

City of Montgomery
City Council Public Hearing Minutes
June 19, 2019

Present

Brian Riblet, City Manager
Terry Donnellon, Law Director
John Crowell, Police Chief
Gary Heitkamp, Public Works Director
Tracy Roblero, Asst. City Manager/ Acting Community Dev. Dir.
Katie Smiddy, Finance Director
Matthew Vanderhorst, Community and Information Services Director
Paul Wright, Fire Chief
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

City Council convened in Council Chambers at 6:00 p.m. with Mayor Dobrozsi presiding, to consider a request from Champlin Architecture, on behalf of Tree of Life Church, at 6477 Cooper Road for an expansion of their conditional use permit.

Mr. Cappel stated that since his property abuts the Tree of Life Church property, he would recuse himself from the discussion and consideration of the request. Mr. Cappel exited the dais.

Mayor Dobrozsi thanked all who attended the Public Hearing for coming. He also thanked those individuals who have worked to bring the project to the point of the Public Hearing and for having the best interest of the community in mind.

Mayor Dobrozsi explained the purpose of the meeting was to hear the recommendation from the Planning Commission and to hear final comments from the applicant as well as the audience. He explained that there could be no new evidence discussed that the consideration was only for the evidence already reviewed by the Planning Commission and incorporated in their minutes which have been submitted for City Council review. He stated that after staff made their comments, the applicant and audience would be given time to present their final thoughts.

Mayor Dobrozsi asked Mr. Donnellon to give a brief explanation of the options City Council can exercise at the conclusion of the discussion.

Mr. Donnellon stated that City Council's role is not to rehear the case, but to review the recommendation of the Planning Commission. He stated that after all comments have been heard, Council could approve the recommendation, modify conditions, remand the matter back to the Planning Commission or deny the recommendation. He stated that since Mr. Cappel has recused himself, there would need to be approval by 4 members for the recommendation to pass.

Recommendation by the Planning Commission for the Expansion of the Conditional Use Permit of the Tree of Life Church at 6477 Cooper Road

Ms. Roblero explained the request by giving the following background. The Tree of Life Church is located on a panhandle lot off of Cooper Road. The Church owns five parcels of land for a total of approximately 10.7 acres. Three of the parcels (approximately 9.8 acres) are located within the City of Montgomery and two parcels (approximately 0.97 acres) are located in Sycamore Township. The property is bordered by Interstate I-71 along the west property line and Ronald Reagan Cross County Highway along the south property line. Sycamore Junior High School is located across I-71 to the west. The property to the east of the subject property is used for the Village Green Subdivision and there are single family homes adjacent to the property along Cooper Road. The Tree of Life Church owns the two church buildings at 6477 and 6555 Cooper Road and both properties have been used for religious institutions for many years. The applicant is proposing to construct an addition of approximately 20,856 square feet to the existing church.

Ms. Roblero explained that the applicant informally came before the Planning Commission on September 17,

58 2018 to discuss the proposed addition in concept and to get feedback on a potential equivalency in regard to
59 allowing property owned by the Church in Sycamore Township to be utilized in the calculation for impervious
60 surface coverage. At that time, the addition was proposed to be 30,000 square feet in size.

61
62 Ms. Roblero stated that the applicant came before the Planning Commission on November 19, 2018 requesting
63 formal approval of an expansion of a conditional use permit and General Development Site Plan approval for a
64 24,000 square foot addition. After hearing testimony from adjacent property owners with concerns regarding
65 lighting, landscaping, loss of privacy, traffic and noise, the Planning Commission voted to table the application to
66 give the applicant an opportunity to address those concerns.

67
68 Ms. Roblero stated that the applicant returned to the Planning Commission on January 7, 2019 with revised plans.
69 At that time, the proposed addition had been reduced in size from 24,000 square feet to 23,443 square feet. After
70 discussing the revised plans and hearing testimony, the Planning Commission voted to table the application in
71 order to allow the applicant time to provide additional information in regards to the impacts of traffic on Cooper
72 Road and requested that the traffic engineers be present at the next meeting to address questions from the
73 Commission.

74
75 Ms. Roblero added that the applicant came before the Planning Commission on April 22, 2019 with revised plans
76 showing the addition being reduced in size to 20,856 square feet addition. The applicant asked for the application
77 to be heard; however, the Planning Commission kept the application on the table as recommended by Staff in
78 order to give the Planning Commission members and residents in the vicinity of the project additional time to
79 review the revised plans. This also allowed time for questions to be submitted to the applicant regarding the
80 traffic study to aid in the discussion at the next meeting.

81
82 The Planning Commission heard the case on May 6, 2019 for an expansion of the conditional use permit and the
83 General Development Site Plan Approval for a proposed 20,856 square foot addition. The meeting was held at
84 Sycamore High School to accommodate the crowd. After a formal presentation from the applicant, concerned
85 residents and comments from persons in attendance, the Planning Commission voted to recommend approval of
86 the expansion of the conditional use permit and approve the General Development Plan with conditions in a 5 – 1
87 vote. The conditions as recommended by the Planning Commission are shown below:

- 88
89 1. The properties owned by the Church, which are located in Sycamore Township, be placed in a
90 conservation easement or a deed restriction be placed on the property so that the properties in the
91 Township cannot be developed in the future;
- 92
93 2. The Church shall provide officer-based traffic control by an agency with enforcement jurisdiction within
94 the City during regularly scheduled service times and special events as listed in the application dated
95 December 31, 2018, as well as any event that is unscheduled and anticipated to draw more than 400
96 attendees;
- 97
98 3. The Church shall give the City seven days advance notice of an event not regularly scheduled on
99 Wednesday evenings or Sunday mornings to avoid conflicts with events at the Sycamore stadium;
- 100
101 4. The Annex building shall not be utilized for worship during worship time at the main church;
- 102
103 5. The proposed landscape berm, including the landscaping on top of the berm, and evergreen screening
104 along the east property line be installed and maintained with an annual review by the City;
- 105
106 6. The existing fence and landscaping between the existing parking lot and the east property line be
107 maintained and new evergreen landscaping be added, if the existing vegetation is removed; and,
- 108
109 7. The site shall meet Hamilton County Stormwater Regulations and stormwater best management practices

110 shall be utilized, as approved by the City Engineer.

111
112 Ms. Roblero closed by stating that staff understands the concerns of the surrounding residents; however, Staff
113 believes that with the changes in the proposed addition and site layout as well as the conditions recommended by
114 the Planning Commission significantly mitigate any negative impact of the proposed project. Therefore, Staff is
115 in support of the recommendation of the Planning Commission.

116
117 Mayor Dobrozsi thanked Ms. Roblero for her report and asked City Council for questions at this time.

118
119 Mr. Margolis asked about the size and placement of the parking lot. He asked if it is changing by moving west or
120 further east.

121
122 Ms. Roblero replied that the parking lot right behind where the Annex building is existing and the area that has the
123 green buffer shown is new parking. She stated that the area where the current soccer field is has some new parking
124 spaces as well. She stated there's approximately 131 new parking spaces being proposed as part of the project.

125
126 Mr. Margolis stated that his next question would be on the traffic. He stated that the traffic study showed that the
127 Level of Service for Cooper Road does not change after the construction of the building.

128
129 Ms. Roblero replied that is correct. She explained that the traffic study studied both the Level of Service on
130 Cooper Road as well as the Level of Service for the entrance and exit to the church. The traffic study indicated
131 that the Level of Service for Cooper Road is currently in "A" and with the building additions would remain an
132 "A".

133
134 Mr. Margolis stated that can only be based on today's conditions and that they can't speculate on future traffic
135 conditions.

136
137 Ms. Roblero stated that traffic engineers typically will sometimes put in a slight growth factor, but that is based on
138 typical numbers generated by Ohio Kentucky Indiana Regional Council of Governments. They do not consider
139 future projects or things that have not actually been approved or under construction at this time.

140
141 Mayor Dobrozsi asked Mr. Roblero about the seven conditions. He stated that condition number five talked about
142 a landscaping garden and number six talked about an existing fence and landscaping that may be replaced. He
143 stated that he assumed any landscaping work that is changed as part of this would all be under the annual review
144 that the City will do.

145
146 Ms. Roblero replied that is correct. She stated that at this point the landscaping plan you're seeing in front of you
147 is conceptual with the exception of the buffer and the mounting along the East property line. She stated that
148 Planning Commission hasn't confirmed that at this point. The final landscape plan will include selection of
149 materials, what types of trees and bushes, and things will come during the final development plan should the
150 project move forward.

151
152 Mayor Dobrozsi asked if that would be under the annual review.

153
154 Ms. Roblero replied that it would.

155
156 Mayor Dobrozsi clarified if the review would be done in-house or would that be done by an external party.

157
158 Ms. Roblero stated that it would be done in-house. She explained that we do that with almost all of our
159 commercial projects within the city annually anyway. She explained that staff also responds to property
160 maintenance issues. If something were to happen in between that time, when we have not done the annual review,
161 and a resident or someone within the city calls us with a concern, we would respond and issue violations if

162 necessary.

163
164 Mrs. Bissmeyer stated that in follow up of Mr. Margolis's concern about the traffic study. She knows that ODOT
165 protocol says that if there are 260 trips there should be a review of intersections within 1,000 feet of the proposed
166 intersection. She stated that would take it all the way from Kenwood Road to Cooper, and then to Montgomery.
167 She stated it wasn't extended that far and has a concern about the lack of study done.

168
169 Ms. Roblero explained that the City is not bound to do the traffic study per the ODOT regulations. She stated our
170 traffic engineer did not feel that it was necessary when he originally scoped the project. She stated there was a lot
171 of testimony from traffic engineers, our own as well as the applicants and the residents traffic engineer, and much
172 discussion that you saw in the record regarding that. After hearing all that testimony, Planning Commission felt
173 comfortable that the existing traffic study that was done was sufficient due to the fact that the service times are off
174 peak hours and that that the amount of traffic during the off peak hours was approximately 56 percent less than
175 during the peak hours. She stated that Planning Commission felt comfortable with that and therefore made the
176 recommendation.

177
178 Mr. Donnellon stated that as a follow up, he felt there was a lot of discussion about the expanded ODOT study.
179 The ODOT manual says 1,000 feet from the interchange which would be the driveway. He recalled from the
180 minutes included in the packet that Ms. Reed, the Traffic Engineer for the concerned residents, said 1,000 feet
181 would not extend the study to Zig Zag Road.

182
183 Ms. Roblero replied that he is correct, it falls just short of the Zig Zag intersection, but it does go to Delray. She
184 explained the other way is just short of the Zig Zag intersection, so it doesn't take you all the way to Kenwood or
all the way to Montgomery, but it would encompass the Delray intersection.

186
187 Mayor Dobrozsi asked for any additional City Council questions to Ms. Roblero. There being none he invited the
188 applicant to the podium, stating that they had 15 minutes to speak.

189
190 Pastor Joel Urshan thanked the Mayor and City Council for hearing their application and for all they do in service
191 to the City of Montgomery. He stated that their application has been under review for several months now and has
192 been the topic of spirited debate. He stated that it is important to note that the opposition to the application was
193 generated by a false notion that Tree of Life Church is a megachurch. He stated they are not a mega church; they
194 are quite simply a church. He stated the opposition to the application, likened them to Crossroads Community
195 Church, a great church in our city, a household name, but this is a mischaracterization as it applies to us.
196 Crossroads Community Church is the 13th largest church in the nation. If you approve this application, Tree of
197 Life Church, following this expansion and maximum occupancy, would be the fifth largest church in
198 Montgomery. This notion is the root of the opposition and he feels puts the opposition in perspective. He added
199 that not only have they received opposition, but they have received a lot of positive feedback from neighbors who
200 support the project and did not want to participate in opposing it.

201
202 Pastor Urshan continued by stating that the Church has listened intently to concerns of the opposition and have
203 worked vigorously to narrow the scope of this project so that it is both compliant with code and considerate of
204 those neighbors who are concerned. He stated that they have narrowed the driveways to reduce the impervious
205 surface ratio; reduced the square footage of the proposed facility by 19,000 square feet; dramatically lowered the
206 ceiling height so that the building height is more similar to that of the two story house as opposed to a large
207 sanctuary; and reduced the number of parking spots. He stated that they heard the concerns of those opposed and
208 went back to the drawing board and examined themselves and the project more carefully. He stated that the
209 application was approved by the Planning Commission by 5 to 1 vote and reflects their due diligence in both
210 continuing their mission as a church, while accommodating the concerns of those who have expressed
211 reservations about the project. He thanked City Council for their time and asked to relinquish the remainder of his
212 time to Kyle Campbell of Champlin Architecture.

