

City of Montgomery
City Council Business Session Minutes
July 11, 2018

Present

Brian Riblet, City Manager
Terry Donnellon, Law Director
John Crowell, Police Chief
Gary Heitkamp, Public Works Director
Tracy Roblero, Community Development Director
Katie Smiddy, Finance Director
Paul Wright, Fire Chief
Faith Lynch, Community Engagement Coordinator
Connie Gaylor, Clerk of Council
Kathi Ranford, Customer Service Representative

City Council Members Present

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

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

ROLL CALL

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

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

LEGISLATION FOR CONSIDERATION TONIGHT

An Ordinance Enacting New Section 150.0205 Medical Marijuana of the City of Montgomery Zoning Code

Mr. Margolis read the Ordinance by title only and moved for passage of the third reading of the Ordinance. Mr. Cappel seconded. City Council agreed.

Mr. Margolis explained that, if approved, this Ordinance will enact a ban on the cultivation, processing, distribution or retail dispensing of medical marijuana in the City of Montgomery. This Ordinance, when enacted, will amend our Zoning Code to designate these uses as prohibited within the City. The Administrative Staff and Planning Commission carefully studied this issue over the last several months and concluded that there would be no negative impact upon the delivery of medical services within the community by enacting this ban. This ban continues the interim controls which have been in place for more than a year.

There were no updates.

The roll was called and showed the following vote:

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

An Ordinance Amending the Land Usage Code to Enact New Regulations for the Old Montgomery Gateway District

Mr. Margolis read the title and moved for passage of the Ordinance. Mr. Cappel seconded.

Mr. Margolis explained that, if approved, this Ordinance will amend the Land Usage Code to enact new Regulations for the Old Montgomery Gateway District. In 2006 after a comprehensive study with outside planning consultants,

the City did enact preliminary guidelines for development of the Old Montgomery Gateway District. It was always anticipated that these guidelines would be further shaped to help the City realize its goal to redevelop the Gateway

Area. These regulations, recommended by the Planning Commission after hearings over several months with detailed input from Staff, will update the Old Montgomery Gateway District guidelines to ensure orderly development of the Gateway Redevelopment Area project and to assure its development as a complement to our Historic District.

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 Amending Chapter 151.30 of the Code of Ordinances Regulating Signs

Mr. Margolis read the Ordinance by title only and moved for passage of the third reading of the Ordinance. Mr. Cappel seconded. City Council unanimously agreed.

Mr. Margolis explained that, if approved, this Ordinance will update the Montgomery Sign Code to bring the Code into compliance with Reed v. Town of Gilbert, Arizona, a case decided by the U.S. Supreme Court in 2015. The amendments to the Sign Code were prepared in cooperation with the Miami Valley Risk Management Association, our insurance carrier, to provide a defensible Code consistent with the law. This is a comprehensive rewrite of our Code, particularly as it concerns temporary signs and how we must protect residents' First Amendment freedoms in regulating temporary signs.

Mr. Donnellon stated that this Ordinance would bring our code into compliance.

There were no updates.

The roll was called and showed the following vote:

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

NAY: (0)

ABSENT: (0)

Mayor Dobrozsi stated that he was recusing himself from the following piece of legislation for discussion and vote due to past, present and possible business conflict in the future. Vice-Mayor Roesch took over the meeting.

An Ordinance Rezoning a Portion of Montgomery Road North of Hopewell Road to The Residential C Single and Two-Family District with A Planned Development Overlay

Mr. Margolis read the Ordinance by title only and moved for passage of the second reading of the Ordinance. Mr. Cappel seconded. City Council unanimously agreed.

Mr. Margolis explained that, if approved, this Ordinance will accept the recommendation of the Planning Commission to rezone multiple parcels along Montgomery Road north of Hopewell Road from Single Family Residential 'A' to the Single Family Residential 'C' District. The Ordinance also approves a Planned Development

Overlay with certain conditions and exceptions as recommended by the Planning Commission, and approve the General Development Plan as submitted by the applicant, the Robert Lucke Group, Inc.

Mr. Margolis stated that this comprehensive plan was well thought out.

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

NAY: (0)

ABSENT: (0)
ABSTAIN: Dobrozsi (1)

Mike Harbison – 7975 Pfeiffer Road – Mr. Harbison stated that the project as designed by the Robert Lucke Group looks good from what was permitted, and he has no issue with the project itself. Mr. Harbison stated he has an issue with changing the zoning for a very small area, 3 plus acres. He stated that this does not follow a reasonable approach to zoning and could be considered spot zoning which could set a precedence moving forward. He does not feel that would be a good thing. Mr. Harbison cited the Comprehensive Community Plan, Objective #4 which states “Work to ensure the integrity of the single-family residential homes along the corridor. He further stated that establishing a ‘C’ zone where 10 ‘E’ zone homes makes no sense.

New Legislation

A Resolution adopting a Tax Budget for 2019

Mr. Suer read the Resolution by title only and moved for passage of the Resolution. Mr. Cappel seconded. City Council unanimously agreed.

Mr. Suer explained that the preparation of the Tax Budget needs to be done every year. The Financial Planning Committee reviewed the City’s 2019 Tax Budget at its June 4, 2018 meeting and was presented to City Council at the June 20, 2018 Public Hearing. The budget is submitted every year to Hamilton County Commission for approval, and will, in turn, be used to determine Local Government Fund allocations.

