

1 City of Montgomery  
2 City Council Work Session  
3 December 19, 2018  
4

5 Present

6 Brian Riblet, City Manager  
7 Terry Donnellon, Law Director  
8 John Crowell, Police Chief  
9 Melissa Hays, Zoning and Code Compliance Officer  
10 Katie Smiddy, Finance Director  
11 Matthew Vanderhorst, Community and Information Services Director  
12 Paul Wright, Fire Chief  
13 Gary Heitkamp, Public Works Director  
14 Faith Lynch, Communications and Engagement Coordinator  
15 Kathi Ranford, Acting Clerk of Council

City Council Members

Chris Dobrozsi, Mayor  
Lynda Roesch, Vice Mayor  
Lee Ann Bissmeyer  
Mike Cappel  
Gerri Harbison  
Craig Margolis  
Ken Suer

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17 City Council convened in Council Chambers at 7: 00 p.m. for the Work Session with Mayor Dobrozsi presiding.  
18

19 ROLL CALL

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21 Mayor Dobrozsi asked for a motion to dispense with the roll call since everyone was in attendance.  
22

23 Mr. Margolis moved to dispense with the roll call. Mr. Cappel seconded. City Council unanimously agreed.  
24

25 GUESTS AND RESIDENTS

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27 Brian Uhl, an applicant for the Assistant City Manager position was in attendance.  
28

29 LEGISLATION FOR CONSIDERATION TONIGHT

30  
31 An Ordinance to Amend Appropriations for Current Expenses and Other Expenditures of the City of  
32 Montgomery, State of Ohio, During the Fiscal Year Ending December 31, 2018  
33

34 Mayor Dobrozsi asked for a motion to add this legislation to the agenda.  
35

36 Mr. Margolis made a motion to add the legislation to the agenda for this evening. Mr. Cappel seconded. City Council  
37 unanimously agreed.  
38

39 Mayor Dobrozsi assigned the legislation to Mr. Suer.  
40

41 Mr. Suer moved to read the Ordinance by title only. Mr. Margolis seconded. City Council unanimously agreed.  
42

43 Mr. Suer read the Ordinance by title and moved to suspend the rules requiring three separate readings of the  
44 Ordinance. Mr. Margolis seconded.  
45

46 The roll was called and showed the following vote:  
47

48 AYE: Cappel, Bissmeyer, Harbison, Dobrozsi, Roesch, Suer, Margolis (7)  
49 NAY: (0)  
50 ABSENT: (0)  
51

52 Mr. Suer moved for passage of the Ordinance. Mr. Cappel seconded.  
53

54 Mr. Suer explained that this Ordinance will amend appropriations for current expenses and other expenditures  
55 during the fiscal year ending December 31, 2018. The year-end supplemental appropriations are necessary to  
56 reconcile line items which had expenditures exceed budget for various reasons, which need additional

57 appropriations or are required to be reduced by law.

58

59 Mayor Dobrozsi asked if there were any updates.

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61 Ms. Smiddy stated there were no updates.

62

63 The roll was called and showed the following vote:

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65 AYE: Bissmeyer, Harbison, Dobrozsi, Roesch, Suer, Margolis, Cappel (7)

66 NAY: (0)

67 ABSENT: (0)

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69 **ESTABLISHING AN AGENDA FOR THE JANUARY 2, 2019 BUSINESS SESSION**

70

71 **PENDING LEGISLATION**

72

73 **An Ordinance Amending Portions of Chapter 97, Parks and Recreational Facilities**

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75 Mayor Dobrozsi stated that information was previously supplied that, if approved, would resolve inconsistencies in  
76 Chapter 97 of our Municipal Code concerning the authority to establish rules and regulations governing the City  
77 Parks and recreation activities. Rulemaking authority will rest with City Council; however, recommendations for  
78 any changes may be made by the Parks and Recreation Commission and the Council's own Parks and Recreation  
79 Committee. Updating this Ordinance will give the City more flexibility in establishing rules and modifying rules as  
80 circumstances require.

