

October 29, 2025

TO: Mayor and City Council Members

FROM: Brian Riblet, City Manager *BKR*

SUBJECT: City Council Business Session of Wednesday, November 5, 2025

As a reminder, City Council is scheduled to meet in Business Session on Wednesday, November 5, 2025 immediately following a Montgomery Community Improvement Corporation (CIC) meeting scheduled at 5:45 p.m.

### CIC

A CIC meeting is scheduled at 5:45 p.m. to consider a Historical Matching Grant Application for 7737 Remington Road and to discuss the extension of the Historic Matching Grant program. A motion was made to commence with the Business Session immediately following the conclusion of the meeting.

### Business Session

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Special Presentation
5. Guest and Residents
6. Legislation for Consideration this Evening

### Pending Legislation

*Since all legislation has been made available to the public before this evening's meeting may I have a motion that Council accept the legislative Agenda and read all legislation by title only.*

**Voice Vote**

- a. 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, 2026—(Mr. Suer-2<sup>nd</sup> Reading) Information has been previously supplied on this Ordinance that, if approved, would establish the City's budget for fiscal year 2026. These documents were presented to and reviewed with City Council at the September 11 Budget Review meeting. As a result of these discussions, any changes to the budget will be forthcoming and will be presented to City Council in the packet for the December 3, Business Session.

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

*Explain*

*Roll Call Vote*

*The third reading of the Ordinance will be held at the December 3, 2025 Business Session with adoption of the Ordinance requested at that meeting.*

#### New Legislation

- a. A Resolution Requesting The County Auditor To Make Tax Advances During The Year 2026 Pursuant To Ohio Revised Code § 321.34—( Mr. Suer) Information has been previously supplied on this Resolution that, if approved, will authorize the request of advanced payment for taxes from the Hamilton County Auditor. City Council passed legislation to advance taxes for collection year 2025 on January 8, 2025. Hamilton County requires passage of this legislation for each collection year.

*Move for passage of the Resolution*

*Explain*

*Roll Call Vote*

- b. An Ordinance Establishing A Custodial/Agency Fund To Receive And Disburse Revenues Collected From The Sycamore Township-City Of Montgomery Joint Economic Development District—(Mr. Suer) Information has been previously supplied on this Ordinance that, if adopted, will establish fund 850 to be used to account for revenues and disbursements associated with the Joint Economic Development District (JEDD) established between the City and Sycamore Township.

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

*Explain*

*Roll Call Vote*

*The second reading will be held at the December 3 Business Session with a request to suspend the third reading and consider adoption of the Ordinance that evening.*

- c. A Resolution Approving An Agreement Between The Sycamore Township-City Of Montgomery Joint Economic Development District Board Of Directors And The City Of Montgomery For The Administration, Collection And Enforcement Of The District Income Tax—(Mrs. Bissmeyer) Information has been previously supplied on this Resolution that, if adopted, will establish the Joint Economic Development District with Sycamore Township authorizing the City to enter into a Collection and Distribution Agreement with the Board of Directors of the District. The actual collection authority has been assigned to RITA, our third-party administrative agency.

*Move for passage of the Resolution*

*Explain*

*Roll Call Vote*

- d. A Resolution Authorizing The City Manager To Enter Into A Federal Local Let Project Agreement With The Ohio Department Of Transportation For The Project Known As HAM-126-19.50 To Raise And Replace A Pedestrian Bridge Over SR126—(Mr. Margolis) Please find attached correspondence from Public Works Director Gary Heitkamp requesting that City Council consider approving this legislation that, if adopted, would grant consent to ODOT to replace the pedestrian bridge crossing State Route 126 that is within the city at their expense. The consent agreement also confirms that the City will operate and maintain the lighting to be installed as part of the project.

*Move for passage of the Resolution*

*Explain*

*Roll Call Vote*

- 7. Administration Report
- 8. Minutes – October 22, 2025 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 Asst./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

November 5, 2025

City Hall

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

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Special Presentation
5. Guest and Residents
6. Legislation for Consideration for this Evening

### **Pending Legislation**

*Since all legislation has been made available to the public before this evening's meeting, may I have a motion that Council accept the legislative Agenda and read all legislation by title only.*

### ***Voice Vote***

- a. 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, 2026—(Mr. Suer-2<sup>nd</sup> Reading)

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

*Explain*

*Roll Call Vote*

*The third reading of the Ordinance will be held at the December 3, 2025 Business Session with adoption of the Ordinance requested at that meeting.*

### **New Legislation**

- a. A Resolution Requesting The County Auditor To Make Tax Advances During The Year 2026 Pursuant To Ohio Revised Code § 321.34—( Mr. Suer)

*Move for passage of the Resolution*

*Explain*

*Roll Call Vote*

- b. An Ordinance Establishing A Custodial/Agency Fund To Receive And Disburse Revenues Collected From The Sycamore Township-City Of Montgomery Joint Economic Development District—(Mr. Suer)

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

*Explain*

*Roll Call Vote*

*The second reading will be held at the December 3 Business Session with a request to suspend the third reading and consider adoption of the Ordinance that evening.*

