

1 City of Montgomery
2 City Council Business Session Minutes
3 February 7, 2018
4

5 Present

6 Brian Riblet, Interim City Manager
7 Terry Donnellon, Law Director
8 John Crowell, Police Chief
9 Gary Heitkamp, Assistant Public Works Director
10 Tracy Roblero, Community Development Director
11 Katie Smiddy, Finance Director
12 Matthew Vanderhorst, Community and Information Services Director
13 Paul Wright, Fire Chief
14 Frank Davis, Special Projects Coordinator
15 Connie Gaylor, Clerk of Council

City Council Members Present

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 Business Session with Mayor Dobrozsi presiding.

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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.

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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 Rebecca and Roger Sloan, 9969 Zig Zag Road—Mr. and Mrs. Sloan came to Council to discuss their request to rent
28 Terwilliger's Lodge on Christmas day in 2018. Mrs. Sloan stated that she has been a resident of Montgomery for
29 15 years and a teacher at Sycamore Community Schools for 21. She explained that she comes from a large family
30 and that their holiday gatherings are large and cannot be held in an individual home. She explained that when she
31 tried to reserve the lodge she was told by staff that the lodge would not be available to rent on Christmas and she
32 would like to request the opportunity to work with staff to come to a solution so that she may rent the lodge.

33
34 Mr. Riblet stated that he was aware that there was an internal meeting regarding concerns and issues surrounding
35 the rental of the lodges, but there was no issue with their reservation. He stated that there are challenges to having
36 holiday rentals when it comes to scheduling cleaning services, possible staff call-outs, possible issues with
37 mechanical failures and vendor call-outs. He further stated that in the near future staff will need to conduct a rate
38 and usage survey with our neighboring communities as a comparison to determine if changes need to be
39 recommended to City Council.

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41 Mrs. Harbison asked Ms. Roesch if this is something that should be discussed at the Parks and Recreation Committee
42 and Ms. Roesch replied that it should.

43
44 Mrs. Sloan thanked City Council and staff for hearing her concerns.

45
46 Mr. Riblet stated that staff would meet and discuss her request and follow up with her.

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48 **LEGISLATION FOR CONSIDERATION TONIGHT**

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50 **New Legislation**

51
52 Mayor Dobrozsi stated that since the following legislation is regarding the Vintage Club and due to his past, present
53 and potential future relationship with the Developer's, he is going to recuse himself and asked Vice Mayor Roesch
54 to handle the meeting during this time.

55
56 Mayor Dobrozsi stepped down from the dais.
57

58 Vice Mayor Roesch stated that she would need a motion to add the legislation to the agenda.

59

60 Mr. Margolis made a motion to add the Resolution Authorizing the City Manager to Negotiate a Modified Service
61 Agreement Governing the Vintage Club-North Project to agenda for consideration this evening.

62

63 Mr. Cappel seconded. City Council unanimously agreed.

64

65 Vice Mayor Roesch asked Mr. Suer to sponsor the legislation.

66

67 Mr. Suer read the Resolution by title only. Mr. Margolis seconded. City Council unanimously agreed.

68

69 Mr. Suer read the Resolution and moved for passage. Mr. Cappel seconded.

70

71 Mr. Suer explained that, if approved, this Resolution will modify Resolution No. 43, 2017 and will give the City
72 Manager flexibility to finalize a Service Agreement and related agreements for the financing and construction of
73 public improvements in the Vintage Club-North project. Mr. Donnellon stated that after Resolution No. 43, 2017
74 was passed, a deeper review of the construction cost indicated that additional funding was necessary to complete
75 the project. He stated that ultimately the Developer is responsible for building the product to support these bonds
76 and covering the shortfall until construction is completed.

77

78 Mr. Donnellon explained that at the time of the original service agreement a budget was submitted by the developer.
79 Since this time, it is discovered that the project may exceed the original projected amount. He explained that the
80 Developer has asked the City to increase the amount of the bonds to be issued to allow the land to be acquired and
81 to complete construction of the public improvements. He stated that the Developer has expressed their willingness
82 to assume the responsibility for these bonds consistent with the terms of the Service Agreement. He further stated
83 that the form and substance of the Service Agreement and the Maintenance Agreement will not change. The only
84 modifications to the Agreement will be to increase the cap allowed for land acquisition and public improvements,
85 and to allow the City to finalize the total amount of the bonds to be issued to support the development. He stated
86 that City Council will be presented with a final purchase agreement, construction agreement, and authorizing
87 legislation for the bonds once these final issues have been resolved.