81

82 Mayor Dobrozsi asked if there were any updates.

83

84 There were no updates.

85

86 **NEW LESIGSLATION**

87

88 **An Resolution Authorizing the City Manager to Contract with National Inspection Corporation for**  
89 **Professional Service to Serve as Building Official and to Provide Plan Review and Field Inspection Authority**  
90 **and Services for the City's Building Department for the Calendar Year 2019**

91

92 Mayor Dobrozsi assigned this legislation to Mr. Margolis.

93

94 Mr. Riblet stated this Resolution, if approved, will authorize the City Manager to enter into a contract with National  
95 Inspection Corporation (NIC) for Professional Services to serve as a building official and to provide plan review  
96 and field inspections authority and services for the City's Building Department for the calendar year 2019.

97

98 Mr. Riblet stated this is an annual contract the City has had with National Inspection Corporation for 16 years. Mr.  
99 Riblet stated that the City is happy with their services.

100

101 Ms. Hays stated that the City is happy with their service and would like it to continue.

102

103 Mayor Dobrozsi asked if NIC does electrical inspections now.

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105 Ms. Hays responded that they do.

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107 Mr. Cappel asked who conducted the plumbing inspections for the City.

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109 Ms. Hays stated that Hamilton County handles plumbing inspections.

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**A Resolution Authorizing the City Manager to Enter into a Contract with CT Consultants, Inc. for Professional Services Related to General Engineering and Architectural Services for Calendar Year 2019**

Mayor Dobrozsi assigned this legislation to Mr. Cappel.

Mr. Heitkamp stated that this Resolution would authorize the City Manager to enter into a contract with CT Consultants, Inc. for professional engineering and architectural services for calendar year 2019. It is anticipated the City would spend \$50,000 in 2019 for various professional engineering services. Funding in 2019 for CT Consultants, Inc. is in the operating budget under multiple accounts; 303-Parks, 407-Development, 709-Public Works, and 261-Capital Improvements programs. The City has contracted with CT Consultants, Inc. for approximately 27 years (formerly CDS Associates, Inc.) to provide civil, traffic structural, electrical and storm water engineering services and the City very satisfied with their ability to perform these services. CT Consultants, Inc. committed to keep their engineering services at a reasonable cost. For 2019, they have increased their fees by 2.7%. In previous years, CT Consultants, Inc. deleted billing of the Principal from the budget schedule. If for any reason the Principal Engineer provides engineering services during the contract year for development/design review or project design/review, that work would be billed at the hourly rate of a Senior Manager. Staff recommends that the City enter into a contract with CT Consultants, Inc. for 2019.

**A Resolution Delegating Authority to Make Declarations of Official Intent and Allocation with Respect to Reimbursements of Temporary Advances During Fiscal Years 2019 And 2020 Made for Capital Improvements for the Gateway Redevelopment Project to Be Made from Subsequent Borrowings**

Mayor Dobrozsi assigned this legislation to Mr. Suer.

Mr. Donnellon stated that under IRS rules when TIF Bonds are issued, the City can reimburse ourselves for certain expenses so long as we have legislation in place. In 2017, a similar Resolution was passed and since then the City entered into a reimbursement agreement to reimburse the engineers for some of the work they have been doing. This allows that going into 2019-2020 it will also cover reimbursements when we issue the bonds.

**An Ordinance Accepting Orchard Club Drive as a Public Improvement**

Mayor Dobrozsi assigned this legislation to Mr. Cappel.

Mr. Donnellon stated that during the process to approve for Orchard Trail, it was discovered that Orchard Club Drive was never appropriately accepted as a public street. He explained that this situation came to light during a closing for one of the medical office buildings. In order to resolve title issues, a review of the plat records was conducted, and all necessary documents were obtained from all owners. He stated that this is the last step in the process to accept it. He stated that Mr. Heitkamp inspected the roadway to ensure that construction met all ODOT standards. The owner has asked that because of this title issue if the City would consider suspending the second and third reading so it can be approved at the January 2, 2019 meeting. He explained that is not being passed as an emergency and would not take effect until February 2, 2019.

Mayor Dobrozsi asked how this oversight was found.

Mr. Donnellon responded that it came up because it is commercial property and they wanted to insure the title. The title exam disclosed they do not have frontage on a public street.

