

City of Montgomery  
City Council Work Session Minutes  
January 22, 2025

Present

Brian Riblet, City Manager  
Terry Donnellon, Law Director  
Kevin Chesar, Community Development Director  
John Crowell, Police Chief  
Maura Gray, Finance Director  
Matthew Vanderhorst, Community & Information Services Dir.  
Paul Wright, Fire Chief  
Amy Frederick, Community and Engagement Coordinator  
Connie Gaylor, Clerk of Council

City Council Members Present

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

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City Council convened in Work Session for January 22, 2025 at 5:56 p.m. at City Hall with Mayor Messer presiding.

**ROLL CALL**

Mayor Messer stated that as the roll call was conducted in the previously held Public Hearing there was no need for one as all members were in attendance.

**SPECIAL PRESENTATION**

Officer Michael Ross was ceremonially sworn in as the City's newest Police Officer. He and his fiancé and sons were introduced to City Council.

City Council welcomed Officer Ross and his family to the Montgomery family and thanked Officer Ross for his service to the community.

**LEGISLATION FOR CONSIDERATION THIS EVENING**

**A Resolution Of The City Of Montgomery Supporting The Ohio Municipal League's Challenge Of AT&T's Tariff Application At The Public Utilities Commission Of Ohio**

Mayor Messer asked for motion to add this legislation to the agenda for consideration this evening.

Mr. Margolis moved to add the Resolution to the evening's agenda for consideration. Vice Mayor Naiman seconded. City Council unanimously agreed.

Mayor Messer assigned the legislation to Mr. Margolis.

Mr. Donnellon explained that this legislation would no longer need to be considered at the meeting but could be added to the February 5, 2025 Business Session agenda. He explained that this Resolution was requested through the Ohio Municipal League (OML) and the Hamilton County Municipal League to indicate the City's support to oppose the Tariff Application by AT&T with the Public Utilities Commission of Ohio before January 1, 2025. Mr. Donnellon explained that administration sent a Letter of Opposition of the tariff application and in support of the Municipal League, as there was not another Council meeting prior to the deadline. He explained that a large response in opposition was received and AT & T withdrew their application before the deadline. He recommends alternatively adding a revised Resolution (a red-line version that was placed at Council's seats) be added to the February 5, 2025 Business Session for consideration at that meeting. He explained that the Tariff Application asks the Commission to approve the process to pass through to local customers the cost to relocate AT&T's improvements in the right-of-way. He explained that without the help of the Ohio Municipal League and the Hamilton County Municipal League the approval of this tariff could have been effective on January 1, 2025. He explained that the revised Resolution includes a similar tariff from another utility. He explained that it is suspected that AT&T may submit a revised tariff application which could open the door for other utilities to do the same. The new Resolution would state opposition to all tariff applications from all utilities.

Vice Mayor Naiman asked if Council is authorizing the City Manager to indefinitely be able to challenge tariff's.

Mr. Donnellon clarified that he would only challenge tariffs which effect the City's continuing control of the right of way.

Mayor Messer restated that there would be no vote on this Resolution and the legislation would be added to the February 5, 2025 agenda.

**An Ordinance Accepting Certain Dedicated Streets Within The Montgomery Quarter Subdivision And Declaring An Emergency**

Mr. Dobrozsi stated that he would recuse himself from the discussion and vote on this Ordinance as it is directly related to the Montgomery Quarter and is a professional conflict. He exited the dais.

Mayor Messer asked for motion to add this legislation to the agenda for consideration this evening.

Mr. Margolis moved to add the Ordinance to the evening's agenda for consideration. Vice Mayor Naiman seconded. City Council unanimously agreed.

Mayor Messer assigned the legislation to Mr. Margolis.

Mr. Donnellon explained that this Ordinance will accept the Montgomery Quarter Phase I street grid as public improvements. This is part of the ordinary process for the City to accept dedicated right-of-way to place the responsibility for continuing maintenance upon the City. He added that also by accepting the streets that the Developer can terminate their surety bond. He stated that Administration agreed that with a small punch list to be addressed that the Developer could post a maintenance bond to cover the cost of any damage done by the continued construction that they would not repair.

