

City of Montgomery
City Council Work Session Minutes
April 18, 2018

Present

Brian Riblet, City Manager
Terry Donnellon, Law Director
John Crowell, Police Chief
Gary Heitkamp, Asst. Public Works Director
Tracy Roblero, Community Development Director
Katie Smiddy, Finance Director
Matthew Vanderhorst, Community and Information Services Director
Faith Lynch, Communications and 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 for the Work Session at 7:12 p.m. 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.

GUESTS AND RESIDENTS

Steve Silverman, 7504 Golf Green- Mr. Silverman stated that he has been attending various meeting and has been enjoying them. He encourages his neighbors and the community to attend meetings and asks City Council to encourage others to attend as well. He stated that the Arts Commission he recently attended was a fantastic meeting. He praised Council Member Harbison for doing a fine job. He stated that the Chair of the Commission was very welcoming and liked his ideas. He stated he is glad to be at the meeting.

ESTABLISHING AN AGENDA FOR MAY 2, 2018

PENDING LEGISLATION

An Ordinance Establishing the Schedule of Municipal Compensation for Employees—(Mr. Suer-2nd Reading)

Mayor Dobrozsi explained that this will be the second reading of this Ordinance and asked if there were any updates.

Mr. Riblet replied there were none.

NEW LEGISLATION

A Resolution Recognizing the Month of May 2018 as National Historic Preservation Month in the City of Montgomery

Ms. Roblero stated that this Resolution, if approved, will Recognition May as National Historic Preservation Month in Montgomery.

A Resolution Accepting a Bid and Authorizing the City Manager to enter into a Contract with the John R. Jurgensen Company for the 2018 Street Resurfacing Program

Mr. Heitkamp explained that, if approved, this Resolution will authorize the City Manager to enter into a Contract with John R. Jurgensen Company to complete the 2018 Street Resurfacing Program. This year's 2018 Street Resurfacing Program is programmed in the 2018 Capital Improvement Program 410-261-5470 account. It is

requested that this project base bid be approved for funding in the amount of \$1,044,935.57, \$850,000 from the aforementioned 410-261-5470 account and the remainder from Greater Cincinnati Water Works reimbursement. Mr. Heitkamp explained that a total of three (3) bids were received for this project. The lowest and best bid received was provided by John R. Jurgensen Company.

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

Ms. Roblero 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. She stated that when enacted, this Ordinance 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.

Mr. Steve Silverman, 7504 Golf Green- Mr. Silverman asked if this would be included in our list of noxious weeds.

Ms. Roblero stated that in accordance to the Property Maintenance Code that it is not in terms of noxious weeds.

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

Ms. Roblero stated that if approved, this Ordinance will amend the Land Usage Code to enact new Regulations for the Old Montgomery Gateway District. She explained that in 2006 after a comprehensive study with outside planning consultants, the City did enact preliminary guidelines which 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.

An Ordinance Amending Chapter 151.30 of the Code of Ordinances Regulating Signs

Ms. Roblero stated that, if approved, this Ordinance will update the Montgomery Sign Code to bring our Code into compliance with Reed v. Town of Gilbert, Arizona, a case decided by the U.S. Supreme Court in 2015. She explained that 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.

ADMINISTRATION REPORT

Mr. Riblet, city manager, gave the following report:

- The City Council Business Session is scheduled for May 2 at 7:00 p.m.
- Board and Commission Updates begin on May 2 with two updates scheduled beginning at 6:00 and 6:15 then Staff would like to present the annual Strategic Plan Update at 6:30 p.m.
- The Law and Safety, Financial Planning and Planning, Zoning and Landmarks Committees have cancelled their meetings for the month of May.
- The Planning Commission met on Monday evening to consider two applications for expansion of a conditional use permit. The first application was to allow the installation of bocce ball courts at Montgomery Presbyterian Church at 9994 Zig Zag Road. The second application was from the Public Works Department for the installation of a greenhouse. After hearing the information presented at the

public hearing, the Planning Commission voted to recommend approval of both applications to City Council.