Mr. Margolis asked if this is the building on the south corner or north corner. Mr. Donnellon stated that it is the South corner. TriHealth owns the north corner and the south corner is owned by a private developer. It is a medical office building and believes that they are taking a portfolio of their medical office buildings and selling them.

**ADMINISTRATION REPORT**

Mr. Riblet gave the following report:

- The next City Council Business Session will be held on January 2, 2019 at 7:00 p.m.
- The Law and Safety Committee, Financial Planning, and Planning, Zoning and Landmarks Committees have cancelled their meetings for the month of January.
- The Parks and Recreation, Government Affairs, and Public Works Committees will meet on January 14 at 3:30, 4:30, and 5:30 p.m. respectively.
- Public Works has completed the unscheduled brush pick-up in response to the November 13 ice storm with a total of 1088 stops. For comparison purposes, Mr. Heitkamp stated that the Spring Brush Collection this year had 358 stops and Fall Brush Collection had 440 stops.
- T.J. Wolfe and Sam Lindsley of Public Works attended an Ohio Utility Protection Service (OUPS) Training on Tuesday, December 18 in Loveland, sponsored by the Public Works Officials of Southwest Ohio. The four-hour training including demonstrations of hazards associated with electric, natural gas, and other common household fuels, including propane and gasoline.
- The Public Works Department will be hosting the annual luncheon for the Public Works Officials of Southwest Ohio on Thursday, December 20. The luncheon will be held at the Montgomery Inn where Brian Riblet will discuss the transition from Public Works Director to City Manager.
- The yearly concrete and paver sidewalk replacement programs have been completed by Adleta Construction and D&K Enterprises respectively. Gertz Company is currently constructing the annual curb replacement program in the Village Green Subdivision, and then will be moving to Forest Knolls, Castleford, Shelldale, and Thumbelina.
- The Planning Commission met on Monday, December 7 to consider two applications. The first application was for exterior modifications to the Pella Window and Door Showroom tenant space at the Montgomery Square Shopping Center. After hearing the case and testimony provided at the hearing, the Planning Commission voted unanimously to approve the application as submitted. The second application was for an expansion of a conditional use permit and Final Development Site Plan approval to allow for Church of the Savior to use the former parsonage at 8003 Pfeiffer Road for group meetings, one-on-one consultations and storage. After hearing the evidence provided at the hearing and much discussion, the Planning Commission recommend approving the expansion of the conditional use to City Council with conditions in a 5-1 vote.

Staff would like to request a public hearing to consider the request on January 23, 2019 at 6:15.

Mr. Margolis moved to begin the City Council meeting at the end of the Public Hearing on January 23. Mr. Cappel seconded the motion. City Council unanimously agreed.

- The Diversity and Inclusion Committee held its' last meeting of the year on Tuesday, December 18 with guest speaker Shane DiGiovanna. Mr. Riblet stated it has been a tremendous year for the Committee and distributed of a summary of completed event/activities for Council's review. Mr. Riblet thanked City Council for supporting the work of the Committee and gave special thanks to Chip Harrod, Matthew Vanderhorst and Julie Machon.

Mrs. Harbison stated that she was very impressed with Mr. DiGiovanna. She stated that he is a student at Rice University in Texas. She said that he is very self-effacing and spends a lot of time educating young people about his disease. Not only does he have a rare skin condition, but he is also deaf and has a cochlear implant. It takes him six hours to prepare himself in the morning. She stated that he takes his condition in stride.

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Mr. Suer stated that he was also impressed with Mr. DiGiovanna and his resolve.

Mayor Dobrozsi stated that not only is he inspirational but his is an amazing story.

- Mr. Riblet wished Council Member Cappel a Happy Birthday on December 30.
- Mr. Riblet wished Kathi Ranford best wishes in her retirement.
- As a reminder, City Offices will be closed on Monday, December 24 and Tuesday, December 25 in observance of the Christmas holiday. Also, in observance of New Year's Day City offices will be closed on Tuesday, January 1, 2019.
- Mr. Riblet thanked City Council, Law Director Donnellon and City staff for an incredible year and wished everyone a very Happy and Safe Holiday season.

