

City of Montgomery  
City Council Business Session  
January 2, 2019

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  
Matthew Vanderhorst, Community Information Service Director  
Paul Wright, Fire Chief  
Faith Lynch, Communications and Engagement Coordinator  
Connie Gaylor, Clerk of Council

City Council Members

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

GUESTS AND RESIDENTS

Sean Lehmkuhl, 9504 Main Street-Mr. Lemhkuhl addressed City Council regarding his knowledge of a contract signed with a Microbrewery to move into the former Pomodori's building located at 7880 Remington Road which is located across the street from his home. He shared that although he is in favor of businesses located in Montgomery to perform well, his concern is the amount of parking allowed for this type of a business. He asked Council and Staff if there could be consideration of adding "Resident Only Parking" signs in front of his home and those of his neighbors as he felt there would be additional vehicles parking around the business and taking the spots that residents use in front of their homes. He stated that he has young children and he was not comfortable with having people park in front of his home who may have been drinking. He stated that he is also concerned about outdoor dining and increased noise coming from the business.

Mr. Riblet stated that he was not aware of a Microbrewery moving into that location.

Ms. Roblero stated that they were one of three developers who has talked to her, but she was not aware of any signed contracts. She stated that she would reach out to them and provided an explanation of the approval process for new businesses moving into the City as well as the review of the parking requirements.

Mr. Riblet stated that to his knowledge the City has not received a request for these types of parking signs and felt that the first step was to verify that the business would be locating at the building and then to do a parking study to see what was allowed. He asked Mr. Lehmkuhl to leave his information with Ms. Gaylor so staff could follow up with him.

Mr. Margolis also added that the Planning Commission and Landmarks Commission would also be concerned with parking requirements and how the business would affect the surroundings and the downtown district.

**LEGISLATION FOR CONSIDERATION TONIGHT**

**PENDING LEGISLATION**

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

Ms. Roesch moved for passage of the second reading. Mr. Margolis seconded.

Ms. Roesch stated that information has been supplied on this Ordinance that, if approved, would resolve inconsistencies in Chapter 97 of our Municipal Code concerning the authority to establish rules and regulations governing the City parks and recreation activities. Rulemaking authority will rest with City Council; however, recommendations for any changes may be made by the Parks and Recreation Commission and the Council's own Parks and Recreation Committee. Updating this Ordinance will give the City more flexibility in establishing rules and modifying rules as circumstances require.

Ms. Roesch asked if there were any updates.

Mr. Donnellon stated there were none.

The roll was called and showed the following vote:

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

NAY: (0)

ABSENT: (0)

**NEW LEGISLATION**

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

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

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

Mr. Margolis stated that information has been previously supplied on this Resolution that, if approved, would authorize the City Manager to Enter into a Contract with National Inspection Corporation for Professional Services to Serve as Building Official and To Provide Plan Review and Field Inspection Authority and Services for The City's Building Department for The Calendar Year 2019. The City has contracted for approximately 16 years with National Inspection Corporation to provide plan review and field inspection authority and services for the City's building department and the City continues to be very satisfied with their ability to perform each of these duties.

Mr. Margolis asked if there were any updates.

Ms. Roblero replied there were none.

The roll was called and showed the following vote:

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

NAY: (0)

ABSENT: (0)

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

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

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

Mr. Cappel explained that information has been previously supplied on this Resolution that, if approved, would authorize the City Manager to enter into a contract with CT Consultants, Inc. for professional engineering and architectural services for calendar year 2019. The City has contracted for approximately 27 years with CT Consultants (formerly CDS Associates, Inc.) to provide civil, traffic, structural, electrical and storm water engineering services. CT Consultants has provided a competitive fee structure for 2019 including slight hourly rate increases for engineering services. As was provided in previous years, CT Consultants has deleted the line item for billing of the "Principal" from the fee 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". Funding for this professional services contract is included in the City's 2018 Operating Budget in both the Public Works and Community Development operating budgets.

Mr. Cappel asked if there were any updates.

Mr. Heitkamp replied there were none.

The roll was called and showed the following vote:

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

A Resolution Delegating Authority to Make Declarations of Official Intent and Allocations 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

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

Mr. Suer read the title and moved for passage of the Resolution. Mr. Margolis seconded.

Mr. Suer explained that Information has been previously supplied on this Resolution that, if approved, would allow the City to advance expenses associated with the anticipated bond financing for the public improvements in the GRA development. The City has been advancing certain engineering expenses to prepare the project for construction, and this Resolution will allow the City to continue to advance those expenses during calendar years 2019 and 2020. The amounts advanced may then be recovered from the TIF bond funds once they are issued.

