

December 11, 2020

TO: Mayor and City Council Members  
FROM: Brian K. Riblet, City Manager *BKR*  
SUBJECT: City Council Work Session of Wednesday, December 16, 2020

As a reminder, City Council is scheduled to meet in Work Session on Wednesday, December 16, 2020 at 7:00 p.m.

This meeting will be offered as a hybrid meeting, both in place at City Hall and by teleconference for those who cannot attend in person or feel safer sheltering at home. To participate in this meeting by teleconference please use the following phone number: 1-866-228-9900 with a passcode of 204938.

Work Session

1. Call to Order
2. Roll Call
3. Special Presentation
4. Guest and Residents
5. Legislation for Consideration this Evening
  - a. An Ordinance to Amend Appropriations for Current Expenses and Other Expenditures of the City of Montgomery, State of Ohio, During the Fiscal Year Ending December 31, 2020-Please find attached correspondence from Katie Smiddy, Finance Director, requesting that City Council approve this Ordinance that will amend appropriations for current expenses and other expenditures during the fiscal year ending December 31, 2020. The year-end supplemental appropriations are necessary to reconcile line items which had expenditures exceed budget for various reasons, which need additional appropriations or are required to be reduced by law

*Add to the Agenda*

*Voice Vote*

*Assign to a City Council Member*

*Move to read the Ordinance by title only*

*Voice Vote*

*Move to suspend the rules requiring reading of the Ordinance on three separate occasions.*

*Roll Call Vote*

## 6. Establishing an Agenda for January 6, 2021 Business Session

### Pending Legislation

- a. An Ordinance Modifying Section 132.14, Noise, of The Montgomery Code of Ordinances—(Vice Mayor Margolis, 2<sup>nd</sup> Reading) Information has been previously supplied on this legislation that, if approved, would enact modifications to the noise ordinance which include differentiating between general noise and construction noise, by defining “construction work” as “any type of work which requires a building and/or zoning permit”. Times for construction work would be limited to 7:00 a.m. - 9:00 p.m. (Monday through Friday) and 9:00 a.m. - 8:00 p.m. on Saturdays and Sundays. The proposed modifications maintain the hours of 7:00 a.m. - 10:00 p.m. for all other types of noise outside of construction work. In addition, the proposed modifications limit the sound permitted outside these hours to 60 decibels, as measured from the complainant’s property line. The Planning, Zoning and Landmarks Committee of Council met on March 2, 2020 to discuss the proposed modification. After discussion, the Committee voted unanimously to recommend approval of the amendments to the noise ordinance with the condition that work by utility companies, such as Duke Energy, Cincinnati Bell, Greater Cincinnati Water Works, etc., be included in the list of Exemptions.

*This legislation was tabled at the October 21, 2020 Work Session. It is requested that the legislation be added to the January 6, 2021 agenda for second reading. The third reading would be at the February 3, 2021 with passage requested that night.*

### New Legislation

- a. A Resolution Authorizing the City Manager to Reaffirm the City’s Contract with National Inspection Corporation for Professional Services to Serve as Building Official and to Provide Plan Review and Field Inspection Authority and Services for the City’s Building Department for the Calendar Year 2021—Please find attached correspondence from Tracy Roblero, Assistant City Manager/Acting Community Development Director requesting that City Council consider a Resolution to authorize the City Manager to enter into a contract with National Inspection Corporation for professional services to serve as Building Official and to provide plan review and field inspection authority and services for the City’s Building Department for the calendar year 2021. The City has contracted for approximately

17 years with National Inspection Corporation to provide plan review and field inspection authority and services for the City's building department and the City continues to be very satisfied with their ability to perform each of these duties.

*Add this Resolution to the January 6, 2021 Business Session agenda, assign it to a City Council member for reading, and consider adoption of the Resolution that evening.*

- b. A Resolution Authorizing the City Manager to Enter into a Contract with CT Consultants, Inc. for Professional Services Related to General Engineering and Architectural Services for Calendar Year 2021-Please find attached correspondence from Gary Heitkamp, Public Works Director, and Tracy Roblero, Assistant City Manager/Acting Community Development Director, requesting that City Council authorize the City Manager to enter into a contract with CT Consultants, Inc. for professional engineering and architectural services for calendar year 2021. The City has contracted for approximately 29 years with CT Consultants to provide civil, traffic, structural, electrical and storm water engineering services. CT Consultants has provided a competitive fee structure for 2021 including slight hourly rate increases for engineering services. As was provided in previous years, CT Consultants has deleted the line item for billing of the "Principal" from the fee schedule. If for any reason the Principal Engineer provides engineering services during the contract year for development/design review or project design/review, that work would be billed at the hourly rate of a "Senior Manager". Funding for this professional services contract is included in the City's 2021 Operating Budget in both the Public Works and Community Development operating budgets.

*Add this Resolution to the January 6, 2021 Business Session agenda, assign it to a City Council member for reading, and consider adoption of the Resolution that evening.*

- c. A Resolution Authorizing the Purchase of a 2021 Spartan/Summit Metro Star Rescue Pumper from Summit Fire Apparatus and Custom Rescue Fabricators-Please find attached correspondence from Fire Chief Paul Wright requesting that City Council adopt legislation authorizing the City Manager to enter into a contract with Summit Fire Apparatus and Custom Rescue Fabricators of Kentucky for the purchase of a Spartan/Summit Metro Star Rescue Pumper. The rescue pumper will be purchased through the bid process conducted through the State of Ohio Cooperative Purchasing Program. The base bid for the pumper truck totals \$633,214, with a contingency amount of \$63,321. These numbers, when combined, total \$696,535.00, which is significantly under the amount of \$805,000.00 budgeted in account 223.000.5405 as part of the City's 2021 Capital Improvement Program

*Add this Resolution to the January 6, 2021 Business Session agenda, assign it to a City Council member for reading, and consider adoption of the Resolution that evening.*

- d. An Ordinance Appropriating \$500,000 From the Vintage Club TIF Fund for Fiscal Year 2021 As Authorized by Amended Senate Bill #4-Please find attached correspondence from City Manager Brian Riblet requesting that City Council approve this Resolution that, if approved, would authorize a requested amount of \$500,000 of TIF payments to be redirected and be utilized for identified public safety and road maintenance projects in and around the Montgomery Quarter project site in 2021. This request of \$500,000 represents approximately 19% of the \$2.6 million currently in the fund.

*Add this Ordinance to the January 6, 2021 Business Session agenda, assign it to a City Council member for reading. It is requested that the rules requiring three readings be suspended at that meeting and the Ordinance be considered for passage. As a reminder, appropriation Ordinances do not have a 30-day referendum period.*

7. Administration Report
8. Law Director Report
9. City Council Member Reports
  - a. Mr. Cappel
  - b. Mrs. Bissmeyer
  - c. Mrs. Harbison
  - d. Ms. Roesch
  - e. Mr. Suer
  - f. Vice Mayor Margolis
  - g. Mayor Dobrozsi

10. Approval of Minutes- December 2, 2020 Business Session.

11. Other Business

12. Executive Session

13. Adjournment

Should you have any questions or concerns regarding this information, please do not hesitate to contact me.

C: Connie Gaylor, Administrative Coordinator  
Department Heads  
Terry Donnellon, Law Director

December 16, 2020  
City Hall

The City Council Work Session will commence in City Hall observing social distancing guidelines and also by teleconference immediately following the conclusion of the Updates. To phone in please use the following phone number: 1-866-228-9900 with access code 204938.

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*Voice Vote*

*Assign to a City Council Member*

*Move to read the Ordinance by title only*

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*Move to suspend the rules requiring reading of the Ordinance on three separate occasions.*

*Roll Call Vote*

6. Establishing an Agenda for the January 6, 2021 Business Session

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*This legislation was tabled at the October 21, 2020 Work Session. It is requested that the legislation be added to the January 6, 2021 agenda for second reading. The third reading would be at the February 3, 2021 with passage requested that night.*

## New Legislation

- a. A Resolution Authorizing the City Manager to Reaffirm the City's Contract with National Inspection Corporation for Professional Services to Serve as Building Official and to Provide Plan Review and Field Inspection Authority and Services for the City's Building Department for the Calendar Year 2021

*Add this Resolution to the January 6, 2021 Business Session agenda, assign it to a City Council member for reading, and consider adoption of the Resolution that evening.*

- b. A Resolution Authorizing the City Manager to Enter into a Contract with CT Consultants, Inc. for Professional Services Related to General Engineering and Architectural Services for Calendar Year 2021

*Add this Resolution to the January 6, 2021 Business Session agenda, assign it to a City Council member for reading, and consider adoption of the Resolution that evening.*

- c. A Resolution Authorizing the Purchase of a 2021 Spartan/Summit Metro Star Rescue Pumper from Summit Fire Apparatus and Custom Rescue Fabricators

*Add this Resolution to the January 6, 2021 Business Session agenda, assign it to a City Council member for reading, and consider adoption of the Resolution that evening.*

- d. An Ordinance Appropriating \$500,000 From The Vintage Club TIF Fund For Fiscal Year 2021 As Authorized By Amended Senate Bill #4

*Add this Ordinance to the January 6, 2021 Business Session agenda, assign it to a City Council member for reading. It is requested that the rules requiring three readings be suspended at that meeting and the Ordinance be considered for passage. As a reminder, appropriation Ordinances do not have a 30 day referendum period.*

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8. Law Director Report
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10. Approval of Minutes-December 2, 2020 Business Session
11. Other Business
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Should you have any questions or concerns regarding this information, please do not hesitate to contact me.

