

MEMORANDUM

August 15, 2025

TO:

Mayor and City Council Members

FROM:

Brian K. Riblet, City Manager

SUBJECT:

City Council Work Session of Wednesday, August 20, 2025

As a reminder, City Council is scheduled to meet in Work Session on Wednesday, August 20, 2025 at 6:00 p.m.

Work Session

1. Call to Order

2. Roll Call

3. Special Presentation

- a. <u>Police Officer Andy McGuffey and family will be at Council to introduce the</u> newest member of the Montgomery family, Hallie McGuffey
- 4. Guest and Residents
- Legislation for Consideration this Evening
 - a. A Resolution To Adopt Recommendation Of The Montgomery Tax Incentive Review Council With Respect To The Compliance Of All Tax Increment Financing Districts Within The City Of Montgomery—Please find attached correspondence from Maura Gray, Finance Director, requesting that City Council consider approving a Resolution that, if adopted, will adopt the recommendation of the Montgomery Tax Incentive Review Council with respect to the compliance of all Tax Increment Financing Districts within the City of Montgomery. The Montgomery Tax Incentive Review Council will meet on Wednesday, August 20, 2025. Ohio Law mandates that City Council approve, reject, or remand the decision of the Tax Incentive Review Council relative to the compliance of the tax increment financing districts with their enabling legislation prior to September 1, 2025.

Make a motion to add to the agenda

Voice Vote

Assign to a Council Member for Reading

Move to read the Resolution by title only

Voice Vote

Move for passage of the Resolution

Voice Vote

Explain Resolution

Roll Call Vote

6. Establishing an Agenda for September 3, 2025 Business Session

Tabled Legislation

a. A Resolution Authorizing the City Manager to enter into an agreement with the Sycamore Community School District Board of Education to assign two School Resource Officers—(Mr. Dobrozsi) Information has been previously supplied on this legislation that, if approved, would authorize an agreement with Sycamore Community School District Board of Education to reimburse the City for the assignment of two School Resource Officers for the High School and the Junior High located within the City. This agreement will cover school years 2025-2026 through 2027-2028.

New Legislation

a. A Resolution Authorizing An Assessment For The Cutting Of Noxious Weeds And Removal Of Debris/Trash at 10039 Windzag Lane, Montgomery, Ohio 45242—Please find attached correspondence from Greg Vonden Benken, Zoning & Code Compliance Officer, requesting that City Council authorize an assessment for the cutting of noxious weeds at 10039 Windzag Lane. Due to negligence by the owner of the property, the City has been forced to cut the grass in order to bring the property into compliance with our property maintenance code. Section 93.40 provides a prohibition against noxious weeds and grass that exceeds 6" in height. Section 93.13 and 93.41 of the code allows the Community Development Department to have these nuisances abated by contract and the cost to be charged against the real property and a lien to be placed upon the property. If the owner fails to comply with the notice within the time allotted, the City may begin minor nuisance abatement.

Add this Resolution to the September 3, 2025 Business Session agenda, assign it to a City Council member for reading, and consider adoption of the Resolution that evening.

b. A Resolution Authorizing An Assessment For The Cutting Of Noxious Weeds And Removal Of Debris/Trash at 10360 Southwind Drive, Montgomery, Ohio 45242 —Please find attached correspondence from Greg Vonden Benken, Zoning & Code Compliance Officer, requesting that City Council authorize an assessment for the cutting of noxious weeds at 10360 Southwind Drive. Due to negligence by the owner of the property, the City has been forced to cut the grass in order to bring the property into compliance with our property maintenance code. Section 93.40 provides a prohibition against noxious weeds and grass that exceeds 6" in height. Section 93.13 and 93.41 of the code allows the Community Development Department to have these nuisances abated by contract and the cost to be charged against the real property and a lien to be placed upon the property. If the owner fails to comply with the notice within the time allotted, the City may begin minor nuisance abatement.

Add this Resolution to the September 3, 2025 Business Session agenda, assign it to a City Council member for reading, and consider adoption of the Resolution that evening.

c. A Resolution Authorizing The City Manager To Enter Into A Contract With Compass Point Planning, LLC For Professional Services Related To Land Usage Code Updates Consistent With The Montgomery's Moment: 2025 Comprehensive Plan—Please find attached correspondence from Kevin Chesar, Community Development Director requesting that City Council consider this Resolution that, if approved, will authorize the contract with Compass Point Planning, LLC to assist with the update to the Land Usage (Zoning) Code. This is a critical component to implementing the Comprehensive Plan.

Add this Resolution to the September 3, 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: August 6, 2025 Business Session
- 11. Other Business
 - a. <u>New Liquor License</u>—Please see the attached correspondence from Police Chief John Crowell regarding a notice received from the Ohio Division of Liquor Control for a new liquor permit for Spicy Olive LLC dba The Spicy Olive, LLC.

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 Asst./Clerk of Council Department Heads Terry Donnellon, Law Director





CITY COUNCIL WORK SESSION AGENDA 10101 Montgomery Road • Montgomery, Ohio 45242 (513) 891-2424 • Fax (513) 891-2498

July 16, 2025 City Hall at 6:00 p.m.

- 1. Call to Order
- 2. Roll Call
- 3. Special Presentation
 - a. <u>Police Officer Andy McGuffey and family will be at Council to introduce the</u> newest member of the Montgomery family, Hallie McGuffey
- 4. Guests and Residents
- 5. Legislation for Consideration This Evening
 - a. A Resolution To Adopt Recommendation Of The Montgomery Tax Incentive Review Council With Respect To The Compliance Of All Tax Increment Financing Districts Within The City Of Montgomery

Make a motion to add to the agenda

Voice Vote

Assign to a Council Member for Reading

Move to read the Resolution by title only

Voice Vote

Move for passage of the Resolution

Voice Vote

Explain Resolution

Roll Call Vote

6. Establishing an Agenda for the September 3, 2025 Business Session

Tabled Legislation

a. <u>A Resolution Authorizing the City Manager to enter into an agreement with the Sycamore Community School District Board of Education to assign two School Resource Officers—(Mr. Dobrozsi)</u>

New Legislation

a. <u>A Resolution Authorizing An Assessment For The Cutting Of Noxious Weeds And Removal Of Debris/Trash at 10039 Windzag Lane, Montgomery, Ohio 45242</u>

Add this Resolution to the September 3, 2025 Business Session agenda, assign it to a City Council member for reading, and consider adoption of the Resolution that evening.

b. <u>A Resolution Authorizing An Assessment For The Cutting Of Noxious Weeds And Removal Of Debris/Trash at 10360 Southwind Drive, Montgomery, Ohio 45242</u>

Add this Resolution to the September 3, 2025 Business Session agenda, assign it to a City Council member for reading, and consider adoption of the Resolution that evening.

c. <u>A Resolution Authorizing The City Manager To Enter Into A Contract With Compass Point Planning, LLC For Professional Services Related To Land Usage Code Updates Consistent With The Montgomery's Moment: 2025 Comprehensive Plan</u>

Add this Resolution to the September 3, 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- August 6, 2025 Business Session
- 11. Mayors Court Report

12. Other Business

a. <u>New Liquor License</u>—Please see the attached correspondence from Police Chief John Crowell regarding a notice received from the Ohio Division of Liquor Control for a new liquor permit for Spicy Olive LLC dba The Spicy Olive, LLC.

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

Voice Vote

13. Executive Session

14. 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





August 15, 2025

TO:

Brian K. Riblet, City Manager

FROM:

Maura Gray, Finance Director

SUBJECT:

Approval of Anticipated Action by Montgomery Tax Incentive Review

Council

Request

In accordance with ORC Section 5709.85, it is necessary for City Council to adopt legislation to approve the August 20, 2025, finding of the Montgomery Tax Incentive Review Council. It is anticipated that the Tax Incentive Review Council will determine that all current tax increment financing districts are in compliance with the requirements of the legislation that created the districts.

Background

The City of Montgomery Tax Incentive Review Council meets annually to review all existing tax increment financing districts to ensure their compliance with all requirements of the agreements that created the districts. This Tax Incentive Review Council is comprised of one representative from the Hamilton County Auditor's Office, one representative of the Sycamore Community Schools, one representative of the Great Oaks Joint Vocational School District, one Montgomery City Council Member, and the City Manager.

Recommendation

Staff recommends City Council adopt a Resolution to affirm the anticipated action of the Montgomery Tax Incentive Review Council relative to the compliance of the current tax increment financing districts. The meeting agenda of the Council's meeting will be attached for your review.

RESOLUTION NO. , 2025

A RESOLUTION TO ADOPT THE RECOMMENDATION OF THE MONTGOMERY TAX INCENTIVE REVIEW COUNCIL WITH RESPECT TO THE COMPLIANCE OF ALL TAX INCREMENT FINANCING DISTRICTS WITHIN THE CITY OF MONTGOMERY

WHEREAS, the Council of the City of Montgomery, Ohio has approved tax increment financing districts to encourage economic development of certain properties within the City limits; and

WHEREAS, the Montgomery Tax Incentive Review Council meets annually to review these districts for compliance with payments in lieu of real estate taxes and other requirements as set forth in the legislation which created the districts; and

WHEREAS, ORC Section 5709.85 requires, annually, that the recommendations of Tax Incentive Review Councils to be adopted by the legislative authority of the political subdivision in which the district is located, and such legislation forwarded to the Ohio Department of Development.

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

SECTION 1. The Council of the City of Montgomery, Ohio, having received the 2025 report of the Montgomery Tax Incentive Review Council, hereby adopts the recommendation of that Council, a copy of which is attached hereto, with respect to the compliance of each tax increment financing district within the corporate limits of the City of Montgomery.

SECTION 2. 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	

City of Montgomery

Tax Incentive Review Council

AGENDA

Wednesday, August 20, 2025, at 11:00 AM City Hall Council Chambers

- 1. Call to order
- 2. Approval of Minutes of August 15, 2024
- 3. Review of outstanding tax incentive financing districts operating within the City of Montgomery:
 - a. Montgomery Triangle Development
 - b. Vintage Club Phase One
 - c. Vintage Club Phase Two
 - d. Montgomery Quarter
- 4. Approval of Annual TIF Financial Report
- 5. Other Business
- 6. Adjournment

RESOLUTION NO. , 2025

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE SYCAMORE COMMUNITY SCHOOL DISTRICT BOARD OF EDUCATION TO ASSIGN TWO SCHOOL RESOURCE OFFICERS

WHEREAS, the City of Montgomery and the Sycamore Community Schools have agreed to enter into a contract to assign two patrol officers from the Montgomery Police Department to serve as a School Resource Officers for the Sycamore Community School District; and

WHEREAS, within such Agreement, the City and School District intend to outline the obligations and responsibilities among the parties and to allocate the cost of such assignment.

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

SECTION 1. The City Manager is hereby authorized to enter into an Agreement, in substance and form to the attached Exhibit A, with the Sycamore Community School District Board of Education to provide one School Resource Officer to Sycamore High School and one School Resource Officer to Sycamore Junior High School for the school years 2025-2026, 2026-2027 and 2027-2028.