- c. A Resolution Approving An Agreement Between The Sycamore Township-City Of Montgomery Joint Economic Development District Board Of Directors And The City Of Montgomery For The Administration, Collection And Enforcement Of The District Income Tax—(Mrs. Bissmeyer)

*Move for passage of the Resolution*

*Explain*

*Roll Call Vote*

- d. A Resolution Authorizing The City Manager To Enter Into A Federal Local Let Project Agreement With The Ohio Department Of Transportation For The Project Known As HAM-126-19.50 To Raise And Replace A Pedestrian Bridge Over SR126—(Mr. Margolis)

*Move for passage of the Resolution*

*Explain*

*Roll Call Vote*

7. Administration Report

8. Approval of Minutes – October 22, 2025 Work Session

9. Mayor's Court Report

10. Other Business

11. Executive Session

12. Adjournment

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

ORDINANCE NO. \_\_\_\_\_, 2025

**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, 2026**

**WHEREAS**, Council previously did approve and submit to the Budget Commission a Budget for revenues and expenses for the fiscal year commencing January 1, 2026 and ending December 31, 2026; and

**WHEREAS**, the proposed Budget has been accepted and approved, and Council does desire to appropriate funds according to the Budget to meet current expenses and other expenditures for the 2026 fiscal year.

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

**SECTION 1.** Commencing January 1, 2026 and for the fiscal year ending December 31, 2026, in order to provide for the current expenses and other expenditures of the City, the sums detailed on the attached Budget schedule are hereby appropriated as if such schedule is fully set forth herein.

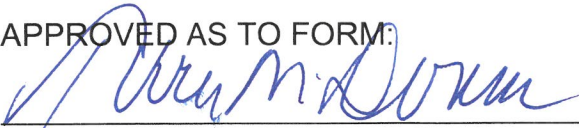
**SECTION 2.** This Ordinance shall be in full force and effect from and after the earliest period allowed by law.

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

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

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

APPROVED AS TO FORM:

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

# Attachment to 2026 Appropriation Ordinance

Fund	Personnel	Non-Personnel	Total
<b>General Fund</b>			
101 Police Department	4,417,942	337,900	4,755,842
106 Disaster Services	0	9,700	9,700
201 Public Health and Welfare	0	59,500	59,500
301 Recreation	312,854	137,600	450,454
303 City Parks	436,236	525,863	962,099
317 Swaim and Terwilliger Lodges	0	72,600	72,600
321 Special Events	0	139,500	139,500
405 Landmarks Commission	0	19,250	19,250
406 City Beautiful	0	197,000	197,000
407 Development	489,637	488,300	977,937
408 Planning Commission	0	12,200	12,200
409 Historical Building Operations	0	52,813	52,813
701 City Administration	922,630	34,000	956,630
702 Finance Department	611,987	469,550	1,081,537
703 Legal Administration	0	323,000	323,000
705 City Council	27,350	13,000	40,350
707 Mayor's Court	42,844	35,800	78,644
708 Civil Service Commission	0	5,350	5,350
709 Public Works Administration	748,712	394,700	1,143,412
712 Community & Information Svcs	473,910	426,500	900,410
715 General Government	10,000	3,010,700	3,020,700
<b>Total General Fund</b>	<b>8,494,102</b>	<b>6,764,826</b>	<b>15,258,928</b>
Amount of General Fund Transfers included in Total			734,450
<b>Special Revenue Funds</b>			
209 Memorial Fund	0	6,500	6,500
210 Parks & Recreation	0	500	500
214 OneOhio Fund	0	16,500	16,500
215 Law Enforcement	0	199,700	199,700
216 Drug Enforcement	0	200	200
217 DUI Enforcement and Education	0	400	400
218 Mayor's Court Technology	0	15,525	15,525
219 Community Oriented Policing	171,093	3,650	174,743
220 Law Enforcement Assistance	20,000	1,000	21,000
223 Fire Department	4,756,396	2,484,893	7,241,289
227 Environmental Impact Area I	0	8,000	8,000
228 Environmental Impact Area II	0	10,150	10,150
229 Environmental Impact Area III	0	10,000	10,000
230 Environmental Impact Area IV	0	5,000	5,000
261 Street Maintenance and Repair	1,091,318	515,354	1,606,672
265 State Highway Fund	0	45,000	45,000
266 Permissive MVL Fund	0	99,000	99,000
275 Municipal Pool	0	339,900	339,900
485 Arts and Amenities	0	100,750	100,750
<b>Total Special Revenues</b>	<b>6,038,807</b>	<b>3,862,022</b>	<b>9,900,829</b>



Fund	Personnel	Non-Personnel	Total
<b>Debt Service Funds</b>			
324 General Bond Retirement	0	820,600	820,600
329 Montgomery Quarter TIF Fund	0	1,389,462	1,389,462
331 Vintage Club TIF Fund	0	3,033,703	3,033,703
332 Vintage Club North TIF Fund	0	744,907	744,907
<b>Total Debt Service</b>	<b>0</b>	<b>5,988,672</b>	<b>5,988,672</b>
<b>Capital Projects Funds</b>			
410 Capital Improvements	0	3,883,400	3,883,400
460 Heritage District Fund	0	14,500	14,500
461 Triangle Equivalent TIF Fund	0	87,300	87,300
463 Vintage Club Capital Construction	0	450,000	450,000
<b>Total Capital Projects</b>	<b>0</b>	<b>4,435,200</b>	<b>4,435,200</b>
<b>Fiduciary Funds</b>			
546 Trust Reimbursements	0	100,000	100,000
601 State Fees	0	17,000	17,000
836 Historical Trust Fund	0	2,500	2,500
840 Cemetery Expendable Trust	0	86,350	86,350
875 Compensated Absence	101,450	0	101,450
890 Unclaimed Moneys Fund	0	1,500	1,500
<b>Total Fiduciary</b>	<b>101,450</b>	<b>207,350</b>	<b>308,800</b>
<b>Total All Funds</b>	<b>14,634,359</b>	<b>21,258,070</b>	<b>35,892,429</b>