214 Kyle Campbell, Champlin Architecture- Mr. Campbell thanked City Council and the community for their
215 participation in hearing the recommendation of their client's request for the expansion of the conditional use for
216 the Tree of Life Church addition. He stated that he wanted to speak about three main drivers causing confusion.
217

218 Mr. Campbell explained that stormwater management continues to be an ongoing concern of the residents. He
219 stated that they had a civil engineer go out to the site and examine existing conditions. He stated that the civil
220 engineer has designed a grading and stormwater management system that will handle stormwater runoff more
221 effectively than an undeveloped greenfield site.
222

223 Mr. Campbell said the next concern has to do with the size of the church. He stated that as Pastor Joel alluded to,
224 the reality is that the impervious surface limitations and the parking regulations limit how much can be developed
225 on this site and limits it to about 900 or 950 people if they were to maximize everything completely. He stated the
226 reality is as we have designed a church for about 880 people. And furthermore, the fact is there are two existing
227 church buildings on this site both of which supported 400 attendees about five years ago. Both of those churches
228 were in operation at the same time, so five years ago this site was already operating at capacity for 800 people to
229 worship. He stated they are simply restoring it back to essentially what the site capacity has been used to handling.
230

231 Mr. Campbell stated that lastly, is the issue of the traffic impact. He stated that 131 is the number of parking
232 spaces being added to the site, which is the maximum number of cars that can drive onto the site once this project
233 is complete. He explained that under the direction of the City's traffic engineering consultant, a traffic impact
234 study was conducted to determine the effects of this development on nearby traffic. The study determined the size
235 of the project would generate 260 new trips, which is 130 cars coming to and from the church during their
236 worship service hours. The traffic study determined that at the Church's peak time, assuming it is operating at full
237 capacity with every seat filled, the impact on Cooper Road will be 56 percent of what Cooper Road experiences in
238 daily traffic volumes during its rush hour times in the morning and in the evening. He stated that the level of
239 service on Cooper road is currently graded at A and it will remain an "A" after this proposed design.
240

241 Kyle Campbell summarized by stating that when looking at the facts and the design of the addition, this is a
242 community church that's expanding its facility to serve 880 people under one roof. At capacity the site has
243 already accommodated that in the recent past when two different churches operated onsite and there cannot be
244 thousands of cars, there cannot even be hundreds of cars, there can be 131 additional cars. No matter how many
245 people are wanting to come, no matter how many things want to be believed can happen, only 131 additional cars
246 can park on the site and that's the limiting factor of what can happen here. He stated he is in attendance tonight in
247 support of the Planning Commission's recommendation of approval for the extension of the Church's conditional
248 use. He stated that recommendation came after an eight-month process involving five Planning Commission
249 hearings and countless meetings with traffic engineers and City officials. He stated that within the conditional use
250 context the Planning Commission is tasked with evaluating the merits of the development against the general and
251 specific to our supplemental criteria as stated in Chapter 151 of the Montgomery Code of Ordinances.
252

253 Mr. Campbell stated that no doubt the people of Montgomery are very proud of their built environment, yet that
254 code exists not to prevent development but rather as a standard to ensure development happens in accordance with
255 the character of the place. He explained that on behalf of his client, he first approached the Commission with a
256 concept discussion in September of 2018, at which time they had a code of compliant design with a request for an
257 equivalency for impervious surface coverage ratios. By the May 6, 2019 hearing, they had a code crushing design
258 that no longer sought to seek a variance or an equivalency. The proposed project not only meets every stipulation
259 of the general and supplemental criteria for conditional uses, but it significantly exceeds the majority of those
260 requirements as is demonstrated in the meeting minutes from the May 6 Planning Commission hearing.
261

262 Kyle Campbell asked for clarification on the condition that the church have officer-based traffic control for all of
263 their regular services in addition to events that have more than 400 people. At the Planning meeting, 400 became a
264 threshold for when officer-based control became necessary because that was the baseline of determining the need
265 to have officer control versus a dedicated left turn lane. He explained that the Church is seeking clarification if it

266 means that at each service. He asked as an example on a Wednesday night service when it's anticipated that 150
267 people attend, is it in the best interest of the community to bring a police officer out and direct traffic or is that 400
268 number really the threshold at which officer-based traffic control happens. He asked that City Council consider
269 amending the condition to establishing 400 as the baseline because currently the church operates in a capacity of
270 400 and they do not have officer control at this time.

271
272 Mr. Donnellon explained that he remembers back in the multiple meetings minutes, the proposal was that the
273 Church would have officer-based control for regularly scheduled services, which were Sundays and Wednesdays
274 in the schedule provided by the Church. He stated that Planning Commission added another condition that if the
275 Church does have a service that's not on the regular schedule (such as a wedding, a funeral, or a special event) and
276 if it's anticipated to be more than 400 attendees, the City wants to have officer control in place. He explained it's
277 difficult to plan in advance when it's a Wednesday night meeting and only 150 people show up, so officers can go
278 home. He explained they might have another 150 people who were delayed in traffic on Cross County and are
279 coming later. He stated that we need to stick with that regularly scheduled service as the standard for officer
280 controls, plus when you anticipate 400 or more on the non-standard events, officers are required. If you find out
281 over time, and consistently they are not having that kind of attendance on Wednesday the Church can ask for a
282 modification of the conditional permit use in the future.

283
284 Mr. Campbell clarified that is not a conditional use restriction in perpetuity, but it could be reviewed at a certain
285 point in time based on parameters.

286
287 Mr. Donnellon stated that they could request and go back through the process and get the condition modified but
288 the officer-based controls must be in place as an alternative to a dedicated turn lane.

290 Mr. Donnellon stated that discussion was made about there being five lots, three of which are in the city, and two
291 which are in Sycamore. He stated that to his knowledge the plan is to consolidate those three lots that are in
292 Montgomery so this will be one large lot. He asked Mr. Campbell if that was correct.

293
294 Mr. Campbell replied that yes, it was. He stated that otherwise his client would have to have setbacks in all of
295 those little nooks and crannies.

296
297 Mr. Donnellon stated to Mr. Campbell that he knew the two driving forces are traffic and safety. He explained that
298 it's a primary responsibility of the City to make sure that we have safe streets and control traffic. He stated that in
299 fact the City is required by statute to do that. He further explained that the traffic study that they conducted was
300 based upon the Church's peak hours which were not non-peak hours for the operation of Cooper Road. He asked
301 Mr. Campbell if that was correct.

302
303 Mr. Campbell replied that it was.

304
305 Mr. Donnellon asked Mr. Campbell that if that were to change in any way, in other words you decide to have a
306 Tuesday night service on a regular basis, that it would warrant additional study because of what impact it may
307 have depending on the time of that service and anticipated attendance of that service. Mr. Donnellon stated that
308 he wanted people to understand that if additional services were to be added, that there is another opportunity to
309 look at traffic and how it would be impacted along Cooper Road.

310
311 Mr. Donnellon stated that the analysis was based on, and he thought S.H.A., Ms. Reed and Mr. Korros indicated
312 that the standard for reviewing an expansion of a use like a church is square footage. He asked if he was correct in
313 understanding that the square footage analysis used was the entire additional square footage for the expanded
314 building not just the expansion of sanctuary, but that the welcome center is included in that square footage.

315
316 Mr. Campbell replied that is correct.
317

318 Mr. Donnellon clarified that when the traffic analysis was made the projections were based upon both the square
319 footage of the sanctuary and of the welcome center.

320
321 Mr. Campbell replied that yes, it included the entire square footage.

322
323 Mr. Donnellon stated that as we went through the process, he wanted folks to understand the Church did not
324 calculate the square footage of the separate annex building which is the other church building on the site. He
325 confirmed that it was not included in their analysis.

326
327 Mr. Campbell replied that is correct.

328
329 Mr. Donnellon stated that's one of the conditions, that the Annex building cannot be used during your worship
330 services.

331
332 Mr. Campbell replied that it cannot be used for worship, during a worship service.

333
334 Mr. Donnellon replied that starts to beg the question that if the Church plans to start using it should we start
335 calculating that additional square footage of that building as well in the determination of traffic impact during
336 those regular service hours.

337
338 Mr. Campbell replied that the traffic study was never updated when the square footage was reduced to 20,000
339 square feet. He stated that overall square footage of the site development would include the square footage of the
340 annex building under the original traffic study square footage analysis.

341
342 Mr. Donnellon explained that's not the square footage that was used to analyze. He stated that we were asked to
343 analyze the addition to the church including your sanctuary and your welcome center. He stated that right now,
344 there is no plan to use the annex building and if they start to use it for additional services during these times it
345 would warrant additional traffic impact study.

346
347 Mr. Campbell stated that he did not agree with that statement. He stated that the traffic impact study studies
348 square footage it doesn't matter what building or what part of the site the square footage is. He stated that if you
349 take 8,000 from the blue part and move it down to the orange part, that was already subsumed under the original
350 purview of the traffic study, it doesn't matter where on the site that 8,000 square feet is located.

351
352 Kyle Campbell stated that the traffic study conducted for this building was based on a larger footprint and has
353 since been reduced. He stated that they didn't think it was necessary to have a change in a traffic study for a
354 smaller footprint building because it would show that there is even less of an impact. The annex building is 8,400
355 square feet.

356
357 Mr. Donnellon stated that the revised traffic study from January 2019 was based on a 24,000 square foot
358 expansion. He explained that if the 8,000 feet from the Annex is added to the 20,000 feet requested expansion,
359 that we no longer have a valid traffic impact study if the Church elects to start using the Annex building as part of
360 their services. He reiterated so that everyone understood.

361
362 Mr. Campbell stated that he would agree that if the scope changes beyond the 30,000 square feet.

363
364 Mr. Donnellon asked where the reference to 30,000 feet came from.

365
366 Mr. Campbell stated that it was the initial traffic study.

367
368 Mr. Donnellon stated that in this case we are relying upon a January traffic study which is 20,000 square feet.

369

370 Mr. Campbell replied that he was correct, which is less of an impact.

371

372 Mr. Donnellon stated he would agree it's less than 30 and gets down to 20 but this is one of the questions that's
373 been lingering out there for months, is whether or not a broader traffic impact study is appropriate. He stated to
374 Mr. Campbell that if he wants to consider using the initial traffic study, then it is appropriate at this time, or based
375 upon the conditions that we have they will not be using that annex building for services at this time.

376

377 Mr. Campbell stated that the Church is not planning to use the Annex building for worship, during a worship
378 service.

379

380 Mr. Donnellon confirmed that it's not whether the church is *planning* on using the building, it's that they will not
381 use it at this time. He explained that if they come back to say they want to use it they are likely going to require
382 new traffic impact study depending upon the square footage of use. Mr. Donnellon restated to the audience that
383 the church would not start using the building on Sundays on Wednesday nights without coming back to the City
384 for approval.

385

386 Mr. Campbell stated that one of the stipulations of the conditional use is that the church is not allowed to use that
387 building for worship services. He stated he felt the conversation was irrelevant because that's already been
388 dictated that they cannot use that building for worship. So, to use that building of worship would be violating the
389 conditional use at that point it's beyond getting an additional traffic study they would be in direct violation of the
390 conditional use.

391

392 Mr. Donnellon stated that if the Church violates the conditionally permitted use the City would fine the Church a
393 sum of money each day and they may see that as a cost of doing business. He stated to Mr. Campbell that the
394 Church is well aware the City's code says that if there is a violation, we also have a right to revoke their permit.

395

396 Mr. Campbell replied that he understood that.

397

398 Mr. Donnellon stated that we also have a right to go to court and stop the Church's use. So, it's not just a cost of
399 doing business. If we're all vigilant about this, we can revisit it and stop whatever we think is a violation.

400

401 Mr. Campbell replied that is correct.

402

403 Mr. Donnellon stated that he had concerns about the nuances regarding using the Annex Building for worship
404 services. He asked Mr. Campbell what the plans are for using the building right now if it's not going to be used for
405 worship services.

406

407 Mr. Campbell stated that he had no idea what the plans are for the building as he had not discussed that with the
408 client.

409

410 Mr. Campbell asked Mr. Donnellon if he was suggesting that the conditions be amended again.

411

412 Mr. Donnellon replied no, that he wants people to understand that right now there is no plan to be using that
413 during these worship services and that we need to be concerning ourselves right now by the additional volume of
414 traffic that may be created by that building being used. He stated that although he feels they may take some of the
415 kids over there during services, they are already counted as coming in with the traffic with their parents. Would
416 that be a problem, probably not. Mr. Donnellon stated though in contrast if the church decided to open a soup
417 kitchen there as part of their mission during church services, it might be a concern. It's not a worship use but it
418 brings a different volume a different purpose and a different business to that building. So, these are the key uses
419 we do need the Church to understand.