C: Connie Gaylor, Administrative Coordinator  
Department Heads  
Terry Donnellon, Law Director

December 4, 2020

TO: Brian K. Riblet, City Manager  
FROM: Katie Smiddy, Finance Director *KMS*  
SUBJECT: Legislation Request Amending the Current Year Appropriations

### Request

It is necessary for City Council to amend the 2020 Appropriation Ordinance to appropriate and reduce appropriations in various funds.

### Financial Impact

The aggregate effect of the supplemental appropriations is to increase total appropriations by \$1,440,280 as a result of increased obligations in comparison to total appropriations. Under Ohio Revised Code, appropriations cannot be exceeded by expenditures and appropriations cannot be made when there are no monies available in the fund balance.

### Background

The year-end supplemental appropriations are necessary to reconcile various accounts which have been overdrawn for various reasons. A brief recap of the proposed appropriations is detailed on the attached page.

### Recommendation

It is recommended that Council place this item on the agenda which amends the 2020 Appropriation Ordinance which increases appropriations in various funds for the year.



**ORDINANCE NO.     , 2020**

**AN ORDINANCE TO AMEND APPROPRIATIONS FOR  
CURRENT EXPENSES AND OTHER EXPENDITURES OF THE  
CITY OF MONTGOMERY, STATE OF OHIO,  
DURING THE FISCAL YEAR ENDING DECEMBER 31, 2020**

**WHEREAS**, the 2020 Appropriation Ordinance No. 18, 2019 passed December 4, 2019, appropriated a total of \$40,660,310.00 for the year 2020; and the supplemental Appropriation Ordinance No. 3, 2020, appropriated an additional amount of \$62,050.00; and

**WHEREAS**, appropriations within a certain fund are insufficient to meet the obligations of the City;

**NOW THEREFORE, BE IT ORDAINED** by the Council of the City of Montgomery, Ohio, that the appropriation ordinance be amended as below:

**SECTION 1.** There be an increase of \$173,100 in the appropriation balance of the following accounts of the General Fund 101:

Account Number 101.201.5201	Support of Prisoners	+	\$	1,000
Account Number 101.317.5310	Utilities	+	\$	1,500
Account Number 101.317.5350	Refunds and Reimb	+	\$	2,000
Account Number 101.317.5365	Contract Services	+	\$	5,000
Account Number 101.708.5365	Contract Services	+	\$	3,600
Account Number 101.715.5350	Refunds-Tax	+	\$	100,000
Account Number 101.715.5474	Transfers	+	\$	60,000

**SECTION 2.** There be an increase of \$105,000 in the appropriation balance in the Law Enforcement Fund 215 to:

Account Number 215.000.5404	Operating Equipment	+	\$	105,000
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**SECTION 3.** There be an increase of \$311,102 in the appropriation balance in the Coronavirus Relief Fund 221 to:

Account Number 221.000.5340	Equipment Maint	+	\$	340
Account Number 221.000.5345	Facility Maintenance	+	\$	2,323
Account Number 221.000.5350	Refunds	+	\$	768
Account Number 221.000.5365	Contract Services	+	\$	82,159
Account Number 221.000.5380	Supplies & Mat	+	\$	13,780
Account Number 221.000.5383	EMS Supplies	+	\$	10,550
Account Number 221.000.5401	Business Grant	+	\$	87,500
Account Number 221.000.5404	Operating Equip	+	\$	82,630
Account Number 221.000.5405	Capital Equip	+	\$	31,052

**SECTION 4.** There be an increase of \$509,255 in the appropriation balance in the CARES Act Relief Fund 222 to:

Account Number 222.000.5205	Salary & Wages	+	\$	470,890
Account Number 222.000.5206	OT	+	\$	16,753
Account Number 222.000.5207	PT Wages	+	\$	21,612

**SECTION 5.** There be a, increase of \$16,800 in the appropriation balance in the Capital Improvement Fund 410 to:

Account Number 410.000.5350	Refunds	+	\$	15,000
Account Number 410.321.5470	Capital Projects	+	\$	1,800

**SECTION 6.** There be an increase of \$23 in the appropriation balance in the Special Assessment Fund 322 to:

Account Number 322.000.5370	County Treasurer Fees	+	\$	23
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**SECTION 7.** There be an increase of \$325,000 in the appropriation balance in the Downtown Improvement Fund 480 to:

Account Number: 480.000.5401	Special Projects	+	\$	325,000
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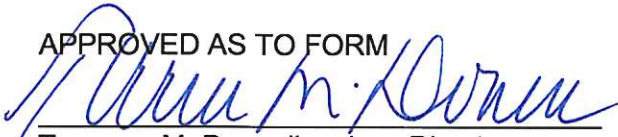
**SECTION 8.** This Ordinance shall be in full force and effect from and after the earliest period allowed by law.

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
Connie Gaylor, Clerk of Council

\_\_\_\_\_  
Christopher P. Dobrozsi, Mayor

APPROVED AS TO FORM

  
\_\_\_\_\_  
Terrence M. Donnellon, Law Director

**2020 Year-End Appropriations**

**GENERAL FUND**

From:	Unappropriated General Fund 101			173,100
To:	101.201.5201	Support of Prisoners	\$	1,000
	101.317.5310	Utilities	\$	1,500
	101.317.5350	Refunds and Reimbursements	\$	2,000
	101.317.5365	Contract Services	\$	5,000
	101.708.5365	Contract Services	\$	3,600
	101.715.5350	Refunds-Tax	\$	100,000
	101.715.5474	Transfers	\$	60,000

Total \$ 173,100

**Law Enforcement Fund**

From:	Unappropriated Law Enforcement Fund			105,000
To:	215.000.5404	Operating Equipment	\$	105,000

Total: \$ 105,000

**Coronavirus Relief Fund**

From	Unappropriated Coronavirus Relief Fund			311,102.00
To:	221.000.5340	Equipment Maintenance	\$	340
	221.000.5345	Facility Maintenance	\$	2,323
	221.000.5350	Refund and Reimbursements	\$	768.00
	221.000.5365	Contract Services	\$	82,159
	221.000.5380	Supplies and Materials	\$	13,780
	221.000.5383	EMS Supplies	\$	10,550
	221.000.5401	Small Business Grant	\$	87,500
	221.000.5404	Operating Equipment	\$	82,630
	221.000.5405	Capital Equipment	\$	31,052

Total \$ 311,102.00

**CARES Act Relief Fund**

From:	Unappropriated CARES Act Funding			\$ 509,255.00
To:	222.000.5205	Salary & Wages	\$	470,890
	222.000.5206	OT	\$	16,753
	222.000.5207	PT Wages	\$	21,612.00

Total \$ 509,255.00

**Special Assessment Fund**

From	Unappropriated Special Assessment Fund			\$ 23
To:	322.000.5370	County Treasurer Fees	\$	23

Total: \$ 23

**Capital Improvement Fund**

From:	Unappropriated Capital Improvement Fund			16,800
To:	410.000.5350	Refunds and Reimbursements	\$	15,000
	410.321.5470	Capital Projects Special Events	\$	1,800

Total \$ 16,800

**Downtown Improvement Fund**

From:	Unappropriated Downtown Improvement Fund			\$ 325,000
To:	480.000.5401	Special Projects	\$	325,000

Total \$ 325,000

\$ 1,440,280.00

ORDINANCE NO. , 2020

AN ORDINANCE MODIFYING SECTION 132.14, *NOISE*, OF THE MONTGOMERY CODE OF ORDINANCES

**WHEREAS**, in a recent survey, residents of the community voiced their concerns regarding excess noise generated from construction activities, particularly as older properties are repurposed with new residential construction; and

**WHEREAS**, the Administrative staff has reviewed these concerns with the Police Department and surveyed surrounding communities to make a recommendation to the Planning, Zoning and Landmarks Committee of Council to update Section 132.14, *Noise*, of the Code of Ordinances to regulate the hours of construction and to set a more objective standard for determining when excess noise is spilling over from a property; and

**WHEREAS**, after Staff reviewed the recommended changes with the Planning, Zoning and Landmarks Committee of Council, the Committee endorsed the recommendations from Staff which are incorporated herein.

**NOW THEREFORE, BE IT ORDAINED** by the Council of the City of Montgomery, Hamilton County, Ohio, that:

**SECTION 1.** Section 132.14, *Noise*, of the Code of Ordinances shall be amended as follows:

There shall be added to subsection (A) entitled *Definitions* the following term:

***CONSTRUCTION WORK.*** Any type of work which requires a building and/or zoning permit.

**SECTION 2.** Existing subsection (C) of Section 132.14 is hereby revoked and deleted with the following subsection (C) to be substituted:

*(C) To mitigate excess noise, any Construction Work on a property within the City, whether residential or commercial, shall only occur between the hours of 7:00 AM and 9:00 PM, Monday through Friday, and between the hours of 9:00 AM and 8:00 PM on Saturdays and Sundays.*

**SECTION 3.** A new subsection (D) shall be added to Code Section 132.14 reading as follows:

*(D) No person shall generate or permit to be generated unreasonable noise or loud sound that is likely to cause inconvenience or annoyance to persons of ordinary sensibilities between the hours of 10:00 PM and 7:00 AM, by reason of a sound generating or sound amplifying device. Any such broadcast sound in excess of 60 decibels, as measured at a position or positions at the complaint's property line closest to the noise source or at a location along the boundary line from which the noise is being generated, shall presumptively be deemed unreasonable noise.*

**SECTION 4.** Previous subsection (D) of Section 132.14 shall now be subsection (E), and subsection (E) shall now become subsection (F), provided, however, that within the new subsection (E) the following exemptions shall be added:

*(6) Any aircraft operated in conformity with, or pursuant to, federal law, federal air regulations, and air traffic control instruction.*

*(7) Noises resulting from excavations, installation or repairs of public utilities, bridges, streets or highway by or on behalf of a public utility, the*

*City, County or State when public health, safety, welfare and convenience renders it impractical to perform such work during the hours of the day outlined in subsection (C) above for Construction Work.*

**SECTION 5.** Other parts or sections of Section 132.14, *Noise*, of the Code of Ordinances is hereby ratified and reaffirmed.