RESOLUTION NO. , 2025

**A RESOLUTION REQUESTING THE COUNTY AUDITOR TO MAKE  
TAX ADVANCES DURING THE YEAR 2026 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 2026 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 2026. 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.

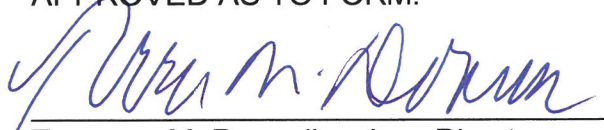
**SECTION 3.** This Resolution shall be in full force and effect from and after its passage.

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

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

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

APPROVED AS TO FORM:

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

ORDINANCE NO. , 2025

**AN ORDINANCE ESTABLISHING A CUSTODIAL/AGENCY FUND TO RECEIVE AND DISBURSE REVENUES COLLECTED FROM THE SYCAMORE TOWNSHIP-CITY OF MONTGOMERY JOINT ECONOMIC DEVELOPMENT DISTRICT**

**WHEREAS**, the City joined with Sycamore Township, Ohio to create a Joint Economic Development District abutting Grooms Road and I-275 to be known as the Sycamore Township-City of Montgomery Joint Economic Development District ("District"); and

**WHEREAS**, as permitted by Ohio law, the Board of Directors established for the District has voted to impose an earnings tax upon residents and workers within the District; and

**WHEREAS**, the City of Montgomery, through the Regional Income Tax Agency, has been tasked with the responsibility to collect and administer the taxes received from the District; and

**WHEREAS**, it is necessary to establish a dedicated Custodial/Agency Fund to receive, hold and disburse such revenues and expenditures for the District.

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

**SECTION 1.** There is hereby established the Sycamore Township-City of Montgomery Joint Economic Development District Fund, Fund 850, within the accounting system for the City. Consistent with the Joint Economic Development District Contract between the City and Sycamore Township, and consistent with the Joint Economic Development District's Board levying a tax in the District, the Finance Department of the



City is authorized to receive and disburse funds in cooperation with the Regional Income Tax Agency in accordance with the Joint Economic Development District Contract.

**SECTION 2.** This Ordinance shall be in full force and 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

**RESOLUTION NO.                      , 2025**

**A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE  
SYCAMORE TOWNSHIP-CITY OF MONTGOMERY JOINT ECONOMIC  
DEVELOPMENT DISTRICT BOARD OF DIRECTORS AND THE  
CITY OF MONTGOMERY FOR THE ADMINISTRATION, COLLECTION AND  
ENFORCEMENT OF THE DISTRICT INCOME TAX**

**WHEREAS**, the City of Montgomery and Sycamore Township contracted to create the Sycamore Township-City of Montgomery Joint Economic Development District ("District") to facilitate economic development and redevelopment, to create and/or preserve jobs and employment opportunities, and to improve the economic welfare of the people in Sycamore Township and the City of Montgomery, all within Hamilton County, Ohio, and in the area of the District; and

**WHEREAS**, a Contract was authorized and approved by both the Board of Trustees of Sycamore Township, Ohio and the Council of the City of Montgomery, Ohio ("JEDD Contract") pursuant to the authority of R.C. § 715.72 and all other applicable sections of the Ohio Revised Code; and

**WHEREAS**, pursuant to the JEDD Contract, the District Board of Directors was authorized to and has adopted a Resolution to levy income tax within the District in accordance with R.C. § 715.72(F) and Section 17 of the JEDD Contract; and

**WHEREAS**, it is necessary pursuant to R.C. § 715.72(F) for the District Board of Directors to enter into an Agreement, in substance and form to the attached Exhibit A, with the City of Montgomery to administer, collect and enforce income tax on behalf of the District.

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

**SECTION 1.** The Council hereby approves the Agreement, in substance and form to the attached Exhibit A, between the District and the City of Montgomery for the administration, collection and enforcement of the income tax levied within the District.

**SECTION 2.** The City Manager is authorized and directed to execute the Agreement on behalf of the City, and to execute such additional documents as may be necessary to implement the Agreement and to implement the collection and disbursement of revenues generated from the collection of income tax within the District.

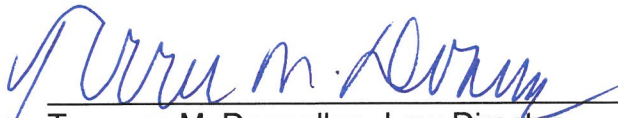
**SECTION 3.** This Resolution shall be in full force and effect from and after its passage.