420

421 Mr. Campbell stated that they understood.

422

423 Mr. Donnellon stated that there has been a lot of debate going on, but he wanted the church to confirm that it has
424 no plans to operate a school on this site.

425

426 Mr. Campbell replied that was correct.

427

428 Mr. Donnellon asked if they understood that a school is a separately conditionally permitted use and a new
429 application would be required if they elect to use this site in any way for a school.

430

431 Mr. Campbell replied that they understood.

432

433 Mr. Donnellon stated that there has also been concern about people parking at Sycamore Junior High School and
434 walking over or people getting bussed into the site. He asked Mr. Campbell and Pastor Urshan if they understood
435 that the code states if there is an offsite parking arrangement, they must submit that arrangement to the City for
436 review and approval so they cannot do that without us revisiting this application.

437

438 Mr. Campbell replied that he understood.

439

440 Mr. Donnellon stated that they heard from the Pastor and there's no question or concern about the conditions that
441 have been imposed.

442

443 Mr. Campbell stated that was correct. The only thing was the clarification on the condition about the 400
444 attendees requiring traffic control.

445

446 Mayor Dobrozsi asked City Council for their comments or questions.

447

448 Mrs. Bissmeyer asked Mr. Campbell about the 880 seats but they're six pages on your website speaking about a
449 thousand souls being helped all at one time. She stated that the math is not adding up. It also talked about an
450 oversized platform for special events and drama presentations. These things could coincide with the worship too.

451

452 Mrs. Harbison stated she has a concern that Mrs. Bissmeyer was bringing new evidence in this that was not in the
453 record.

454

455 Mayor Dobrozsi asked Mr. Donnellon if that was new evidence.

456

457 Mr. Donnellon stated that there's been a concern from day one that we fully understand the operations of the
458 church. He stated that to fully understand those operations if Mr. Campbell would address that the application
459 says 880, and that's what's been approved is 880. He stated there has been much discussion about the number
460 actually being 1,000.

461

462 Mr. Campbell explained that when a church sets up a visioning session on their website of 1,000 people from a
463 year and a half ago, the reality of where they are today is different from what was originally part of that visioning.
464 He stated that they initially set out to create a 1,000-seat worship center, however through discussions with the
465 Planning Commission they conceded to reduce that down to 880.

466

467 Mrs. Bissmeyer stated that the website indicated that the Church is still collecting money for a thousand and
468 advertising for a thousand and talking about doing drama presentations and additional worship rooms. She stated
469 her concerns is some of these other events are going to be taking place simultaneously with the worship service
470 and they may exceed the 880.

471

472 Mr. Campbell replied that the church is not a place where plays are being held.

473

474 Mrs. Bissmeyer stated that she was just reading off the website.

475

476 Mayor Dobrozsi explained that he felt that anytime the Church attendance exceeds 880, they are in violation no
477 matter in what format.

478

479 Mr. Campbell stated that any event the church would want to hold is part of the conditional use that has over 400
480 people. He stated that they are aware they would have to have officer-based traffic control and notify the City to
481 be sure it is not in conflict with events at Sycamore stadium. He stated that there is nothing in the code or
482 conditions that prohibits the church from having other events.

483

484 Mr. Donnellon stated that he wants to make sure everybody understands that we can distinguish between a
485 website that may not have been update and a website that may have been overenthusiastic when the pastor started
486 down this path, but very clearly, they have only 880 approved seats. He stated that very clearly the total traffic
487 impact is based on the total square footage which includes the welcome center and the sanctuary. He stated that
488 looking at the traffic analysis, the impact is based on the total number of 880. Mr. Donnellon stated that if the
489 Church decides to start having regular events that exceed these limits, we need to talk again. Mr. Donnellon asked
490 if there's more truth to the hyperbole, as Mrs. Bissmeyer is pointing out. The concern is that you're giving one
491 message here and one message on the website then let's be understood that if there's changes above the approved
492 880 seats and the approved regular services and special services, those operations have to be revisited either
493 through coming to the City to get it amended and going through the whole process again or visiting us in the court
494 if we seek sanctions to stop it.

495

496 Mr. Margolis thanked Mr. Campbell for his presentation. He explained that another value that the City holds very
497 dear is boundaries. He asked Mr. Campbell how they designed a vegetative buffer that would be effective all year
498 long and what are the issues with light spillover.

499

500 Mr. Campbell stated that light spillover came about at the very first meeting back in November and of that
501 meeting they showed the photo metric analysis which determined that foot candles at the property line are zero
502 which in fact is better than the requirements listed in the code. In terms of the landscape buffer, all of the
503 landscape along the edges of the property line is to be built with evergreens and so there will be no deciduous
504 trees or fall or anything like that. Mr. Campbell explained with the plan presented there are two 10-foot-high
505 landscape berms which were designed in an effort to block any sort of view access that would create kind of an
506 obstruction. He stated that since the church does sit so far back on the lot, he felt that when you drive down the
507 road currently, you could barely see the church and so when a 10 foot high berm area is added, he felt there would
508 not be a lot visible at the road.

509

510 Mr. Margolis asked if the evergreens will be on top of the berm or alongside and if they would be of adequate,
511 substantial in size.

512

513 Mr. Campbell replied that, although he is not the landscape architect, he thinks they're required to have a two-inch
514 caliper at planting with a stipulation to what the ultimate minimum has to be at maturity.

515

516 Mayor Dobrozsi asked Mr. Campbell if all water is basically flowing towards the detention towards the highway.

517

518 Mr. Campbell replied that he was correct. He explained that the site currently is the lowest point in the
519 neighborhood as the general topography slopes down. He stated that there are some issues at the boundary, which
520 is not on the church's side, which creates some issues with some of the resident's backyards. He explained that the
521 landscape berm is designed to cut down on the back side and create a swell that goes two directions around it so
522 that water that is coming down from the adjacent properties will flow down and then around the site.

523

524 Mayor Dobrozsi stated that Mr. Campbell talked about height compared to the existing church. He stated that
525 when he looked at the elevation, it appears it's about the same at the peak of the existing height.

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532

Mr. Campbell explained that the original design was to create that sort of visual relationship between the peak of the existing building and the height of this one, but because of the concerns of the neighbors and the visual impact, the height was actually dropped by eleven feet. He stated that they dropped an entire story's worth of height below that. He stated that the piece that you can see as you're driving down 71, if the trees are in leaf, there's a likelihood you won't even notice the new building to be able to be seen over that.

533

534

535

Mayor Dobrozsi clarified by restating that the peak of the existing to the top of parapet of the proposed addition. He asked what the difference was.

536

537

538

Mr. Campbell apologized and stated that it was eleven feet below the code requirement and eight feet for the parapet.

539

540

541

Mayor Dobrozsi thanked him for the clarification. He stated the two existing churches had a total of 800 seats. He asked for clarification if that was the number of the two existing buildings. Ms. Roblero replied that was correct.

542

543

544

545

Mrs. Harbison stated that the second story of the Pangburn house overlooks the trees and can see the church now. She asked Mr. Campbell if he was saying that the sanctuary to be built is going to be the same height as the existing church.

546

547

Mr. Campbell replied that the building would be eight feet below the existing building.

548

549

550

Mayor Dobrozsi asked Pastor Urshan about his statement that the church would be the fifth largest in Montgomery. He asked for clarification if that statement was by square footage or seats.

551

552

Pastor Urshan replied that it was based on square footage.

553

554

Mayor Dobrozsi asked for a representative for the residents to speak.

555

556

557

558

Mr. Donnellon stated that Ms. Naylor previously was presenting on behalf of the residents but did not appear to be present at this time and he asked if there was anybody who wants to give a presentation on behalf of the group of residents.

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Peter Goedde, 7503 Golf Green Drive- Mr. Goedde explained at several Planning Commission meetings, residents were told to quit speculating and get some proof, get some experts, provide some data, and provide some law. He explained that they did. He stated that they hired two traffic engineers, that he felt spent as much time as the City's CT Consultants, and one of the issues that he felt was glossed over was the issue of the left turn lane. He stated the left turn lane isn't going to have a traffic cop directing traffic into a church. He stated that Swaim Park right up the street, has 50 parking spots and the proposal will have seven times that amount of parking, with no left turn lane. He stated that in review of Tree of Life's traffic study, their traffic engineers all said a left turn lane would be required. He stated that two questions still remain. One, is what the projected cost for the addition of a left turn lane would be and who would pay for that. He stated that he didn't know that the residents should be on the hook for paying for a left turn lane. He stated that it was really about safety and he didn't think that was addressed in the conditions. He stated that he felt it was really glossed over because that meeting became about how traffic would exit from the church. He stated he felt it became pretty much laughable at one point. He explained that he doesn't know the code as well as Beth Naylor does, but he believed that it was a code, a conditional use code (the last one maybe item K) that references residents' financial burden. He commented on the issue of the impervious surface ratio throughout that whole presentation. He explained that from the City and from the architect, all they heard about was that it was 57 percent under the first plan and now it's 48 percent. The current impervious surface ratio is 33 percent and that was in the architect's initial application, as given in September. Mr. Goedde stated the engineer stated, "Montgomery ISR is 33 percent", so they are going to increase that 50 percent up to 48 percent. He explained that the architects state that the quality in one of his summary's

578 “stormwater quality quantity management is designed to lead the site better and develop green space and we've
579 improved the drainage for Village Green subdivision across the entire site down to Interstate 71”. He stated that
580 he showed that whole report to several civil engineers and they thought that was borderline ridiculous to make a
581 statement like that and they questioned that if you take total green space and you cover that with concrete and roof
582 tops and sidewalks, that is better for drainage; that's better for the Little Miami Watershed; that is better for water
583 management. He stated that he seriously doubted that. The grass fields that are there now, they drain. Their
584 purpose is to drain and fill the groundwater and fill the streams. He stated he felt they are going to have to have
585 one massive detention pond when we're suddenly going to be 33 percent current ISR and raise it to 48 percent. He
586 finds it highly dubious and he hopes that the City engineer does a thorough review of this for the residents,
587 especially those that live along the border there where drainage is already an issue. He stated that he wasn't
588 prepared to address the report. He stated that he knew Ms. Naylor had a lot of engineers and realtors that spoke
589 on the resident's behalf and that provided the law, which he was sure she's probably emailed to them and that was
590 all he had to speak to.

591
592 Mayor Dobrozsi thanked Mr. Goedde for filling in for Ms. Naylor and asked him to stay for questions.

593
594 Mr. Donnellon stated that he wanted to help clarify a couple of points regarding stormwater management. He
595 stated that he was sure Ms. Roblero or Mr. Heitkamp can address. He stated that the City always goes into great
596 detail engineering wise when the final development plan is presented to be sure that it meets our quality standards
597 which mirror a lot of what Hamilton County standards are. He stated that the question of the turn lane, because he
598 knew it's come up multiple times, was addressed by Mr. Korros and is reflected in the minutes on page 35. Mr.
599 Donnellon stated that Mr. Korros stated that the left turn lane is warranted at an unsignalized intersection and
600 which is the standard with ODOT, and he thought Ms. Reed said it was warranted as well as SHA. Mr. Korros
601 explained that when you add a police officer you've added traffic control and it's no longer considered
602 unsignalized intersection. In fact, in Mr. Korros's opinion this was a better way of managing traffic than having a
603 passive hundred-foot Lane where cars could back up and then still interfere with Cooper Road. Mr. Korros felt
604 with the police officer; the question becomes “how long to wait to allow cars to make the turn”. Is the police
605 officer going to have a timer? He stated that there is no stipulation in the record book as to how officers manage
606 the traffic coming in and out of the church. Mr. Donnellon stated that Mr. Korros's opinion was not putting a turn
607 lane but requiring a police officer, is a better alternative to manage traffic. He explained that if we did not have the
608 agreement for them to provide police officers, we would have to go back to that left turn lane which was a lesser
609 option.

610
611 Mr. Goedde stated that from the resident's point of view, say the church grows it becomes full capacity, who is on
612 the hook to pay for that, and what would it cost because the engineer already said it would be very costly just
613 because of the design of that part of the Cooper Road. But his concern is that if down the road a left turn lane is
614 added and it were to cost \$900,000, would it be expected that the residents would pay for that.

