Messer, Mr. Riblet and Ms. Gaylor to research long term revenue options for Hopewell Cemetery. She explained that the number of available graves is very low which means the revenue stream will dry up within the next few years. She stated that the Committee has met with KZF Architects to consider columbarium options and designs as well as review return on investments and capital investment forecasts. She stated that a placeholder in the budget will be discussed at the upcoming budget review meeting. She added that staff would be working to initiate community outreach efforts to survey residents and the community on their vision of Hopewell Cemetery.

Vice Mayor Naiman explained that at the recent Parks and Recreation Committee meeting, pickleball was discussed. She stated that at the March 2023 meeting of the Committee the decision to restrict pickleball hours to 8:00 a.m. to 7:00 p.m. was made. She explained that of the residents who attended there were concerns expressed for and against the hour restriction. She added that the potential of building courts at Weller Park and the restriction of pickleball courts at Swaim and Dulle parks was also discussed.

Mrs. Bissmeyer added that Mary Jo Byrnes had texted her to state that she was not able to attend the council meeting but wanted to request that Council consider leaving one pickleball court at both Swaim and Dulle parks if the courts at Weller Park were constructed.

Mr. Suer

Mr. Suer reported that he received many positive remarks from people attending Bastille Day on how much they appreciate the street festival. He added that it was a positive reflection on the City of the quality of events offered.

Mr. Suer added that the unveiling ceremony for the plaque at the Montgomery Quarter was also a great event. He stated that it was a milestone for Phase 1 almost being complete and Phase 2 gearing up to begin.

Mr. Suer reported that the Landmarks Commission met simultaneously as the July 10 Business Session. He explained that the agenda involved the case of the former City Hall building on Shelly Lane being refurbished as a Bourbon Bar by the same owners who purchased Don's Auto Shop. He stated that the Landmarks Commission approved the plans for the renovation of the former City Hall building. He explained that the same owner applied for a variance through the Board of Zoning Appeals regarding parking. He added that the renovations of both the former City Hall building, and Don's Auto Shop would provide a fresh look and new purpose to the Shelly Lane area.

Mr. Suer stated that the fresh paint on the Wilder-Swaim house looks very nice.

Mr. Margolis

Mr. Margolis stated that in reference to the Landmarks Commission meeting, he was happy that with the renovation of the former City Hall building that the history of Montgomery would be maintained.

Mr. Margolis reported that he attended a Hamilton County Addiction Response Coalition meeting where they discussed a new substance, Nitazene, which is a synthetic opioid that is one thousand times more potent than morphine.

Mr. Margolis thanked Staff for their hard work in holding all the summer events so far. He stated they maintain the sense of community that Montgomery is known for.

Mr. Margolis reported that the EAC held their monthly cardboard recycling on Saturday, July 20.

Mayor Messer

Mayor Messer reported that the acknowledgement of the veterans at Bastille Day was much appreciated by them and their families.

Mayor Messer stated how nice the plaque unveiling ceremony at Montgomery Quarter was. A great ceremony.

MINUTES

Mr. Margolis moved to approve the minutes of July 10, 2024 as written. Vice Mayor Naiman seconded. City Council unanimously agreed.

OTHER BUSINESS

Liquor License, 9393 Shelly Lane

Police Chief John Crowell explained that a notice was received from the Ohio Division of Liquor Control for a new liquor permit for 9393 Shelly Lane LLC. He stated that this was a basic license to allow beer, wine and spirits to be served at the old Don's Auto Shop now being renovated by Wentz Design. He explained that part of the building would feature an art studio and this license was for the purpose of serving alcohol at their events. Chief Crowell stated that as this is a new business, he is not aware of any reason to request a hearing and recommended that Council make a motion to not request a hearing with the Division of Liquor Control.

Mrs. Bissmeyer made a motion to not request a hearing on this new liquor license. Mr. Margolis seconded. City Council unanimously agreed.

EXECUTIVE SESSION

Mayor Messer stated that Mr. Riblet had requested an Executive Session to consider confidential information of an applicant for economic development assistance.

Mr. Margolis made a motion to adjourn into Executive Session to consider confidential information of an applicant for economic development assistance.

Vice Mayor Naiman seconded.

The roll was called and showed the following vote:

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

City Council adjourned into Executive Session at 6:44 p.m.

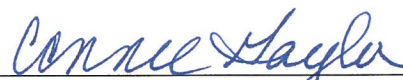
City Council reconvened into Public Session at 7:31 p.m.

ADJOURNMENT

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

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

City Council adjourned at 7:31 p.m.



Connie Gaylor, Clerk of Council