**SECTION 6.** All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.

**SECTION 7.** All sections, subsections, parts and provisions of this Ordinance are hereby declared to be independent sections, subsections, parts and provisions, and the holding of any section, subsection, part or provision to be unconstitutional, void or ineffective for any reason shall not affect or render invalid any other section, subsection, part or provision of this Ordinance.

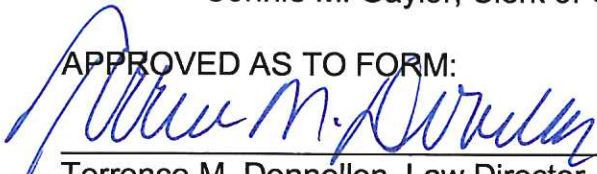
**SECTION 8.** This Ordinance shall take effect the earliest opportunity as allowable by law.

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
Connie M. Gaylor, Clerk of Council

  
\_\_\_\_\_  
Christopher P. Dobrozsi, Mayor

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Terrence M. Donnellon, Law Director

December 11, 2020

TO: Brian K. Riblet, City Manager

FROM: Tracy Henao, Assistant City Manager / Acting Community Development Director *JMH*

SUBJECT: Legislation Request for a Professional Services Contract with National Inspection Corporation

**Request**

It is necessary for City Council to adopt a Resolution to authorize the City Manager to enter into a contract with National Inspection Corporation to provide plan review and field inspection authority and services for the City's building department. It is anticipated that the City will spend more than fifty thousand (\$50,000) dollars with National Inspection Corporation during 2021 to provide professional building department services; consequently, a contract for these professional services is required.

**Financial Impact**

Funding for professional building department services is provided for in the 2021 operating budget in account "407" Development.

**Background**

The City has contracted for approximately 17 years with National Inspection Corporation to provide plan review and field inspection authority and services for the City's building department and the City continues to be very satisfied with their ability to perform each of these duties.

Attached is an updated agreement from National Inspection Corporation. In keeping with the commitment that National Inspection Corporation has made to the City the agreement for payment remains the same as in previous years, with National Inspection Corporation collecting ninety percent of all fees received less the administrative fees as are required to be paid to the Ohio Board of Building Standards.

## **Recommendation**

Staff recommends that the City continue the contractual relationship with National Inspection Corporation for plan review and field inspection authority and services for the City's building department. It is requested that City Council adopt legislation authorizing the City Manager to enter into a contract for those professional building department services that National Inspection Corporation is staffed to provide during 2021 based on the attached agreement.



RESOLUTION NO. , 2021

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO CONTRACT WITH NATIONAL INSPECTION CORPORATION FOR PROFESSIONAL SERVICES TO SERVE AS BUILDING OFFICIAL AND TO PROVIDE PLAN REVIEW AND FIELD INSPECTION AUTHORITY AND SERVICES FOR THE CITY'S BUILDING DEPARTMENT FOR THE CALENDAR YEAR 2021**

**WHEREAS**, Section 9.03 of Article IX of the Charter of the City of Montgomery, Ohio, provides the method under which the City Manager shall make certain purchases and enter into contracts on behalf of the City; and

**WHEREAS**, it is appropriate to provide contract authority for professional services that are generally not subject to competitive bidding but will exceed a total of \$50,000 in a calendar year; and

**WHEREAS**, it is the desire of the Council of the City of Montgomery to reaffirm the City's contract with National Inspection Corporation for calendar year 2021 to perform general building official and inspection services for the City.

**NOW THEREFORE, BE IT RESOLVED** by the Council of the City of Montgomery, Ohio:

**SECTION 1.** The City Manager is hereby authorized to contract with National Inspection Corporation for professional services to be provided to the City of Montgomery for calendar year 2021 according to the attached Agreement submitted by National Inspection Corporation attached hereto as Exhibit "A" and incorporated herein by reference.

**SECTION 2.** The City Manager is hereby authorized to pay National Inspection Corporation according to the rates set forth in said Agreement.

**SECTION 3.** This Resolution shall be in full force and effect from and after

its passage.

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
Connie Gaylor, Clerk of Council

\_\_\_\_\_  
Christopher P. Dobrozsi, Mayor

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Terrence M. Donnellon, Law Director

## AGREEMENT

THE CITY OF MONTGOMERY, OHIO, An Ohio municipal corporation, 10101 Montgomery Road, Montgomery Ohio 45242 (“Montgomery” or “City”), and NATIONAL INSPECTION CORPORATION, an Ohio corporation, 311 Regency Ridge, Dayton, Ohio 45459, (“NIC”), hereby enter into this Agreement upon the terms and conditions as set forth herein.

WHEREAS, the Montgomery Building Department has been certified by the State Of Ohio Board of Building Standards to exercise enforcement authority, accept and approve plans and specifications, and make inspections pursuant to sections 3781.10 and 3791.04 of the Ohio Revised Code; and

WHEREAS, Ohio law authorizes the City to contract with a third party to provide plan review and field inspection authority and services for the City’s Building Department; and

WHEREAS, Montgomery and NIC desire to enter into a contract for NIC to review and approve construction documents, provide building, heating, ventilation, air conditioning, electrical, and site inspection services to Montgomery, to exercise enforcement authority for plan review and inspections as set forth in this Agreement, to provide enforcement authority through NIC’s Certified Inspectors to assure compliance with the adopted Building Code of Montgomery and to provide Building Official and Plan Review services to the City of Montgomery; and

WHEREAS, the services to be performed by NIC are of a technical, non-competitive and professional nature, and the appropriate authority to execute this Agreement with NIC has been granted by the Council of the City of Montgomery;

NOW, THEREFORE, Montgomery and NIC agree as follows:

1. Montgomery and NIC agree that NIC shall exercise enforcement authority for inspections and approval of plans and specifications, issue plan and specification approval and make field inspections on behalf of Montgomery for enforcement of state and local building codes, including the Ohio Building Code and Ohio Residential Building Code, and such other regulations as Montgomery may adopt related to building construction (individually and collectively “Code”). NIC shall designate a person within NIC to serve as the Certified Building Official

for the City. Such authority conveyed to NIC by this Agreement shall be no more than the authority conveyed to Montgomery, Ohio by its building codes and by state law. The extension of this authority to NIC shall not authorize NIC to waive any requirements of the zoning or building codes on behalf of the City.

2. Inspections shall be performed on a daily basis during regular business hours, except for inspections that must be performed during hours of darkness or during commercial "shut-down" conditions. Plan review shall be completed within a reasonable period of time from receipt of such plans by the Montgomery Building Department. For 1, 2, and 3 family dwellings, such review shall typically be completed within two business days of receipt, and for all other plan reviews such review typically shall be completed within three to ten business days of receipt. Plans are to be submitted to Montgomery's office at its address as written above.

3. NIC agrees that inspectors will be available by telephone for citizen and contractor queries between 8:00am and 5:00pm, Monday through Friday with the exception of legal holidays. All NIC inspectors will maintain state certification as required by law. Plan review shall be performed by a Certified plans Examiner for all plans submitted for a permit under the requirements of the Ohio Building Code (OBC).

4. Montgomery has established a statutory permit fee schedule, as enumerated in the ordinances of Montgomery. A true copy of said ordinance is appended hereto as Exhibit "A" and incorporated by reference herein. Montgomery reserves the right to amend the fee schedule from time to time. Any such change which significantly impacts the compensation to be paid to NIC under the terms of this Agreement shall authorize NIC to terminate this Agreement upon sixty (60) days advanced written notice to the City.

In accordance with the schedule of fees adopted by Montgomery, commencing January 1, 2013 Montgomery shall pay NIC for services rendered ninety percent (90%) of all fees received by Montgomery pursuant to such ordinance. Net fees shall be the amount of the gross fees paid to the City, less such administrative fees as are required to be paid to the Ohio Board of Building Standards. Collection of permit fees shall be the sole responsibility of Montgomery. NIC shall invoice Montgomery monthly itemizing the project reviewed and fees due. Any other fees required to be collected with the building permit such as water, sewer or environmental impact fees shall be collected by

Montgomery and shall not be considered as a part of the net fee structure upon which NIC shall be compensated.