SECTION 2. The City Manager is authorized to execute such additional documentation as may be necessary to implement the Agreement.

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	



MEMORANDUM

Monday, August 11, 2025

TO:

Brian K. Riblet, City Manager

FROM:

Greg Vonden Benken, Zoning & Code Compliance Officer ${\cal N}$

RE:

Authorizing an Assessment for Property Maintenance

Request

It is requested that City Council adopt a Resolution Authorizing an Assessment for the cutting of Noxious Weeds & Grass at 10039 Windzag Lane, Hamilton County Auditors Parcel Number 603-0014-0184.

Background

Due to negligence by the owner of the property, the City has been forced to cut the grass on two separate occasions, May 23, 2025, and July 25, 2025, in order to bring the property into compliance with our property maintenance code. The property is located at 10039 Windzag Lane.

Section 93.40 provides a prohibition against noxious weeds and grass that exceeds 6" in height. Section 93.13 and 93.41 of the code allows the Community Development Director to have these nuisances abated by contract and the cost to be charged against the real property and a lien to be placed upon the property.

The owner of the property is Allan R. Wilson who is currently living in the home. Staff has not been able to directly contact the owner after multiple attempts including a door hanger, and an abatement violation notice attached to the structure's door.

After providing the required notices and the resulting lack of mowing, the City had the front and rear yards cut by a City contractor. The total cost of the cuttings was \$600. To provide options for payment the invoice was mailed twice, and the second time was sent certified mail which up to this date has been ignored by the occupant. Unfortunately, the actions have not prompted payment.

The City now desires to assess a lien upon this property for the cost incurred and an additional administrative fee of \$25 per property as allowable by law. Total assessment of \$650.

Recommendation

At this time, it is necessary to certify to the Hamilton County Auditor the costs of this maintenance so they may be assessed on the property for this location.

Therefore, it is staff's recommendation that this Resolution be placed on the agenda for the August 20, 2025, Work Session and passed at the September 3, 2025, Business Session. This timing will place the assessment on the Hamilton County 2025 tax bill with a payment in 2026.

Attachments: Invoices-City and Contractor Copy of Certified Mail Receipt U.S. Postal Service

CERTIFIED MAIL® RECEIPT

Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Certified Mail Fee

Extra Services & Fees (check box, add tee as propried)

Return Receipt (hactoopy)

Retur

Parcel ID 603-0014-0184-00 Address 10039 WINDZAG LN Index Order Parcel Number Tax Year 2024 Payable 2025

Tax District 211 - MONTGOMERY-SYCAMOF School District SYCAMORE CSD	EE CSD	Images/Sketches
Appraisal Area 60305 - MONTGOMERY 05 Sales	Auditor Land Use 510 - SINGLE FAMILY DWLG	-F/ (5 (5))
Owner Name and Address WILSON ALLAN R 10039 WINDZAG LN CINCINNATI OH 452425846 (Questions? 946-4015 or county.auditor@auditor.hamilton-co.org)	Tax Bill Mail Address WILSON ALLAN R 10039 WINDZAG LN CINCINNATI OH 452425846 (Questions? 946-4800 or treasurer.taxbills@hamilton-co.org)	218, a Albasinin County And Herary and the second of the s
Assessed Value 131,970	Effective Tax Rate 56.481476	Total Tax \$6,594.88

Year Built	1971
Total Rooms	8
# Bedrooms	4
# Full Bathrooms	2
# Half Bathrooms	2
Last Transfer Date	4/16/1998
Last Sale Amount	\$0
Conveyance Number	0
Deed Type	AF - Affidavit (EX)
Deed Number	837909
# of Parcels Sold	1
Acreage	0.495

Board of Revision	No
Rental Registration	No
Homestead	No
Owner Occupancy Credit	Yes
Foreclosure	No
Special Assessments	Yes
Market Land Value	128,450
CAUV Value	0
Market Improvement Value	248,600
Market Total Value	377,050
TIF Value	0
Abated Value	0
Exempt Value	0
Taxes Paid	\$0.00

2



This property has been found to be in violation of the City of Montgomery Code of Ordinances.

The following item(s) need correction to be compliant with the adopted regulations of the City of Montgomery:

Weeds/Tall Grass: Section 302.11
Grass and weeds shall not exceed a height of 6"

Tree Removal/Maintenance: Section 302.10

Dead tree(s) need to be removed.

Sanitation/Rubbish: Sections 302.1, 302.2
Exterior property shall be free of rubbish or discarded materials.

Motor Vehicles: Section 302.16

Vehicles must be parked on a hard surface and be operable with a current registration.

Work without Permit(s): Sections 51.02, 150.1202, 152.02
Work being completed requires a building zoning and/or right of way permit.

Thank You.	Property need no later than	Address	Additional Co
CACA SOLAN TENES	Property needs to be brought into compliance no later than	0039 W.NB249	Additional Comments/Other

City-of Montgomery



MONTGOMERY NOTICE

of Montgomery Code of Ordinances. This property has been found to be in violation of the City

with the adopted regulations of the City of Montgomery: The following item(s) need correction to be compliant

- Weeds/Tall Grass: Section 302.11 Grass and weeds shall not exceed a height of 6".
- Tree Removal/Maintenance: Section 302.10 Dead tree(s) need to be removed.
- Sanitation/Rubbish: Sections 302.1, 302.2 discarded materials. Exterior property shall be free of rubbish or
- Motor Vehicles: Section 302.16 operable with a current registration. Vehicles must be parked on a hard surface and be
- Work without Permit(s): Sections 51.02, 150.1202, 152.02 Work being completed requires a building zoning and/or right of way permit.

Additional Comments/Other_

Address

no later than Property needs to be brought into compliance

City of Montgomery

Thank You,

If you have questions, please contact:



COMMUNITY DEVELOPMENT DEPARTMENT CITY OF MONTGOMERY, OHIO

Date: 5/12/2025

NOTICE OF ABATEMENT

Notice is hereby given that the property mentioned below is in violation of §302.10.2 of the Montgomery Property Maintenance Code:

GRASS/WEEDS IN EXCESS OF 6" AT 10039 WINDZAG LANE

THE GRASS WILL BE CUT BY A CONTRACTOR HIRED BY THE CITY AND THE COST WILL BE CHARGED AGAINST THE PROPERTY. YOU HAVE THE RIGHT TO APPEAL THIS NOTICE TO THE CITY MANAGER WITHIN 3 CONTACT INSPECTOR GREG VONDEN BENKEN at 792-8347 Mon.-Fri. 8:00 am - 4:30 pm DAYS OF THIS NOTICE.

All persons acting contrary to this order, mutilating, or removing this notice are liable to arrest, unless such action is authorized by this Department.



INVOICE

CITY OF MONTGOMERY

To: Allan R Wilson

10039 Windzag Ln

Montgomery, OH 45242

Attn: Finance Department 10101 Montgomery Road Montgomery, Ohio 45242 Phone (513) 891-2424

Date: 05/27/2025

Invoice #: Wilson/10039 Windzag

QUANTITY	DESCRIPTION		AMOUNT
1	Property Maintenance Abatement 05/23/2025 Grass Cutting 10039 Windzag Ln Montgomery, Oh 45242 Due Upon Receipt.		\$ 300.00
		SUBTOTAL ADMIN. FEE	\$ 300.00 \$ 25.00
		TOTAL DUE	\$ 325.00

Make all checks payable to: The City of Montgomery

If you have any questions concerning this invoice, contact Greg Vonden Benken at (513) 792-8347 or email gvondenbenken@montgomeryohio.gov

THANK YOU!



INVOICE

CITY OF MONTGOMERY

To: Allan Wilson 10039 Windzag Lane Montgomery, Ohio 45242

Attn: Community Development, Greg Vonden Benken 10101 Montgomery Road Montgomery, Ohio 45242 Phone (513) 891-2424

Date: 07/25/2025

Invoice #: 10039 Windzag Lane

QUANTITY	DESCRIPTION		AMOUNT
1	Overgrown Property Maintenance		\$ 300.00
	DUE UPON RECEIPT		
	UNPAID INVOICES WILL BE CHARGED AGAINST YOUR PROPERTY AS A TAX ASSESSMENT.		
		SUBTOTAL Admin Fee	\$ 300.00 \$ 25.00
		TOTAL DUE	\$ 325.00

Make all checks payable to: The City of Montgomery

If you have any questions concerning this invoice, contact Greg Vonden Benken at 513-792-8347 or gvondenbenken@montgomeryohio.gov

THANK YOU!

CPM (Cutters Property Maintenance LLC)

PO Box 530 Loveland, OH 45140 (513) 697-1559



To: City of Montgomery (Mike Rogers) 10101 Montgomery Road Cincinnati, OH 45242

p: (513) 792-8318

 Invoice #
 23837

 Invoice Date
 05/23/2025

 Due Date
 06/02/2025

 Amount Due
 \$300.00

Item
Grass Cutting- Overgrown Property Control -10039 Windzag

 Subtotal:
 \$300.00

 Tax:
 \$0.00

 Past Due Amount:
 \$0.00

 Amount Due:
 \$300.00

Price

\$300.00

Line Total

\$300.00

Quantity

1.0

You may pay using the following options:

- 1. Cash or Check (CPM)
- 2. Venmo @cpm2020 or 513-697-1559
- 3. Credit Card (4% processing fee automatically applied to the total when you choose to pay online or over the phone)

Notes

Thank you for the opportunity to earn your business!

SCAN WITH PHONE CAMERA TO OPEN THIS INVOICE ONLINE



CPM (Cutters Property Maintenance LLC)

PO Box 530 Loveland, OH 45140 (513) 697-1559



To:

City of Montgomery Zoning and Code Compliance (Greg Vonden Benken) 10101 Montgomery Road Montgomery, OH 45242

Due Date

Amount Due

Invoice #

Invoice Date

23897 07/25/2025 08/04/2025

\$600.00

p: (513) 792-8347

Quantity Price Line Total

Item	Quantity	Price	Line Total
Overgrown Property Maintenance - 10039 Windzag	1.0	\$300.00	\$300.00
Overgrown Property Maintenance - 10360 Southwind Drive	1.0	\$300.00	\$300.00
	Subtotal:		\$600.00
	Tax:		\$0.00
	Past Due Amount:		\$0.00
	Amount Due:		\$600.00

You may pay using the following options:

- 1. Cash or Check (CPM)
- 2. Venmo @cpm2020 or 513-697-1559
- 3. Credit Card (4% processing fee automatically applied to the total when you choose to pay online or over the phone)

Notes

Thank you for the opportunity to earn your business!