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

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

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

APPROVED AS TO FORM:

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

**THE SYCAMORE TOWNSHIP – CITY OF MONTGOMERY JOINT ECONOMIC  
DEVELOPMENT DISTRICT AND CITY OF MONTGOMERY, OHIO INCOME TAX  
COLLECTION AND DISTRIBUTION AGREEMENT**

This Income Tax Collection and Distribution Agreement (“Agreement”) dated \_\_\_\_\_, 2025 is entered into by and between the Board of Directors (the “Board”) of the Sycamore Township – City of Montgomery Joint Economic Development District (the “District”) and the City of Montgomery, Ohio (the “City”).

WHEREAS, pursuant to Ohio Revised Code Section 715.72 and the Joint Economic Development District Contract dated August 22, 2025 (the “JEDD Contract”) by and between Sycamore Township (the “Township”) and the City of Montgomery (the “City”), the Township and the City created the Sycamore Township – City of Montgomery Joint Economic Development District; and

WHEREAS, all members of the Board have been duly appointed; and

WHEREAS, the Board has levied an income tax on the persons employed or residing in the District as well as the net profits of businesses located within the District (the “District Income Tax”) and has adopted the City of Montgomery’s tax legislation (the “Tax Code”); and

WHEREAS, pursuant to the JEDD Contract and R.C. 715.72, the Board and the City are required to enter into a Income Tax Collection and Distribution Agreement to provide that the City administers, collects, and enforces the District Income Tax on behalf of the District; and

NOW, THEREFORE, in consideration of the foregoing recitals and the agreements, representations, covenants and promises set forth in this Agreement, the City and the Board agree as follows:

**ARTICLE I  
TERM**

**Section 1. Term**

This Agreement shall take effect upon its approval by the parties hereto and shall continue in effect, as amended from time to time, for the length of time the JEDD Contract is in effect. Upon the termination of the JEDD Contract, this Agreement shall also terminate, except that this contract shall continue in effect for the length of time necessary for the Board and the District to resolve any outstanding matters.

**ARTICLE II  
SERVICES TO THE CITY**

**Section 2.1. Administration, Collection, And Enforcement of the JEDD Contract**

The City of Montgomery shall administer, collect, and enforce the income tax on behalf of the District consistent with the terms of this Agreement, the JEDD Contract, and Ohio law.



## Section 2.2. Duties of the Tax Administrator

The City of Montgomery's Director of Finance or his designee shall serve as the Tax Administrator of the income tax derived from the District and shall be responsible for the receipt, safekeeping, accounting, and investment of income tax revenues pending disbursement. All receipts shall be deposited to a separate District account which shall not be co-mingled with revenue from other sources. Earnings on the District account and investments related thereto shall be added to the account. The Tax Administrator or his or her designee has authority to grant refunds and compromise claims for tax, penalties, and interest. The Tax Administrator has authority to commence legal proceedings pertaining to delinquent tax collection and enforcement, and declaratory judgment regarding disputed interpretation and applicability of the City of Montgomery's income tax ordinance within the District. The Tax Administrator or his or her designee is authorized to investigate and audit taxpayer returns and to issue subpoenas in furtherance of his or her duties. The Tax Administrator is designated to be an interested party and is authorized to commence and defend legal proceedings in the name of the District in any way pertaining to the income taxation within the District. The Tax Administrator is authorized and may contract on behalf of the District with a municipal income tax collection and administration agency to perform the administration, collection, and enforcement duties relating to the District income tax as set forth in the JEDD Contract. The fees and expenses of such an agency shall be deducted from the District income tax revenues and paid to such agency prior to distribution of those revenues as set forth in the JEDD Contract.

## Section 2.3 Written Report

The Tax Administrator shall report quarterly to the Board and Contracting Parties regarding receipt and distribution of income tax revenue including amount retained in escrow. The Tax Administrator shall furthermore report quarterly regarding District operating income and expenses for the preceding quarter and shall provide short-term and long range projections concerning anticipated income and expenses associated with District operations. The Tax Administrator shall provide monthly report to the secretary regarding all revenue with taxpayer sources – such monthly reports shall be subject to confidentiality covenants as set forth in the JEDD Contract.

## ARTICLE III COMPENSATION AND EXPENSES

### Section 3.1 Compensation and Expenses

The Tax Administrator shall pay one percent of the District Income Tax into escrow. Escrow proceeds may be utilized to pay refunds, and in general to balance accounts. In the event of an escrow deficiency, the Tax Administrator may invoice the Contracting Parties according to their prorated distribution to satisfy the deficiency. Invoices for deficiency are due and payable within 30 days from notice.

The Contracting Parties shall allocate a prorated portion of the Net Revenue which has meaning set forth in the JEDD Contract to the Board of Directors adequate to meet operating expenses; provided, however, that the amount allocated shall not exceed \$1000.00 annually without consent of the Contracting Parties.

#### ARTICLE IV DEFAULTS AND REMEDIES

##### Section 4.1. Default

A failure to comply with any of the terms of this Agreement shall constitute a default hereunder. The Contracting Party in default shall have 60 days after receiving written notice from another Contracting Party of the event of default to cure that default. If the default is not cured within that time period, the non-defaulting Contracting Party may sue the defaulting Contracting Party for specific performance or other equitable relief under this Agreement or for actual damages.