88

89 Mr. Margolis asked if Construction Process Solutions would verify that the budgeted costs were correct?

90

91 Mr. Donnellon stated that, yes, as our consultants they verify all charges and work.

92

93 The roll was called and showed the following vote:

94

95 AYE: Cappel, Bissmeyer, Harbison, Dobrozsi, Roesch, Suer, Margolis (6)

96 NAY: (0)

97 RECUSAL: Dobrozsi (1)

98

99 A Resolution Authorizing the City Manager to Enter into a Contract with Rush Truck Centers of Ohio, Inc. for the
100 Purchase of a 2018 7300 SA615 International Five Ton Dump Truck

101

102 Mr. Cappel moved to read the Resolution by title only. Ms. Roesch seconded. City Council unanimously agreed.

103

104 Mr. Cappel read the Resolution by title only and moved for passage. Ms. Roesch seconded.

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106 Mr. Cappel explained that, if approved, this Resolution will authorize the City Manager to enter into a contract with
107 Rush Truck Centers of Ohio, Inc. for the purchase of a 2018 7300 SA615 International Five Ton Dump. The 2018
108 Capital Improvement Program Budget includes funding for the replacement of a 2006 Chevrolet C-7500 five-ton
109 dump truck that currently has 41,664 miles and has been in use for 12 years. The legislation amount requested is
110 \$146,110 and would be funded through the 410.261.5404 and 410.261.5405 accounts.

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112 Mr. Cappel asked if there were any updates

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Mr. Heitkamp stated there were no updates.

The roll was called and showed the following vote:

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

An Ordinance Dedicating Real Property on Montgomery Road at the Safety Center for Public Use

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

Mr. Margolis read the Ordinance by title only and moved for passage of the first reading. Mr. Cappel seconded.

Mr. Margolis explained that information has been previously supplied on this Ordinance that, if approved, will authorize the dedication of real property on Montgomery Road at the Safety Center for public use. This Ordinance presented for first reading will dedicate land acquired by the City from Twin Lakes to a public use. This lot of approximately .40 acres lies immediately south of the Safety Center and is intended long-term to be incorporated into the Safety Center for parking or expansion of the building.

Mr. Cappel asked if this means that we cannot use it for other purposes.

Mr. Donnellon replied that we would have to rededicate the use of the parcel if we wished to utilize it in a different manner.

The roll was called and showed the following vote:

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

ADMINISTRATION REPORT

Mr. Riblet gave the following report:

- City Council Work Session is scheduled for February 21 and is scheduled to begin immediately at the conclusion of the Montgomery Community Improvement Corporation meeting scheduled at 6:30 p.m.
- The Government Affairs Committee will meet on February 12, 2018 at 4:30 p.m. The Parks and Recreation and Public Works Committees have cancelled their meetings for the month of February.
- The Montgomery Community Improvement Corporation (CIC) Annual Meeting of the Members and Annual Meeting of the Board of Trustees will need to be held for the purposes of nominating the members of City Council as Trustees of the CIC, as well as for the election of officers, acceptance of financial statements, review of the Corporation's tax return for 2017 and any additional new business. This meeting was scheduled for Wednesday, February 21 at 6:30 p.m.

Mr. Margolis moved to begin the City Council Work Session immediately following the conclusion of the CIC meeting. Mr. Cappel seconded. City Council unanimously agreed.

- TJ Shreve's wife Monica gave birth to their third child on Monday, February 5. Cecelia Shreve weighed in at 6lbs, 15oz. Mom and daughter are doing well. Congratulations to the entire family.

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- President Trump visited the Sheffer Corporation at 6990 Cornell Road on Monday, February 5, the Police Department assisted the Secret Service and Blue Ash Police with the motorcade route security and site security. The Secret Service advised staff that from their prospective, the event was ran without issues and they were very happy with the support from the local agencies. Virtually all Police Department personnel were involved with the event, unless they were already on a planned vacation, additionally Officers from Sharonville, Indian Hill and the Ohio State Patrol assisted.
- Greater Cincinnati Water Works (GCWW) has begun construction of the water main replacement in the Indian Woods Subdivision. Rack and Ballauer, contractor for GCWW, began at the cul-de-sac end of Indian Woods Drive and will work their way towards Weller Road, completing the replacement on Weller Road last. The completion date for the project is July 1, however since they have begun work early, it is anticipated that the project may be completed ahead of schedule.
- The Planning Commission met on Monday evening to discuss a series of text amendments to Chapter 151 of the Land Usage Code regarding the Old Montgomery Gateway regulations, medical marijuana, fencing in the front yard, telecommunications and signs. After much discussion, the Commission voted to recommend approval of the proposed Old Montgomery Gateway text amendments as well as an appropriate ban on the cultivation, processing and sale of medical marijuana within the City. The Planning Commission also recommended no change to the Land Usage pertaining to fencing requirements in the front yard. Due to the length of the meeting, the Planning Commission tabled the proposed text amendments to the telecommunications regulations and the sign code.
- Tracy Roblero will present at the Montgomery Ohio Chamber of Commerce Lunch, Learn and Leads on Thursday afternoon about her family's experience with Shriner's Hospital for Children. Tracy is honored to be asked to speak to increase awareness for Shriner's Hospitals and fire and burn prevention.
- Tuesday Evening, the fifth MCLA session was held at E.H. Greene Intermediate School. This session entitled "Sycamore Community School's and the 21st Century Learner", showcased their Aviation Station aka the STEAM Bus, Virtual Reality Projects, Project based learning and Makerspace. It was a very interesting session that further highlighted the educational advancements being made by Sycamore Schools.
- Staff is planning the next Neighborhood Leaders Forum for this April. The focus of this meeting would be to share information on the fire levy in preparation of the May election. Staff recommends either April 12 or 26 for this forum to be held at Terwilliger Lodge. City Council selected April 12 to hold this forum.
- The hiring process for the Construction and Compliance Inspector position has begun. Deadline for applications is February 26.
- The next MCLA session "Healthcare: Montgomery's Signature Industry" will be held next Tuesday, February 13 at Bethesda North. This session will allow class participants to see the use of surgery robotics first hand and has always been a very popular session. This session begins at 5:30.