SCAN WITH PHONE CAMERA TO OPEN THIS INVOICE ONLINE



A RESOLUTION AUTHORIZING AN ASSESSMENT FOR THE CUTTING OF NOXIOUS WEEDS AND REMOVAL OF DEBRIS/TRASH AT 10039 WINDZAG LANE, MONTGOMERY, OHIO 45242

WHEREAS, the City of Montgomery, in Chapter 93 of the Code of Ordinances, regulates against noxious weeds and the accumulation of debris/trash upon private property within the City, provides a method for notifying non-complying property owners to cut said weeds and to remove debris/trash, and further outlines a procedure by which the City may cut and remove the weeds and litter if the owner fails to take action within the time allowed; and

WHEREAS, the Montgomery Code of Ordinances and Ohio law allows the City to place a lien against real property for the charges for the services in cutting noxious weeds and removal of debris/trash and the fees incurred administratively to provide notice to the non-complying property owner; and

WHEREAS, the City has followed its Code of Ordinances in notifying the owner of the real property at 10039 Windzag Lane, Montgomery, Ohio 45242, being Auditor's Parcel Number 603-0014-0184 as set forth in the attached copies of Affidavits; and

WHEREAS, the owner has failed or refused to take action within the time allowed pursuant to such notices; and

WHEREAS, the City, after submitting such notices, has twice entered upon the real property as permitted by law to cut and remove the weeds at a cost of \$600.00; and

WHEREAS, the City now desires to assess a lien upon said real property for the cost incurred by the City to cut and remove such weeds and additional administrative fees of \$50.00 as allowable by law.

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

SECTION 1. Pursuant to Ohio law and the Code of Ordinances of the City of Montgomery, Council hereby makes this written return to the Auditor of Hamilton County, Ohio, and requests that the Auditor place a lien against the real property located at 10039 Windzag Lane, Montgomery, Ohio 45242, being Auditor's Parcel Number 603-0014-0184, in the amount of \$650.00, which includes the cost of abatement and the administrative fees. The Auditor is requested to place said assessment against the real property upon the tax duplicate as is authorized by Ohio law to collect the same according to law and to return such collections to the City.

SECTION 2. 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



MEMORANDUM

Monday, August 11, 2025

TO:

Brian K. Riblet, City Manager

FROM:

Greg Vonden Benken, Zoning & Code Compliance Officer

RE:

Authorizing an Assessment for Property Maintenance

Request

It is requested that City Council adopt a Resolution Authorizing an Assessment for the cutting of Noxious Weeds & Grass at 10360 Southwind Drive, Hamilton County Auditors Parcel Number 603-0010-0071.

Background

Due to negligence by the owner of the property, the City has been forced to cut the grass on July 25, 2025, in order to bring the property into compliance with our property maintenance code. The property is located at 10360 Southwind Drive.

Section 93.40 provides a prohibition against noxious weeds and grass that exceeds 6" in height. Section 93.13 and 93.41 of the code allows the Community Development Director to have these nuisances abated by contract and the cost to be charged against the real property and a lien to be placed upon the property.

The owner of the property is Theodore Ferdinand who is currently living in the home. Staff has not been able to directly contact the owner after multiple attempts including a door hanger, and an abatement violation notice attached to the structure's door.

After providing the required notices and the resulting lack of mowing, the City had the front and rear yards cut by a City contractor. The total cost of the cutting was \$300. To provide options for payment the invoice was mailed twice, and the second time was sent certified mail which up to this date has been ignored by the occupant. Unfortunately, the actions have not prompted payment.

The City now desires to assess a lien upon this property for the cost incurred and an additional administrative fee of \$25 per property as allowable by law. Total assessment of \$325.

Recommendation

At this time, it is necessary to certify to the Hamilton County Auditor the costs of this maintenance so they may be assessed on the property for this location.

Therefore, it is staff's recommendation that this Resolution be placed on the agenda for the August 20, 2025, Work Session and passed at the September 3, 2025, Business Session. This timing will place the assessment on the Hamilton County 2025 tax bill with a payment in 2026.

Attachments: Invoices-City and Contractor Copy of Certified Mail Receipt

7984 45 9589 0710 5270 2037 Extra Services & Fees (check box, add fee as appropriate and the control of the c Sent To Street and Apt. No., or PO Box No. Total Postage and Fees Certified Mail Fee City, State, ZIP+46 For delivery information, visit our website at www.usps.com®. PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions Domestic Mail Only CERTIFIED MAIL® RECEIPT U.S. Postal Service TENMONIO GYCAMOF BRANCE TJUL Postmark 1725 5222

7

603-0010-0071-00 Parcel ID

Address 10360 SOUTHWIND DR

Parcel Number Index Order

2024 Payable 2025 Tax Year

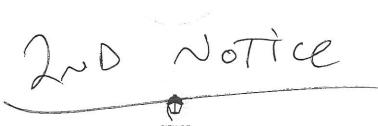
ANA MERINDA AND PRODUCTION AND THE PROPERTY OF A PROPERTY		The state of the s	
Tax District School District	211 - MONTGOMERY-SYCAMORE CSD SYCAMORE CSD		Images/Sketches
Appraisal Area 60305 - MONTGOMERY 05 Sales	MERY 05	Auditor Land Use 510 - SINGLE FAMILY DWLG	and horized.
Owner Name and Address FERDINAND THEODORE W 10360 SOUTHWIND DR	Address DDORE W ND DR	Tax Bill Mail Address FERDINAND THEODORE W	
CINCINNATI OH 45242 (Questions? 946-4015 or county_auditor@auditor.h	CINCINNATI OH 45242 (Questions? 946-4015 or county.auditor@auditor.hamilton-co.org)	CINCINNATI OH 45242 (Questions? 946-4800 or treasurer.taxbills@hamilton-co.org)	ed sin below the destrict the second state of
Assessed Value 126,130		Effective Tax Rate 56.481476	Total Tax
Property Description WESTWIND LE 93.95	roperty Description WESTWIND LE 93.95 X 221.04 IRR LOT 48 FAIRWIN D ACRES BLK B	S BLK B	40,000.10
		PROPRED CONTROL AND ADMINISTRATION OF CONTROL AND ADMINISTRATION O	

aCounty Auditororg

	A CONTRACTOR OF THE CONTRACTOR
0.477	Acreage
	# of Parcels Sold
	Deed Number
QE - Quit Claim Deed (EX)	Deed Type
184097	Conveyance Number
\$0	Last Sale Amount
9/25/2018	Last Transfer Date
0	# Half Bathrooms
2	# Full Bathrooms
3	# Bedrooms
6	Total Rooms
1963	Year Built

Board of Revision	No
Rental Registration	No
Homestead	No
Owner Occupancy Credit	Yes
Foreclosure	No
Special Assessments	Yes
Market Land Value	129,360
CAUV Value	0
Market Improvement Value	231,010
Market Total Value	360,370
TIF Value	0
Abated Value	0
Exempt Value	0
Taxes Paid	\$3,155.02

7/18



MONTGOMERY NOTICE

This property has been found to be in violation of the City of Montgomery Code of Ordinances.

The following item(s) need correction to be compliant with the adopted regulations of the City of Montgomery:

Weeds/Tall Grass: Section 302.11

Grass and weeds shall not exceed a height of 6".

ADATE MODAY FIZING

Tree Removal/Maintenance: Section 302.10

Dead tree(s) need to be removed.

Sanitation/Rubbish: Sections 302.1, 302.2 Exterior property shall be free of rubbish or discarded materials.

Motor Vehicles: Section 302.16
Vehicles must be parked on a hard surface and be operable with a current registration.

Work without Permit(s): Sections 51.02, 150.1202, 152.02
Work being completed requires a building zoning and/or right of way permit.

Additional Comments/Other OST OF

Mowing will be

Changed AS TAX ASSESSMENT.

Property needs to be brought/into compliance

Thank You, Gray Varda Title of Montgomery

If you have questions, please contact:
Community Development Department
10101 Montgomery Road
Montgomery, Ohio 45242
513-891-2424

MONTGOMERY NOTICE

This property has been found to be in violation of the City of Montgomery Code of Ordinances.

The following item(s) need correction to be compliant with the adopted regulations of the City of Montgomery:

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Grass and weeds shall not exceed a height of 6".

Tree Removal/Maintenance: Section 302.10
Dead tree(s) need to be removed.

Sanitation/Rubbish: Sections 302.1, 302.2
Exterior property shall be free of rubbish or discarded materials.

Motor Vehicles: Section 302.16
Vehicles must be parked on a hard surface and be operable with a current registration.

Work without Permit(s): Sections 51.02, 150.1202, 152.02
Work being completed requires a building zoning and/or right of way permit.

Address 0360 South Win/

Property needs to be brought into compliance no later than 7/ (X/ 20 24)

Thank You. Green Tovam Wall

City of Montgomery

If you have questions, please contact:
Community Development Department
10101 Montgomery Road
Montgomery, Ohio 45242
513-891-2424

Additional Comments/Other



COMMUNITY DEVELOPMENT DEPARTMENT CITY OF MONTGOMERY, OHIO

Date: 7/21/202:

NOTICE OF ABATEMENT

Notice is hereby given that the property mentioned below is in violation of §93.23 of the Montgomery Zoning Code

10360 Southwind Montgomery, Ohio 45242

HIGH GRASS AND WEEDS WILL BE CUT BY A CONTRACTOR HIRED BY THE CITY AND THE COST WILL BE CHARGED AGAINST THE PROPERTY

YOU HAVE THE RIGHT TO APPEAL THIS NOTICE TO THE CITY MANAGER WITHIN 3 DAYS OF THIS NOTICE

	CO
	CONTACT INSPECTOR:
	LINSP
63	ECTOR
at 792-8347, Mon. – Fri. 8:00 am – 4:30 pm	.:
347, Mo	_Gre
on. − F	Greg Vonden Benken
ri. 8:00	den Be
0 am -	nken
4:30	54
Om	

All persons acting contrary to this order, mutilating, or removing this notice are liable to arrest, unless such action is authorized by this Department.



INVOICE

CITY OF MONTGOMERY

To: Theodore Ferdinand 10360 Southwind Drive Montgomery, Ohio 45242

Attn: Community Development, Greg Vonden Benken 10101 Montgomery Road Montgomery, Ohio 45242 Phone (513) 891-2424

Date: 07/25/2025

Invoice #: 10360 Southwind Drive

QUANTITY	DESCRIPTION		AMOUNT
1	Overgrown Property Maintenance		\$ 300.00
	DUE UPON RECEIPT		
	UNPAID INVOICES WILL BE CHARGED AGAINST YOUR PROPERTY AS A TAX ASSESSMENT.		
	•		
		SUBTOTAL Admin Fee	\$ 300.00 \$ 25.00
		TOTAL DUE	\$ 325.00

Make all checks payable to: The City of Montgomery

If you have any questions concerning this invoice, contact Greg Vonden Benken at 513-792-8347 or gvondenbenken@montgomeryohio.gov

THANK YOU!

CPM (Cutters Property Maintenance LLC)

PO Box 530 Loveland, OH 45140 (513) 697-1559



To

City of Montgomery Zoning and Code Compliance (Greg Vonden Benken) 10101 Montgomery Road Montgomery, OH 45242

p: (513) 792-8347

Invoice # Invoice Date Due Date

Amount Due

23897 07/25/2025 08/04/2025

\$600.00

ltem	Quantity	Price	Line Total
Overgrown Property Maintenance - 10039 Windzag	1.0	\$300.00	\$300.00
Overgrown Property Maintenance - 10360 Southwind Drive	1.0	\$300.00	\$300.00
Cidigionini			

 Subtotal:
 \$600.00

 Tax:
 \$0.00

 Past Due Amount:
 \$0.00

 Amount Due:
 \$600.00

You may pay using the following options:

- 1. Cash or Check (CPM)
- 2. Venmo @cpm2020 or 513-697-1559
- 3. Credit Card (4% processing fee automatically applied to the total when you choose to pay online or over the phone)

Notes

Thank you for the opportunity to earn your business!