##### Section 4.2. Remedies

The Contracting Parties agree that the nature of this Agreement is unique and monetary damages are inadequate to fully compensate a non-defaulting Contracting Party. Accordingly, the Contracting Parties agree that specific performance is an appropriate and available remedy for a breach of contract action brought pursuant to this Agreement in addition to any other remedy available at law or in equity. Both Contracting Parties also agree that because monetary damages are inadequate to fully compensate a non-defaulting Contracting Party, a non-defaulting Contracting Party has the right to seek an injunction and other equitable relief to prevent the continued breach of this Agreement by a defaulting Contracting Party.

#### ARTICLE V MISCELLANEOUS

##### Section 5.1. Amendments

This Agreement may be amended by the Board, Sycamore Township, and the City of Montgomery only in a writing approved by the Board the legislative authority of the City of Montgomery and the Board of Trustees of Sycamore Township and by appropriate legislation authorizing that amendment.

##### Section 5.2. Binding Effect

This Agreement shall inure to the benefit of and shall be binding upon the District, and the City of Montgomery and their respective permitted successors, subject, however, to the specific provisions hereof. Other than those specifically mentioned in the preceding sentence, no third parties shall have any right to claim rights, benefits, or privileges under this agreement. All of the obligations and duties of the Board and the City of Montgomery under this Agreement are hereby

established as duties specifically enjoined by law and resulting from an office, trust or station upon the Board and the City of Montgomery.

#### Section 5.3. Governing Law

This Agreement shall be governed exclusively by and construed in accordance with the laws of the State of Ohio. All claims, counterclaims, disputes, and other matters in question regarding this Agreement or its breach will be decided in a court of competent jurisdiction within the State of Ohio.

#### Section 5.4. Captions and Headings

The captions and headings herein are for convenience only and in no way define, limit or describe the scope or intent of any provisions or sections hereof.

#### Section 5.5. Conflicts

In the event of a conflict between this Agreement and the JEDD Contract, the provisions of the JEDD Contract will prevail.

#### Section 5.6. Severability

The invalidity or unenforceability of any one or more provision of this Agreement shall not affect the validity or enforceability of the remaining provisions of this Agreement or any part thereof and the same shall remain in full force and effect.

#### Section 5.7. Notices and Payments

All notices, demands, requests, consents or approvals given, required or permitted hereunder shall be in writing and shall be deemed sufficiently given if received or if hand delivered or sent by recognized overnight delivery service or by certified mail, postage prepaid and return receipt requested, addressed to the Board at its principal office located at 8540 Kenwood Rd, Cincinnati, OH 45236, Attention: Chairperson, and the City at its offices located at 10101 Montgomery Rd, Montgomery, OH 45242, Attention: City Manager, or such other address as the recipient shall have previously notified the sender in writing as provided in this Section 5.7.

#### Section 5.8. Counterparts

This Agreement may be executed in several counterparts, each of which shall be regarded as an original and all of which shall constitute but one and the same Agreement.

#### Section 5.9. Entire Agreement

This Agreement is the only and entire agreement between the Board and the City regarding the District Income Tax Collection and Distribution.

IN WITNESS WHEREOF, the Board and City caused this Agreement to be duly signed in their respective names by their duly authorized officers as of the date hereinbefore written.

BOARD OF DIRECTORS FOR THE CITY  
OF MONTGOMERY AND SYCAMORE TOWNSHIP  
JOINT ECONOMIC DEVELOPMENT DISTRICT

By: \_\_\_\_\_, Chairman

CITY OF MONTGOMERY

By: \_\_\_\_\_

DRAFT



RESOLUTION NO. \_\_\_\_\_, 2025

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A FEDERAL LOCAL LET PROJECT AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE PROJECT KNOWN AS HAM-126-19.50 TO RAISE AND REPLACE A PEDESTRIAN BRIDGE OVER SR126**

**WHEREAS**, the State of Ohio has determined there is a need to raise and replace the pedestrian bridge over SR126 near Sycamore Middle School ("Project") which is located within the City of Montgomery, Ohio, and the State has agreed to cooperate in funding such Project in cooperation with the City; and

**WHEREAS**, the City of Montgomery ("LPA" or "City") and the Ohio Department of Transportation ("ODOT") desire to enter into a Federal Local Let Project Agreement which will delineate responsibility for the funding and administration of the HAM-126-19.50 Project.

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

**SECTION 1.** It being in the public interest, the City gives consent to the Director of Transportation to complete the above-described Project as detailed in the LPA-ODOT-Let Agreement to be entered into between the parties.

**SECTION 2.** The City shall cooperate with the Director of Transportation in the development and construction of the above-described Project, and shall enter into a LPA Federal ODOT Let Project Agreement, if applicable, as well as any other agreements necessary to develop and construct the Project. The State of Ohio shall assume 100% of the cost of the Project, provided, however, the City agrees to pay 100% of the cost of those features requested by the City which are determined by the State and the Federal Highway

Administration to be unnecessary for the essential construction of the Project, which upon completion of the Project may include the cost to install and maintain lighting upon the pedestrian bridge and the Mechanically Stabilized Earth Walls.