Mr. Suer asked if there were any updates.

Mr. Donnellon stated that there were none.

The roll was called and showed the following vote:

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

An Ordinance Accepting Orchard Club Drive as a Public Improvement

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

Mr. Cappel moved to suspend the second and third readings of the Ordinance. Mrs. Bissmeyer seconded.

The roll was called and showed the following vote:

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

Mr. Cappel explained that information has been previously supplied on this Ordinance that, if approved, will allow the City to accept the public improvements known as Orchard Club Drive. The subdivision road was built out several years ago, but for whatever reason was not presented by the Developer to the City for final acceptance. This issue came to light when the Montgomery Swim Club property was being developed. This Ordinance will allow us to accept the public improvements which have been inspected by our Public Works Director. Once the public improvements are accepted, Orchard Club Drive is an appropriate public street and it will clear up several access/title issues to the properties abutting the roadway. The medical office building owner, which is in the process of transferring their building on the southside of the intersection, has asked Council to consider waiving the second and third reading so the Ordinance will take effect in February to allow them to complete their closing and have an appropriate title insurance policy issued.

Mr. Cappel moved passage of the Ordinance. Mr. Margolis seconded.

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 January 23, 2019 immediately following the conclusion of a Public Hearing at 6:15 p.m. to consider a request of an expansion of a conditional use permit and Final Development Site Plan approval to allow for Church of the Saviour to use the former parsonage at 8003 Pfeiffer Road for group meetings, one-on-one consultations and storage. at 7:00 p.m.

There is also a request to meet for a Special Session to be held from 5:30 to 6:15 p.m. on January 23, prior to the Public Hearing to meet with Rasor Marketing to discuss the presentation at the upcoming Community Leadership Forum on Saturday, February 2, 2019.

- The Law and Safety, Financial Planning and Planning, Zoning and Landmarks Committees have all cancelled their meetings for the month of January.
- The Government Affairs and Public Works Committees will meet on January 14 at 4:30 and 5:30 p.m. respectively. The Parks and Recreation Committee has cancelled their meeting for the month of January.
- Matthew Vanderhorst and Connie Gaylor will be conducting interviews with individuals from the Robert Half temp agency tomorrow to fill the front desk position during the formal hiring process. They anticipate having someone in place early next week.
- The GRA/Roundabout Open House is scheduled for Tuesday, January 8 at Terwilliger Lodge from 5:30 to 7:30 p.m.

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- The Montgomery Citizens' Leadership Academy will convene its twelfth class on Thursday, January 10, at 5:45 p.m. at Terwilliger Lodge. City Council members and senior staff members will find their session agenda, nametag, and bios of class participants in their mail box at City Hall.
- The Improv at the Uni is scheduled for Friday, January 11 beginning at 7:00 p.m.
- The general monthly meeting for the Hamilton County Municipal League will be held on Wednesday, January 30 in Silverton beginning at 6:00 p.m. Kent Scarrett, Executive Director of OML will be the featured speaker at 7:00 p.m.

**Minutes**

Mr. Cappel moved to approve the December 19, 2018 Business Session minutes. Mr. Margolis seconded. City Council unanimously agreed.

**Mayor's Court Report**

Mayor Dobrozsi reported that the total Mayor's Court collection for the month of December is \$7,389.

Mr. Margolis moved to accept the Mayor's Court Report for the month of December. Mrs. Bissmeyer seconded. City Council unanimously agreed.

**Other Business**

Mayor Dobrozsi stated that there is a request for a TREX transfer from the Ohio Division of Liquor Control and asked Chief Crowell to elaborate.

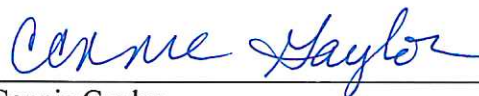
Chief Crowell stated that staff received the attached notice from the Ohio Division of Liquor Control that allows City Council to request a hearing in relation to the transfer of a TREX D5 and D6 liquor license. The transfer is the result of the sale of the restaurant located at 10040 B Montgomery Road from Dhilwan, Inc. to Kang & Muhammad LLC. He stated that he has no evidence to object to this transfer and recommends no request for a hearing by City Council.

Mr. Margolis made a motion to not request a hearing in relation to this request for the TREX transfer to Kang & Muhammad LLC. Mrs. Bissmeyer seconded. City Council unanimously agreed.

Mayor Dobrozsi asked if there was any further business to discuss in Public Session. 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 7:26 p.m.



Connie Gaylor  
Clerk of Council