SCAN WITH PHONE CAMERA TO OPEN THIS INVOICE ONLINE



RESOLUTION NO. , 2025

A RESOLUTION AUTHORIZING AN ASSESSMENT FOR THE CUTTING OF NOXIOUS WEEDS AND REMOVAL OF DEBRIS/TRASH AT 10360 SOUTHWIND DRIVE, MONTGOMERY, OHIO 45242

WHEREAS, the City of Montgomery, in Chapter 93 of the Code of Ordinances, regulates against noxious weeds and the accumulation of debris/trash upon private property within the City, provides a method for notifying non-complying property owners to cut said weeds and to remove debris/trash, and further outlines a procedure by which the City may cut and remove the weeds and litter if the owner fails to take action within the time allowed; and

WHEREAS, the Montgomery Code of Ordinances and Ohio law allows the City to place a lien against real property for the charges for the services in cutting noxious weeds and removal of debris/trash and the fees incurred administratively to provide notice to the non-complying property owner; and

WHEREAS, the City has followed its Code of Ordinances in notifying the owner of the real property at 10360 Southwind Drive, Montgomery, Ohio 45242, being Auditor's Parcel Number 603-0010-0071 as set forth in the attached copies of Affidavits; and

WHEREAS, the owner has failed or refused to take action within the time allowed pursuant to such notices; and

WHEREAS, the City, after submitting such notices, has entered upon the real property as permitted by law to cut and remove the weeds at a cost of \$300.00; and

WHEREAS, the City now desires to assess a lien upon said real property for the cost incurred by the City to cut and remove such weeds and an additional administrative fee of \$25.00 as allowable by law.

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

SECTION 1. Pursuant to Ohio law and the Code of Ordinances of the City of Montgomery, Council hereby makes this written return to the Auditor of Hamilton County, Ohio, and requests that the Auditor place a lien against the real property located at 10360 Southwind Drive, Montgomery, Ohio 45242, being Auditor's Parcel Number 603-0010-0071, in the amount of \$325.00, which includes the cost of abatement and the administrative fee. The Auditor is requested to place said assessment against the real property upon the tax duplicate as is authorized by Ohio law to collect the same according to law and to return such collections to the City.

SECTION 2. 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





August 15, 2025

TO: Brian K. Riblet, City Manager

FROM: Kevin Chesar, Community Development Director

Cc: Tracy Henao, Assistant City Manager

SUBJECT: 2025 Land Usage Code Update

Request

It is requested that the City Council consider a contract for consultant services to be provided by Compass Point Planning to assist with the update to the Land Usage Code (Zoning Code) Update.

Background

The last major rewrite of the Code occurred in 2002, with multiple text amendments since that time. The current Land Usage Code may be found within the City Code of Ordinances. Due to updates made to the code over time, areas of the code are outdated or irrelevant. There are inconsistencies or conflicting regulations that at times make interpretation difficult.

In August 2025, the City adopted a new Comprehensive Plan - Montgomery's Montgomery. The Plan recognizes the growth goals of the community and includes new land use policies, new transportation, and connectivity goals, and three major key redevelopment areas. As such, a critical component to implementing the Comprehensive Plan will be to update the City's Land Usage Code and associated zoning map in accordance with the plan.

The City wishes to develop solutions specifically tailored to the City's history and charm while progressively addressing current planning trends. The code update will include an overall modernization to provide clarity, improved functionality, and achieve greater sensitivity to the character of the community.

The Land Usage code endeavor will also specifically address the following:

- Ensure regulations support the goals of the 2025 Montgomery Comprehensive Community Plan.
- Evaluation of Existing Neighborhoods, Corridors and Districts setbacks, minimum lot size, lot coverage, etc.
- Correct conflicts, technical errors, and outdated or irrelevant information within the Land Usage code.
- Enhance usability with tables, reference images, cross-reference links, etc.
- Provide direction on areas where the code over-addresses or under-addresses particular topics.
- Utilize best practices and new approaches specific to mixed-use districts or overlay districts if and where warranted.
- Heavily incorporate the use of graphics and illustrations to display code requirements as well as user-friendly formats.
- Update terminology and definitions that are antiquated.
- · Develop regulations that are realistically enforceable by City Staff.
- Evaluate the use of sustainable infrastructure options.
- Redesign any necessary permit forms and create checklists for project review (site design, etc.).
- Update the current zoning map as well as ensure compatibility with ArcGIS.

In May of 2025 staff issued a Request for Qualifications (RFP) with parameters to update the code. The Planning, Zoning, and Landmarks Committee of City Council and staff interviewed three interested firms. While all firms were qualified, Compass Point Planning was selected as the best firm to be able to provide expert regulatory services while grounding our future goals in implementable and achievable ideas. The overall process is expected to take approximately 20 months to allow time for ample public involvement, creation of the new code, and ultimately approval. The desire is to start the process as soon as possible. Compass Point Planning's proposed fee is \$182,405 and is under the original anticipated budget. The Scope of Services and Contract are attached for review.

Staff Recommendation

Staff supports the recommendation of Compass Point Planning by the Planning Zoning and Landmarks Commission of Council to engage in services to assist staff with the Land Usage Plan Update and requests approval to authorize the City Manager to engage in professional planning services.

RESOLUTION NO. , 2025

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH COMPASS POINT PLANNING, LLC FOR PROFESSIONAL SERVICES RELATED TO LAND USAGE CODE UPDATES CONSISTENT WITH THE MONTGOMERY'S MOMENT: 2025 COMPREHENSIVE PLAN

WHEREAS, Section 9.03 of Article IX of the Charter of the City of Montgomery, Ohio, provides the method by which the City Manager shall make certain purchases and enter into Contracts on behalf of the City; and

WHEREAS, it is appropriate to provide Contract authority for professional services that are generally not subject to competitive bidding but will exceed a total of \$75,000 in a calendar year; and

WHEREAS, it is the desire of the Council of the City of Montgomery to enter into a Contract with Compass Point Planning, LLC to assist the Administration, City Council and its Boards and Commissions to evaluate the current Land Usage Code and update the Land Usage Code consistent with best practices and the Montgomery's Moment: 2025 Comprehensive Plan.

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

SECTION 1. The City Manager is hereby authorized to enter into a Contract with Compass Point Planning, LLC for professional services to be provided to the City of Montgomery, in substance and form to the Contract for Planning and Zoning Consulting Services attached hereto as Exhibit A and incorporated herein by reference. The Contract is approved in an amount not to exceed \$182,405.00 for planning services to support the

City Administration, Council and Commissions, and as appropriate to implement the Montgomery's Moment: 2025 Comprehensive Plan.

SECTION 2. The City Manager is hereby authorized to pay Compass Point Planning, LLC according to such Contract.

	SECTION 3.	This Resolution	shall be in	full force and	effect from	and after
its passage.						
PASSED:						
ATTEST:	onnie Gaylor, C	Clerk of Council		Ronald G. Me	esser, Mayo	r

APPROVED AS TO FORM:

Terrence M. Donnellon, Law Director

CONTRACT FOR PLANNING AND ZONING CONSULTING SERVICES PROVIDED TO THE CITY OF MONTGOMERY, OHIO

This Contract, made effective as of this	day of	2025, by and between the City of
Montgomery, Ohio (hereinafter referred	to as the "Client"),	and Compass Point Planning, LLC
(hereinafter referred to as the "Consultar	nt").	

Section 1: Consultant's Basic and Additional Services

- A. The Consultant agrees to provide Client the services ("Basic Services") as identified in Exhibit A to this Contract.
- B. Additional services beyond the Consultant's Basic Services may be provided if confirmed in writing executed by the Client and the Consultant.
- C. The Consultant agrees to provide its professional services in accordance with the generally accepted standards of its profession.

Section 2: Client's Responsibilities

- A. The Client agrees to provide the Consultant with all available information, surveys, reports, and professional recommendations requested by the Consultant to provide its professional services. The Consultant may reasonably rely on the accuracy and completeness of these items.
- B. The Client shall publish any required legal notices, shall provide cooperation and appropriate meeting space for any required public meetings or hearings, logistical coordination, and provide any necessary publicity with respect to such meetings at no cost to the Consultant.
- C. The Client agrees to render decisions in a timely manner so as not to delay the orderly and sequential progress of the Consultant's services.

Section 3: Compensation and Payments

- A. The Client agrees to pay the Consultant a lump sum fee of \$182,405 for all the professional work encompassed in the basic services outlined in Appendix A. See Appendix B for a breakdown of the budget by task.
- B. Consultant shall invoice Client for Basic Services once a month based on hours expended. All payments are due to the Consultant within thirty (30) days after receipt of the invoice.
- C. The Consultant shall maintain true and accurate records with respect to services performed and all charges and expenses related thereto, and the Client or its representatives shall have access to, and the right to inspect, all such books and records.
- D. If, during the course of the project, the Client requests additional work outside of the Basic Services, the Consultant will provide a written letter amending the contract and stating the reasons and proposed costs based on the hours required for the additional work and the hourly billing rate.

Section 4: Warranties and Representations of Consultant

The Consultant warrants and represents that:

- A. The Consultant is professionally competent and qualified to perform the services.
- B. The Consultant has all necessary powers and authority to enter into and perform the covenants and agreements on its part to be performed in the Contract and by proper action duly authorized in the execution and delivery of this Contract.
- C. The Consultant maintains the following insurance coverages, and can produce certificates that names the Client as covered under that insurance for the purposes of the contracted scope of services:
 - a. Professional Errors and Omission insurance with a \$1,000,000 claim limit, and an aggregate of \$1,000,000.
 - b. General Commercial Liability insurance with a \$1,000,000 claim limit, and a general aggregate limit of \$2,000,000. This policy also includes automobile liability of a combined single limit of \$1,000,000.
- D. This Contract constitutes a legal, valid, and binding obligation of the Consultant, enforceable in accordance with its terms.

Section 5: Time Schedule

- A. The services of the Consultant, as described herein, shall begin within two weeks of the effective date of this Contract, unless otherwise set forth in a writing signed by the Consultant and the Client.
- B. Services shall be performed in such a sequence to assure expeditious completion of all services consistent with the objectives of the Client and good and efficient professional practices.
- C. It is anticipated that the project will be completed within approximately two years from the signing of the contract. During the course of the project, anticipated and unanticipated events may impact the schedule, and any adjustments to the schedule will be made with a written, signed agreement between the Consultant and Client. The proposed schedule is outlined in Appendix C.