5. NIC shall indemnify, defend and hold harmless Montgomery, its officers, directors, agents and employees from and against any and all loss, liability, claim for personal injury, wrongful death or property loss, damages, and expenses including attorneys fees and litigation expenses resulting from the negligence of NIC, its agents or employees in connection with NIC's services and obligations provided for under this Agreement except to the extent such loss was caused by or resulted from the negligence of Montgomery. This obligation will survive the termination or expiration of this Agreement. To the extent permitted under any policy of liability insurance issued to the City or in accordance with the rules and regulations of any self insurance pool to which the City may belong, NIC shall be entitled to full participation with Montgomery in defense of any such claim. NIC further shall be required to carry a policy of general liability insurance and errors and omissions coverage with limits not less than \$1,000,000.00 per occurrence and \$1,000,000.00 aggregate. The City of Montgomery shall be named as an Additional Insured under such liability policy with the following language included in such Certificate of Coverage:

*THE FOLLOWING ARE Additional Insureds: the City of Montgomery, Ohio, its elected and appointed officials, all employees, agents, volunteers, all boards, commissions and board members, including employees, agents and volunteers of such boards and commissions. Coverage shall be primary to the Additional insureds and not contributing with any other insurance or similar protection available to the Additional Insureds whether other available coverage is primary, contributing, or excess*

Upon a request of Montgomery, NIC shall provide to Montgomery certificates evidencing said insurance coverage's, as well as a certificate evidencing worker's compensation coverage.

6. In addition to the general services outlined above, NIC agrees to furnish the following specific services to Montgomery:

a. Provide at its expense a toll free telephone number at its offices and make same available to the city of Montgomery, its general public, and all persons or entities having business with Montgomery which would be covered by this Agreement.

b. Upon request, advise applicants on Code requirements, but shall not perform design services for the completion of inadequate applications.

c. Perform job inspections of all work described on the application and plans, including the installation of equipment. Such service shall be provided promptly in the order received or scheduled without regard to type or extent of work, but within normal scheduling.

d. Prepare permits and certificates of approval when the installed work complies with all applicable regulations, ordinances, and statutes.

e. Except in those cases where NIC is called upon to assist the City in defense of any claim asserted by a third party against the City arising from any act or omission by NIC, upon request of the Montgomery Law Director, make itself reasonably available for and shall testify in any judicial proceeding or any formal or informal dispute resolution proceeding involving issues arising from the performance of the services herein described. After the first appearance on a specific case, NIC shall be paid \$100.00 per hour for the time any of its employees or principals shall take to fulfill the requirement as set forth in this section.

f. Provide utility companies with certificates of approval when necessary for the release of new services.

g. Provide emergency inspections as necessary at the request of other Montgomery Departments for which NIC shall be entitled to charge Montgomery \$75.00 per hour, port to port.

7. All documents, including applications, plan review, job progress reports and inspection reports shall remain the property of Montgomery.

8. This Agreement shall be effective January 1, 2021. This Agreement shall be renewable for continuing one-year terms unless terminated by either party with written notice directed to the other party sixty (60) days in advance of such renewal date. Either party may terminate this Agreement without cause with sixty (60) days notice to the other party after the first anniversary of this Agreement. While this agreement is in effect and for one year after termination, Montgomery will not offer employment to, nor solicit any employment

applications from employees, former employees or contractors of NIC who provided service to Montgomery under this or a predecessor Agreement.

9. All notices to be given by or to either party to this Agreement shall be sent U.S. Mail, Certified, return receipt requested to the address as is noted above or as it is duly noticed by either party. All such notices shall be effective as of the date received.

10. This Agreement shall be construed under and in accordance with the laws of the State of Ohio, and all obligations to the parties created under this Agreement are performable in Hamilton County, Ohio.

11. This Agreement shall be binding and inure to the benefit of the parties of this Agreement and their respective heirs, executors, administrators, legal representatives, successors and assigns as permitted by this Agreement.

12. If one or more of the provisions contained in this Agreement is held by a Court of competent jurisdiction to be invalid, illegal, or unenforceable in any respect, that invalidity, illegality or unenforceability shall not affect any other provision. This Agreement shall be construed as if the invalid, illegal, or unenforceable provision had never been contained in it.

13. This Agreement constitutes the sole and only agreement of the parties and supersedes any prior understandings or written or oral agreements between the parties respecting the subject matter of this Agreement.

14. This Agreement may not be assigned by either party without express written consent of the other party, which consent may not be unreasonably withheld.

**CITY OF MONTGOMERY, OHIO**

Date: \_\_\_\_\_

By: \_\_\_\_\_

Brian Riblet

Its: City Manager

**NATIONAL INSPECTION  
CORPORATION**

Date: 12/8/20 \_\_\_\_\_

By:  \_\_\_\_\_

Andrew McKenzie

Its: President

APPROVED AS TO FORM:

\_\_\_\_\_  
Terrence M. Donnellon  
Law Director for City of Montgomery



December 8, 2020

TO: Brian Riblet, City Manager  
FROM: Paul Wright, Fire Chief *Pew*  
SUBJECT: Legislation Request for the purchase of a Spartan/Summit Metro Star  
Rescue Pumper Fire Truck

Request

It is requested that City Council adopt a resolution authorizing the City Manager to enter into a contract with Summit Fire Apparatus and Custom Fabricators for the purchase of a Spartan/Summit Metro Star Rescue Pumper Fire Truck.

Background

The State of Ohio competitively bid the purchase of Fire Apparatus with a summary of those bid results made available to the City of Montgomery. This program provides information for the purchase of fire apparatus to local governments through a State Term Schedule (STS) available through the Cooperative Purchasing Program established as part of the State of Ohio bid with all vendors submitting bid proposals. The STS number for this contractor is #800350. The City of Montgomery has purchased vehicles through the Cooperative Purchasing Program in past years and this has proven to be a very economical and thorough process in which to replace vehicles in the City's fleet.

This proposed vehicle purchase was part of the 2020 Capital Improvement Program but due to COVID-19 the project was deferred to the following budget year of 2021. Funding for the project has been approved for \$805,000 in the 2021 Capital Improvement Program.

This apparatus is a replacement for the 2005 Rescue Pumper Fire Truck which currently serves the community. This vehicle's purpose is multi-disciplined as it is equipped to perform the following functions related to emergencies in the community: vehicle extrication; trench rescue; confined space rescue; high and low angle rope rescue; hazardous materials mitigation; fire suppression; water/ice rescue; emergency scene lighting and electrical power; property conservation; water evacuation; emergency medical services; and structural collapse stabilization. All these functions

require a plethora of equipment which is stored in various compartments on the apparatus.

The concept of the apparatus is to be self sufficient in the different disciplines for one hour while additional resources are brought to the scene by regional response teams such as the Hamilton County Urban Search and Rescue Team. The equipment carried compliments their equipment and techniques so that once they arrive on the scene, the USAR team can build onto the rescue system we have put into place. An example would be a construction worker trapped in a trench collapse. Our Rescue Pumper carries enough equipment to place two trench panels and air shores. This operation would take approximately one hour to perform for our duty crew. The Hamilton County USAR team averages a response of personnel and equipment in 45 - 60 minutes. Once they would arrive with their 45 personnel and tractor trailer of additional equipment, they can begin to assist us with placing additional trench panels and air shores as we work to extricate the trapped victim.

The mechanical condition of the existing Rescue Pumper is what you would expect of a 15-year-old vehicle. We are anticipating some major repairs to the engine and suspension of the vehicle which will be quite costly. With a new Rescue Pumper taking one year to build, our timing should be just about right to replace the vehicle before these costly repairs are needed. This is consistent with the industry standard for a department of our size which can expect 15 years of service from a Rescue Pumper.

The specifications for the new Rescue Pumper were created by a team within the Fire Department. They began to meet in the Spring of 2019 and developed the specification for the new vehicle over the next 10 months. The concept of the vehicle remained the same as the existing Rescue Pumper. They worked to see if a better design or other options were available to make modifications that would improve emergency scene operations. While the overall new specification remains pretty much the same as the existing apparatus, the team did incorporate some new ideas and capabilities into this new design.

Requests for Proposals (RFP) were sent out to a number of apparatus manufacturers which are part of the State of Ohio Term Schedule under the Cooperative Purchasing Program. Some of the manufacturers never responded to the RFP while others contacted us and opted not to submit an RFP. In the end we received two RFPs which only took minimal exceptions to our specifications. They were:

Johnson's Emergency Vehicle Solutions - \$699,935

Summit Fire Apparatus and Custom Fabricators - \$633,214

Staff recommends to purchase the Rescue Pumper Fire Truck from Summit Fire Apparatus due to the quality of their workmanship, price, and past experience with this manufacturer as they have built our existing Rescue Pumper as well as our existing

Fire Engine. Both vehicles have performed well over the years and the manufacturer has been very responsive for service and repairs.

Furthermore, staff would recommend a contingency of \$63,321 for unforeseen or unexpected circumstances which may occur during construction of the vehicle.

### Recommendation

Staff recommends that City Council adopt legislation authorizing the City Manager to enter into a contract with Summit Fire Apparatus and Custom Fabricators in Edgewood, Kentucky for the purchase of a Spartan/Summit Metro Star Rescue Pumper for the purchase price of \$696,535.

## BUILDER PROPOSAL

I, the undersigned, propose to furnish, sell, and deliver said Custom Rescue Pumper Fire Truck as set forth in the Contract Documents, and Specifications entitled:

### FOR THE PURCHASE OF A CUSTOM RESCUE PUMPER FIRE TRUCK

I further declare that I have carefully read and examined the Specification, General Conditions, Proposal Requirements, Contract Forms; and I understand the exact scope of the proposal.

In submitting this Proposal, I agree to furnish, sell and deliver said Custom Rescue Pumper Fire Truck as described in the Contract Documents for the amount below:

	YEAR	MAKE & MODEL	DESCRIPTION	PRICE
One (1)	2021	Spartan ER Star Pumper	Gladiator Chassis 1250 GPM Pump Rescue Body	\$ 699,935.
<b>TOTAL COST (F.O.B DELIVERY)</b>				\$ 699,935.