615
616 Mr. Donnellon replied that considering the questions and responses by Mr. Campbell on behalf of the church, that
617 we are basing this today upon what is proposed 880 seats, the total of 20,000 square feet, the projected traffic
618 that's going to be associated with that large square footage, that parking, that analysis. If they grow to capacity,
619 they're going to grow to the top of that number and at this time the City has it managed with a traffic officer. If
620 they come back and want to change, he stated that at that point in time if we find further changes increase, there is
621 more square footage, more use is bought up on Cooper Road and the Church expands, we would have to revisit
622 the issue. He stated that we would impose that responsibility on the Church to pay for it if a change warrants a
623 new review and different traffic designs. He stated that we all analyzed it and it just was not practical because we
624 would lose part of the public sidewalk as we move the lanes over at that point. The utilities were also going to be
625 moved. The Church then proposed that they will provide police officers. That's where we have that stipulation that
626 you will provide them during any of your regularly scheduled services, you will provide them if anticipated
627 services go over 400, and they must be police officers with law enforcement authority in Montgomery. So, we're
628 not talking about private security. We're talking about either our police officers or Hamilton County Sheriff's
629 because to some it is violating rules. This option appeared to be a better choice for the City without modifying

630 Cooper Road and it was supported by the City Engineer.
631
632 Mayor Dobrozsi thanked Mr. Goedde again for stepping in on behalf of the residents and that we greatly
633 appreciate his comments.
634
635 Mayor Dobrozsi asked City Council if they had questions for Mr. Goedde.
636
637 Mr. Margolis asked Mr. Goedde if he felt the Church is offering enough screening at the boundary between the
638 residents and the Church.
639
640 Mr. Goedde stated that based on what Mr. Campbell said, that with the 10 feet wall or a 10 feet berm and Norway
641 Spruce trees it seemed like that would be sufficient, however he doesn't live there, he lives right on the border. He
642 stated that he felt what was proposed was better than what's there. He stated that one of the engineers said when
643 the berm and swale are created that the existing vegetation that's there is probably going to die. So, he assumes
644 that will be addressed with the new plantings and so forth.
645
646 Mr. Margolis stated that it seems that according to the topographical map, the church seems to sit a little lower
647 than the eastern residents. He asked if it seemed feasible that the addition of their drainage system could actually
648 improve the drainage for the residents.
649
650 Mr. Goedde replied that he didn't know as far as those particular things. He stated he knew that their yards
651 probably become ponds right now. He stated that increasing the ISR from 33 to 48, that's a 50 percent increase,
652 which is pretty big. He stated that he researched studies where they talk about ISR's going up like that and that it
653 is usually very negative.
654
655 Mr. Margolis stated that if the residents owned properties are located uphill, wouldn't it be in the resident's best
656 interests maybe to work with the Church to tie their backyard into that drainage system.
657
658 Mr. Goedde replied that he doesn't disagree that it would be up to those residents.
659
660 Mr. Margolis asked then if Mr. Goedde agreed with him.
661
662 Mr. Goedde replied that yes, he did, and he was sure the residents probably did too.
663
664 Mayor Dobrozsi addressed Mr. Goedde and stated that he wanted to fully understand his main two questions.
665 Mayor Dobrozsi stated that he felt the question of the left turn lane had been answered as to who would pay for
666 that if it was ever needed. He asked Mr. Goedde was satisfied with the response.
667
668 Mr. Goedde replied that he was.
669
670 Mayor Dobrozsi addressed the issue of the water and asked if the main concern with that is that increased
671 coverage is not impacting the adjacent neighbors. He asked Mr. Goedde is that the real issue he was trying to get
672 to.
673
674 Mr. Goedde stated that it is. If you make statements that reference a grass field or a concrete asphalt parking lot
675 and taking an undeveloped green space that most people would think its kind of ridiculous.
676
677 Mayor Dobrozsi replied that he thought that reference was a technicality. He stated that it's the water that leaves
678 your actual site is what they're talking about.
679
680 Mayor Dobrozsi again thanked Mr. Goedde for standing up for the residents.
681

682 Mayor Dobrozsi stated that now he would open the floor up to guests and residents can called for the first speaker.
683 He asked for the speaker to state their name and address. He reminded them that they would have three minutes
684 with a gentle warning at 2:45.
685

686 Ken Pangburn, 6553 Cooper Road addressed City Council by giving them background on his family and
687 involvement in the community. He explained that both of the church's driveways run alongside his property. He
688 stated that his house has flooded three times in the last five years. He stated that it has cost \$80,000 to remediate
689 all that. He explained that while the water runs off, he thinks he shares a collector on the other side towards the
690 Annex which backs up as more water increases. He stated that while he thinks he has that fixed; he doesn't feel
691 this proposed expansion will help.
692

693 Mr. Pangburn stated that the applicant stated that a simple number of 131, his sample number is 84. That's the
694 amount of taxes he pays every day to live in Montgomery, \$84 a day. The applicant stated that they're a
695 community church. He stated that the applicant said 6 percent of the people, or 3 to 6 percent, live in the
696 community. He stated it didn't seem very community.
697

698 Mr. Pangburn stated that at the Planning Commission meeting, it seemed like a revival meeting. He stated that he
699 felt it was a little odd. He stated that he felt it lasted say 20 hours and that he got home after 1 a.m. that night. He
700 stated that he didn't feel like the Planning Commission met everybody's needs. He stated that he believed that
701 Section 151.2002, general criteria for all conditional use, item B, will not be detrimental to property values in the
702 immediate vicinity. He stated that he was in the immediate vicinity. He stated that he didn't know if one property
703 is affected enough to qualify in that section. He explained that there was a total of 50 years of real estate
704 experience at the last Planning Commission where it was stated this expansion would be very detrimental to
705 property values. He stated this is a year and a half project for construction. He stated that there is also the issue of
706 lighting and screening, while people don't think it affects them. There's no way it cannot affect us. He pointed out
707 that if you examine the plan that you can see his property and that it would be tough to screen the church property
708 so that he couldn't see it.
709

710 Mr. Pangburn stated that he didn't think that they were fully treated fairly. He stated that 50 years of real estate
711 experience was overshadowed by one council member who said in 35 years he had a similar situation and his
712 property value went up in the last 35 years. He stated that trying to hold an open house when there's construction
713 going is going to be detrimental to his property value. He stated that he is worried this is the last straw for him to
714 live here.
715

716 Mayor Dobrozsi thanked Mr. Pangburn for his comments.
717

718 Dan Wilson, 1060 Hayward Circle, Milford addressed City Council by stating that a lot of what he was going to
719 say has already been covered. He stated that he would touch on one point regarding the questions or concerns of
720 the Church website. He stated that the church doesn't have that many theatrical performances. He stated that once
721 a year there is a kids Christmas program. He stated that maybe in the future they may add an Easter production or
722 something of that nature. The setup of the proposed sanctuary design, as with every church he knew of just has
723 one platform as they currently have. He stated it is really unfeasible to have a theatrical type performance during a
724 service in which you had to be an, either in lieu of a service, or it would be an additional time off which of course
725 they have. He stated that as they have mentioned would have to get that traffic control for unscheduled events.
726 Other than that, he would just like to say that the church has really enjoyed their time being a member of the
727 Montgomery community up to this point. He stated that they look forward to a continued partnership with the City
728 and the residents of Montgomery and he agrees with the previous speaker that the number of attendees that we
729 have in Montgomery currently is too low. He stated that they would love to have more of the community come
730 out and join the church. He thanked Council for their time.
731

732 Mayor Dobrozsi thanked Mr. Wilson for his time.
733

734 Steve Silverman, 7504 Golf Green Drive thanked Mrs. Bissmeyer, Mr. Donnellon, and Mr. Margolis for their
735 questions for he felt that they got the architect to drill down on the facts. He referred to the plans and explained to
736 his understanding that where the nine-foot berms were located, the vegetation would be killed once the four-foot
737 scooper dug it out. He stated that he met with Tracy Roblero regarding the plans to talk about how this is all
738 going to happen. He stated that Hugh Pacey and Larry Emerson have properties along the site of the expansion.
739 He stated that nobody on the Commission went and looked at these properties. He referenced the topography of
740 the property and stated his disagreement in the plans. He stated there is a high spot before their properties in the
741 subdivision. He stated that the Director of Public Works came out two years ago to look at his property and
742 determined about three yards into his home which is next to Hugh Pacey's, the water falls toward the church. He
743 stated that the Public Works Director saw what was happening with the still water. He stated to Mr. Margolis the
744 he brought up an excellent point. He explained that what is happening with our properties currently is there's a lot
745 of standing water that does not flow. He stated that when they build the berm it's going to be worse not better
746 because it's going to be nine-foot-high and stop the flow of water. His big concern is that nobody went out
747 visually and looked at this. He stated that all Council is seeing is a cartoon picture. He asked Mr. Margolis to
748 recommend that this be looked at before he votes because the City will end up with a lot of people's yards and
749 basements flood and their insurance companies are going to come back and sue the city.

750
751 Mayor Dobrozsi thanked Mr. Silverman for his comments.

752
753 Brian Duvall, 10746 Dallasburg Road, Morrow thanked City Council, their neighbors and everyone. He stated
754 that this has been an incredibly emotional process for all folks involved. He stated he said as a scripture would
755 say "all peace with all men". He stated that is definitely challenging when you feel like what you're trying to do is
756 being characterized or painted as pulling the wool over someone's eyes or trying to pull a fast one. He stated that
757 as he listened to all of the questions, that he did want to hearken back again to the addition of 131 one parking
758 spaces. He stated that he felt it kind of the inconvenient truth to use an Al Gore statement just that is literally the
759 limitation of traffic. If there is no place for cars to go, there can't be cars. He stated that he wanted to hearken
760 everybody back to that and wanted to say to Mr. Donnellon that he understood every question that was asked and
761 when the conditions were reiterated, that the church absolutely gets it and are thankful to be a part of this
762 community and they look forward to engaging with this community. He appreciated the opening statements from
763 the Mayor about Council's job is to not retry but to look at the case as presented and to make a decision.

764
765 Mayor Dobrozsi thanked Mr. Duvall for his comments.

766
767 Beth Naylor, Cooper Road apologized for being late due to travel difficulties. She stated that she thought a lot of
768 the materials that Council has reviewed were submitted by herself and a group of residents that live relatively near
769 to the site. The two things she wanted to point out for the record is that as residents they believe there are major
770 deficiencies in what's required under the code for the applicant to establish in order to get this conditional use
771 passed. She explained that she would like to highlight two deficiencies. She explained that the first is the
772 requirement that the applicant provide adequate evidence that there will not be a detrimental impact on the
773 property values. She stated that the code, in black and white, requires the City to do a detailed evaluation of the
774 twelve criteria. She stated that she would like to focus on two. The first criteria are property values. She stated
775 that when the application came in and was given a thumbs up recommendation by the City staff there was
776 absolutely no evidence in the record at that time about property values. She stated that, again, there is a code in
777 the City of Montgomery, a zoning code, for a purpose. She stated, it's black and white and it's up to the City
778 Council to enforce it. She stated to Council that they are the elected representatives that residents rely on to
779 enforce the code as written. She stated that criteria are not put down just to be glossed over. She explained that
780 there's a criterion that says there needs to be a showing that there's going to be no detrimental impact on property.
781 She stated that means zero evidence in the record at the last stage. She stated the applicant realizes the deficiency
782 provided some property value information historic, going back to what she thought was the 90s. She stated there
783 was nothing about what this development, with this conditional use of allowed in the increased traffic, would do
784 prospectively to the property values in the area. She stated, on the contrary, the residents at their own cost and
785 using their own resources did the job that they thought the City should be doing for them and got valued opinions

786 from experts, three very well respected realtors in our area, one of which is the leading realtor in the Sycamore
787 School District area Celia Carroll. Ms. Naylor reported that Ms. Carroll appeared and testified before the Planning
788 Commission. She stated that when the Planning Commission went into discussion, Ms. Carroll's opinion and
789 those of the other realtors all opining that this development and the increased traffic would have a negative impact
790 on property values was ignored and the conversation led to one of the commissioner's backyards. She stated that
791 second thing that was glossed over is the requirement that the traffic study has to look at the impact of the traffic
792 on the surrounding streets, not just can the people get in and out of the church parking lot. She stated that the
793 traffic study that's under consideration has nothing to say about what the impact is going to be on the
794 neighborhoods up and down Cooper Road when they can't get out of their neighborhood or into their
795 neighborhood when there's an event happening at the church.
796