Mr. Margolis moved to read the Ordinance by title only. Vice Mayor Naiman seconded. City Council unanimously agreed.

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

The roll was called and showed the following vote:

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

Mr. Margolis moved passage of the Ordinance as an emergency. Vice Mayor seconded.

The roll was called and showed the following vote:

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

Mr. Dobrozsi rejoined City Council on the dais.

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

**PENDING LEGISLATION**

There was no pending legislation.

**NEW LEGISLATION**

**A Resolution Approving A Construction Agreement With Brandicorp, LLC For Montgomery Quarter Public Improvements Within The Interchange Roundabout**

Mayor Messer assigned the legislation to Mr. Suer.

Mr. Riblet explained that it is necessary for City Council to consider a Resolution authorizing the City Manager to Negotiate and enter into an Agreement with Brandicorp, LLC as the Construction Manager at Risk (CMAR) for the Montgomery Road Roundabout Monument Project. He explained that the public improvements associated with the Montgomery Road Roundabout Monument Project primarily consists of constructing a vertical monument in the center of the roundabout creating a welcoming southern gateway to our community. In addition, the project will include decorative fencing, lighting, irrigation, and landscaping. A Guaranteed Maximum Price (GMP) will be negotiated with Brandicorp, LLC not to exceed \$1.8 million to represent the City as our CMAR and manage/oversee the project. If approved, funding for this project will be made available through the Downtown Improvement Fund (480.000.5470) in which funds have been placed there in anticipation of this project.

Mr. Riblet added that on April 9, 2024, the City conducted a bid opening for this project which, at the time, included additional landscape islands, decorative walls/fencing, lighting, and irrigation that extended beyond the inner circle of the roundabout and west on Ronald Reagan Highway. The City only received one bid which was significantly higher than the Engineer's Estimate, the bid was ultimately rejected. Additional internal meetings were conducted with our Steering Committee which also included Council members Ken Suer and Chris Dobrozsi, we decided to reduce the scope of the project and focus on the immediate inner circle of the roundabout which is primarily the vertical monument and associated wall, decorative fencing, landscaping, lighting, and irrigation. In addition, we chose to re-advertise utilizing the CMAR approach to the project. The City advertised an RFQ for this project and received (4) submissions prior to the deadline on October 24, 2024, including: Brandicorp, LLC., Prus Construction, Pepper Construction and Graybach. After reviewing the RFQ submissions, all (4) entities were invited to participate in the RFP process and we received (3) submissions prior to the deadline of December 2, 2024, including Brandicorp, LLC., Prus Construction, and Graybach. Interviews were conducted with all (3) entities and the Evaluation Committee selected Brandicorp, LLC. to proceed with negotiations to reach a proposed agreement and GMP.

Mr. Margolis stated he felt this project is the genesis to improve our city gateways.

Mr. Riblet stated that as the southern gateway, this project was an opportunity to create a grand entrance into Montgomery.

Mr. Dobrozsi explained that he and Mr. Suer have been to multiple meetings, and he felt the RFQ and RFP process was a better path to take with this project. He explained that this project would focus on the inside and just outside of the roundabout with future phases considering Ronald Reagan to I-71 and further on Montgomery Road. He thanked staff for their hard work on this process.

Mr. Suer explained that initially the plans included quite a bit of landscaping at the roundabout, Cross County Highway (Ronald Reagan Highway) and extended on Montgomery Road. He stated that the committee realized that was too much to take on at one time. He stated that the better strategy was to divide the work so there were fewer companies involved. He added that this project ties in with the Montgomery Quarter project.

Mrs. Mills-Reynolds asked if the 1.8M includes all the fees to manage and construct the project.

Mr. Riblet replied that it would include the monument, material, labor, construction costs and the management fees from Brandicorp.

Vice Mayor Naiman asked that when the scope of the project was changed if the Committee considered making the monument smaller than the 50' design.