NUMBER OF CALANDER DAYS FOR DELIVERY FROM CONTRACT DATE 360 ~~calendar~~ calendar days

The undersigned agrees to furnish, sell, and deliver said Custom Rescue Pumper Fire Truck for the total cost as proposed on this form.

Contractor Johnson's EVS

Address 20213 State Route 93 Wellston, OH 45692

Telephone 937-703-5527

By [Signature] Steve Cole

Date 10/30/20

Title Sales Representative

# BUILDER PROPOSAL

I, the undersigned, propose to furnish, sell, and deliver said Custom Rescue Pumper Fire Truck as set forth in the Contract Documents, and Specifications entitled:

## FOR THE PURCHASE OF A CUSTOM RESCUE PUMPER FIRE TRUCK

I further declare that I have carefully read and examined the Specification, General Conditions, Proposal Requirements, Contract Forms; and I understand the exact scope of the proposal.

In submitting this Proposal, I agree to furnish, sell and deliver said Custom Rescue Pumper Fire Truck as described in the Contract Documents for the amount below:

YEAR	MAKE & MODEL	DESCRIPTION	PRICE
2022	Spartan/Summit Metro Star	Long Four Door Pumper/Rescue	\$ 633,214.00
TOTAL COST (F.O.B DELIVERY)			\$633,214.00

NUMBER OF CALANDER DAYS FOR DELIVERY FROM CONTRACT DATE 365

Our delivery can be affected by our suppliers ability to acquire their respective parts to produce their product. COVID and foreign trade activities can affect delivery.

The undersigned agrees to furnish, sell, and deliver said Custom Rescue Pumper Fire Truck for the total cost as proposed on this form.

Contractor Summit Fire Apparatus

Address 11 Sperti Drive, Edgewood, KY 41017-0128

Telephone (859) 331-0360

By *Joseph A. Mason*

Date 10/30/20

Title President

STATE OF OHIO  
DEPARTMENT OF ADMINISTRATIVE SERVICES  
GENERAL SERVICES DIVISION  
OFFICE OF PROCUREMENT SERVICES  
4200 SURFACE ROAD, COLUMBUS, OH 43228-1395

S & L GOVERNMENT PRICING SCHEDULE

SCHEDULE NUMBER: 800350

EFFECTIVE DATES: 05/07/2014 TO 04/30/2019  
Renewal through 04/30/2021

The Department of Administrative Services has completed the evaluation and analysis of the State Term Schedule (STS) offering submitted by the Contractor as listed herein. The Contractor listed herein has been determined to provide competitive, economical and reasonable pricing for the items contained in their offer. The respective offer, including the Standard Contract Terms & Conditions, any proposal amendment, special contract terms & conditions, specifications, pricing schedules and any attachments incorporated by reference and accepted by DAS become a part of this State Term Schedule.

This State Term Schedule is effective beginning and ending on the dates noted above unless, prior to the expiration date, the Schedule is renewed, terminated, or cancelled in accordance with the Standard Contract Terms and Conditions.

This State Term Schedule is available to all state agencies, state institutions of higher education and political subdivisions properly registered as members of the Cooperative Purchasing Program of the Department of Administration Services, as applicable.

Agencies are eligible to make purchases of the supplies and/or services in any amount and at any time as determined by the agency (see maximum order limit). The State makes no representation or guarantee that agencies will purchase the supplies and/or services approved in the State Term Schedule.

State agencies may make purchases under this State Term Schedule up to \$2500.00 using the state of Ohio payment card. Any purchases that exceed \$2500.00 will be made using the official state of Ohio purchase order (ADM-0523). Any non-state agency, institution of higher education or Cooperative Purchasing member will use forms applicable to their respective agency

This State Term Schedule and any Amendments thereto are available from the DAS website at the following address:  
<http://procure.ohio.gov>.

# Summit Fire Apparatus

## STATE TERM SCHEDULE

Index No. STS618

Eff. Date 05/01/2019

STATE OF OHIO  
DEPARTMENT OF ADMINISTRATIVE SERVICES  
GENERAL SERVICES DIVISION  
OFFICE OF PROCUREMENT SERVICES  
4200 SURFACE ROAD, COLUMBUS, OH 43228-1395

### CONTRACTOR, PRICES, TERM SCHEDULE, ETC.

#### Send Purchase Orders To:

#### Remit To:

#### OAKS Contract ID:

0000219613  
Summit Fire Apparatus  
11 Sperti Drive  
  
Edgewood, KY 41017

0000219613  
Summit Fire Apparatus  
P.O. Box 17128  
Edgewood, KY 41017

800350

#### **Contractor Contacts:**

Mr. Joe Messmer

Telephone: (800) 875-0360

Fax: (859) 331-0399

Email: [jmessmer@summitfireapparatus.com](mailto:jmessmer@summitfireapparatus.com)

#### Delivery:

See Notes Section

#### Terms:

Net 30 Days

**Basic Order Limitations** ( Agencies should contact Procurement Services when they expect to exceed the Maximum Order Limitation. )

Minimum: 1 Unit

Maximum: 2 Units

**APPROVED PRODUCTS/SERVICES:** Only those vendors, products, or services as listed in the price pages, approved by the Office of Procurement Services, may be purchased from this State Term Schedule. Any vendors, prices, terms, conditions, products or services not listed in the approve price sheets are outside the scope of this schedule.

**MANDATORY USE CONTRACTS:** All General Distribution Contracts (GDC), Limited Distribution Contracts (LDC), Multiple Award Contracts (MAC), and Request for Proposals (RFP) take precedence over this State Term Schedule (STS). This STS is only for governmental entities without a mandatory use contract.

**EXCLUDED ITEMS:** (State Agencies Only) in accordance with the Ohio Revised Code Section 5147.07, 125.60, through 125.6012, 5119.16 and 3304.28 through 3304.33 state agencies are required to purchase through Ohio Penal Industries (OPI); Community Rehabilitation Programs (CRP); Department of Mental Health and Addiction Services and Pharmacy Services (MHAS); and Opportunities for Ohioans with Disabilities (OOD). State agencies must obtain a waiver from OPI, CRP, DMHAS, Pharmacy Services, and/or OOD to procure from this schedule.

**SPECIAL NOTE:** The state of Ohio including but not limited to its agencies, boards, commissions, departments, state universities, state vocational schools, state community colleges of Ohio, and any entity authorized by law to use this State Term Schedule (STS) is not obligated to procure any products or services from this STS. This STS shall not be construed to prevent the state from purchasing products or services using other procurement methods as authorized by law.

**NOTICE TO CONTRACTOR / VENDOR:** It is the responsibility of the contractor's contact to maintain this State Term Schedule with current information. All updates i.e., telephone numbers, contact names, email addresses, tax identification number, prices, and catalogs etc., are required to be processed through the formal amendment authorization process which is initiated by way of a written request from the contractor's contact.

#### **UNSPSC CODES (OAKS Category ID) and Item Descriptions:**

All purchase orders placed against this contract shall use the following UNSPSC Codes when completing requisitions.

25101700 - Safety and rescue vehicles

**NOTES:**

Delivery can take 90 to 365 days depending on model.

1% discount on orders of 2 Units or more.

The current pricelist is dated January 2019 - February 2020.



**Dealer Index**

**Dealer Name & Address**

This Dealer does not accept POs  
Dill's Fire & Safety Equipment Co Inc.  
20214 SR 93  
Wellston, OH 45692