Section 6: Personnel

- A. The Consultant shall provide all of the necessary personnel to ensure complete compliance with the terms of this Contract. Wendy E. Moeller, FAICP, will serve as Principal and project manager on this project.
- B. The Consultant will utilize the assistance of a subcontractor. The only authorized subcontractor for this contract will be McGill Smith Punshon ("Subcontractor"), with staffing provided primarily by Jose Castrejon, Bryan Grome, and Jake Rosenweig. Additional staff may provide administrative services to the project.
- C. No change in such staffing and assignments may be made without the specific written consent of the Client.
- D. The Consultant shall be responsible for all payments for services performed by the Subcontractor, including but not limited to Basic Services and any public outreach activities.

Section 7: Changes

- A. The Client may, from time to time, request changes in the Basic Services to be performed by the Consultant hereunder. Such changes, including any increase or decrease in the amount of the Consultant's compensation, which are mutually agreed upon by and between the Client and the Consultant, shall be incorporated in written amendments to this Contract, signed by both the Client and the Consultant.
- B. The Consultant shall notify the Client of the need for any changes in the Contract or the need for changes as a result of extra work, modifications in the Basic Services, or changes in conditions. The Consultant shall not proceed with any changes or extra work unless approved in writing and executed by the Client.

Section 8: Equal Employment Opportunity

During the performance of this Contract, the Consultant agrees as follows:

- A. Neither the Consultant nor any person or entity performing services hereunder shall discriminate against any employee or applicant for employment because of race, creed, color, religion, sex, military status, marital status, ancestry, age, mental or physical disability, or national origin. The Consultant will take affirmative action to ensure that applicants are employed and that employees are treated during employment without regard to their race, creed, color, religion, sex, military status, marital status, ancestry, age, mental or physical disability, or national origin. Such action shall include, but not be limited to, the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Consultant agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause.
- B. The Consultant will, in all solicitations or advertisements for employees placed by or on behalf of the Consultant, state that all qualified applicants will receive consideration for employment without regard to race, creed, color, religion, sex, military status, marital status, ancestry, age, mental or physical disability, or national origin.
- C. The Consultant will cause the foregoing provisions to be inserted in all subcontracts and subcontract purchase orders for any work covered by this Contract so that such provisions will be binding upon each subcontractor or vendor, provided that the foregoing provisions shall not apply to contracts or subcontracts for standard commercial supplies or raw materials. The Consultant will take such action with respect to any subcontracting or purchase order as the Client shall direct, as a means of enforcing such provisions, including sanctions for non-compliance.
- D. In the event of the Consultant's non-compliance with the non-discrimination clauses of the Contract, this Contract may be canceled, terminated, or suspended in whole or in part.

Section 9: Interest of Representatives of the City of Montgomery

No member of the governing body of the City of Montgomery, and no other officer, employee, or agent of the City of Montgomery who exercises any functions or responsibilities in connection with the carrying out of activities related to the project, to which this Contract pertains, shall have any personal interest, direct or indirect, in this Contract.

Section 10: Interest of the Consultant

The Consultant covenants that it presently has no interest and shall not acquire any interest, direct, or indirect, in land or property within the City of Montgomery, or any parcels therein or any other interest which would conflict in any manner or degree with the performance of its services hereunder.

Section 11: Indemnity

To the extent permitted by law, the Consultant shall hold harmless, defend and indemnify the Client, its officers, agents and employees from and against any and all liabilities, injuries, harms, claims, costs and expenses, including reasonable attorney fees and court costs, arising, directly or indirectly, out of negligent acts or omissions of the Consultant, its employees, subcontractors, agents and affiliates performing work and services under this Contract.

Section 12: Termination

- A. Either the Client or Consultant may terminate this Agreement, with or without cause, upon seven days' written notice to the other party.
- B. If terminated, the Client agrees to pay the Consultant for all Basic Services rendered and Reimbursable Expenses incurred up to the date of termination.
- C. Upon termination, the Consultant shall provide the Client with all documents (written, digital, electronic, etc.) produced up until the date of termination.

Section 13: Miscellaneous

- A. This Contract shall be governed by and construed in accordance with the laws of the State of Ohio, without regard to conflict of law principles.
- B. All instruments and products of professional services prepared by the Consultant are the property of the Client, although the Consultant may use the final product for marketing purposes.
- C. This Contract contains the entire agreement between Client and Consultant with respect to the subject matter hereof and may not be modified or amended except by a written instrument signed by both Client and Consultant.
- D. This Contract shall be binding on the parties and on their respective successors and assigns, provided, however, that Consultant may not assign this Contract without the express written consent of the Client.
- E. This Contract and all rights and actions relating thereto are strictly reserved to the Client and Consultant, and nothing contained herein shall give or allow any claim or right of action to or by any third party.
- F. The Client shall designate one person responsible for all communications from the Consultant, and this designated person shall have limited administrative authority on behalf of the Client to receive and transmit information and to make decisions with respect to the project and the subject matter of the Contract and all activities for which Consultant is to provide the services.
- G. The relationship between the Client and Consultant is purely contractual. Consultant shall perform its duties hereunder as an independent contractor and shall have no authority, expressed or implied, to bind the Client to any agreement, liability, or understanding. Neither Consultant nor any agent or employee of the Consultant shall be, or be deemed to be, an agent or employee of the Client.
- H. The Consultant reserves the right to include representations and reproductions of the project contemplated hereby in its promotional and professional materials.

I. A party's failure to strictly enforce this Contract or any of its provisions or any default hereunder shall not be construed as or operate as a waiver of such party's right to demand strict performance of this or any provision or any default under this Contract.

Section 14: Notice

Any notice required under this Contract shall be deemed given either on the day actually received or twenty-four (24) hours after having been deposited in the United States mail, postage prepaid, registered or certified, and addressed to the parties as set forth below, whichever is earliest. The parties may change their addresses from time to time by written notice given in accordance herewith.

If to Consultant: Wendy Moeller, FAICP

Compass Point Planning, LLC

6540 Corporate Drive Blue Ash, Ohio 45242

If to Client:

Brian K. Riblet City Manager City of Montgomery 10101 Montgomery Road Montgomery, Ohio 45242

IN WITNESS WHEREOF, the Client and the Consultant have executed this Contract to be effective as of the date first above written.

City of Montgomery, Ohio

Ву:
Name:
Title:
COMPASS POINT PLANNING, LLC
By: Wendy E. Mosller, FAICP Title: Managing Member
Approved as to form
Terrence M. Donnellon, Law Director

EXHIBIT A - BASIC SERVICES

The following is the scope of basic services to be completed as part of this contract.

TASK 1 - PROJECT KICK-OFF

The purpose of this first task is to gather information, evaluate the ongoing zoning issues in the city, and begin the public outreach process. The following are the proposed subtasks.

Subtask 1.1: Conduct Document Review

The Consultant will complete a detailed review of documents relevant to the code project, including, but not limited to, the recently adopted comprehensive plan, the existing land usage code and zoning map, and any other city, county, regional, or state plans that may include recommendations that impact future development/redevelopment opportunities in the city. The city shall be responsible for identifying any critical plans that may be relevant to the project.

Subtask 1.2: Public Outreach Activities

The public outreach activities during Task 1 will focus on meeting with stakeholder groups, staff, and city officials who regularly work with the current regulations to discuss the project's goals and ongoing issues. It has been our experience that the first general public meeting to discuss an approach to changes is best after the development of the Code Audit (Task 2), which contains a narrative of recommendations that the public can review and provide feedback on. The following are the public outreach activities that are incorporated into Task 1.

- One meeting with the city's staff who work with the existing regulations to discuss current issues with the administration and enforcement of the regulations, potential opportunities to explore, and recent development or investment activities where the codes were applied. Ideally, this meeting will culminate in a city tour with staff to discuss site-specific issues or projects related to the zoning and subdivision processes.
- One work session each with the Planning Commission, Planning, Zoning and Landmarks Committee, and/or City Council to review the project, their role in the project, and to facilitate a discussion about their goals for this update project and where they envision change.
- Eight to ten stakeholder meetings where the Consultant will meet with targeted groups of people with related interests. These stakeholder groups typically include meetings with local developers who have previous involvement with the current code, homeowner association groups, realtors, and groups that have a focused interest in geographic areas of the city such as downtown business representatives or business owners of property along Montgomery Road. We will work with city staff to identify the appropriate groups to meet with as part of this process along with key members of each group. As the project progresses, we will continue to reach out to these groups as may be appropriate.
- While there will not be any formal kick-off meeting with the general public during this task, we will begin the process of engaging the public in several efforts, including:
 - Periodically developing background and educational materials to be posted to a project website that will build on the Montgomery's Moment project brand. During this task, the Consultant will provide the Client with materials that outline the purpose and approach to the project, some basic information on zoning and what it does or does not do, and any upcoming project meetings. The Client will be responsible for posting materials to the website, as it is controlled by the Client, but the Consultant can distribute the information via email utilizing any email list the Client wants to provide. Such email list will only be utilized by the Consultant for project information only.

The Consultant will also be responsible for distributing an online survey with targeted questions related to zoning issues where we would like direct feedback from the public. The questions and length of the survey will be developed as part of the discussion with staff during this task. In some cases, we have found that online surveys are more effective if we schedule out several quick surveys with no more than two to three simple questions each.

Subtask 1.3: Summary of Feedback

All of the information gathered as part of this task will be used to inform the analysis and recommendations that will ultimately be embodied in the Code Audit Report of Task 2. However, we will provide summary reports from Subtask 1.2. These reports will be developed in a form that will not specifically identify a person or stakeholder group that expressed an issue. We anticipate that there will be a minimum of three summary reports, one each for the city staff and boards, the stakeholder groups, and the online surveys. We suggest this approach to feedback because we want to ensure that everyone is free to express their ideas and concerns without any pre-conceived notions as to why a certain group or person identified that particular issue or idea.

TASK 2 - CODE AUDIT REPORT

The Code Audit Report task aims to identify areas of concern related to the existing regulations, goals for the updated regulations, approaches to implementing the comprehensive plan, and legal concerns. This broad assessment provides a step in the process where we can gather community feedback and buy-in on the direction the new code may take before drafting major elements of the code, ultimately creating a more efficient process. This task includes the following subtasks:

Subtask 2.1: Audit of the Existing Land Usage Code

The first part of this task will be a summary report that documents the assessment of the existing Land Usage Code. This audit will take the form of both broad themes of change and a more detailed section-by-section analysis of the current regulations. The themes of change will identify where major changes are proposed in the regulations, including, for example, how best to implement any city planning policies or what type of sustainability principles the city may want to integrate into the new regulations. Within the broad themes, the Consultant will identify each major issue along with relevant background (e.g., recommendations from the plan) and the direction the new regulations could take for each theme. The second part is a section-by-section analysis of the existing regulations that will identify how the Consultant proposed to move, revise, or eliminate various key sections of the current regulations.

Subtask 2.2: Outline of the Montgomery Land Usage Code

The second part of this task is a proposed outline for the updated land usage code. This outline, which will be annotated with information about what will be incorporated into each new chapter and section, will illustrate how the new regulations will be structured so that the city can give initial feedback on the code structure, minimizing the need to move major sections around later in the drafting process. The proposed outline will be incorporated into the Code Audit Report, resulting in one consolidated document.