797 Ms. Naylor stated that as a matter of fact, again the residents at their own cost, money out of their own pockets,
798 did what they felt the City should have done, which is required the traffic to be consistent with the Ohio
799 Department of Transportation guidelines which most municipalities follow if they don't have their own guideline.
800 She stated they follow the ODOT manual that basically says that a development of this size with the projected
801 amount of increased traffic needs to study all intersections within a thousand feet of the ingress and egress. She
802 stated that none of that was done. She stated that nobody looked at Village Green, nobody looked at Del Ray, the
803 Junior High or Swaim. She stated that it goes on to say if there's other major intersections in the vicinity such as
804 Kenwood Road, Montgomery Road or Zig Zag that those are to be looked at as well. She stated that the traffic
805 study just reflected that they could get the people in and out of the church parking lot. She stated that the
806 engineers didn't do anything to look at what the impact is going to be at intersections up and down the road. She
807 stated that, as residents, they are not here to block what a property owner wants to do, but they are asking City
808 Council, as their elected representatives, to look at the black and white requirements of the zoning code and
809 enforce them with the vigor with which they are intended. She stated that the city of Montgomery is not just a
810 premier community because we put it in marketing literature. She stated it requires diligence, it requires attention
811 to detail, and a requirement to do what the code says we're supposed to do.
812

813 Mr. Donnellon stated that he had a couple of questions for Ms. Naylor. He stated that the engineer's report, so
814 everyone understands it from Ms. Reed, acknowledged that the City is not required to follow the manual. He
815 asked Ms. Naylor if that is correct.
816

817 Mr. Donnellon stated that their expert said it is not required that we follow the ODOT guidelines, that local
818 jurisdictions actually have the ultimate authority.
819

820 Ms. Naylor replied that is correct, it is guidelines and guidance but if you talk to the majority of jurisdictions that
821 typically if they don't follow the ODOT manual then they have their own requirements that are similar to the
822 ODOT guidelines.
823

824 Mr. Donnellon stated the he apologized, but he didn't remember Ms. Reed saying that and he didn't remember
825 seeing it on the record, but he would take her word for it that other jurisdictions follow the ODOT manual.
826

827 Ms. Naylor requested that Mr. Donnellon look at her report in which he responded that he was.
828

829 Mr. Donnellon stated that Ms. Reed also acknowledged that Zig Zag is outside the 1000-foot study area that
830 ODOT mandates.
831

832 Ms. Naylor stated that she wanted to be clear, to make sure the record is clear that the ODOT guidelines say
833 mandatory within a thousand feet, and if there's other significant intersections they should be studied as well. She
834 stated that they consider Zig Zag to be that.
835

836 Mr. Donnellon stated that he thinks it also says that the additional study intersections are to be determined by
837 ODOT. ODOT when they would do their study would indicate what other intersections they would include in the

838 study. He stated that he didn't know how many folks remember Mr. Korros's testimony, but the City did incur
839 that cost with the City engineer who said he scoped the work, he reviewed the work, and he determined on behalf
840 of the City that with the minimal increase in the projected traffic that he didn't feel that additional studies would
841 be warranted in this case. Mr. Donnellon stated that he understood that was his opinion and he acknowledged it's
842 his opinion.

843
844 Ms. Naylor stated that she understood that. She stated that as she was not a traffic engineer, but she feels that
845 ODOT knows what they're talking about. Due to that fact, she felt if the level of increase is at a level that fits into
846 the ODOT manual that says if you're getting this much increase in traffic you need to do an expanded study, she
847 tends to think that they know what they're talking about.

848
849 Mr. Donnellon asked Ms. Naylor if in her own experience, would she agree that in many trials there are multiple
850 experts that have differing opinions.

851
852 Ms. Naylor replied that she would, however, the burden is on the applicant. She stated the City has to do a
853 detailed evaluation and to find adequate evidence. As she said at the Planning Commission meetings, she is not
854 saying things need to be overturned or denied or whatever, she is asking the City to do what they should do based
855 on the requirements of the code, which is a detailed evaluation not just a check of the methodology that was used
856 and a finding of adequate evidence.

857
858 Mr. Donnellon stated that he thought Ms. Reed agreed with the methodology that was used in this case. He stated
859 that Ms. Reed agreed with the modeling program and she said typically institutions like this use square footage as
860 the standard for projecting traffic. He stated that she also did acknowledge that at times you can go and look at
861 different standards. He stated he thought what she said that based upon her analysis 880 seats would warrant total
862 traffic volume of 475 trips.

863
864 Ms. Naylor replied that Ms. Reed agreed with the modeling as far as the projection of the number of trips. She
865 stated that the number of trips according to the ODOT manual requires you to do an expanded study. She stated
866 that there is still an issue of seats. She stated that we keep wanting it to be 880 or 875, but the total amount is that
867 plus the reception area which is a new another 200 plus.

868
869 Mr. Donnellon stated that the issue of the seats was discussed prior to her arrival. The 880 is the number of seats
870 proposed but that we went through the projected traffic volume which was based on total square footage, so that
871 traffic volume was projected based upon utilizing that welcome center square footage and the sanctuary square
872 footage. The welcome center does not have fixed seats.

873
874 Mr. Donnellon stated that we also went through with the applicant, very pointedly so they clearly understand that
875 if approval is given tonight, it is based on the standard we're reviewing tonight which is 880 seats and projected
876 traffic volumes based upon increased square footage. He stated that if there's any expansion growth, any changes,
877 not only would they have to come back, but we have the ability not just to fine them a sum of money for a
878 violation, but to shut them down under our code.

879
880 Ms. Naylor replied that at that point the expansion is already build.

881
882 Mr. Donnellon replied that it's built but it's a very beautiful shrine that's empty if it is shutdown for a violation of
883 their permit. He stated that Ms. Naylor's expert didn't say turn it down, she simply said just get more study before
884 final review.

885
886 Ms. Naylor said to do the expanded study. She stated that again it wasn't her job, they were just residents here. In
887 new trips at the level of 200 to 499 warrants a turn lane and it warrants the additional level one study limits, which
888 we've already talked about a thousand feet plus additional intersections. The turn lane situation and dealing with
889 that, we have a police officer who is standing there.

890

891 Mr. Donnellon clarified that there would be two officers.

892

893 Ms. Naylor acknowledged that there were two police officers standing out there stopping traffic flow on Cooper
894 Road to let people go in and out of the church. She explained that when they stop the people coming out of the
895 church and start letting the traffic flow again on Cooper Road, the downstream folks at Village Green, at Zig Zag
896 trying to get out with Swaim at Del Ray, don't have a break. She stated it's just nonstop traffic and they can't get
897 out. She asked if there was going to be somebody standing there letting them get out of our neighborhoods and
898 replied that there would not be.

899

900 Mr. Donnellon stated that argument is based upon the assumption that the officers are going to let traffic back up
901 to the point where it interferes with Village Green or backs up where it interferes with Delray.

902

903 Beth Naylor state that she disagrees because what she is saying is if motorists were coming from Blue Ash and
904 traffic is backed up as they're letting people out, people are going south on Cooper Road and as soon as they stop
905 letting people out of the church, then the traffic that's backed up from Blue Ash continues. She stated that there is
906 now a steady stream of traffic coming south on Cooper Road past Village Green, past Swaim, past Zig Zag, pass
907 the two private lanes all the way down. She stated the point is there's no break and nobody's stopping the traffic
908 for us to be able to get out. She stated that's why the ODOT guidelines suggest that you look at the intersections
909 within a certain reasonable area to see how they're going to be impacted by that additional traffic. She asked why
910 that wasn't required here.

911

912 Mr. Donnellon replied that one reason is that we are not ODOT, we're the local jurisdiction with the authority and
913 our traffic engineer did not believe it was necessary.

914

915 Mr. Donnellon stated that back to her comment that nobody looked at the evidence that she submitted or Ms.
916 Carroll's testimony. The letter that was sent by Ms. Carroll acknowledges that Downtown Montgomery, Zig Zag,
917 Cooper Road, Swaim and Remington are one of most desirable places in the city to live. He stated those are the
918 most desirable places without impact on property values under existing traffic conditions today. He stated that the
919 other study that was submitted by Larson, the detailed analysis indicated that for each 1,000 additional trips, that it
920 impacts property values empirically by one half of 1 percent. He explained that on a \$100,000 value, the negative
921 impact of one half of 1 percent, if there's a thousand trips, is \$550.00. He further explained that under Ms. Reed's
922 analysis, it is projected to be 475 trips. He stated if the math works out linearly, that's an impact of \$250 on a
923 \$100,000 home. If there's a negative impact on traffic, that study also talked about 24/7 evaluation not incremental
924 evaluation on a Sunday morning or Wednesday night. He stated that while there is great evidence, and that he was
925 not disputing the fact that they went to great extremes to provide evidence, Planning Commission has the
926 opportunity of weighing that and making determinations on how much probative value to give that.

927

928 Ms. Naylor replied that she did not say that people did not look at the materials they submitted, that she said based
929 on the conversation and the discussion at the Planning Commission meeting, it did not appear as though they took
930 that into consideration. She stated that, second of all the requirement is not "can only have a minimal impact on
931 property values" that's not the requirement. She stated that the requirement is that there would be no detrimental
932 impact on property values. She stated that we could do math and bicker all we want about how much that impact
933 is, but in black and white, what the code says is that there will be no detrimental impact on property value and that
934 there has a detailed evaluation and there has to be a finding of adequate evidence. She stated her point is from a
935 process perspective, how do they get a recommendation when there's no evidence on matter inquiry to it at all.

936

937 Mr. Donnellon replied the evidence is there. He stated that the residents presented evidence and the applicants
938 presented evidence. He stated that Ms. Naylor may argue about the validity of the Church's evidence, but
939 interestingly Larsen's study from Montgomery County in the city of Kettering, came to their conclusion on
940 property values being negatively impacted by traffic volumes upon statistical evidence from the auditor's web
941 page in Montgomery County. He stated that the professors who wrote that study did the same analysis as the

942 Church using the local auditors' values. He is not saying they're right or she's wrong. He is simply adding that
943 they don't know every fact that a judge or a jury weighs because they don't announce it, you just have to assume
944 when the evidence is there and the record that this is weighed in their final decision.
945

946 Ms. Naylor stated that in the study there were various controls that were looked at when they were pulled off the
947 auditor evidence. In this situation, there were no controls over the increase in property values. She stated that if
948 we want to talk about increase in property value in the city of Montgomery through the 90s and the 2000's, we
949 need to look at all the improvements that have been done to the city improvements that were designed specifically
950 to control traffic and to reduce the traffic congestion and problems that we've had. She stated that this is going
951 back to the master plan, traffic was the number one issue downtown. She stated there were affirmative steps taken
952 by your predecessors to make this the premier community that it is today largely by controlling traffic. She stated
953 that traffic has been the number one issue of the city of Montgomery since the 70s and 80s. She stated that even in
954 the new strategic plan, one of the top issues is traffic and maintaining a small-town feel. She stated that her point
955 is it's beyond us as residents of how we're not taking a very detailed look at the impact of any development that
956 we have of this magnitude on the city and the traffic flow particularly with everything else that we have going on
957 and changing in the city.
958

959 Mr. Donnellon stated that if the traffic study is broadened and the traffic study still concludes that class "A" level
960 service now remains Class "A" level service then, doesn't the argument about the detriment to property values
961 also fail because Ms. Carroll based it upon it being a thousand people traveling that road. He added, if they say the
962 level of service is not negatively impacted, its kind of undermines the argument of value is negatively impacted
963 because traffic is not negatively impacted.
964

965 Ms. Naylor stated that the other thing that Ms. Carroll mentioned is not only just the volume and the numbers but
966 the perception. Since Ms. Carroll is a realtor and taking people to look at houses on a Sunday, being caught up in
967 traffic and having a police officer have to direct traffic, the interested individuals right away determine they are
968 not interested in that location. She stated that also in addition to the numbers and the volume, and again she is not
969 a traffic engineer, so yes, they would welcome an expanded study, but she is not sure and she cannot speak for
970 Ms. Carroll or Mr. Sylvester or the other experts that we have on this issue as to whether or not that changes their
971 opinion. She stated that certainly an increase in traffic congestion, whether that is solely volume or congestion
972 caused by something else, such as a police officer artificially stopping and starting traffic because they have to get
973 people in a certain period of time in or out of a church, could still impact value if the congestion is so bad. She
974 stated that she was not an expert in real estate or in traffic engineering. She stated that she is simply asking this
975 body to look at what the requirements of the code are compared against the evidence in the record and she believe
976 that it's deficient. She stated that the application is deficient, and more study needs to be done.
977

978 Mayor Dobrozi asked if their three experts had the traffic study when they wrote their statement of opinions. He
979 stated that he referred to them as opinions because there were very few facts included.
980

981 Ms. Naylor replied that yes, they did have the traffic impact and reviewed it. She stated that the realtors were not
982 traffic engineers, and those traffic studies are about as clear as mud. She stated that in terms of the impact on the
983 perception of the buyer and the value of the property, on traffic and traffic congestion.
984

985 Mayor Dobrozi stated he is trying to get to what their basis of their comments were since they are being used as
986 experts and there's not a lot of detail or meat but rather there's a lot of opinion on property values.
987