**SECTION 3.** The City Council as the authority for the Local Public Agency hereby authorizes the City Manager to enter into and execute Contracts with the Director of Transportation which are necessary to develop plans for and to complete the above-described Project, and to execute Contracts with ODOT pre-qualified consultants for the preliminary engineering phase of the Project. Upon the request of ODOT, the City Manager is also empowered to execute any appropriate documents to affect the assignment of all rights, title and interests of the City to ODOT arising from any agreement with its consultants, in order to allow ODOT to direct additional or corrective work, recover damages due to errors, and to exercise all other contractual rights and remedies afforded by law or equity.

**SECTION 4.** The City agrees that all right-of-way required for the described Project will be acquired and/or made available in accordance with current State and Federal regulations. The City also understands the right-of-way costs may include eligible utility costs. The City agrees that all utility accommodation, relocation and reimbursement will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

**SECTION 5.** Upon completion of the Project, unless otherwise agreed, the City shall: (1) provide adequate maintenance for the Project in accordance with all applicable State and Federal law, including, but not limited to, Title 23, U.S.C., Section 116; (2) provide ample financial provisions, as necessary, for the maintenance of the Project;

(3) maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

**SECTION 6.** It is hereby found and determined that all formal actions of the City Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this City Council, and that any and all deliberations of this City Council and any of its Committees that resulted in such formal action were in meetings open to the public in accordance with all Ohio legal requirements.

**SECTION 7.** 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 Work Session Minutes  
October 22, 2025

Present

Brian Riblet, City Manager  
Terry Donnellon, Law Director  
Tracy Henao, Asst. City Manager  
Kevin Chesar, Community Dev. Director  
John Crowell, Police Chief  
Maura Gray, Finance Director  
Gary Heitkamp, Public Works Director  
Ben Shapiro, 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  
Ken Suer

Council Members Absent

Catherine Mills-Reynolds  
Craig Margolis

City Council convened in Work Session for October 22, 2025 at 6:00 p.m. at City Hall with Mayor Messer presiding.

**ROLL CALL**

Mayor Messer asked for a roll call as Mr. Margolis and Mrs. Mills-Reynolds were absent. The roll was called with all members present except Mr. Margolis and Mrs. Mills-Reynolds.

Vice Mayor Naiman made a motion to excuse Mr. Margolis and Mrs. Mills-Reynolds' absences as previously reported. Mr. Dobrozsi seconded. City Council unanimously agreed.

**GUESTS AND RESIDENTS**

There were no guests or residents.

**ESTABLISHING AN AGENDA FOR NOVEMBER 5, 2025 BUSINESS SESSION**

**PENDING LEGISLATION**

**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, 2026**

Mr. Suer explained that, if approved, this Ordinance would establish the City's Budget for fiscal year 2026. The documents were presented to and reviewed with City Council at the September 11 Budget Review meeting.

Mr. Suer asked if there were any updates.

Ms. Gray replied that any updates would be presented at the November 19 Work Session meeting for final consideration at the December 3 Business session.

Mayor Messer stated that the Ordinance would be added to the November 5 Business Session agenda for passage of the second reading. The third reading would be held at the December 3 Business Session with adoption requested at that meeting.

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## **NEW LEGISLATION**

### **A Resolution Requesting The County Auditor To Make Tax Advances During The Year 2026 Pursuant To Ohio Revised Code § 321.34**

Ms. Gray explained that, if approved, this Resolution will authorize the request of advanced payment for taxes from the Hamilton County Auditor. City Council passed legislation to advance taxes for collection year 2025 on January 8, 2025. Hamilton County requires passage of this legislation for each collection year. Ms. Gray added that the City collected an additional \$84,000 in revenue by requesting the tax advances in this manner.

Mr. Suer applauded Ms. Gray for recognizing the benefit in asking for the advance and staying on top of renewing it each year.

Mayor Messer assigned the legislation to Mr. Suer. He stated that the Resolution would be added to the November 5, 2025, Business Session agenda for reading, and consider of adoption at that meeting.

### **An Ordinance Establishing A Custodial/Agency Fund To Receive And Disburse Revenues Collected From The Sycamore Township-City Of Montgomery Joint Economic Development District**

Ms. Gray explained that, if approved, this Ordinance will establish fund 850 to be used to account for revenues and disbursements associated with the Joint Economic Development District (JEDD) established between the City and Sycamore Township.

Mayor Messer assigned the legislation to Mr. Suer. He stated that the Ordinance would be added to the November 5, 2025, Business Session agenda for first reading. The second reading will be held at the December 3 Business Session with a request to suspend the third reading and consider adoption of the Ordinance at that meeting.

### **A Resolution Approving An Agreement Between The Sycamore Township-City Of Montgomery Joint Economic Development District Board Of Directors And The City Of Montgomery For The Administration, Collection And Enforcement Of The District Income Tax**

Mr. Donnellon explained that, if approved, this Resolution will be the final piece to the agreement with Sycamore Township to implement the Joint Economic Development District with Sycamore Township. He stated that the Agreement previously approved by Council and Ohio law requires there to be an Agreement between the municipality administering the tax and the Board of Directors of the District for the administration, collection and enforcement of the income tax. This Agreement authorizes that collection process. The Agreement also authorizes the City to delegate such authority to a separate agency, and in this case the Regional Income Tax Agency ("RITA") which administers the Tax Code on behalf of the City. The cost for RITA to administer this Contract will be deducted from the revenues received consistent with our separate administration Agreement with RITA.