Mr. Suer replied that the Committee did look at other possibilities along with the architects but ultimately agreed the original monument design was the key aspect of the project, and the Committee did not want to reduce that. He stated that this project is going to be a signature item for the city.

Mr. Riblet stated that this project is unique in that in a normal bid the contract would go to a general contractor who would then sub out the work that they could not do, and the cost would ultimately be higher as a result. He stated that with a construction manager at risk contract, the manager (Brandicorp), can negotiate those costs on behalf of the City.

Vice Mayor Naiman stated she was concerned about visibility due to the monument and possible accidents. She asked if the Committee has looked into how those issues would impact the city.

Mr. Riblet replied that both Strand Engineers and the designers at Human Nature conducted an analysis of this and are comfortable with the visibility. He added that there will be a retaining wall constructed around the monument that would make it highly unlikely that a motorist would get through the wall to hit the monument.

Vice Mayor Naiman asked if there were any examples of monuments or decorative items placed in roundabouts near the city.

Mr. Riblet replied that Blue Ash has placed items in the roundabout at Plainfield Road and also in front of Summit Park at Glendale Milford.

Vice Mayor Naiman asked if the City would be liable if someone hit the retaining wall, decorative fencing, or the monument.

Mr. Riblet replied that the City would of course have insurance that would address that. He reiterated that there was a lot of time put into the engineering and architecture of the wall and was confident that no one would get through the wall.

Mrs. Bissmeyer thanked the Committee for their work and trusted their judgement in moving this project forward.

Mr. Margolis asked if when the project was finished there would be a need for further landscaping improvements.

Mr. Riblet replied that if the landscaping looks good in Phase I and Council is happy with it then staff would not have to pursue another phase. He stated that in any case, the discussion of a second phase would be brought back to Council.

Mr. Margolis also stated that after doing research, the recommendation on roundabouts does not discourage landscaping or decorative items within the circle as motorists are meant to look left for oncoming traffic not across the circle.

Mayor Messer asked for confirmation that there would be landscaping within the roundabout.

Mr. Riblet replied that there would be landscaping and decorative fencing.

Vice Mayor Naiman asked what the prognosis related to construction time was and how traffic would be managed.

Mr. Riblet explained that having Strand Engineers as part of the team was important as they designed the roundabout originally. He stated that maintenance of traffic was in the specifications of the RFQ and RFP. He explained that most of the work would be done when school is out to take advantage of less traffic. He estimated it would begin in August and that the inside lane of the roundabout would be blocked to allow for work and safety of the workers. He stated that staff would advertise in the bulletin and on the website leading up to the construction and work with the schools and other entities to provide ample notice of the traffic change.

#### **ADMINISTRATION REPORT**

Mr. Riblet reported the following items:

- A Council Business Session is scheduled for Wednesday, February 5 immediately following a CIC meeting scheduled at 5:45 p.m. He added that City Council has made a motion previously to commence with the Business Session immediately following the conclusion of the CIC meeting.
- The Financial Planning and Planning, Zoning and Landmarks Committees will meet on Monday, February 3 at 4:30 and 5:30 p.m., respectively. The Law and Safety Committee has cancelled their meeting for the month of February.
- Currently the Government Affairs Committee has agenda items for Monday, February 10 however the Parks and Recreation, and Public Works Committees do not. He stated that an update would be provided at the February 5, 2025 Business Session.

#### **Events**

- The third session of MCLA, Our Town, USA, will be held Thursday, January 23, beginning at 5:45 p.m. here at City Hall.
- Please let Connie know if you plan to attend the upcoming Hamilton County Municipal League meeting on Saturday, February 1, 2025. It will be held at the Robert Schuler Center at 11532 Deerfield Road and runs from 9am-10:30am. The meeting will be a joint meeting with Hamilton County Township Association and will host our local Ohio Representatives and Senators.

Mr. Riblet requested an Executive Session to consider the appointment, employment, or compensation of a public employee.