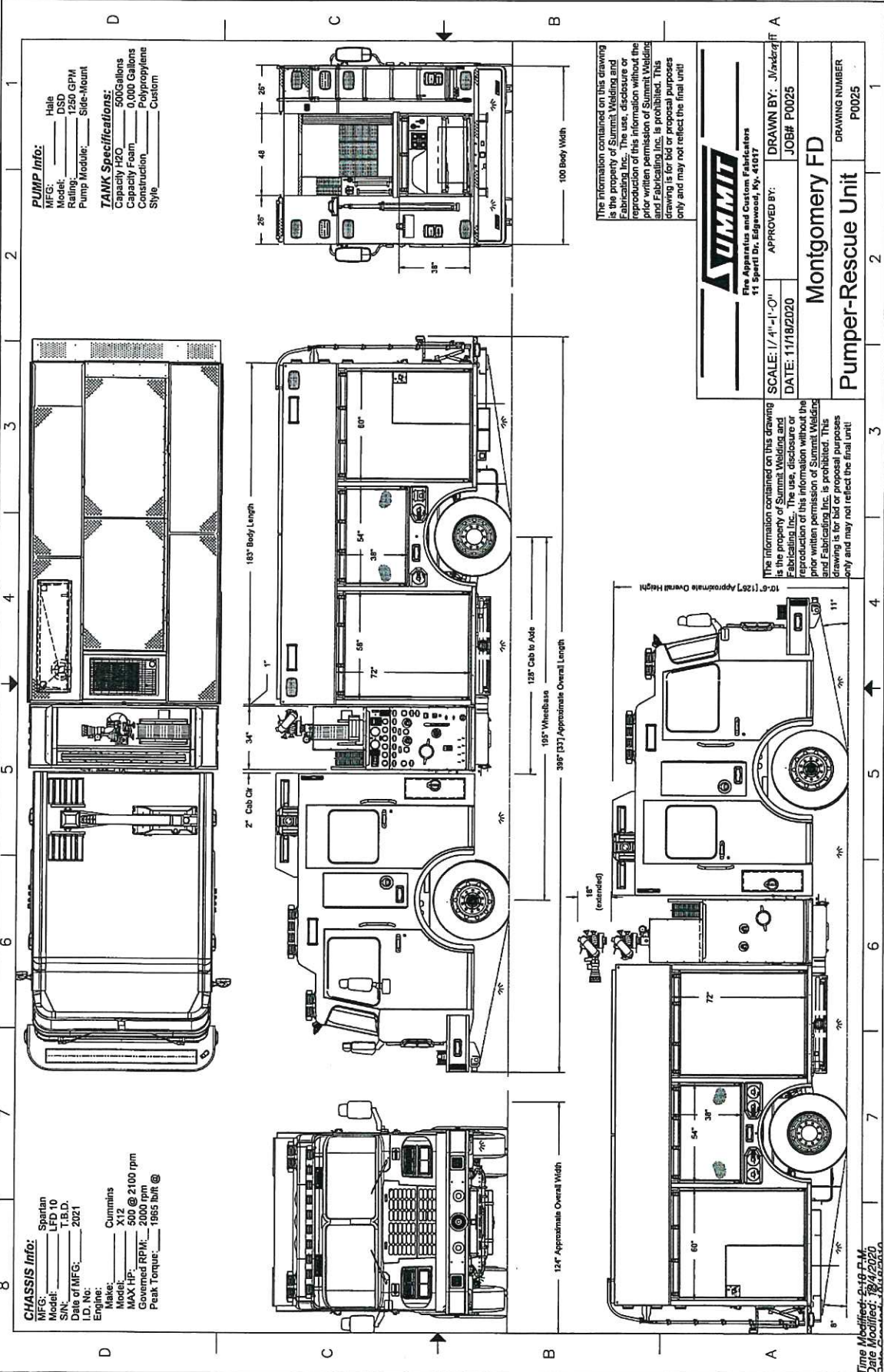
**Dealer's Contact:**

<b>Name</b>	<b>Phone</b>	<b>Fax</b>	<b>Email Address</b>
Mr. Tony Johnson	(740) 286-6107		tony@dillsfire.com

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**SUMMARY OF AMENDMENTS**

<b>Amendment Number</b>	<b>Revision Date</b>	<b>Description</b>
2	05/01/2019	This amendment is issued to notify that as a result of mutual agreement between the State of Ohio and the Contractor, this contract is renewed for an additional twenty-four (24) months, effective May 1, 2019 through April 30, 2021, and to notify of an updated pricelist dated January 2019, effective with all orders issued on or after May 1, 2019. Additionally, this amendment is to advise that pursuant to Ohio Revised Code 9.76(B), the Contractor warrants that the Contractor is not boycotting any jurisdiction with whom the State of Ohio can enjoy open trade, including Israel, and will not do so during the contract period.
1	01/07/2019	This amendment is issued to advise that this contract will not be renewed beyond the expiration date of April 30, 2019. Thereafter, the agency shall procure their needs for these supplies/services in accordance with Ohio Revised Code 125.05.



The information contained on this drawing is the property of Summit Welding and Fabricating, Inc. The use, disclosure or reproduction of this information without the prior written permission of Summit Welding and Fabricating, Inc. is prohibited. This drawing is for bid or proposal purposes only and may not reflect the final unit!



APPROVED BY: JVandegriff  
 DRAWN BY: JVandegriff  
 JOB# P0025  
 SCALE: 1/4" = 1'-0"  
 DATE: 11/18/2020  
**Montgomery FD**  
**Pumper-Rescue Unit**  
 DRAWING NUMBER  
 P0025

The information contained on this drawing is the property of Summit Welding and Fabricating, Inc. The use, disclosure or reproduction of this information without the prior written permission of Summit Welding and Fabricating, Inc. is prohibited. This drawing is for bid or proposal purposes only and may not reflect the final unit!

Time Modified: 9:49 P.M.  
 Date Modified: 11/14/2020  
 User: J.Vandegriff

RESOLUTION NO.           , 2021

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A  
CONTRACT WITH SUMMIT FIRE APPARATUS AND CUSTOM FABRICATORS  
FOR THE PURCHASE OF A 2022 SPARTAN/SUMMIT METRO STAR  
RESCUE PUMPER FIRE TRUCK**

**WHEREAS**, the Administration has determined that it is necessary to replace in service the Fire and EMS Department 2005 Rescue Pumper Fire Truck, and has appropriately budgeted for such replacement; and

**WHEREAS**, purchases of goods or services in excess of \$50,000 require Council approval and competitive bidding unless an exception is recognized; and

**WHEREAS**, state law allows an exception to competitive bidding if the purchase is made through the State of Ohio Cooperative Purchasing Program (“Ohio Cooperative Purchasing Program”); and

**WHEREAS**, the City of Montgomery is a participant in the Ohio Cooperative Purchasing Program; and

**WHEREAS**, the Ohio Cooperative Purchasing Program offers a Rescue Pumper Fire Truck which, after analysis by the Fire Department, meets the needs for its replacement vehicle; and

**WHEREAS**, the City has determined that separate bids for the purchase of a Rescue Pumper Fire Truck would exceed the price available through the Ohio Cooperative Purchasing Program.

**NOW THEREFORE, BE IT RESOLVED** by the Council of the City of Montgomery, Hamilton County, Ohio, that:

**SECTION 1.** The City Manager is hereby authorized to acquire from Summit Fire Apparatus and Custom Fabricators through the Ohio Cooperative Purchasing Program, State Term Schedule #800350, One (1) 2022 Spartan/Summit Metro Star Rescue Pumper Fire Truck in an amount not to exceed \$696,535.00 consistent with the specifications reviewed and approved by the Fire and EMS Department.

**SECTION 2.** This Resolution shall be in full force and effect from and after its passage.

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
Connie M. Gaylor, Clerk of Council

\_\_\_\_\_  
Christopher P. Dobrozsi, Mayor

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Terrence M. Donnellon, Law Director

December 11, 2020

TO: Montgomery City Council

FROM: Brian K. Riblet, City Manager *BKR*

SUBJECT: Legislation Request to Redirect certain TIF Service Payments as authorized in Amended Senate Bill #4

### Request

It is necessary for City Council to consider an Ordinance allowing the City of Montgomery to Redirect certain TIF Service Payments and adhering to all guidelines and criteria set forth in Amended Senate Bill #4

### Financial Impact

If approved, funds will be redirected from the Vintage Club TIF Fund (Budget Account 331-000) into a separately created account for a requested amount of \$500,000 which represents approximately 19% of the estimated \$2.6 million currently in this fund which was established in 2007 and includes the residential area of the Vintage Club as well as the Christ Hospital site. Funds redirected would be utilized for identified public safety and road maintenance projects in and around the Montgomery Quarter project site in FY 2021.

### Background

As a result of the State Emergency declared on March 9, 2020, Senate Bill #4 was Amended in part to assist political subdivisions by easing restrictions for competitive bidding for Personal Protective Equipment used to minimize exposure to COVID-19 and other hazards that cause workplace injuries and illness. In addition, Senate Bill #4 authorizes a municipality or township that has created a TIF to redirect for their 2020 and 2021 fiscal years, some service payments to fund public safety and road and bridge maintenance expenses. The diversion for FY 2021 may be up to 25% of the unencumbered balance on hand on the first day of that year plus 25% of collections during the year.

The estimated beginning balance for the Vintage Club TIF Fund for FY 2021 is \$2.6 million. Staff has identified public safety and road maintenance expenses in and around the Montgomery Quarter project site including but not limited to a curb cut

consolidation project on the west side of Montgomery Road across from the Montgomery Quarter, potential Duke Energy utility relocation and other road infrastructure improvements within the Montgomery Quarter.

The funds requested to be redirected from the Vintage Club TIF Fund in no way impacts our obligations to Sycamore Schools and Hamilton County as required by the current compensation agreements.

This item was discussed under "Other Business" at the December 7 Financial Planning Committee of Council.

### **Recommendation**

Staff recommends City Council adopt an Ordinance allowing the City of Montgomery to Redirect certain TIF Service Payments from the Vintage Club TIF Fund (Account 331-000) in the amount of \$500,000 to be used in FY 2021 for identified public safety and road maintenance expenses in and around the Montgomery Quarter project site. A separate account would be created, and any funds not utilized for the above-mentioned expenses would be reimbursed back to the Vintage Club TIF Fund (Account 331-000).



www.lsc.ohio.gov

# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

S.B. 4  
133<sup>rd</sup> General Assembly

## Bill Analysis

[Click here for S.B. 4's Fiscal Note](#)

**Version:** As Passed by the General Assembly

**Primary Sponsors:** Sens. Rulli and Kunze

**Effective date:** October 13, 2020

Megan Cummiskey, Assistant Director  
Office of Research and Drafting

UPDATED VERSION\*

## SUMMARY

### Capital appropriations

- Appropriates \$300 million in capital funding to the Facilities Construction Commission to support school facilities construction and authorizes the issuance of bonds in that amount.
- Appropriates \$255 million in capital funding to the to the Public Works Commission and authorizes the issuance of bonds totaling \$225 million.

### Transportation improvement districts

- Requires a transportation improvement district to comply with the state Prevailing Wage Law, unless the amount of state and local funds the district receives for the contract or project is less than statutory thresholds specified in the law.