Subtask 2.3: Public Outreach

Following the completion of a draft of the Code Audit Report, we will distribute a copy to the steering committee (small, technical committee) for their initial review and comment before the public outreach events identified below. The steering committee will be responsible for the detailed review of the Code Audit Report and draft language of the updated code before public discussion. The report will also be posted to the project website to allow the public to review the major recommendations.

- The Consultant will meet with the steering committee to gather their feedback on the Code Audit Report before the public meeting below.
- The Consultant will facilitate separate presentations and discussions with the Planning Commission and Planning, Zoning and Landmarks Committee, and/or City Council to present the report and seek feedback on the critical direction the report recommends.
- The Consultant will facilitate one large public meeting where we will present the proposed recommendations of the Code Audit Report and the overall goals for the code update. Our team has found that with zoning projects, the general public is more involved at points where they have something to review and react to, and that is why the first major public meeting does not take place until after we have developed some key recommendations for the update including potential changes to the district structure, revisions to major development standards, and a reorganization of the code.

Following these meetings, the Consultant will make any revisions to the report as may be necessary to accommodate any significant changes in the recommended direction. It is important to note that the Code Audit Report is not intended to be adopted in any formal manner, and there may be instances where, during the process of drafting the code update, minor changes or alternatives may be made that were not addressed in the Code Audit. These changes will be noted, as appropriate, in the draft code chapters.

The Consultant will be responsible for creating all documents and presentation materials for any public outreach event. The Consultant will also distribute notification of public outreach events via the email list provided by the Client, as noted in Task 1.

TASK 3 - CODE DRAFTING

The next task for the update process is the actual drafting and review of the updated code. This task includes the following subtasks:

Subtask 3.1: Draft of the Land Usage Code

The Consultant will begin the process of drafting updated code chapters, incorporating the feedback heard during the previous two tasks. We will prepare the revised draft in three to four sections for easier review. The sections will each look at a different part of the regulations based on the function, so the first section will focus on review authority (e.g., City Council, Planning Commission, BZA, staff, etc.), the second section will focus on districts and use regulations, and the final sections will focus on the design and development standards (e.g., signs, parking, landscaping, etc.). Upon completion and initial review of the draft chapters, we will assemble a final and complete draft of the document for review before the adoption process in Task 4. The updated code will incorporate graphics and tables throughout the regulations, where appropriate, to improve understanding of certain regulations and assist in questions of interpretation.

During this task, the Consultant will also revise the zoning map to incorporate any changes desired by the Client, accommodate any changes made necessary by the update to the text, and create the file in GIS format. Throughout this process, our team will work closely with the city's legal counsel to ensure that draft code reflects current case law. Our team is very familiar with the potential legal hot spots in a land usage code (e.g., group homes, signs, telecommunications, etc.) and will highlight any known concerns for specific consideration during the drafting process.

Subtask 3.2: Public Outreach

The following are the public outreach tasks that will occur during this task of the development of the code:

- The Consultant will facilitate up to six meetings with the steering committee to review the updated code's draft language and any discussed revisions.
- The Consultant will facilitate up to three meetings with the Planning, Zoning and Landmarks Committee to brief them on the progress and raise any potential policy questions for a preliminary answer. These meetings may be used elsewhere in the project, or to brief a different board, if the members of the Committee serve on the steering committee.
- During the development of the draft text, the Consultant will develop briefing memorandums for the Planning Commission and City Council to provide an update on the process and identify any outstanding policy questions that may need to be addressed by the boards as part of the project. The team will work with staff to determine the best way to gather feedback from any of these reports.
- The Consultant will facilitate two meetings with the Landmarks Commission to discuss any potential changes to the boundaries of the Heritage District and any potential changes to the regulations.
- Once the steering committee has reviewed drafts of the code chapters, revised drafts will be posted to the project website for the public to review and comment on the initial text before the public comment period in Task 4. At this same time, we may opt to distribute the draft chapters to specific stakeholder groups to seek their direct feedback if the proposed chapters will address issues they have raised.
- During this task, the Consultant will facilitate four informal meetings with strategic stakeholders to further discuss approaches to issues and plan implementation to gather targeted feedback on certain areas of the code. These meetings will coincide with the drafting of the different chapters. Any feedback from these meetings will be summarized in a report to take back to the steering committee and/or the Planning, Zoning and Landmarks Committee without identifying any specific person who made such comment.

TASK 4 – CODE AND ZONING MAP ADOPTION

Upon completing Task 3 above, the Consultant will have prepared a complete public review draft of the new land usage code. The primary purpose of this final task will be to allow for final public comment, adoption of the land usage code, and adoption of an updated zoning map.

Subtask 4.1: Final Public Comment

The Consultant will facilitate four public meetings related to the public review draft of the new code and the zoning map, where the public will be asked to provide feedback on the proposed draft before initiating adoption. In association with this task, the Consultant will work with staff to identify various methods of advertising the availability of the new regulations through the website and possibly posting copies of the regulations, with comment forms, in various locations throughout the city (e.g., the library and City Hall). These four meetings may all be targeted at the general public, or certain meetings may be strategic in targeting certain stakeholders (e.g., Montgomery Road corridor businesses, downtown businesses, etc.). There shall be flexibility in timing of these meetings in that some may be held prior to finalization of the full code (Task 3) in order to gather feedback on specific areas of the update. Any feedback from these meetings will be summarized in a report to take back to the steering committee and/or the Planning, Zoning and Landmarks Committee without identifying any specific person who made such comment.

Should the feedback from this task warrant additional review with the steering committee, the Consultant will facilitate an additional steering committee meeting to discuss the feedback.

Subtask 4.2: Code and Zoning Map Adoption

After the public meeting, the Consultant will make final revisions and prepare a draft for adoption. The Consultant will attend six meetings with the Planning Commission and City Council to present the draft code and zoning map and facilitate the final public hearings required to amend the code. The Consultant will work with the Client to determine how best to use these meetings during the adoption process. The Consultant will make any changes requested by the boards during the hearings to create the final version of the code and zoning map.

Upon completing this task, the Consultant will provide the city with digital versions of the regulations in Microsoft Word and an interactive Adobe PDF. We will also provide the city with the applicable mapping files for the zoning map in a format compatible with the city's mapping system.

TASK 5 – POST-ADOPTION WORK

Subtask 5.1: Application Forms/Development Manual

The Consultant will work with staff to develop updated application forms and submittal checklists that highlight each of the the review procedures outlined in the code (e.g., permits, conditional uses, amendments, etc.), including any common review applications that may not be specifically identified in the code as a stand-alone permit (e.g., fence permit, sign permit, swimming pool permit). The purpose of these forms and checklists are to establish the information that must be submitted and incorporate any guidance to facilitate the application process. We will develop an application form with supplementary information and a submittal checklist for each process outlined in the planning and zoning code. All of this information can be combined into a development manual that will include an overview of working with the Client during a planning or zoning process, and understanding of the roles and authorities of the different boards and departments, and additional supplementation information that will be a support an understanding of the code. The deliverables may be a single document/manual or a series of separate documents.

Subtask 5.2: Zoning Guides

The Consultant will work with staff to develop a series of one-page zoning guides that may be used for educational purposes throughout the update process and may be used after adoption. The budget for this work includes sufficient time to develop up to ten one-page guides for items such as different accessory structures or uses, swimming pools, fences, home occupations, etc. The topics will be based on guidance from staff.

Subtask 5.3: Training Sessions

Following the completion of Task 4, the Consultant will facilitate separate training sessions for the Planning Commission, Landmarks Commission, and the Board of Zoning Appeals to emphasize critical changes to the code that each board needs to be aware of, how best to use the new code and supplemental materials, and best practices in making good land use decisions.

APPENDIX B: BUDGET

Based on the scope of services outlined in Appendix A, the overall project budget, including all professional fees and direct costs, will result in a lump sum fee of \$182,405. The table below provides a task-by-task breakdown of the budget for professional fees and basic direct costs related to the established meetings, as outlined in the scope of work (website hosting, plots of maps, printing, outreach materials, etc.).

Land Usage Code Update				
Task	Budget			
Task 1 – Project Kick-Off	\$20,295			
Task 2 – Code Audit Report	\$23,740			
Task 3 – Code Drafting	\$92,300			
Task 4 – Code and Zoning Map Adoption	\$20,920			
Task 5 – Post-Adoption Work	\$25,150			
Total Project Budget	\$182,405			

APPENDIX C: PROJECT TIMELINE

We anticipate that the planning process, including adoption, can be completed within less than two years. The following chart illustrates the estimated project timeline.

Land Usage Code Update				
Task	Estimated Start Date	Estimated Completion Date		
Task 1 – Project Kick-Off	September 2025	October 2025		
Task 2 – Code Audit Report	October 2025	December 2025		
Task 3 – Code Drafting	January 2026	December 2026		
Task 4 – Code and Zoning Map Adoption	January 2027	April 2027		
Task 5 – Post-Adoption Work	February 2027	May 2027		

1 City of Montgomery 23456 City Council Business Session Minutes August 6, 2025 Present City Council Members Present Brian Riblet, City Manager Ron Messer, Mayor 7 Terry Donnellon, Law Director Lee Ann Bissmeyer 8 Tracy Henao, Asst. City Manager Chris Dobrozsi 9 Kevin Chesar, Community Development Director Craig Margolis John Crowell, Police Chief 10 Ken Suer Maura Gray, Finance Director 11 12 Gary Heitkamp, Public Works Director Council Members Absent 13 Ben Shapiro, Fire Chief Sasha Naiman, Vice Mayor 14 Matthew Vanderhorst, Communications and Information Service Director Catherine Mills-Reynolds 15 Amy Frederick, Community Engagement Coordinator 16 Connie Gaylor, Clerk of Council 17 18 City Council convened in Council Chambers at 6:00 p.m. with Mayor Messer presiding.

ROLL CALL

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Mayor Messer requested a roll call as there were members absent.

The roll was called with all members present except for Mrs. Mills-Reynolds and Vice Mayor Naiman. Mr. Margolis made a motion to excuse Mrs. Mills-Reynolds and Vice Mayor Naiman as they had previously reported their absences. Mrs. Bissmeyer seconded. City Council unanimously agreed.

SPECIAL PRESENTATION

Firefighter Darrick Treat along with his wife, Reilly, introduced their son, Briggs, to City Council and staff. Mr. and Mrs. Treat thanked Council for approving paternity leave that allowed Darrick to remain home with his family after Brigg's birth.

City Council congratulated the Treat's on the birth of Briggs and welcomed him as the newest member of the Montgomery family.

GUESTS AND RESIDENTS

There were no guests and residents.

LEGISLATION TO BE ADDED AND CONSIDERED AT THE MEETING

PENDING LEGISLATION

Mayor Messer requested a motion from Council to accept the following legislative Agenda and read all legislation by title only as all subsequent legislation has been made available to the public before this evening's meeting.