#### **LAW DIRECTOR REPORT**

Mr. Donnellon stated that he has been busy with the CMAR and Street Grid legislation as well as the MQ Development. He stated that he would also stay on top of the Pension Bill as reported by the Ohio Municipal League.

#### **CITY COUNCIL REPORTS**

##### **Mrs. Bissmeyer**

Mrs. Bissmeyer moved to reappoint Jade Stewart and Tom Molloy to the Board of Zoning Appeals with terms ending on January 31, 2029 and reappoint Dennis Hirotsu and Peter Fossett to the Planning Commission with terms ending on January 31, 2029.

Mr. Margolis seconded. City Council unanimously agreed.

**Mrs. Mills-Reynolds**

Mrs. Mills-Reynolds moved to reappoint Reza Ghoorkhanian, Jorge Tameron and Dorothy Stadelmann to the Parks and Recreation Commission with terms ending on January 31, 2028.

Vice Mayor Naiman seconded. City Council unanimously agreed.

**Mr. Dobrozsi**

Mr. Dobrozsi moved to reappoint Nam-Ha Brown and Elise Williams to the Arts Commission with terms ending January 31, 2028 and to reappoint Marcallene Shockey to the Sister Cities Commission with a term ending January 31, 2028.

Mrs. Bissmeyer seconded. City Council unanimously agreed.

Mr. Dobrozsi reported on the following:

- Sister Cities – Registration for the Soiree En Rosé dinner on February 22, 2025 opened and so far, 80 people have registered, leaving only 2 open seats.
- He attended an OKI Board meeting where new board leaders were appointed. Josh Gerth is now the President.

Mr. Dobrozsi added that Blair Davis, a long time Sister Cities Commission member, had chosen not to be reappointed.

**Vice Mayor Naiman**

Vice Mayor Naiman moved to reappoint Chip Harrod and Benny Miles to the Diversity and Inclusion Commission with terms ending January 31, 2028 and to reappoint Fred Kleiser to the Civil Service Commission with a term ending January 31, 2028.

Mr. Margolis seconded. City Council unanimously agreed.

**Mr. Suer**

Mr. Suer moved to reappoint Carole Cottrill and John Durham to the Landmarks Commission with terms ending on January 31, 2028 and to reappoint Gary Blomberg, Ed Steinebrey and Brian Clifford to the Board of Tax Appeals with terms ending on January 31, 2027.

Mr. Margolis seconded. City Council unanimously agreed.

**Mr. Margolis**

Mr. Margolis moved to reappoint Ellen Hall and Zeeshan Pasha to the Environmental Advisory Commission with a term ending January 31, 2028.

Mrs. Bissmeyer seconded. City Council unanimously agreed.

Mr. Margolis reported he would be out of state from January 23 to February 2.



**Mayor Messer**

Mayor Messer stated that Session #3 of MCLA would be held Thursday, January 23 and asked if all Council members would be present as it focuses on a City Council meeting. All members but Mr. Margolis replied they would be present.

**MINUTES**

Mr. Margolis moved to approve the minutes of the January 8 Business Session as written. Vice Mayor Naiman seconded. City Council unanimously agreed.

**OTHER BUSINESS**

There was no other business to discuss.

**EXECUTIVE SESSION**

Mayor Messer asked for a motion to adjourn into Executive Session as requested by Mr. Riblet.

Mr. Margolis moved to adjourn into executive session to consider the appointment, employment, or compensation of a public employee. Vice Mayor Naiman seconded.

The roll was called and showed the following vote:

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

Mayor Messer stated that there would be a short recess and that no discussion or votes would be made once Council reconvenes in Public Session.

Council adjourned into Executive Session at 6:48 p.m.

Council reconvened into Public Session at 8:42 p.m.

**ADJOURNMENT**

Mayor Messer asked for a motion to adjourn.

Mrs. Mills-Reynolds moved to adjourn. Vice Mayor Naiman seconded. City Council unanimously agreed.

City Council adjourned at 8:43 p.m.



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Connie Gaylor, Clerk of Council