### TIF service payments

- Allows municipalities and townships, through their 2021 fiscal year, to utilize some tax increment financing (TIF) service payments for public safety and road and bridge maintenance expenses unrelated to the TIF.
- Disallows diversion for any expense eligible to be paid from funding received from the federal Coronavirus Aid, Relief and Economic Security (CARES) Act.

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\* This version updates the effective date.



## Political subdivision competitive bidding for PPE

- During the period of the emergency declared by Executive Order 2020-01D, issued on March 9, 2020, exempts the purchase of personal protective equipment from competitive bidding requirements for counties, county hospitals, townships, villages, and municipal hospitals.

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## DETAILED ANALYSIS

### Capital appropriations

The act appropriates capital funding to two agencies, the Facilities Construction Commission (FCC) and the Public Works Commission (PWC), and authorizes the issuance of bonds to finance the appropriations.<sup>1</sup> Under the act:

- \$300 million is appropriated to the FCC for school building projects;
- \$255 million is appropriated to the PWC, as follows:
  - \$175 million, for local public infrastructure capital improvement projects;
  - \$42.5 million, for local capital improvement projects;
  - \$37.5 million, for conservation projects.

For more details, consult the Legislative Budget Office's [Fiscal Note for S.B. 4](#), as enacted.

### Transportation improvement districts

The act requires a transportation improvement district to comply with the state Prevailing Wage Law<sup>2</sup> unless the amount of state and local funds the district receives on the contract or project is less than the statutory thresholds specified in the law. Formerly, transportation improvement districts were exempt from the law, regardless of the amount of state or local funds received for a contract or project.<sup>3</sup>

For construction and reconstruction related to roads and bridges ("horizontal" improvements), the thresholds are adjusted biennially by the Director of Commerce. The current thresholds for horizontal projects are \$93,292 for new construction and \$27,950 for other construction. The threshold for all other new construction ("vertical" improvements) is \$250,000 and the threshold for reconstruction is \$75,000.<sup>4</sup> Therefore, under the act, a transportation improvement district must comply with the law only if the amount of state or

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<sup>1</sup> Sections 3 through 16.

<sup>2</sup> R.C. 4115.03 through 4115.16 and 4115.99, not in the act.

<sup>3</sup> R.C. 5540.03.

<sup>4</sup> R.C. 4115.03(B) and 4115.034, not in the act; and Department of Commerce – Division of Industrial Compliance, Prevailing Wage Threshold Levels, available [here](#).

local funds received for the construction exceeds these thresholds. In most other cases, the law applies when the total cost of the project exceeds the thresholds.

### **TIF service payments: public safety and road expenses**

The act authorizes municipalities and townships to temporarily divert some service payments they receive from tax increment financing (TIF) projects and use the diverted money to fund certain public safety and road and bridge maintenance expenses.

#### **Background**

Continuing law allows municipalities, townships, and counties to create a TIF to finance public infrastructure improvements. Through a TIF, the subdivision grants a real property tax exemption with respect to the incremental increase in the assessed value of designated parcels that are part of a development project. The owners of the parcels make annual payments in lieu of taxes to the subdivision equal to the amount of taxes that would otherwise have been paid with respect to the exempted improvements (“service payments”). TIFs thereby create a flow of revenue back to the subdivision that created the TIF, which generally uses those payments to pay the public infrastructure costs necessitated by the development project.<sup>5</sup>

#### **Temporary service payment diversion**

The act authorizes a municipality or township, but not a county, that has created a TIF to redirect, for their 2020 and 2021 fiscal years, some service payments to fund public safety and road and bridge maintenance expenses. For its FY 2020, a subdivision may divert up to 25% of the balance of unencumbered TIF service payments on hand on the act’s effective date, plus 25% of additional collections received during the remainder of that fiscal year. The diversion for its FY 2021 may be up to 25% of the unencumbered balance on hand on the first day of that year, plus 25% of additional collections during the year.

Any TIF service payments redirected in this manner may not be spent on public safety and road and bridge maintenance expenses that are eligible to be funded with federal Coronavirus Aid, Relief and Economic Security (CARES) Act funding; i.e., unbudgeted expenses directly related to the COVID-19 pandemic. Moreover, subdivisions must reimburse those diverted TIF funds before the TIF expires, but only to the extent the subdivision receives federal funds that may be used to pay such expenses.<sup>6</sup>

### **Political subdivision competitive bidding for PPE**

The bill allows certain political subdivisions subject to statutory competitive bidding requirements to purchase personal protective equipment (PPE) during the COVID-19-related emergency declared on March 9, 2020, without satisfying those requirements. This includes

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<sup>5</sup> R.C. 5709.40 to 5709.43, 5709.73 to 5709.75, and 5709.78 to 5709.81, not in the act.

<sup>6</sup> Section 17.

counties, county hospitals, townships, villages,<sup>7</sup> and municipal hospitals.<sup>8</sup> The bill also specifically authorizes charter counties to purchase PPE during the COVID-19-related emergency without using a competitive process, though charter counties may have applicable charter provisions that would prevail.<sup>9</sup>

The bill defines PPE as equipment worn to minimize exposure to hazards that cause workplace injuries and illnesses.

## HISTORY

Action	Date
Introduced	02-12-19
Reported, S. Finance	03-13-19
Passed Senate (31-0)	03-27-19
Reported, H. Primary and Secondary Education	05-08-19
Re-referred to H. Finance	05-14-19
Reported, H. Finance	05-30-19
Re-referred to H. Rules and Reference	07-23-19
Reported, H. Rules and Reference	06-11-20
Passed House (78-12)	06-11-20
Senate concurred in House amendments (21-10)	06-24-20

20-SB4-UPDATED-133/ks

<sup>7</sup> Villages that have a charter probably can establish in their charters a process that deviates from the statutory process, since purchase of goods is probably a matter of local self-government under the Home Rule Amendment. *Greater Cincinnati Plumbing Contractors' Ass'n v. City of Blue Ash*, 106 Ohio App.3d 608 (1<sup>st</sup> Dist., 1995). The charter provisions would prevail.

<sup>8</sup> R.C. 307.86, 339.05, 505.08, 731.14, and 749.37. These political subdivisions are subject to various competitive bidding requirements under Ohio law. For example, counties and county hospitals must use competitive bidding for purchases of more than \$50,000 (subject to numerous exceptions). R.C. 307.86 and 339.05.

<sup>9</sup> Section 18. See Ohio Constitution, Article X, Section 3.

**ORDINANCE NO.                   , 2020**

**AN ORDINANCE APPROPRIATING \$500,000 FROM THE VINTAGE CLUB TIF FUND FOR FISCAL YEAR 2021 AS AUTHORIZED BY AMENDED SENATE BILL #4**

**WHEREAS**, to address some of the devastating impact upon local government caused by the COVID-19 pandemic, the Ohio General Assembly has approved Amended Senate Bill #4 which specifically under Section 17 authorizes municipal corporations to appropriate and expend up to 25% of the unencumbered balance of a municipal Public Improvement Tax Increment Equivalent Fund in support of current public safety expenses and/or road and maintenance expenses; and

**WHEREAS**, commencing fiscal year 2021, it is expected that the Vintage Club TIF Fund will have an unencumbered balance of \$2,600,000, which in accordance with Amended Senate Bill #4 can be appropriated by the City to support public safety and road improvement projects; and

**WHEREAS**, it is not anticipated that any portion of the cost of the projects which include, but are not limited to, public safety and road improvements on Montgomery Road west of the Montgomery Quarter Project site and relocation of overhead utilities, for the safe and beneficial support of the Montgomery Quarter Project.

**NOW THEREFORE, BE IT ORDAINED** by the Council of the City of Montgomery, Hamilton County, Ohio, that:

**SECTION 1.** As authorized by Amended Senate Bill #4, Council does appropriate \$500,000 from the Vintage Club TIF Fund (Account 331-000) to be used in fiscal year 2021 for public safety and road maintenance expenses in and around the Montgomery Quarter Project site which include realignment of access drives to

Montgomery Road and relocation of overhead utilities in and around the Montgomery Quarter Project site, which not only benefit the Montgomery Quarter site, but are appropriate public safety expenses and road maintenance expense improvements.

**SECTION 2.** The Director of Finance is hereby authorized to establish an account necessary to hold these appropriated funds and to restrict expenditure from those funds consistent with the authority of this Ordinance and Amended Senate Bill #4 enacted in 2020.

**SECTION 3.** This Ordinance shall be in full force and effect from and after the earliest period allowable by law.

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
Connie M. Gaylor, Clerk of Council

\_\_\_\_\_  
Christopher P. Dobrozsi, Mayor

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Terrence M. Donnellon, Law Director

December 8, 2020

TO: Brian K. Riblet, City Manager

FROM: Tracy Roblero, Assistant City Manager/Acting Community Dev. Dir. *JMH*  
Gary Heitkamp, Public Works Director

SUBJECT: Legislation Request for a Professional Services Contract with CT  
Consultants, Inc. for 2021

### Request

It is necessary for City Council to consider a Resolution authorizing the City Manager to enter into a one-year contract with CT Consultants, Inc. for professional engineering services. It is anticipated that the City will spend more than fifty thousand (\$50,000) dollars with CT Consultants, Inc. during 2021 for various professional engineering services, thus a contract for these professional services is required.

### Financial Impact

If approved, funding for professional engineering and architectural services is provided in the 2021 operating budgets "303" Parks, "407" Development, "709" Public Works, and in the Capital Improvement Program's "261" Street Maintenance and Repairs.