The roll was called and showed the following vote:

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

ADMINISTRATION REPORT

Mr. Riblet gave the following report:

- City Council Work Session is scheduled for July 18, 2018 beginning at 7:00 p.m.
- A contract was signed with Rasor Marketing in the amount of \$49,999 for identified services related to Branding for the City of Montgomery.
- Staff met with Rasor Marketing last week and would like to schedule a Kickoff meeting prior to a City Council Meeting beginning at 5:30 p.m. for either August 1 or August 22. Part of the kickoff meeting will be to develop a timeline, the survey used during the research portion of the contract, establishing responsibilities and accountability for specific tasks and communications. The date of August 22 was selected for this meeting.
- Staff is currently planning a MCLA 2.0 session to be held at the Montgomery Inn and would like to get Councils approval on one of the following three dates:
 - Thursday, October 18
 - Tuesday, October 30
 - Thursday, November 1

City Council selected the date of Thursday, November 1 for the MCLA 2.0 Session to be held from 5:30 to 9:00 p.m.

- The Community Leadership Forum is planned for February 2, 2019 to be held at Twin Lakes.
- On Tuesday afternoon, Brian Riblet and Katie Smiddy met with Greg Jarvis of Hamilton County Auditor's Office, Ben Vanhorn of the Great Oaks Joint Vocational Schools and Beth Weber from Sycamore School in the annual meeting of the Tax Incentive Review Council. This meeting was required to provide an update of the City's Tax Increment Financing Districts, of which the city has four Montgomery Commons, Village Corner Development, Montgomery Triangle Development, and the Vintage Club. As a reminder, the Montgomery Commons and Village Corner TIF's are due to expire in November of 2018.
- The 2017 CAFR is being printed this Friday and will be delivered next Wednesday. Copies will be provided for Council members, and the City Manager. Additional copies will be left in the Finance area for anyone wishing to review the Comprehensive Annual Financial Report.
- Chief Wright will be attending the Ohio Fire Chiefs Association (OFCA) Annual Conference in Columbus, Ohio from Thursday through next Monday. Chief Wright serves as the Foundation Chairman for the OFCA as well as the Ohio Representative to the Great Lakes Region of the International Fire Chiefs Association.
- Strawser Construction Inc. began the 2018 Black Onyx program on Tuesday, and is anticipated to be complete by the end of the week. As of today, they have completed Knollbrook Terrace, Baywind, Southwind, Westwind, Trailwind, and portions of Tollgate, Campus and Ross. Tomorrow they will complete work on Todd, Jolain, and Shelldale. The remaining portions of Tollgate, Campus and Ross will be finished on Friday.
- It is anticipated that the Ohio Department of Transportation will make their TID award selections next week. As you recall the City was recommended by the Hamilton County TID to receive a second round of funding in the amount of \$250,000. This funding can be used for design services, right of way acquisition and construction.
- Public Works Supervisor – the first round of telephone interviews with seven candidates were conducted on Monday, July 9. Two of the candidates are internal. A second round of in-person interviews will be scheduled for July 30.
- Service Worker I – the first round of telephone interviews with seventeen candidates are being conducted on July 11 and 12.
- Finance Specialist – job announcement has been posted on the City website, professional organizations' websites and job search websites. An ad is running in the Enquirer which began Sunday, July 8. Deadline for applications is August 3.
- Firefighter/Paramedic – the Civil Service Commission has authorized a new exam process to create an eligible list. Exam announcement and schedule is forthcoming.
- Patrol Officer – the Civil Service Commission has authorized a new exam process to create an eligible list. John Crowell, Greg Vonden Benken, Mike Plaatje and Julie Prickett are reviewing information to select a testing company for the written exam.
- IAFF Negotiations – the City and the IAFF have resumed negotiations under a modified mediation format.
- A big "Thank You" to City Council, staff. Volunteers, commission members who contributed to the success of the BAMSO concert and the July 4 parade and festival.
- This Saturday will mark the 29th Annual Bastille Day event.

- JoAnne Scheels, Deputy Mayor; Darlene Andolsek, Trustee; and Monserrate Rivera-Fernandez, Village Clerk from the Village of Montgomery New York will be arriving Friday afternoon and will be greeted by Marcallene Shockey with the Sister Cities Commission at the airport. Gary and Ann Blomberg have graciously offered housing for the ladies while they are in town and to help provide transportation to and from the events. A dinner will be held in their honor Friday evening at the Montgomery Inn. Mayor Dobrozsi will introduce them at the opening of Bastille Day where they will be presented with an engraved Key to the City.
- A reminder that the Public Works Addition Dedication is scheduled for Wednesday, July 25 at 8:00 a.m.
- The next First Suburbs Meeting will be held on Monday, July 30 at 6:00-8:00 p.m. to be held at the Wyoming Civic Center. There will be a presentation by Dwight Ferrell, CEO of Metro on the current state and future of our public transportation system in the region.
- Happy Birthday to Councilmember Bissmeyer whose birthday was July 2nd.

APPROVAL OF MINUTES

Mr. Margolis moved to approve the minutes as amended. Ms. Cappel seconded.

MAYOR'S COURT

Mayor Dobrozsi reported that the total Mayor's Court collections for the month of July was \$15,140.00.

Mr. Cappel moved to accept the Mayor's Court collections for the month of July 2018. Ms. Roesch seconded. City Council unanimously accepted the collections.

OTHER BUSINESS


Mayor Dobrozsi will be out of the country from August 4 through August 14, 2018 and appointed Vice Mayor Roesch as Acting Mayor during his absence.

Mayor Dobrozsi received correspondence regarding the General Montgomery Day Parade that will be held on September 8, 2018 in Montgomery, NY. Mayor Dobrozsi requested that Sister Cities investigate the City's participation in the parade.

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

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

City Council adjourned at 7:31 p.m.


Kathi Ranford
Customer Service Representative/Acting Clerk of Council