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

**LAW DIRECTOR REPORT**

Mr. Donnellon reported that the City is scheduled to close in the next couple of days on the second to last parcel in acquiring Vintage Club North. He stated there will be another closing in the spring on the remaining parking lot in the meantime, we are filing for our tax exemption on all the parcels. He wished everyone Happy Hanukkah, Merry Christmas and Happy New Year.

**CITY COUNCIL MEMBER REPORTS**

**Mr. Cappel**

Mr. Cappel reported that the EAC held the monthly cardboard recycling on Saturday, December 1, where despite the torrential rain, there was large amounts of cardboard collected.

**Mrs. Bissmeyer**

Mrs. Bissmeyer reported that on December 10, she attended the Sycamore School Advisory Board meeting. She stated that residents need to brace themselves because there will be two more school levies requested in the upcoming years. She explained that there were about 15 different scenarios, but the School Board narrowed it down to three. All three require an additional 2 mil levy. The Schools are planning 15 public forums between January and February of 2019 to be held at various afternoon and evening information sessions throughout the city. She explained the first levy would be the building levy and the second levy, anticipated to be issued a few years later, would be operating levy.

**Mrs. Harbison**

Mrs. Harbison stated that the following Commission members will have a term expiring 1/31/2019 and need to be reappointed to the Arts Commission and Sister Cities Commission. Mrs. Harbison explained that this did not require a second by City Council as they are a Government Affairs Committee recommendation.

Mrs. Harbison made a motion to reappoint:

- Christine Genovese to the Arts Commission with a term ending 1/31/2022
- Elise Williams to the Arts Commission with a term ending 1/31/2022

- 274       • Blair Davis to the Sister Cities Commission with a term ending 1/31/2022  
275       • Marcalenne Shockey to the Sister Cities Commission with a term ending 1/31/2022  
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277 City Council unanimously agreed.  
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279 Mrs. Harbison provided additional information from the Arts Commission meeting held on December 11.  
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- 281       • Photo Contest Exhibition is scheduled for Saturday, April 13, 2019 from 2:00 – 4:00 p.m.  
282       • Photo Contest Awards and Reception, Sunday, April 14, 2019 from 1:00 – 3:00 p.m.  
283       • There are 78 people registered for Improv at the Uni  
284       • Spring Live at the Uni is currently being planned. There is discussion regarding a Celtic dancing group –  
285       Dark Moll.  
286

287 Mrs. Harbison reported that in Government Affairs, surplus property was approved and will be placed on  
288 Govdeals.com. She explained this includes Council chairs, the boat table and various other items.  
289

290 Mrs. Harbison stated that they worked on updating the Council rules which have not been changed in some time.  
291 She stated Ms. Gaylor would soon provide a draft version for their review.  
292

293 Mrs. Harbison stated that Jerry Newfarmer with Management Partners attended the meeting. The Committee made  
294 a motion to recommend Management Partners proposal for the management of the City Manager evaluation. Mrs.  
295 Harbison asked for a motion from City Council.  
296

297 Mr. Margolis moved to accept the proposal. Mr. Cappel seconded. City Council unanimously agreed.  
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299 Mrs. Harbison stated that she would like to thank Mr. Riblet for his leadership regarding the Diversity and Inclusion  
300 Committee. She also thanked Matthew Vanderhorst and Julie Machon. She stated the summary that was distributed  
301 by Mr. Riblet indicates the incredible amount of work for the past year of this Committee.  
302

303 Mr. Suer stated that for someone who has not attended all the meetings, he believes this is a start on the project and  
304 a great deal of potential that he can see. As this Committee continues, he feels we will see results that will really  
305 impact the City and cause people to sit up and take notice. It is a good start and has exciting potential and he believes  
306 we are moving in the right direction. He agreed with Mrs. Harbison and thanked Mr. Riblet for spearheading this  
307 initiative.  
308

309 **Ms. Roesch**  
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311 Ms. Roesch stated the following Commission members will have terms expiring on 1/31/2019 and need to be  
312 reappointed to the Beautification and Tree and Parks and Recreation Commissions. Ms. Roesch explained that this  
313 did not require a second by City Council as they are a Parks and Recreation Committee recommendation.  
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- 315       • Helen Grimes to the Beautification and Tree Commission with a term ending 1/31/2022  
316       • Cindy Diehl to the Parks and Recreation Commission with a term ending 1/31/2022  
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318 City Council unanimously agreed.  
319