Mr. Riblet requested an Executive Session for matters related to Labor Relations and Purchase and Sale of Real Estate.

APPROVAL OF MINUTES

Mr. Margolis moved to approve the January 24, 2018 Work Session and the January 24, 2018 Public Hearing minutes as written. Mr. Cappel seconded. City Council unanimously agreed.

MAYOR'S COURT

219 Mayor Dobrozi reported that the total Mayor's Court collections for the month of January 2018 were \$14,010.00.

220

221 Mr. Cappel moved to accept the Mayor's Court collections for the month of January 2018. Mr. Margolis seconded.
222 City Council unanimously accepted the collections.

223

224 **OTHER BUSINESS**

225

226 Mr. Margolis thanked staff for their efforts in holding another successful Community Leadership Forum.

227

228 Mr. Margolis stated that he had participated in riding along with Officer Rich Riley of the Police Department. He
229 stated that the Police Department staff are great ambassadors for the community and that it was an interesting
230 experience.

231

232 Mr. Margolis relayed information from two articles that addressed the housing problems in the region.

233

234 Mr. Donnellon reminded staff that since it has been almost 20 years since the last fire levy, he wanted to remind
235 staff that it is not permitted to use the newsletter as a platform to advocate for the levy. He explained that staff can
236 provide FAQ's, provide history and answer questions, but we cannot use City resources to promote it. He also
237 stated that City Council can advocate and talk about the levy, but cannot use City resources in the process.

238

239 Mrs. Harbison reminded City Council and staff of the Dinner Around the World event being held on Sunday,
240 February 11 at Terwilliger Lodge. This event is sponsored by the Sister Cities Commission.

241

242 Mrs. Bissmeyer stated that she had been asked by residents about the growing concerns over coyotes in Montgomery
243 and asked if we are doing anything about it. Do we have a position on it?

244

245 Mr. Riblet replied that staff has had discussions and are monitoring the communications we are receiving. He
246 explained to Mrs. Bissmeyer that we do not have a "kill" policy that the City will pursue.

247

248 Mrs. Harbison explained that Evendale is currently using trapping methods to address this issue and she hopes we
249 wouldn't resort to that.

250

251 Chief Crowell stated that he and Faith Lynch had attended a workshop on the management of coyotes but that most
252 policies address aggressive coyotes. He stated he is not aware that we have had those issues here. The only solution
253 is to trap and kill them.

254

255 Mr. Heitkamp stated that of the calls received, none have reported aggressive behavior towards pets or residents,
256 they have mainly been to report a sighting of them.

257

258 Mr. Cappel asked if residents could trap themselves on their property?

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260 Ms. Roblero responded that a resident can trap on their property, however the resident would have to eradicate the
261 coyote according to State law.

262

263 Mr. Cappel stated that he had attended the Ohio Municipal League meeting at which time representatives from
264 Greater Cincinnati Water Works discussed the amount of lead pipes in the region. He stated that there were only
265 three properties in Montgomery that still had lead pipes.

266

267 Mayor Dobrozi proposed a new City Manager reception for Wednesday, March 21 at 6:00 p.m. City Council
268 unanimously agreed.

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270 Mayor Dobrozi stated that as there was a request by Mr. Riblet to hold an Executive Session, he would need a
271 motion from City Council to adjourn into the meeting for matters related to Labor Relations and Purchase and Sale
272 of Real Estate.

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274 Mr. Margolis moved to adjourn into Executive Session for matters related to Labor Relations and Purchase and Sale
275 of Real Estate. Mr. Cappel seconded.

276
277 The roll was called and showed the following vote:

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

280 NAY: (0)

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282 City Council adjourned into Executive Session at 7:48 p.m.

283
284 City Council reconvened into Public Session at 9:19 p.m.

285
286 Mayor Dobrozsi asked if there was any further business to discuss in Public Session. There being none, he asked
287 for a motion to adjourn.

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289 Mr. Cappel moved to adjourn. Mr. Margolis seconded. City Council unanimously agreed.

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291 City Council adjourned at 9:19 p.m.

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Connie Gaylor, Clerk of Council