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

City Council Business Session Minutes

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An Ordinance Adopting The Montgomery's Moment: 2025 Comprehensive Plan

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

Mr. Dobrozsi explained that information has been previously supplied requesting that City Council consider this Ordinance that, if approved, will adopt the Montgomery's Moment 2025 Comprehensive Plan. He asked if there were any updates.

Mr. Chesar replied there were none.

The roll was called and showed the following vote:

AYE: Bissmeyer, Dobrozsi, Messer, Suer, Margolis	(5)
NAY:	(0)
ABSENT: Mills-Reynolds, Naiman	(2)

NEW LEGISLATION

A Resolution Authorizing the City Manager to enter into an agreement with the Sycamore Community School District Board of Education to assign two School Resource Officers

Mr. Donnellon explained that the legislation was initially added to the July 16 Work Session agenda as a place holder while confirmation of compensation with the Sycamore Board of Education for the continuation of the School Resource Officer (SRO) program at both the Sycamore Junior High and High School buildings. He stated that he had not received confirmation from the School Board at the time of the meeting and advised that the legislation be tabled and the current contract be extended until September 3. Mr. Donnellon explained that this would continue service to the schools and allow time for the City and the Board to fully discuss and understand the terms of the agreement.

Mr. Margolis made a motion to table the legislation until further direction is given by Mr. Donnellon and to extend the current agreement with the schools for the SRO program as recommended by Mr. Donnellon. Mrs. Bissmeyer seconded. City Council unanimously agreed.

A Resolution Authorizing the City Manager to enter into an agreement with Barrett Paving Materials, Inc for the HAM-US22-15.22 Montgomery Road Resurfacing Project PID 115757

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

Mr. Margolis explained that information has been previously supplied on this Resolution that, if approved, would authorize a contract with Barrett Paving Materials, Inc. to construct the Montgomery Road Resurfacing Project. This project would include resurfacing Montgomery Road from Pfeiffer Road to Weller Road. The contract amount would be \$935,985.00. The amount of the recommendation includes \$35,999.00 in project contingency funding, which is an amount equal to 4.0% of the Base Bid amount. As a reminder, this project is an LPA Federal Local-Let Project with the Ohio Department of Transportation. ODOT will fund 80% of construction costs for items that are ODOT eligible.

Mr. Margolis asked if there were any updates.

Mr. Heitkamp replied there were none.

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August 6, 2025

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153

	14500.	
104 105	The roll was called and showed the following vote:	
106	AYE: Dobrozsi, Messer, Suer, Margolis, Bissmeyer	(5)
107	NAY:	(0)
108	ABSENT: Mills-Reynolds, Naiman	(2)
109		(-)
110	A Resolution authorizing the City Manager to enter into Contract with Compass	Minerals America. Inc
111	pursuant to a joint purchasing bid with Hamilton County for 2025 – 2026 Deicing R	
112	parameter to a joint parameter state and tot 2020 2010 ing a	
113	Mr. Margolis read the title and moved for passage of the Resolution. Mrs. Bissmeyer sec	onded
114	The firm gone four the time and moved for pushage of the resolution with Bissine jet see	
115	Mr. Margolis explained that information has been previously supplied on this Resolution	n that if approved would
116	authorize a contract with Compass Minerals America, Inc. pursuant to a joint purch	
117	County for 2025-2026 for the purchase of de-icing rock salt. The maximum purchase of	_
118	salt in the amount of \$93,467.00 (\$84.97 per ton) is budgeted.	1100 tons of detering fock
119	suit in the amount of \$75,407.00 (\$64.57 per ton) is budgeted.	
120	Mr. Margolis asked if there were any updates.	
121	1411. Margons asked if there were any appeares.	
122	Mr. Heitkamp replied there were none.	
123	Wil. Helikamp replied there were holie.	
124	The roll was called and showed the following vote:	
125	The foir was canca and showed the following vote.	
126	AYE: Messer, Suer, Margolis, Bissmeyer, Dobrozsi	(5)
127	NAY:	(0)
128	ABSENT: Mills-Reynolds, Naiman	(2)
129	ABBLIVI: Willis-Reylloids, Ivalillan	(2)
130	A Resolution Approving A Contract With Sycamore Township, Ohio To Do	signate The Sycamore
131	Township-City Of Montgomery Joint Economic Development District Upon Pr	
132	Sycamore Township Abutting Grooms Road And I-275	operty Located Within
133	Sycamore Township Abutting Grooms Road And 1-2/3	
134	Mr. Suer read the title and moved for passage of the Resolution. Mr. Margolis seconded.	
135	1711. Out I read the title and moved for passage of the resolution, 1711. Wargons seconded.	
136	Mr. Suer explained that information has been previously supplied on this Resolution that	t if approved will create
137	a Joint Economic Development District with Sycamore Township. The District itself	
138	Ranch development on Grooms Road abutting I-275. The JEDD is permitted by statute	
139	through the Board to implement an income tax and to support economic development	
140	Suer added that while there will be a small portion of revenues received from this ven	
141	partnerships with Sycamore will be of great value.	ture that the potential for
142	partiterships with Sycamore will be of great value.	
143	Mr. Suer asked if there were any updates.	
144	Min. Such asked if there were any updates.	
145	Mr. Donnellon replied there were none.	
146	Mr. Donnerion replied there were none.	
147	The roll was called and showed the following vote:	
148	The foll was called and showed the following vote.	
149	AYE: Suer, Margolis, Bissmeyer, Dobrozsi, Messer	(5)
150	NAY:	(5)
151	ABSENT: Mills-Reynolds, Naiman	(0)
152	ABODIVI. Minis-Roynolds, Ivannian	(2)

These minutes are a draft of the proposed minutes from the City Council meeting. They do not represent the official record of proceedings until formally adopted by the City Council. Formal adoption is noted by signature of the Clerk within the minutes. City Council Business Session Minutes August 6, 2025 Page 4.

154 A Resolution Authorizing The City Manager To Enter Into A Contract With App Architecture for the 155 Architectural And Interior Design Services Associated With The Montgomery Safety Center 156 Addition/Renovation Project

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

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Mr. Margolis explained that information has been previously supplied on this Resolution that, if passed, will approve a contract with App Architecture for Design Services for the Montgomery Safety Center Renovation/Addition Project in an amount not to exceed \$875,000.00.

162 163 164

Mr. Margolis asked if there were any updates.

165 166

Mr. Riblet replied there were none.

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Mr. Suer stated that he was in favor as this was another step in getting the Safety Center project underway.

168 169 170

Mr. Riblet stated that a kickoff meeting is scheduled for the following week.

171 172

The roll was called and showed the following vote:

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AYE: Margolis, Bissmeyer, Dobrozsi, Messer, Suer, (5) NAY: (0)(2)

176 177

ABSENT: Mills-Reynolds, Naiman

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, 2025

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Mr. Suer read the title and moved to suspend the rule requiring three readings of the Ordinance. Mr. Margolis seconded.

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The roll was called and showed the following vote:

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AYE: Bissmeyer, Dobrozsi, Messer, Suer, Margolis (5)(0)ABSENT: Mills-Reynolds, Naiman (2)

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

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Mr. Suer explained that information has been previously supplied on this Ordinance that, if passed, will amend the current year budget to increase the appropriation of the Fire Levy Fund \$875,000.00. This change is due to the necessary design services for the renovation of the Safety Center to be completed by APP Architecture.

194 195

Mr. Suer asked if there were any updates.

196 197 198

Ms. Gray replied there were none.

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The roll was called and showed the following vote:

200 201 202

AYE: Dobrozsi, Messer, Suer, Margolis, Bissmeyer

(5)

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203 NAY: (0) 204 ABSENT: Mills-Reynolds, Naiman (2) 205

206 <u>A</u> 207

ADMINISTRATION REPORT

Mr. Riblet gave the following report:

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• City Council Work Session is scheduled for August 20, 2025 immediately following a CIC meeting requested to be held at 5:45. Mr. Margolis made a motion to commence with the Work Session immediately following the CIC meeting. Mr. Dobrozsi seconded. City Council unanimously agreed.

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• The Government Affairs Committee will meet on Monday, August 11 at 4:30 p.m. The Parks and Recreation and Public Works committees have cancelled their meetings for August.

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The deadline for the Law Director RFQ process was on August 1. The City received four submissions including:

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o Frost Brown Todd

220 221

o Dinsmoreo Bricker Graydon

222223

o Strauss Troy

224 225 226

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The steering committee will be meeting to review and establish the timeline for next steps and will be reporting through the Government Affairs Committee.

228 229 230

• A reminder that the first of two Open House's for the proposed Hopewell Cemetery Expansion project will be held Wednesday, August 13 here in Council Chambers. The Open House will be held from 5:00-7:00 p.m. A representative from KZF Designs and staff will be present to answer questions. The second Open House is scheduled for Thursday, August 21.

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Staff are finalizing the August 28 Community Mental Health Presentation on Addictions. Staff met with the panelists last week and made a site visit to the Church of the Saviour today to discuss logistics. We are hopeful that this will be another impactful evening for the community and appreciate City Council's support of our mental health initiatives.

236237238

 Mr. Riblet is coordinating potential dates for City Council to get a sneak peek of the Hotel Rambler in mid-to-late September and will follow up with options.

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Human Resources

243244245

• Firefighter/Paramedic positions – Additional second round interviews are scheduled this month with three candidates. There are three firefighter/paramedic positions to fill.

246 247 Police Officer positions – The June/July online testing results are scheduled to be certified by the Civil Service Commission at its August 18 meeting to establish an eligible list. There are two open positions to fill.

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• Recreation Specialist position – Due to multiple employees expressing interest in this recently vacated position, an internal interview process will be conducted to fill the opening. Plans are underway to schedule interviews later this month.

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August 6, 2025

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253 254 255

Events

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299 300 Touch a Truck will be held tomorrow at Weller Park and will run from 9:00 am to noon.

- A "After Dark" Summer Beach Party will be held at the Montgomery Pool this Friday beginning at 6:00 and going until 10:00 p.m. Attendees must be 18 years or older. Folks N' Motion Food Truck, DJ Dubya and a real-life penguin will be there.
- A final reminder of the Top Work Place Picnic on Friday, August 15 beginning at 11:00 and running to 2:30. The picnic will be held at Montgomery Park. Come celebrate our 7th TWP in a row.
- A DORA Party is scheduled on Saturday, August 16 from 7:00 to 10:00 p.m. at the Montgomery Quarter. This is a '70s themed DORA Party with Live music from Gee Your Band Smells Terrific, a few classic cars from the 70's, giant outdoor games and food and drinks from Bru Burger, Livery, Kozue, Taglio, Kitchen Social and Granny's Goodies.
- The next Braver Angels session is scheduled for Saturday, September 20. Special thanks to Matthew Vanderhorst for spearheading this series.

Mr. Riblet requested an Executive Session to consider confidential information of an applicant for economic development assistance and the appointment, employment, or compensation of a public employee or official.

MINUTES

Mayor Messer asked for a motion to approve the July 16, 2025 Work Session minutes.