320 Ms. Roesch reported that at the Committee meeting, the soccer entities came to a consensus. She explained that  
321 Sycamore Premier will have one field at Weller Park and the City will work with them to create one or possibly two  
322 fields in Swaim Park.  
323

324 Mr. Roesch wished everyone Happy Holidays and Merry Christmas and thanked everyone for sending thoughts and  
325 prayers for her sister. She reported that she is doing much better.  
326  
327

328 **Mr. Suer**

329  
330 Mr. Suer wished everyone a great holiday season and wished Ms. Ranford good luck on future endeavors.  
331

332 Mayor Dobrozsi asked if Mr. Suer presented a proclamation last week for a 100<sup>th</sup> birthday.  
333

334 Mr. Suer stated that he presented Ms. Evelyn Feldman, a resident at Meadowbrook, with a proclamation in honor  
335 of turning 100 years old on December 10. He stated that Ms. Feldman wanted to introduce him to her good friend  
336 who was 103. He told Ms. Feldman that he would be back at her 105<sup>th</sup> celebration and she responded that she would  
337 be there.  
338

339 **Mr. Margolis**

340  
341 Mr. Margolis thanked staff and everyone who put together the Christmas luncheon together last week. He stated it  
342 was good for everyone to get together and was a lot of fun. Lastly, he Merry Christmas and Happy New Year to all.  
343

344 **Mayor Dobrozsi**

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346 Mayor Dobrozsi wished Happy Birthday to Mr. Cappel.  
347

348 Mayor Dobrozsi reported that he attended an OKI Executive Committee meeting. He stated there is a partnership  
349 between the City of Middletown, City of Monroe and Butler County in which they are conducting a joint transit  
350 system to transport people to their places of employment. He stated that it will really help get people to where the  
351 jobs are.  
352

353 Mayor Dobrozsi stated that he attended Mary Lou Rose's memorial service. He reminded Council and staff that  
354 Mrs. Rose wrote the history books on Montgomery and was on the Landmarks Commission. He stated that those at  
355 the service held at the Universalist Church rang the bell which was very nice tribute to Mrs. Rose.  
356

357 **APPROVAL OF MINUTES**

358  
359 Mayor Dobrozsi requested a motion to approve the minutes from the December 5, 2018 Business Session and  
360 December 5, 2018 Special Session.  
361

362 Mr. Cappel moved to approve the December 5 Business Session and December 5 Special Session minutes. Mr.  
363 Margolis seconded. City Council unanimously agreed.  
364

365 Mayor Dobrozsi shared photos from the holiday luncheon and the soft opening of the new restaurant Toast and  
366 Berry's.  
367

368 Mayor Dobrozsi asked if there was any further business to discuss in Public Session.  
369

370 Mayor Dobrozsi stated that as Mr. Riblet had requested an Executive Session to consider confidential information  
371 of an application for economic development, he would need a motion to adjourn into Executive Session.  
372

373 Mr. Margolis moved to adjourn into Executive Session to consider confidential information of an application for  
374 economic development assistance. Mr. Cappel seconded.  
375

376 The roll was called and showed the following vote:  
377

378 AYE: Harbison, Dobrozsi, Roesch, Suer, Margolis, Cappel, Bissmeyer (7)

379 NAY: (0)

380 ABSENT: (0)

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383 City Council adjourned into Executive Session at 7:42 p.m.

384

385 City Council reconvened into Public Session at 8:26 p.m.

386

387 Mayor Dobrozsi asked if there was anything further to discuss. There being none, he asked for a motion to adjourn.

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

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391 City Council adjourned at 8:26 p.m.

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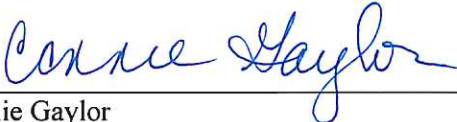
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Connie Gaylor  
Clerk of Council