988 Ms. Naylor stated that they had all the information that we had available from the applicant.
989

990 Mr. Margolis asked Ms. Naylor if she would consider a 130 extra traffics stops in and 130 extra traffics out to be
991 excessive. 260 extra trips will be generated by the exchange.
992

993 Ms. Naylor replied that she is not a traffic engineer but she does know that when you're dealing with a large

94 church in a confined period of time, such as Good Shepherd or Crossroads, or anytime you are you're dealing with
995 that type of an event center, whether it be for religious purposes or other purposes, it's hard to get out of the
996 parking lot of a high school football game or whatever.
997

998 Mr. Margolis asked Ms. Naylor if her expectation is no delay at all.
999

1000 Ms. Naylor replied that the expectation would be that we could reasonably on a Sunday morning when it's not the
1001 business week and we're not expecting a ton of traffic, to be able to get out of our neighborhoods.
1002

1003 Mr. Margolis stated that the traffic studies that their experts agreed on; the amount of traffic would be 56 percent
1004 of rush hour traffic on Cooper.
1005

1006 Ms. Naylor stated that over a period of time. She stated that they can mess with those hours or not, rush hour
1007 traffic on Cooper is not condensed in everybody trying to get in and out before and after service or an event or
1008 whatever it is, it's confined to a specific time period whereas rush hour traffic depending on your job and whatever
1009 you have to be, is anywhere from 6:30 a.m. to 9:30 a.m.
1010

1011 Mr. Donnellon stated to clarify for those who were not able to make the Planning Commission meeting, Mr.
1012 Korros, the city engineer, stated that he looked at the scope and felt when the study came back, that based upon
1013 the volume of traffic which had been projected, on the standard that everyone agreed upon, he didn't see a need for
1014 an expanded study to the other intersections. It's just his opinion. Ms. Reed has her opinion saying she thinks a
1015 broader study should be required. So, we've got different opinions among experts.
1016

1017 Mrs. Bissmeyer stated that she is looking at the conditional use and her concern again with the traffic study is that
1018 our code says that we are providing more detailed evaluation on all these rather than a standard application. She
1019 questioned what the harm would be to expand the study since we have in black and white that we have to do more
1020 detailed than normal. She stated that although we did a traffic study, our obligation is to do a more detailed
1021 evaluation than a normal application for conditional use spaces. She asked Ms. Naylor if that would satisfy the
1022 residents that she's representing. If that's what they're asking of us.
1023

1024 Ms. Naylor replied that it is. She stated that there's other residents here that have other issues with the drainage
1025 and things like that but the primary issues that are consistent she feels across all residents, whether you live
1026 directly around the property and have a drainage issue or not, is the concern about the increased traffic when there
1027 is an event. She stated that she does understand that right now the Church is saying it will be Sunday morning,
1028 Wednesday night, and have submitted a list of events, but she feels that the City really needs to study that with
1029 the overlay of everything else that's going on in the city and the massive change in the flow of traffic that's about
1030 to happen here.
1031

1032 Mayor Dobrozi thanked Ms. Naylor for her feedback and asked for a show of hands of who would like to speak
1033 moving forward.
1034

1035 Dan Bissmeyer, Fourwinds Drive stated that he wasn't going to pick on this particular church. He stated it sounds
1036 like a great church, a great congregation. He stated that what he is asking the Council members to consider when
1037 they're voting that this is more than the minute details of traffic studies. He stated that he doesn't think an
1038 additional study is going to find a lot more than what's been proposed here already and put in front of them. He
1039 stated that what he's seeing is just another baby step down the slippery slope for Montgomery unfortunately. He
1040 stated he has looked at other places that are problems and they're getting away from what he believes community
1041 churches used to be. He stated he has a big problem with Good Shepherd and the traffic and disruption that it puts
1042 out. He stated that it locks down the whole area when traffic is going in and out of services. He stated that there is
1043 a church right outside the back of the Winds neighborhood that includes a school. He stated that during pickup
1044 time for school, you can't get in the back of the neighborhood a lot of times from Zig Zag because of the long line
1045 of cars. He stated that he could point to one place after another that have grown and expanded services over the

1046 years and added extra things that probably weren't in the original scope of what their intention was and none of
1047 them are really within the spirit of what was communities churches. He stated that when you look back at what
1048 they used to be; they were small places for the community to come together to worship. He stated that Tree of Life
1049 is not a community church for Montgomery. He stated that they can welcome people from Montgomery, but as of
1050 current, it is not a Montgomery congregation. He stated that none of the local churches are solely Montgomery
1051 residents and they don't limit their congregations as such. He stated that he sees all of them solely expanding out and
1052 having negative impact on Montgomery because he feels the City code is allowing them to do so. He stated that
1053 this isn't about this particular church and feels the ask is for Council to consider if we are allowing churches to get
1054 away from what they originally were intended to be and what the code was set up and constructed around for their
1055 purpose. He asked if there is a negative impact to allowing them to continue to grow and expand and add services
1056 because as a Montgomery resident, he is seeing a negative impact.

1057 Mayor Dobrozsi thanked Mr. Bissmeyer for his comments.
1058

1059 Dave Duvall, 109 Pewter Court, Loveland stated to City Council that he wanted to address two issues, one the
1060 traffic, which to him seems so strange that we're talking about traffic when we have a church now that would only
1061 add 131 cars. He explained that they could bring that to capacity as we are now and still only have an additional
1062 131 cars that could go in. He stated that's all that can be done, during non-peak hours a few times a week. He
1063 stated that in the traffic study it was mentioned how do people get in and out of their streets and houses. He asked
1064 how they did that between 6:00 to 9:00 a.m. or 5:00 to 9:00 p.m. How do they do that during rush hour, and
1065 school and everything else. He stated that it just seemed preposterous to him that this amount of traffic that's
1066 coming out of the church would be a problem. He stated his next issue is the idea about the church currently does
1067 not have the greenery that we are proposing to put in. He stated that they do not have trees in the parking lot like
1068 is displayed on the drawings nor all the greenery that they have added over these meetings to make this a
1069 beautification actually to the City. He concluded by stating that the current property needs the additional greenery
1070 and as they build this church that's going be eleven feet lower everything their doing is going to beautify the site
1071 and will add only 131 cars. He thanked City Council for their time.
1072

1073 Mayor Dobrozsi thanked Mr. Duvall for his comments.
1074

1075 Judy Lafreniere, 9208 Golf Green stated to City Council that she wanted to correct some points. She stated that
1076 the applicant keeps talking about 131 cars, but what they are leaving out is how many are already there in
1077 existence. She stated that a misnomer presented early in the presentation was that these two churches always
1078 existed there. She stated that, although they did, those churches were never at capacity and she has lived there
1079 since 1972. She stated that there was never any kind of flow of traffic in and out of there. She stated that the City
1080 used to stage the Fourth of July floats there and most of the people who live in that area never really even knew
1081 those two churches were there because that's how low key they were. She stated that now we're talking about
1082 adding on so that you now have 880 in this new capacity, and they keep saying, oh well, it's only 131 more cars.
1083 She asked what about all the cars that were already there, if you have 880 people, you're going to have more than
1084 131 cars added. She stated that if anyone has ever gone on Cooper Road when the Junior high is leaving, it backs
1085 up and yes, there is a cop directing traffic, but you can sit there for a long period of time while they're getting the
1086 cars in and out of there and thus it backs up in the other direction and the people leaving Village Green and Zig
1087 Zag also have a problem getting out because it's backed up in that direction also. She stated that's a misnomer
1088 saying, "oh this isn't going to happen because you've got a cop directing traffic". She explained that she was
1089 involved in the Town Hall lecture series and the Montgomery Women's Club used to pay a cop to direct the
1090 traffic in and out of the lecture from Montgomery Assembly of God because they knew Pfeiffer Road was a busy
1091 thoroughfare. She stated that Cooper is just as busy. She thanked Council for their consideration.
1092

1093 Mayor Dobrozsi thanked Ms. Lafreniere for her comments and involvement on the lecture series.
1094

1095 Ken Geers, 9204 Village Green Dr stated that Ms. Lafreniere might have clarified this, but he keeps hearing 131
1096 cars and heard 800 plus members and to him if there were four members in a car, four divided into eight hundred
1097 plus is over 200 cars. He stated that that told him right away there's 70 more. He stated there was a discussion

1098 earlier about if there's more than 131 cars and you've got it to move off campus that's going to be an issue. There
1099 must be more than 131 one parking places there, is that correct.

1100
1101 Mayor Dobrozsi responded that he was correct.

1102
1103 Mayor Dobrozsi asked Ms. Roblero what the total parking spots were.

1104
1105 Ms. Roblero replied that there is 351 total and the 131 is the new parking.

1106
1107 Mr. Geers stated that he would like to ask City Council to focus on the 351 and get the 131 out of their heads and
1108 get back to what the number of parking places are, because that's going to be the traffic flow. He thanked City
1109 Council for listening.

1110
1111 Mayor Dobrozsi thanked Mr. Geers for his comments.

1112
1113 Sharon Lindemann, Golf Green Drive stated she had just two quick things. She explained that first, she just
1114 returned from North Carolina where every day we have to go through a roundabout and the traffic does move, but
1115 that roundabout that the City about to allow it be built right down from where her neighborhood hits Montgomery
1116 Road is going to be backed up. Her concern is that there were 50 cars in front of us waiting to take their turn in the
1117 roundabout and it's a two-lane roundabout, every time we approached it. Traffic from Cooper Road going to
1118 Montgomery Road and getting into that roundabout, is going to slow down. She stated that her other issue is just a
1119 curiosity, she wanted to know if there are any regulations or any conditions that have been stated regarding the
1120 rental of the facilities. She stated that her daughter from Ursuline graduated at Weiss temple. She stated that her
1121 son from Moeller graduated at some church over by St. Rita's School for the Deaf. She stated that churches have
1122 the right to rent their facilities or for other events. She stated it's a great way to earn a little extra money. She
1123 asked if there are controls or conditions regarding rental of churches or facilities within Montgomery for private
1124 events.

1125
1126 Mr. Donnellon replied that the use of the facility for additional events outside of the normal worship is covered in
1127 the conditions. He explained that would be one of those conditions in which attendance is expected to go over 400
1128 that the church must have traffic control police officers. He stated there was an additional condition that the
1129 church must notify the City at least seven days in advance of any special events so a review of calendar events can
1130 be performed. He stated that this type of concern was addressed.

1131
1132 Ms. Lindemann stated that it is quite possible that events down the road, in the future, could be going on more
1133 frequently than Wednesdays and Sundays.

1134
1135 Mr. Donnellon stated that if they added regularly scheduled events, they would need to revisit us.

1136
1137 Ms. Lindemann stated that is occasional, a concert here and there.

1138
1139 Mr. Donnellon explained that's why we put those conditions in there and that's why we address those as conditions
1140 that if the Church wants to have additional events, this is what you must do in exchange for our permission.

1141
1142 Mayor Dobrozsi thanked Ms. Lindemann for her comments. He then asked if there were more comments.

1143
1144 Mayor Dobrozsi stated that he was closing the floor from public comment at this time since there were no new
1145 speakers. He explained that there would be discussion and debate here at the Council level. He asked Mr.
1146 Donnellon for clarification on something. He referenced Ms. Naylor's questions or assertions that the City does
1147 not meet the code because we have not required a full traffic study A, and B, that was the main topic, and on the
1148 property value side that there can't be a detrimental effect. He wanted to state from our code perspective and what
1149 Planning Commission has done with all of their work, and what's been presented us tonight, have we met the letter

1150 of our code in Mr. Donnellon's opinion.