- This evening Chief Wright is attending the Bethesda Lyceum which is a major fund raiser for the Thomas Comprehensive Care Facility that is being constructed on Bethesda North's property. Chief Wright and Chief Ashbrock of the Madeira Indian Hill Fire District, both were invited to represent their respective communities as recipients of a major donation from Mr. Harold Thomas of Indian Hill.
- Assistant Chief Shapiro and Chief Wright will be meeting with the Montgomery Woods Neighborhood this coming Monday evening, to present information on the upcoming fire levy.
- Faith Lynch is happy to report that she obtained the Accreditation in Public Relations designation last weekend. This accreditation is offered by the Public Relations Society of America and the Universal Accreditation Board. Congratulations to Faith Lynch!
- I signed a one-year contract this week between Sycamore Schools and the City to provide Special Detail Police, Paramedic and Emergency personnel primarily for sporting events, etc. There was a slight increase in the hourly rate (\$42.50 to \$45.00) as there have been no increases since 2015. This new amount keeps up slightly below the average rate of our surrounding communities.
- The interview team for the Construction & Compliance Inspector position indicates they have narrowed the candidate pool down from 9 to 3 including one internal candidate. A final round of interviews are scheduled for May 2.
- A reminder that the Volunteer Appreciation Dinner will be this coming Wednesday, April 25 at the Montgomery Inn. Dinner will begin at 6:30 with the program starting at 7:45.
- Mr. Riblet wished Mr. Margolis a Happy Belated Birthday on April 14.
- Mr. Riblet requested an Executive Session at the conclusion of the meeting for matters related to Economic Development.

CITY COUNCIL REPORTS

Mr. Margolis thanked Staff for their efforts in conducting an informative Neighborhood Leaders Forum regarding the upcoming Fire Levy.

Mr. Suer stated that on April 9, 2018 the Financial Planning Committee met to complete interviews for the vacancy on the Board of Tax Review. He stated that they had very qualified applicants but after discussion decided on Chris Skufca as their new alternate representative.

Mr. Suer made a motion to appoint Mr. Skufca to the Board of Tax Review. Mr. Margolis seconded. City Council unanimously agreed.

Ms. Roesch reported the following items that were discussed at the Beautification and Tree Commission meeting:

- Seasons of Beauty Award
- Tree City Use is Friday in Miamisburg
- Arbor Day Tree Walk will be held by Terry Willenbrink on Friday, April 27
- Vacancy on Beautification and Tree Commission

Ms. Roesch reported that there is currently an open position on the Parks and Recreation Commission due to the resignation of Charles Tyler as well as a student advisor position.

Ms. Roesch reported that BAMSO is in the planning stages of the July 3 program.

Mrs. Harbison reported the following items from the Government Affairs Committee meeting:

- Surplus property from Public Works was approved for disposal
- Staff reviewed the Brand and Image RFP with the Committee and requested to interview their recommendations of four of the finalist. The Committee approved to hear presentations at the May 14, Government Affairs Committee meeting.
- Staff presented the Service to the Community Grant applications to the Committee. Sycamore Junior High School submitted an application in the amount of \$500 in support of their Make a Difference Day projects. Operation Give Back submitted an application in the amount of \$2,250 to support the distribution of WeTHRIVE! food bundles to 50 Montgomery residents three times a year.
- The motion for the appointment of Melissa Linser to the Sister Cities Commission was made by the Committee. Mrs. Harbison asked for City Council approval of this appointment. City Council unanimously agreed.
- Discussion of staff, Committee Members or City Council participating in any type of contest where there would be an award or recognition were discussed. Mrs. Harbison explained the reason for the request and City Council discussed it.

Mr. Margolis moved to approve the recommendation of the Government Affairs Committee to prohibit City Staff and City Council Members from participating in any types of contests as conducted by the City. Mr. Cappel seconded. City Council unanimously agreed.

Mrs. Harbison stated that at the Sister Cities Commission, the discussion of exchanges with Montgomery New York, and Neuilly Plaisance resulted in a request for the Mayor to send another letter to their Mayors to request their intentions of upcoming visits.

Mrs. Harbison confirmed that Mayor Dobrozsi and Mr. Riblet would be judges for the Best of Bastille Day, restaurant judging. Mayor Dobrozsi and Mr. Riblet both enthusiastically agreed.

Mrs. Harbison stated that the Photo Contest Exhibition was a great success with 215 photos entered.

Mrs. Harbison stated that the Arts Commission has scheduled the Cincinnati Shakes theatre group to give a performance of Mid-Summer's Night Dream on September 1, in Montgomery Park.

Mrs. Harbison reminded Council that the First Suburbs will hold a meeting on Monday, April 30 at Terwilliger's Lodge regarding Health Care which will also include Human Resource Manager, Julie Prickett who will present on the City's Health Care Benefit Committee.

Mr. Steve Silverman, 7504 Golf Green Drive- Mr. Silverman addressed City Council regarding the Concert at the Uni and how much he enjoyed it. He stated that he spoke with representatives from Blue Ash's Historical Preservation Society that open their museum for public viewing. He suggested that we open the Wilder Swaim Farm House to the public.