Mr. Suer asked about the progress of the Paragon Ranch apartment development.

Mr. Riblet provided an update on the expected opening of the first rental building in late fall.

Mayor Messer asked Mr. Riblet what the expected range of income tax revenue would be.

Mr. Riblet replied that optimistically it would be between \$40,000 and \$50,000 but depends on the rental capacity and salary range of the occupants.

Mayor Messer assigned the legislation to Mrs. Bissmeyer. He explained that the Resolution would be added to the November 5, 2025, Business Session agenda for reading and consider at the meeting.

**A Resolution Authorizing The City Manager To Enter Into A Federal Local Let Project Agreement With The Ohio Department Of Transportation For The Project Known As HAM-126-19.50 To Raise And Replace A Pedestrian Bridge Over SR126**

Mr. Heitkamp explained that, if adopted, this Resolution would grant consent to ODOT to replace the pedestrian bridge crossing State Route 126 that is within the city at their expense. The consent agreement also confirms that the City will operate and maintain the lighting to be installed as part of the project. He added that there is no cost to the City for design or construction of the pedestrian bridge.

Mr. Dobrozsi asked Mr. Heitkamp if the bridge would be handicap accessible with this replacement.

Mr. Heitkamp replied that it would be ADA compliant with the construction.

Mayor Messer asked if the pedestrian bridge would be covered.

Mr. Heitkamp replied that it would not be.

Mayor Messer asked if the City is responsible for clearing and treating the pedestrian bridge after winter weather events.

Mr. Heitkamp replied that we are not required to treat or clear the pedestrian portion of the bridge.

Mayor Messer assigned the legislation to Mr. Margolis. He explained that the Resolution would be added to the November 5, 2025, Business Session agenda for reading and consider at the meeting.

**ADMINISTRATION REPORT**

Mr. Riblet reported the following items:

- A Council Business Session is scheduled for Wednesday, November 5 at 6:00 p.m.

Mr. Riblet requested that a CIC meeting be held prior to the Business Session to begin at 5:45 p.m. City Council agreed to the meeting. Mr. Dobrozsi made a motion to commence with the Business Session immediately following the CIC meeting. Vice Mayor Naiman seconded. City Council unanimously agreed.

- Mr. Riblet explained that the November 19 Work Session would be the final meeting for Mayor Messer and Mr. Dobrozsi and requested to start that meeting at 5:15 in order to recess for a short reception in honor of their service on City Council. Mr. Riblet added that the request for the December 3 Business Session also begin at 5:15 in order to hold the swearing in ceremony for the newly elected Council Members and to recess into a short reception for them as well. City Council agreed to both meetings beginning at 5:15 p.m.
- The Law and Safety, Financial Planning and Planning, Zoning and Landmarks Committees have cancelled their meetings for the month of November.
- Currently the Parks and Recreation, Government Affairs and Public Works Committees do not have agenda items for November. Mr. Riblet stated he will provide an update at the November 5, 2025 Business Session.



Operations at the City

- Over the past two weeks staff has conducted two very productive meetings with App Architecture relative to the overall layout and interior spaces for the proposed Safety Center project. He stated that once the design was in final format, it would be shared with City Council.
- Along with that project, the deadline for the RFQ for CMAR (Construction Manager at Risk) services was due on Monday, October 20. He stated that five submissions were received, and an internal committee will work to identify the top three companies and proceed with an RFP and interview process.
- Mr. Riblet stated that he would be out of the office Friday 10/24 through Thursday 10/30 attending ICMA in Tampa. He added that on Sunday he will be part of a presentation and panel discussion on community engagement along with Smithville, MO and Tyrone, GA.
- A report of a malfunction of the traffic signal at Montgomery and Cooper has been investigated by Traffic Engineer Jay Korros who made adjustment to correct it.
- Exciting News for Walt Taylor at Public Works as he has indicated that he and his new bride are expecting a baby girl in April.
- Congratulations to Matthew Vanderhorst who recently got engaged to his fiancé Tanya.

Hiring Process

- Mr. Riblet provided an update on HR Manager hiring process.
- Police Officer positions – Two candidates are scheduled for interviews with the City Manager and Police Chief this week and next week. There are two open positions to fill.

Events

- This coming Tuesday, October 28, the First Responders Breakfast will be held at the Safety Center beginning at 7:00 a.m. until approximately 8:30 a.m.
- The Hotel Rambler has scheduled a “Ribbon Cutting” for Thursday, November 6. The event will be from 5:00-8:00 p.m. with the ribbon cutting taking place sometime in the first hour. They intend to have some lite bite stations scattered throughout the hotel.
- As a reminder the Blue Ash Veterans Day Ceremony will be held on Tuesday, November 11, at the Blue Ash Recreation Center, 4433 Cooper Road. The ceremony begins at 10:30 a.m. and will last approximately one hour. There is a luncheon that follows for anyone interested in attending.
- The Chamber of Commerce Annual Awards Dinner is scheduled for November 13, 2025, at The Hotel Rambler. Tracy Henao is nominated for the Gerri Harbison Spirit Award this year. The evening begins at 5:00 p.m. with a social hour and is anticipated to run until 9:00 p.m.