1151

1152 Mr. Donnellon replied by stating that going back to the traffic impact study. Ms. Reed did not say turn it down
1153 because it's false study, she thought a broader study would be appropriate consistent with the ODOT manual. He
1154 stated that both she and the other two traffic engineers agreed that it is up to the local jurisdiction. He explained
1155 that we control how we scope a study and as he was trying to point out Mr. Korros's, our engineer, was closely
1156 involved in all this in establishing the needed scope. He stated Mr. Korros's belief was based on the statistics that
1157 came back and that we would just be studying for the sake of studying to look at the other intersections because he
1158 believed that there would be no significant impact to drop the level of service down at those intersections. He
1159 stated to keep in mind this is level service A, the next level down is level service B, the next level down is level
1160 service C, it does not become problematic even with the ODOT code until you get to levels D, E and F. Mr.
1161 Korros opinion was that we didn't need additional study. Mr. Korros felt that those intersections wouldn't drop
1162 down to detrimental levels based upon the projected volume of traffic. Mr. Donnellon stated that it's a difference
1163 of opinion. Ms. Reed felt a broader study was warranted before you make your decision. Mr. Korros felt that we
1164 would be doing a study for the sake of studying. Mr. Donnellon stated that regarding the property values, we had
1165 competing evidence on the property values. He stated that the Church brought forth statistical studies and yes
1166 there is an empirical question relative to the scientific method of the studies that showed that property values
1167 consistently have gone up 200 to 300 percent. He stated that it didn't study neighborhoods in Montgomery where
1168 there may not have been a church to see if they went up 250 percent. He stated that the bottom line was the
1169 property values went up. He stated that study showed that if you live near a church, you have no negative impact
1170 as your property values are going up. He explained that based on that evidence that was presented. Ms. Carroll
1171 and Mr. Sylvester and Ms. Beyer all said increased traffic could negatively impact property values and Ms.
1172 Carroll's basis is a 1,000-event center. He stated that this is that number we're trying to deal with in terms of is it a
1173 thousand or is it an 880 and at what time. Mr. Donnellon stated that Ms. Carroll pointed out that under current
1174 conditions right now the Downtown Montgomery area is one of the strongest areas in the Sycamore School
1175 District. Mr. Donnellon stated that the Church isn't coming in at ground zero, the church is already there near the
1176 Downtown Montgomery area at 400 people a Sunday. He stated that the area is already one of the strongest real
1177 estate markets as Ms. Carroll has told us in the city with the church in operation. He stated that it's what weight
1178 you give it and the Planning Commission had every bit of this information. He stated that if you've ever sat
1179 through one of the Planning Commission hearings you know they review this. He stated that Mr. Harbison can
1180 cite chapter, verse, and line from every section. He stated that the fact that they didn't openly argue it over the
1181 course of an hour doesn't mean that they didn't weigh it in making their decision.

1182

1183 Mayor Dobrozsi thanked Mr. Donnellon and stated that he wanted to get that on the table because it seems that
1184 two major questions were water and landscaping. He stated he believes the water issue will be addressed as the
1185 landscaping issues will be addressed when we get to the next level of the plans. He stated that we know there's
1186 going to be a yearly maintenance check on those, so he felt we're good there. He stated he felt it came down to
1187 two major items as we start this discussion are a traffic study, what was put in front of us and what staff has
1188 recommended and our experts have recommended, and property values. He stated those were the two issues, he
1189 believed everyone was thinking. He stated that he would open up to Council for discussion.

1190

1191 Mr. Margolis stated that his thought on the last discussion on property values and looking at what the Tree of Life
1192 provided, Village Green increase it 200 percent. He stated that in his neighborhood, Governors Watch, where
1193 there is no church nearby, his property values went up 187 percent. He stated without a church our property values
1194 went up a little bit less than some of these other areas. He feels there is other factors other than traffic that people
1195 purchase a home for. He asked how do you quantify against the addition of 130 cars to a place that is already
1196 built and is already receiving congregants. He stated that the addition of 130 car's over a half hour. How will that
1197 impact the values. He stated he had no idea.

1198

1199 Mayor Dobrozsi restated Council's options for this evening. He explained that first, we can approve the
1200 recommendations from Planning Commission which the specific conditions that have been imposed. Secondly,
1201 they can recommend modifying the recommendation or modify the conditions as appropriate which require a five

1202 of the seven, or five of the six in this case as Mr. Cappel stepped down. Thirdly, if they believe there's additional
1203 information needed that was not answered this evening, they could remand the matter back to the Planning
1204 Commission to address the items we specifically asked them to look into, not to start a whole new record. And
1205 then lastly, they can deny the recommendation which would take also approval by five members. He stated that he
1206 wanted to go over those options again since it had been a couple of hours since he explained them.

1207
1208 Mr. Suer asked the Mayor if he would like Council to deal with the questions of property values and traffic
1209 studies, or would he like for each member to report on all aspects of the recommendation.

1210
1211 Mayor replied for Council to report on any of the items they have comments or concerns with.

1212
1213 Mr. Suer stated that he would start with the two items that the Mayor mentioned, property values being the first
1214 one. He stated that it was his feeling that because Montgomery is a highly desirable community to live in it seems
1215 that property values continue to increase throughout Montgomery. He explained that we have a number of
1216 churches in Montgomery. We have other uses, other facilities like hospitals and so forth and despite these
1217 facilities, and despite the traffic that comes and goes from these facilities, it seems that property values continue to
1218 increase. He stated that people want to live here and no matter where you live there are always some tradeoffs. He
1219 stated that if you happen to be held up a bit by some traffic, for a lot of people they still want to live here. He
1220 stated that he feels that property values across the board in Montgomery continue to go up. He stated that he
1221 didn't think that this particular project will contribute to anyone seeing their property values drastically go down
1222 or go down at all.

1223
1224 Mr. Suer stated that his opinion on the traffic studies is that it has been discussed quite a bit and in the huge
1225 amount of materials that he read through, 647 pages, that included all the transcripts, meeting minutes and so
1226 forth, with several traffic engineers who weighed in as Mr. Donnellon has pointed out. He stated that they
1227 rendered their opinions and he feels that with the number of cars that we're talking about going in and out, he
1228 doesn't believe that at this point the further traffic study is warranted. He stated that he believes that our traffic
1229 engineer summed it up pretty well with his statement that he feels that with the police officers, on the job
1230 maintaining the inflow and outflow, for the short period of time that it will take to get these vehicles in and out
1231 that will take care of the situation. He stated that it's true whenever any of our facilities in Montgomery have cars
1232 coming and going that it adds more cars to that whole network. He stated that he feels that traffic is a part of living
1233 in a suburban area like we have as opposed to living in a rural area where you do not have as much population. He
1234 stated with these uses there are a lot of cars and we have to get used to the fact that there is traffic. He stated that
1235 he felt it can be managed well with what's been proposed. He stated that he went through and took a look at the
1236 progression of changes that took place throughout the Planning Commission meetings. He stated changes to the
1237 plan and what the applicant was willing to do to modify the plan, with reducing the size of the building, doubling
1238 parking lot setbacks, installing or planning proposing a level landscaping berms and so forth, and the improved
1239 drainage and so forth provided him with the confidence that the applicant really made an effort over the eight
1240 month period of time to modify the plan to meet requirements and in many cases exceeded requirements. He
1241 stated that the applicant made a good faith effort to do that. He stated that he feels our zoning code, even though
1242 there have been comments to the effect that our code may be deficient, that we are not enforcing the code and so
1243 forth and so on, he feels the Planning Commission in particular spent a lot of time trying to apply our code to this
1244 application as they always do with all applications. He stated he felt the Church is in compliance with what the
1245 city requires.

1246
1247 Mr. Suer stated that it's been mentioned that the congregation of the church is not primarily Montgomery residents
1248 but it's primarily residents from other localities. He stated that he didn't think this is that important of an item
1249 because with every church that is in Montgomery, they have a mixture people. There are some residents and
1250 nonresidents and the whole idea of a church is to try to do good things whether it's with residents or nonresidents.
1251 He stated he was not going to pursue that line of argument at all. He stated that he felt it's a good idea that you
1252 know the churches that we have are thriving and actually doing good things and serving people. He stated that it
1253 should not be overlooked that the seven conditions stipulated by the Planning Commission. He stated that he felt

1254 they are all worthwhile items and evidence of the amount of work and thought they put into it. He stated with
1255 these seven conditions, when they are adhered to and they will be adhered to, this project becomes much more
1256 feasible and much more supportable by himself with these seven conditions.
1257

1258 Mr. Suer stated the he took a look at this site a number of times with the proposed addition and increased parking.
1259 He stated that he walked the site and tried to envision how everything was going to work out on the amount of
1260 acreage that is there. He felt like in this case, they are not trying to put 50 pounds of something into a 10-pound
1261 bag. He stated there's a lot of acreage on the property and he feels what's being proposed is going to fit on that site
1262 in a very reasonable way. He stated that the idea that churches should not have the right to remodel and or expand
1263 their facilities is not a very good argument because, in fact, churches do have the right to remodel and expand
1264 their facilities. He stated they have to follow the code, but they can remodel and expand their facilities much like a
1265 homeowner can remodel or expand their home or a business could do the same thing with their buildings. He
1266 explained that most of the churches in Montgomery have modified their buildings and in some cases several times
1267 over a long period of years. He stated that they've got the right to do that and this church has the right to do that.
1268 He stated to the applicant that they have to adhere to the code.
1269

1270 Mr. Suer stated that he was in favor of the project.
1271

1272 Mayor Dobrozsi thanked Mr. Suer for his comments.
1273

1274 Mr. Margolis stated that he misunderstood that his comments should have addressed all items. In addition to his
1275 previous comments he stated the big question is why we are even involved with this. He stated we are here to
1276 listen to testimony and decide on the Planning Commission's recommendation only. He stated that Council's role
1277 as elected officials is really to protect the interests of our stakeholders. He stated that Montgomery is a residential
1278 community that has business and institutions that serve our community. He stated that a community is said to exist
1279 when interaction between individuals has the purpose of meeting individual needs and obtaining group goals. He
1280 stated a community is a limited geographical area with features of social interaction structures for gratification,
1281 social and physical needs. He stated that a community is not just people living here, more businesses serving the
1282 local people, it is the community in general and people make the community. He stated that we have to balance
1283 this with property rights. He stated the requirements: the conditions of how a church or institution is sited within
1284 the resident community, has to be balanced with property rights. He stated that people may not be deprived of
1285 property rights by the government without due process or fair procedures which our Planning Commission spent
1286 hours and hours going through. He stated that the rights of the people that acquire use and dispose of property
1287 freely is very important and our Planning Commission provides that due process. He stated that we've already
1288 discussed how this conditional use is permitted within residents. He stated that though we are a residential
1289 community, we do allow under certain conditions, institutions and schools to use their sites within our
1290 neighborhoods. He stated that churches investing in our community that shows vigor in our community and as we
1291 discussed property values, people are interested in living here in spite of traffic. He stated that he has traffic
1292 coming out of Remington every morning and even in the evenings and that is just a feature of living, as Mr. Suer
1293 mentioned, in our community. He stated the parking lot and landscaping are being brought up to current code. He
1294 stated that right now it's nothing to write home about of how the site looks, and there are improvements here that
1295 will be beneficial to the neighbors. He stated that as we've talked about the screening, the improvements of
1296 screening, the improvements of drainage, the water going into the retention pond, and being metered out does not
1297 impact the environment. He stated there was some discussion if that could be any better than grass. He explained
1298 that the water could just shift over the landscape, whereas the detention pond meters it out and provides cleaner
1299 water flow. He stated in regard to traffic on Cooper Road, certainly a passive means of monitoring the traffic
1300 would be better, but then as we've discussed or heard testimony, it could a third lane could back up, even
1301 exacerbate the problem. He stated that his feeling that human intervention of a police officer their monitoring will
1302 surely mitigate any increase in traffic.
1303

1304 Mr. Margolis applauded the Planning Commission for their thoroughness and working with the residents and the
1305 institution, to work toward that win-win. He stated that not everybody is happy with each situation. He stated that

1306 there will be a slight increase in traffic, but the church is already there, how do we weigh their property rights
1307 versus the resident's property rights and hopefully we've found that middle ground. He stated that legally the
1308 church actually meets all of our requirements. He stated that maybe our conditions aren't right, maybe we should
1309 look further into how our conditional use setup. He suggested we accept the Planning Commission
1310 recommendations.

1311
1312 Mayor Dobrozsi thanked Mr. Margolis.

1313
1314 Vice Mayor Roesch stated that she didn't want to belabor a lot of the points that Mr. Suer and some other folks
1315 have already said out here because she concurs with what they're saying, but she does want to take this time to
1316 commend the Planning Commission. She stated that they did a fantastic job. She stated that she also wants to
1317 commend all the residents. She stated that she thinks they raised a lot of good issues, pushed back, and were able
1318 to make compromises. She explained that what we're doing up here is what Mr. Donnellon said, it's a balance test.
1319 She explained that City Council has to weigh the interests of a property owner against the interests of the
1320 community. She stated that as Mr. Suer said, they have a right to the enjoyment of the property and to remodel it
1321 as residents certainly have rights to maintain their property values. She stated that personally she hates traffic too
1322 so she can sympathize with that, but she does think that the church has come to the table and address a lot of the
1323 objections like the lighting, the noise, the landscaping, the stormwater and she feels that at the final development
1324 plan they will. She stated that she trusts that the City is going to take care of enforcing all of the conditions that we
1325 are talking about imposing here. She feels that all of the objections basically boiled down to this additional traffic
1326 and she thinks the City wouldn't pay an engineer and then say well I don't think this study is worthwhile. She
1327 stated that we hire this engineer because we respect his professional expertise and the methods that he uses and as
1328 far as she knows these are the same methods, he uses in other traffic studies. She stated that we've always
1329 accepted them, and it doesn't look to her to be deficient in any respect. She acknowledged that for people that
1330 have to get in and out of Cooper Road may be inconvenient. She stated that she doesn't like it either when she has
1331 to sit in traffic on Montgomery Road, but she can say that we are talking about the fifth largest church. She stated
1332 that there is Assembly of God which she thinks seats 800 or so. She stated the Church of the Saviour across the
1333 street, which is 300-400 maybe and St. Barnabas around the corner which is 450 and there's not a traffic issue on
1334 Sunday morning because she lives right up there. She stated that traffic from churches is part of what we live with.
1335 She stated that churches are not something that really does affect property values. She stated that those churches
1336 existed probably when most of the residents bought their home, although maybe some residents predated the
1337 church, however she feels in most instances if you live near the church, you bought there knowing there was a
1338 church or two churches there. She stated in her opinion the church has not negatively impacted the property value.
1339 She stated for these reasons she is okay with the project.