Mayor Dobrozsi stated that the building is opened during the Harvest Moon Festival.

Mr. Suer stated that residents in the Indian Woods area interested to know when the water main replacement project will be completed.

Mr. Heitkamp stated that the water main replacement itself is complete and that the services have all been connected, the contractor is currently making restorations to the properties which should be complete soon.

Mr. Suer stated that he was concerned about the pavement edges of Weller Road around the turns. Will this be part of the repaving project this year?

Mr. Heitkamp replied that they would be. He added that they would grind at a 2 1/2" depth which should address any deterioration.

Mr. Suer asked if that program would begin in June.

Mr. Heitkamp replied that it should.

Mr. Margolis asked how the 2.3 centerline miles compares to previous years?

Mr. Heitkamp replied that it is comparable as we usually gravitate around 2.5 miles and up to 3. He stated that in this year's program there is more width which takes away from the total miles.

Mayor Dobrozsi asked if this also included fire hydrant replacement.

Mr. Heitkamp replied that it does. He stated that \$100,000 is budgeted for fire hydrant replacement and that the Gertz Company will be doing the work. He stated that he is coordinating with the Fire Department on which hydrants are scheduled to be replaced. He stated now that we have been scheduling the replacements for a number of years we are able to focus on areas closer to the Heritage District as the streets that are included in the Replacement Program don't have as many hydrants on them.

Mrs. Bissmeyer reported that she attended the Fire Levy meeting at Terwilliger Lodge and also participated in the interviews for the Board of Tax Reviews. She stated she was impressed with the quality of volunteers who had applied.

Mr. Cappel reported that the Environmental Advisory Commission (EAC) will hold a document shred day on Saturday, April 21. He also reported that the EAC is considering the endorsement of a WeTHRIVE! Environmental Pathway.

Mayor Dobrozsi reported on the Photo Contest event and felt that it was a great community building event. He also reported that he attended the quarterly OKI Board Meeting where they discussed a partnership with UBER that would be very good for Cincinnati as well as an upcoming Smart City conference in September of this year.

Mr. Steve Silverman, 7504 Golf Green Drive- Mr. Silverman provided his report from the Government Affairs Committee meeting he attended. He spoke about seeing cigarette butts in the playground areas and wanted to obtain a list of playgrounds from Faith Lynch so he could inspect the playgrounds to see how much smoking is evident in them.

Mr. Riblet informed Mr. Silverman that all parks are featured on the City's website and he could find that information there.

Mr. Silverman asked for clarification on the budget for the Logo and Trademark RFP. He reported that it was \$50,000 for 2018 but that the cost of acceptance was reported at \$55,000 up to \$100,000.

Mr. Riblet stated that the fees that were discussed were for an entire project cost, not necessarily for one year and that City Council has yet to hear presentations so it is too preliminary to discuss. At this stage.

OTHER BUSINESS

Chief Crowell explained that the City has received a notice from the Ohio Department of Liquor Control inquiring if City Council wishes to request a hearing on a new D51 permit application received for Wine Dine Montgomery

LLC dba NAPA Kitchen & Bar located at 9386 Montgomery Road (former Stone Creek location). Chief Crowell stated that he sees no need to request a hearing as all background reports are clean for this company and their owners.

Mr. Cappel made a motion to not request a hearing. Mr. Margolis seconded. City Council unanimously agreed.

Mr. Steve Silverman, 7504 Golf Green- Mr. Silverman reported to City council that he is concerned for pedestrian safety at the intersection of Montgomery Road and Cooper near the Corner Pub and the Village Tavern.

APPROVAL OF MINUTES

Mayor Dobrozsi requested a motion to approve the April 4, 2018 Public Hearing and April 4, 2018 Business Session minutes.

Mr. Donnellon stated that he had a correction to a motion that he would send to Ms. Gaylor.

Mr. Cappel moved to approve the minutes as amended. Mr. Margolis seconded. City Council unanimously agreed.

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

Mayor Dobrozsi stated that as Mr. Riblet had requested an Executive Session for matters related to Economic Development he would need a motion to adjourn.

Mr. Margolis moved to adjourn into Executive Session for matters related to Economic Development. Mr. Cappel seconded.

The roll was called and showed the following vote:

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

City Council adjourned into Executive Session at 8:10 p.m.

City Council reconvened into Public Session at 9:35 p.m.

Mayor Dobrozsi asked if they were anything further 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 9:45 p.m.



Connie Gaylor, Clerk of Council