Mr. Margolis made a motion to approve the July 16, 2025 Work Session minutes as amended. Mr. Dobrozsi seconded. City Council unanimously agreed.

MAYORS COURT REPORT

Mayor Messer asked for a motion to disburse the June Mayor's Court collections in the amount of \$6,580.

Mr. Dobrozsi made a motion to disburse the June Mayor's Court collections in the amount of \$6,580. Mrs. Bissmeyer seconded. City Council unanimously agreed.

OTHER BUSINESS

Mr. Margolis moved to appoint Graham Dostal to the Environmental Advisory Commission with a term ending on January 31, 2028. Mr. Dobrozsi seconded. City Council unanimously agreed.

EXECUTIVE SESSION

Mayor Messer stated that Mr. Riblet had requested an Executive Session and requested a motion to adjourn into Executive Session to consider confidential information of an applicant for economic development assistance and the appointment, employment, or compensation of a public employee or official.

City Council Business Session Minutes

August 6, 2025

Page 7.

Mr. Margolis made a motion to adjourn into Executive Session to consider confidential information of an applicant for economic development assistance and the appointment, employment, or compensation of a public employee or official. Mrs. Bissmeyer seconded.

The roll was called and showed the following vote:

AYE: Dobrozsi, Messer, Suer, Margolis, Bissmeyer	(5)
NAY:	(0)
ABSENT: Mills-Revnolds, Naiman	(2)

City Council adjourned into Executive Session at 6:32 p.m.

City Council reconvened in Public Session at 7:14 p.m.

Mr. Donnellon reported there is an anomaly in the public employee Pension system which unintentionally punishes long-term public employees who rise through the ranks to a Supervisory/Management role, particularly when they move from a specific department to Administration. It was recently discovered that Mr. Riblet falls into that trap. The unintended consequence is that his retirement benefit is frozen despite the increase in compensation which would be used to measure his defined benefit at retirement.

The rule cannot be changed at the State level, nor will the system carve out an exception for an employee unintentionally caught in this algorithm.

Unfortunately, the recommended correction is to allow the employee to elect to retire within the Pension system and be re-employed to the same position under a Pension Annuity within the same system moving forward. The employee continues to pay his contributions to the system.

R.C. § 145.381 and OAC 145-1-79 allow the City to re-employ an OPERS retiree under certain circumstances, one of which is advanced Notice and Council consideration at a public meeting. Mr. Riblet would like to continue as City Manager and not leave the City, so Council is asked to re-employ Mr. Riblet as City Manager under the same terms and conditions of his current Contract. Notice was published on June 26, 2025 as required by the statute and regulation. The Notice was posted for two weeks on the City's website noting review at the August 6 Council meeting. This public meeting is the last step in the required process.

Mr. Riblet will tender his retirement papers to OPERS effective August 31. Council is asked to move to formally re-employ Mr. Riblet effective September 1, 2025 under the same compensation structure as approved in Resolution No. 5, 2024, and in accordance with the current Contract dated May 20, 2020, as amended.

Council controls the employment of the City Manager under Charter Section 4.01 of Article IV.

Mr. Donnellon asked if there were any questions. Being none, Mr. Donnellon asked for a motion and a roll call vote to appoint and re-employ Mr. Riblet as City Manager. Mr. Margolis then moved and Mrs. Bissmeyer seconded that Brian K. Riblet be appointed as City Manager to be reaffirmed, and pursuant to Charter Section 4.01, Article IV, he be re-employed as City Manager effective September 1, 2025 under the same salary and benefit structure currently in place consistent with Resolution No. 5, 2024 and the Contract dated May 20, 2020, as amended. The Mayor is authorized to reaffirm the Contract as necessary to facilitate this seamless transition.

The roll was called and showed the following vote:

AYE: Dobrozsi, Messer, Suer, Margolis, Bissmeyer

official record of proceedings until formally adopted by the City Council. Formal adoption is noted by signature of the Clerk within the minutes.

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NAY:

NAY:

ABSENT: Mills-Reynolds, Naiman

(2)

ADJOURNMENT

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

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

These minutes are a draft of the proposed minutes from the City Council meeting. They do not represent the

361 City Council adjourned at 7:22 p.m. 362



Monthly Mayor's Court Report

Montgomery Mayor's Court Cash Flow for July 2025

Page: 1
Report Date: 08/11/2025
Report Time: 14:14:28

	Current Period	Year-To-Date	Last Year-to-Date
City Revenue From:			
Court Costs			
Court Costs	\$143.00	\$1,960.00	\$1,446.00
Computer Fund	\$430.00	\$3,850.00	\$2,520.00
Additional Costs	\$0.00	\$10.00	\$0.00
Fines			
Overpayment / Adjustment	\$0.00	\$1.01	\$0.00
City Revenue From Fines	\$5,319.00	\$48,090.00	\$22,841.00
Fees			
NSF FEES	\$0.00	\$0.00	\$15.00
SUBP FEES	\$0.00	\$75.00	\$0.00
EXPUNGEMENT FEES CITY	\$0.00	\$0.00	\$20.00
Capias Fee	\$500.00	\$4,045.00	\$2,300.00
Miscellaneous/Other			
Miscellaneous/Other	\$0.00	\$0.00	\$475.00
Bond Forfeits			
Bond Forfeits	\$0.00	\$0.00	\$0.00
Miscellaneous/Other			
Bond Administration Fees	\$0.00	\$0.00	\$0.00
Total to City:	\$6,392.00	\$58,031.01	\$29,617.00
State Revenue From:			
Court Costs			
Court Costs	\$1,120.00	\$10,200.00	\$6,580.00
V/C	\$387.00	\$3,325.00	\$2,124.00
DRUG LAW ENFORCEMENT FUND	\$147.00	\$1,277.50	\$812.00
Fines			
Fines	\$0.00	\$150.00	\$0.00
Seatbelt Driver	\$0.00	\$90.00	\$0.00
Child Restraint	\$75.00	\$205.00	\$0.00
Fees			
EXPUNGEMENT FEES STATE	\$0.00	\$0.00	\$30.00
Total to State:	\$1,729.00	\$15,247.50	\$9,546.00
Other Revenue From:			
Court Costs			
Court Costs	\$63.00	\$547.50	\$348.00
Area Fines			
Area Fines	\$0.00	\$50.00	\$0.00
Restitution			
Restitution	\$0.00	\$0.00	\$250.00
Total to Other:	\$63.00	\$597.50	\$598.00

Monthly Mayor's Court Report

Montgomery Mayor's Court Cash Flow for July 2025 Page: 2

Report Date: 08/11/2025 Report Time: 14:14:28

	Current Period	Year-To-Date	Last Year-to-Date
TOTAL REVENUE *	\$8,184.00	\$73,876.01	\$39,761.00
*Includes credit card receipts of	\$1,410.00	\$19,945.00	\$11,325.00

END OF REPORT

Monthly Distribution Journal

Montgomery Mayor's Court
Disbursal of fines and court costs for July 2025

Page: 1 Report Date: 08/11/2025 Report Time: 11:02:21

Disbursal Category	Amount		
COSTS			
Computer Fund	\$430.00		
city-appearance	\$143.00		
Total to City:		\$573.00	
V/C	\$387.00		
DRUG LAW ENFORCEMENT FUND	\$147.00		
INDIGENT DEFENSE SUPPORT FUND - COST	\$1,120.00		
Total to State:		\$1,654.00	
INDIGENT DRIVERS ALC TREATMENT FUND-COST	\$63.00		
Total to Other:		\$63.00	
Total Costs:			\$2,290.00
CINVEO			
FINES City Revenue From Fines	\$5,319.00		
Total to City:	estante par escuestros, metado os C.C.C.	\$5,319.00	
	\$75.00		
Child Restraint Total to State:	2.2	\$75.00	
Total Fines:			\$5,394.00
1 otal Fines:			
FEES			
Capias Fee	\$500.00		
Total to City:		\$500.00	
Total Fees:			\$500.00
TOTALS			
Total to State:	\$1,729.00		
Total Fines to Other External Agencies:	\$0.00		
Total to Other Entities, including Restitution:	\$63.00		
Total Bonds Forfeited to City:	\$0.00		
Total to City including Misc. Receipts, Adjustments, & BA Fee:	\$6,392.00		
TOTAL TO BE DISBURSED:		\$8,184.00	

END OF REPORT



MEMORANDUM

August 14, 2025

To: Connie Gaylor, Clerk of Council

From: John Crowell, Police Chief

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Subject: Liquor Permit

Regarding the August 12, 2025 notification from the Ohio Division of Liquor Control for the issuance of a new C-2 liquor permit requested by Spicy Olice LLC dba The Spicy Olive II, LLC at 9873 Montgomery Road.

A C-2 permit is a retail store carry-out permit that allows for the sale of wine and mixed beverages in sealed containers for carry out.

I am not aware of any information that would justify the City of Montgomery to request a hearing in front of the Ohio Division of Liquor Control and therefore recommend a motion to be made by City Council to not request a hearing with the Ohio Division of Liquor Control.

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



Mike DeWine, Governor Jim Tressel, Lt. Governor Sherry Maxfield, Director

NOTICE TO LEGISLATIVE AUTHORITY

NOTICE TO LEGIS	LATIVE	to more in	TO			
08429797-2 NEW PERMIT NUMBER TYPE			SPICY OLIVE LLC The Spicy Olive II, LLC			
ISSUE DATE 6/10/2025			9873 Montgomery Road Cincinnati OH 45242			
FILING DATE			Muni/Village/Twp: Montgomery			
C-2	RMIT CLASS	ES				
31264 TAX DISTRICT	JUN	RECEIPT NO				
			FROM 8/1/2025			
PERMIT NUMI	BER	TYPE				
ISSUE DATE						
FILING DATE						
PEI	RMIT CLASS	ES				
TAX DISTRICT		RECEIPT NO				
MAILED 08/13	2/20:	25	ONSES MUST BE POSTMARKED NO LATER THAN	9/10/2025		
THERE IS A REQU	JEST FOR	A HEARING.	RM TO THE DIVISION OF LIQUOR CONTROL WE	<u>IETHER OR NOT</u>		
REFER TO THIS N	IUMBER I	N ALL INQUIRIES	S: <u>JUN NEW 08429797-2</u> (TRANSACTION & NUMBER)			
		(MUST	MARK ONE OF THE FOLLOWING)			
WE REQUEST A H	HEARING IN OUR (BILITY OF ISSUING THE PERMIT AND REQUEST IN COLUMBUS	THAT THE HEARING		
WE DO NOT REQ DID YOU MARK A		EARING IF NO	T, THIS WILL BE CONSIDERED A LATE RESPON	ISE.		
PLEASE SIGN BE	LOW AND	MARK THE APP	ROPRIATE BOX INDICATING YOUR TITLE:			
(Signature)			(Title) - Clerk of County Commissioner	(Date)		
			☐ Clerk of City Council☐ Township Fiscal Officer			
			I Ownship Fiscal Officer			

CLERK OF MONTGOMERY CITY COUNCIL 10101 MONTGOMERY RD MONTGOMERY OH 45242