1340
1341 Mayor Dobrozsi thanked Vice Mayor Roesch for her comments.

1342
1343 Mrs. Bissmeyer stated that while she is not opposed to the church as it stands, she thinks it has been a great
1344 resident a handful of years that they've been here she is concerned with the expansion in a residential area. She
1345 stated that her obligation is to protect the rights of our resident's property, their quality of life to ensure it's a better
1346 community and the future than it is right now. She stated that we detail a set of 12 criterion upon which will allow
1347 conditional uses in a residential area and she feels many of these conditions are not being met. She stated that as a
1348 steward of the code, she has an obligation to the residents to meet or even exceed the minimum requirements,
1349 especially when so many residents have concerns about whether we're meeting the code or not. She stated that
1350 Montgomery is a highly desirable area right now but it's because of the controls we put in place. She stated she
1351 would hate to let the controls loosen a bit and then result in a lower quality of life for our residents. She stated that
1352 the two we were talking about, predominantly the property values and the traffic, needs more scrutiny. She feels
1353 like for our resident's sake it needs an expanded study for both. She feels that having a study showing property
1354 values now near a church, near a large organization like a hospital even, and actually have some data to look at.
1355 She stated that before she makes a vote, she would want to have hard numbers of how it would impact our
1356 residents and also a traffic study. She feels like Swaim area has already been identified as an area that has some
1357 traffic concerns, children crossing, people trying to get to the park and she doesn't want any other decisions to

1358 exacerbate it before we really can expand and see what the roundabout or what traffic at Kenwood, the Junior
1359 High would impact it. She stated that quite honestly, she feels like we need to take a greater look at our zoning
1360 code because we give our list of 12 conditional uses, but she thinks they're kind of vague. She stated that we've
1361 been having this discussion for several hours. She stated that she would love to have greater details in here with
1362 exact guidelines of what we can go off of not be detrimental to the immediate vicinity as one of them or not
1363 adversely affect existing use of property owners. She stated that we have many property owners who say their
1364 property use would decline or their enjoyment of their property would decline. She stated there's nothing in the
1365 code that basically gives that criteria. She stated there's 12 criteria and questioned is it the majority of them they
1366 have to meet, just one, or all. She stated that she would like to take a look at the code and maybe bring it up to
1367 2019 so some of these decisions are more cut and dry for all of us to look at.
1368

1369 Mayor Dobrozsi thanked Mrs. Bissmeyer for her comments.
1370

1371 Mrs. Harbison explained that she is in a unique position that not many people, or she didn't think any people, in
1372 this room are in. She stated that she lives on Pfeiffer Road which is a busy road. She stated she lives directly next
1373 door to Church of the Saviour and across the street from Montgomery Assembly of God. She stated if you talk
1374 about impact, who in the room is impacted most by churches and that would be her. She explained that she has
1375 lived there for 33 years. She stated that when she moved here Church of the Saviour was a very small building
1376 Montgomery Assembly of God was a very small building and both have had significant additions. She stated that
1377 back in the late 90s when Church of the Saviour had their addition she was not on Council and she came to
1378 Council members and asked for help and they all referred her to the zoning code and said they had to go by what's
1379 in the zoning code, they can't run on emotion and here's what the zoning code said. She stated that one Council
1380 member at the time voted against it in sympathy for her. She stated having said that, living next door to Church of
1381 the Savior she can probably count on less than one hand how many times they even have a police officer directing
1382 traffic and that's usually their drive through nativity which traffic backs up on Pfeiffer Road to get through the
1383 back parking lot and get through the scenarios. She stated that occasionally there is an event such as the
1384 Montgomery Assembly God, with the Women's Club, when they have their lecture series during the daytime, they
1385 had a police officer there to direct traffic as well. She stated that on a typical Sunday morning, she has never in 33
1386 years had access to Pfeiffer Road disturbed by church traffic leaving. She stated that everybody is very courteous.
1387 She stated that there's people walking across Pfeiffer Road to the extended medical parking lot and she has not
1388 had a problem in 33 years, so she has to take that into account as well.
1389

1390 Mrs. Harbison stated to Mr. Pangburn that he gives her consternation because he is in a position of being the most
1391 directly affected by this situation. She acknowledged that the church was there when he moved in and those two
1392 driveways were there when he moved in, but she has sat in the parking lot a number of times and knows that the
1393 line of sight from his second floor overlooks the trees and looks down into that parking lot and the church. She
1394 stated that she has been a realtor for 33 years. She stated that she doesn't do the level of volume that Celia Carroll
1395 and Steve Sylvester do in Montgomery as she chooses to do a broader area. She stated that she chose to work out
1396 of the West Chester office for separation of church and state, so to speak. She stated that she does sell homes in
1397 Montgomery, but she also would have to argue that having the church would not significantly impact the value of
1398 your home. She stated that one would say her house being directly next to Church of the Saviour, maybe there's
1399 some impact there, but as a realtor she watched values in Montgomery very closely across the board and knows
1400 that her two neighbors who moved in within a month of each other in 2012, property values have significantly
1401 jumped even living on Pfeiffer Road across from a church with another church right down the street. She stated
1402 that the impact of a major street would be a bigger drawback to value than being next to a church. She stated that
1403 she believes there have been multi-million-dollar homes built on Weller Road directly across the street from Good
1404 Shepherd and those homes have sold well and continue to increase in value. She stated if people continue to
1405 improve their home and continue to improve the value, she always says Montgomery is spent in finishes and floor
1406 plan and if people concentrate on those items their home is going to continue to grow in value for its time.
1407

1408 Mrs. Harbison stated that she has not been happy to hear comments that many of the church members don't live in
1409 Montgomery. She stated in her opinion; a church is welcoming. She stated that she has been a member of Good

1410 Shepherd since the late 80s. She stated that Good Shepherd, used to have and still does, multiple zip codes. They
1411 didn't cater to Montgomery 45242 or 45249, they cater to Forest Park, they cater to West Chester, they cater to the
1412 inner city. She stated that she hopes Montgomery is welcoming to people. She stated she hopes the good people in
1413 the room, who go to their church, will love Montgomery so much they'll buy a house here.
1414

1415 Mrs. Harbison stated she is up in the air on what she is going to do with this. She stated that she listens to her
1416 colleagues and is really struggling with what to do as far as how she is going to vote on this. She stated that she
1417 does believe the Planning Commission thoroughly studied the issue and believes all the conditions were met.
1418

1419 Mayor Dobrozsi stated the he moved here in 1999 and pretty soon after moving here he joined the Landmarks
1420 Commission for nine years and then ran for Council. He stated he has served on Council almost 10 years now and
1421 loves this community. He stated that he looked up the definition of community and most often it states that it's a
1422 place where people live in the same geographical area. He stated that's not community to him. He stated that he
1423 continued to search and found a definition that community is a set of people that believe they belong together and
1424 love living amongst each other. He stated that to him that is a true community. He stated that this is hard, and
1425 Council is elected to lead, that is their job. He stated it's not always listening to the emotion because there's a lot of
1426 emotion, as everybody knows, and instances like this invokes emotion. He stated that they have to put that aside
1427 and look at it. He stated that Council has to worry about tomorrow or the next day. He stated that although we are
1428 a very stable community, they have to look at 5, 10, 15 years from now, are we going to continue to be the
1429 community of choice. He stated that sometimes that takes some pretty hard decisions to get to that point.
1430

1431 Mayor Dobrozsi stated he was going to go through the few major items and where he stands. He reminded
1432 everyone that he has to deal with the facts put in front of him. He started with traffic. He stated that he has a traffic
1433 expert that tells him that we are starting with an A and ending with an A. He stated he has a City consultant that
1434 confirms what that traffic study says, the facts in front of him say that, that is not going to be a traffic issue
1435 moving forward. He stated that he can't take it any other way because he has to deal with facts. He stated in regard
1436 to property values, that all of the realtors were great people, but he saw no facts in their opinion letters. He stated
1437 that it talked about general traffic, in general property values, however there were no facts that were delivered to
1438 him to say it's going to affect property values. He stated that he truly believes that it's the opposite. He stated long
1439 term for us it is not going to affect property values.
1440

1441 Mayor Dobrozsi stated that water is a huge issue for all of us. He stated that he lives next to what used to be the
1442 Swaim Golf Course and has a river running through his yard a lot of times, so the issue of water is close to home
1443 for him. He stated that looking at what is depicted in the plans, water would flow away from the adjacent
1444 properties towards the highway which tells him that this is not going to increase water issues for adjacent
1445 residents. He stated that more importantly he knows that Mr. Heitkamp and Ms. Roblero will ensure that it does
1446 not impact the adjacent neighbors water run.
1447

1448 Mayor Dobrozsi spoke about the seven conditions. He stated that when he initially came into this, he could not
1449 support the application without the seven conditions Planning Commission placed upon it. He stated that the
1450 seven conditions take care of a lot of the issues that he is hearing. He stated that moving forward it's incumbent
1451 upon the City and the Church to comply with these seven conditions of being a good steward and a being a good
1452 neighbor for Montgomery. He stated it's on the Church as much as us, so the City doesn't have to police the
1453 Church. He stated that one thing he was always concerned about was that he seen those churches not being
1454 maintained. He explained for instance the one church to the east, has an old sign that sits out there still and he
1455 would like for the church to take care of that. He stated his point is those things were continued to be run down
1456 and to him that's an effect on property values as they continue to run down. He stated having someone come in, he
1457 believes, maintain what was there or plan to maintain is a good thing for property values not a detriment for
1458 property values. He stated with all these comments that he is in support of this application because of the thorough
1459 work of staff and residents as well.
1460

1461 Mayor Dobrozsi stated that he also wanted to thank the Planning Commission for everything they did as well. He

1462 acknowledged that maybe the public hearing didn't run as perfect as it could have, but at the end of the day they
1463 listened and complied with the zoning code. He stated there might be some learning moments inside all of that.

1464
1465 Mayor Dobrozsi asked if Council had any closing comments before he asked for a motion for one of the four
1466 items that we've talked. He explained they have four options we can move forward in some way.

1467
1468 Mr. Margolis stated that part of the former planning commissioner in him, he did visit the site a couple of times
1469 and went through the neighborhood. He stated that it is not like Council is looking at this abstractly on paper, it is
1470 what feet on the ground look like, what does the site look like, and what are the potential impacts.

1471
1472 Mayor Dobrozsi thanked Mr. Margolis for his comments.

1473
1474 Mayor Dobrozsi stated that with that he will leave it open to Council for a motion for one of the four items that we
1475 previously discussed.

1476
1477 Mr. Margolis moved to approve the Planning Commission's recommendation with all the conditions set forth.
1478 Vice Mayor Roesch seconded.

1479
1480 The roll was called and showed the following vote:

1481
1482 AYE: Dobrozsi, Roesch, Suer, Margolis (4)
1483 NAY: Bissmeyer, Harbison (2)
1484 ABSTAIN: Cappel (1)

1485
1486 Mayor Dobrozsi thanked everyone for coming and stated that whatever side of the table you're on in this issue, it's
1487 very seldom that people come forward to come to Council on a biweekly basis when we have meetings, it's only
1488 when we have issues like this. He stated that we're glad to see engaged citizens coming out to deal with what they
1489 believe in and truly hope you all keep on doing that. He stated that it is obviously not an easy thing for Council,
1490 but you've got to believe we're all doing what we do believe is in the best interest of this city for generations to
1491 come.

1492
1493 Mayor Dobrozsi asked for a motion to adjourn.

1494
1495 Mr. Margolis made a motion to adjourn. Mrs. Bissmeyer seconded. City Council unanimously agreed.
1496 The meeting was adjourned at 8:40 p.m.

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1498
1499
1500



Connie Gaylor, Clerk of Council