**LAW DIRECTOR REPORT**

Mr. Donnellon explained that there are 22 legislative bills pending in the Ohio House and Senate regarding property tax reform. He stated that the Ohio Municipal League continues to monitor the issue. Mr. Donnellon added that there was feedback from Legislators encouraging communities to become more involved with their representatives to establish relationships rather than only communicating when there are problems.

**CITY COUNCIL REPORTS**

**Mrs. Bissmeyer**

Mrs. Bissmeyer had no meetings to report on but thanked staff for a successful Harvest Moon event.

**Mr. Dobrozsi**

Mr. Dobrozsi explained that the interview team for the Law Director search process met with the final two firms prior to the meeting. He explained that after a lengthy process and thoughtful deliberation the team is recommending to move forward with negotiations with Frost Brown Todd.

Mrs. Bissmeyer asked if there would be a specific person that would be the main contact and if that person were to leave the Firm would it roll to someone else in the Firm or follow that person.

Mr. Riblet replied that is something that would be negotiated and included in the contract based on the City's preference.

Mr. Dobrozsi explained that the point person that would be designated as the Law Director from Frost Brown Todd would be Jack Hemenway. He explained that Joe Scholler represented FBT throughout the interview process; however, due to his history as the labor negotiation and employment counsel for the City, it was decided that he would remain in that role and Mr. Hemenway would be the main point of contact.

Mr. Donnellon stated that all the Firms were very good. He stated that all the attorneys at Frost Brown and Todd are good attorneys and good people. He explained that they will work well together through the transition period to make it a seamless transition.

Vice Mayor Naiman thanked Mr. Riblet and the team for conducting a thorough process. She stated that even though it was lengthy it was a very thorough process, and she felt that it was what it needed to be to get to the decision and the recommendation being currently made.

Mr. Suer stated that he felt the whole process went well. He stated that it would be a transition for us as we are used to having the one person of Mr. Donnellon who handles all the issues but now we will have a team. He stated that we will have the point person but with the team he feels it is a different approach that will work.

After final discussion, Mr. Dobrozsi moved to allow the City Manager to enter into negotiations with Frost Brown for legal services as the City's Law Director with a final recommendation brought back to Council for approval. Vice Mayor Naiman seconded. City Council unanimously agreed.

Mr. Dobrozsi updated Council on the evaluation processes for the City Manager and the Law Director. He explained that the transition plan for the Law Director is to have the firm on hand to work with Mr. Donnellon until his retirement day of March 31, 2026.

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Mr. Dobrozsi reported that the Sister Cities Commission set the date for the Soirée En Rosé for February 28, 2026.

Mr. Dobrozsi reported that the Arts Commission is hosting the Live at the Uni concerts which have been fully attended.

**Vice Mayor Naiman**

Vice Mayor Naiman reported that she is acting on behalf of Mrs. Mills-Reynolds who is the Council Liaison to the Parks and Recreation Commission as well as the Chair of the Parks and Recreation Committee. She explained that the Parks and Recreation Committee met and discussed the vacancy on the Park and Recreation Commission. She explained that Mr. Resnick has attended past Park and Recreation Commission meetings and met with the Parks and Recreation Committee in a past interview process. She stated that the Parks and Recreation Committee made a recommendation to appoint Mr. Resnick to the Commission at their October 13 meeting therefore she moved to appoint him to the Parks and Recreation Commission with a term ending January 31 2028. She added that since it is a Committee recommendation a second is not needed. City Council unanimously agreed to appoint Mr. Resnick.

**Mr. Suer**

Mr. Suer stated that he felt the architecture firm was doing a good job of creating a design of the Safety Center that incorporated the ideas and thoughts of the Police and Fire chiefs. He said it was a really thorough design.

Mr. Suer gave kudos to staff on the upgrade to the landscaping and painting of City Hall. He stated it looks very good.

**Mayor Messer**

Mayor Messer stated how good the Braver Angels session have went. He stated that it has been a large group of close to 40 people who have conducted thoughtful conversations around political views and polarizing issues.

Mayor Messer praised staff for hosting another wonderful event, Harvest Moon

Mayor Messer reported that he attended a Hamilton County Partners in Preparedness meeting along with Mr. Margolis and Chief Crowell. He stated that the discussion was centered around emergency preparedness and included an exercise on how to handle a catastrophic tornado event. He reminded Council of their responsibilities during an emergency event and encouraged them to read over the material that has been provided to them in the past.

**MINUTES**

Mr. Dobrozsi moved to approve the October 8 Business Session minutes. Vice Mayor Naiman seconded. City Council unanimously agreed.

**OTHER BUSINESS**

There was no other business to discuss.

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**ADJOURNMENT**

Mayor Messer asked if there was anything further to discuss in Public Session. As there was none, Mayor Messer asked for a motion to adjourn.

Vice Mayor Naiman moved to adjourn. Mrs. Bissmeyer seconded. City Council unanimously agreed.

City Council adjourned at 6:47 p.m.

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Connie Gaylor, Clerk of Council