### Background

The City has contracted for approximately 29 years with CT Consultants, Inc. (formerly CDS Associates, Inc.) to provide civil, traffic, structural, electrical, and storm water engineering and have been very satisfied with their ability to perform each of these engineering services.

Attached is the proposed 2021 fee schedule from CT Consultants, Inc. In keeping with the commitment that CT Consultants, Inc. has made to the City to provide professional engineering services at a reasonable cost, CT Consultants, Inc. has provided a competitive fee structure for 2021 that includes minor increases in their hourly fee schedule, averaging 2.5%.

As was provided in previous years, CT Consultants, Inc. has deleted the hourly rate line item for billing of the "Principal" from the fee schedule. If for any reason a Principal

Engineer provides engineering services during the contract year, that work will be billed at the hourly rate of a “Senior Project Engineer”.

### **Recommendation**

Staff recommends that the City continue the contractual relationship with CT Consultants, Inc. for professional engineering services. It is requested that the City Council adopt legislation authorizing the City Manager to enter into a contract for those professional engineering services that CT Consultants, Inc. is staffed to provide during 2021 based on the attached hourly fee schedule.

If there are any questions or concerns, please do not hesitate to contact me.

Enclosure

RESOLUTION NO. , 2021

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO  
A CONTRACT WITH CT CONSULTANTS, INC. FOR PROFESSIONAL SERVICES  
RELATED TO GENERAL ENGINEERING AND ARCHITECTURAL SERVICES  
FOR CALENDAR YEAR 2021**

**WHEREAS**, Section 9.03 of Article IX of the Charter of the City of Montgomery, Ohio, provides the method under which the City Manager shall make certain purchases and enter into contracts on behalf of the City; and

**WHEREAS**, it is appropriate to provide contract authority for professional services that are generally not subject to competitive bidding but will exceed a total of \$50,000 in a calendar year; and

**WHEREAS**, it is the desire of the Council of the City of Montgomery to enter into a contract with CT Consultants, Inc. for calendar year 2021 to perform general engineering and architectural services for the City.

**NOW THEREFORE, BE IT RESOLVED** by the Council of the City of Montgomery, Ohio:

**SECTION 1.** The City Manager is hereby authorized to enter into a contract with CT Consultants, Inc. for professional services to be provided to the City of Montgomery for calendar year 2021 according to the schedule submitted by CT Consultants, Inc., attached hereto as Exhibit "A" and incorporated herein by reference.

**SECTION 2.** The City Manager is hereby authorized to pay CT Consultants, Inc. according to the rates set forth in said schedule.

**SECTION 3.** This Resolution shall be in full force and effect from and after its passage.



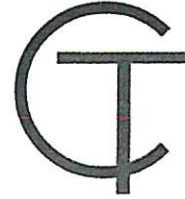
PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
Connie Gaylor, Clerk of Council

\_\_\_\_\_  
Christopher P. Dobrozsi, Mayor

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Terrence M. Donnellon, Law Director



**CITY OF MONTGOMERY**  
**2021 HOURLY FEE SCHEDULE**

<del>Principal Engineer</del>	<del>\$ 219.75</del>
Senior Engineer/Architect	169.00
Project Engineer/Architect	147.00
Engineer 2/Architect 2	123.50
Engineer 1/Architect 1	110.75
Designer 3	107.75
Designer 2	90.75
Engineer Intern	56.50
Survey Crew	154.00
Construction Rep 3	93.25
Technical Support	57.75

Expenses at Cost Plus 10%

CT CONSULTANTS, INC.

2021 MONTGOMERY FEE SCHEDULE

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City of Montgomery  
City Council Business Session Minutes  
December 2, 2020

Present

Brian Riblet, City Manager  
Terry Donnellon, Law Director  
John Crowell, Police Chief  
Gary Heitkamp, Public Works Director  
Tracy Roblero, Asst. City Manager/Acting Comm. Dev. Dir. - Phone  
Katie Smiddy, Finance Director  
Paul Wright, Fire Chief  
Connie Gaylor, Clerk of Council

City Council Members Present

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

City Council convened its Business Session for November 4, 2020 at 7:00 p.m. as a hybrid meeting at City Hall and also by telephone conference with Mayor Dobrozsi presiding. This remote access meeting was allowed by emergency legislation adopted by the Ohio General Assembly and approved by the Governor. The emergency legislation added language to RC Section 121.22 allowing public meetings by telephone conference during the current pandemic and declared State of Emergency. As required by the statute, notice of the telephonic meeting was publicized more than 24 hours in advance to allow public access through the same conference call in service. The public was also given a backup number to call in the event there were technical difficulties. This Notice was posted on the City's website and a similar Notice was sent to The Cincinnati Enquirer.

**ROLL CALL**

Mayor Dobrozsi asked for the roll to be called.

The roll was called with all members answering as present.

**SPECIAL PRESENTATION**

Mike Telljohann was presented with a Certificate of Appreciation as the Beautification and Tree Commissions Fall Seasons of Beauty Winner.

Ms. Roesch read the Certificate remotely and Mayor Dobrozsi presented the Certificate in person to Mr. Telljohann.

City Council expressed their gratitude for Mr. Telljohann efforts in not only maintaining the beauty of his property but for sharing his love of decorating for each season and holidays.

**GUESTS & RESIDENTS**

Mayor Dobrozsi asked that any guests on the phone line hold their comments until the end of the agenda. He asked to move Guests and Residents on the phone to the end of the meeting and allow any public participating in the call to speak at that time. He stated that comments will be allowed but asked that all questions be forwarded by email to City Manager Brian Riblet. He stated that all comments will be limited to three minutes in total.

Vice Mayor Margolis made a motion to move the Guests and Residents item to after item #10 on the agenda. Mr. Cappel seconded. City Council unanimously agreed.

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55 **LEGISLATION TO BE ADDED TO THE AGENDA**

56  
57 Mayor Dobrozsi stated that he would recuse himself from this piece of legislation as well as Pending Legislation  
58 item B and New Legislation Item A. Mayor Dobrozsi stated that like he has done with all legislation that relates to  
59 the development and roundabout that he will recuse himself from the discussion and vote on these pieces of  
60 legislation. He explained that although he has no ownership interest in Neyer Properties, Inc. nor any in the limited  
61 liability companies in partnership to develop the Montgomery Quarter, he will continue to recuse himself from  
62 discussion and abstain from voting upon legislation related to the Montgomery Quarter project. He asked Vice Mayor  
63 Margolis to take over the meeting.

64  
65 **An Ordinance Authorizing and Ratifying A Declaration of Covenants and Reservation of Public Easements**  
66 **and A Memorandum of Understanding for A Lease Within the Montgomery Quarter Project Site and**  
67 **Declaring an Emergency**

68  
69 Vice Mayor Margolis asked for a motion to add the legislation to the agenda.

70  
71 Mr. Cappel made a motion to add the legislation to the agenda for consideration this evening. Mrs. Harbison  
72 seconded. City Council unanimously agreed.

73  
74 Vice Mayor Margolis assigned the legislation to Mr. Suer.

75  
76 Mr. Suer moved to read the legislation by title only. Mr. Cappel seconded. City Council unanimously agreed.

77  
78 Mr. Suer read the title and moved for the suspension of the rules that require three separate readings of the Ordinance.

79  
80 Mrs. Harbison seconded.

81  
82 The roll was called and showed the following vote:

83  
84 AYE: Cappel, Bissmeyer, Roesch, Harbison, Suer, Margolis (6)  
85 NAY: (0)  
86 ABSTAIN: Dobrozsi (1)

87  
88 Mr. Suer moved passage of the legislation as an Emergency. Mr. Cappel seconded.

89  
90 Mr. Donnellon explained that as approved in the preceding CIC meeting, this Ordinance would provide for the  
91 approval and ratification of the Declaration of Covenants and Public Easements between the City, Developers and  
92 the MCIC for a lease for 30 years of a small portion of the plaza to enable the hotel to have private events that they  
93 can control and reserve on a restricted basis. He stated that staff is asking the legislation to be approved as an  
94 Ordinance because it relates to property rights and the document will be recorded. He added that we are asking that  
95 it be passed as an emergency as it is one of the final steps to moving the pricing of the bonds next week and  
96 completing the closing of the property which was done in escrow last week.

97  
98 Vice Mayor Margolis asked City Council if there were any questions. There were none.

99  
100 The roll was called and showed the following vote:

101  
102 AYE: Bissmeyer, Roesch, Harbison, Suer, Margolis, Cappel (6)  
103 NAY: (0)  
104 ABSTAIN: Dobrozsi (1)

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105 **PENDING LEGISLATION**

106  
107 **An Ordinance Modifying Section 132.14, Noise, of The Montgomery Code of Ordinances**

108  
109 Vice Mayor Margolis reminded Council this Ordinance was tabled at the October 21, 2020 Work Session. The  
110 legislation is anticipated to be added to the December 16, 2020 Work Session agenda.

111  
112 **An Ordinance to Make Appropriations for Current Expenses and Other Expenditures of The City of**  
113 **Montgomery, State of Ohio, During the Fiscal Year Ending December 31, 2021**

114  
115 Mr. Suer read the title of the Ordinance and moved passage of the third reading. Mrs. Harbison seconded. City  
116 Council unanimously agreed.

117  
118 Mr. Suer asked Ms. Smiddy if there were any updates.

119  
120 M. Smiddy replied that there was one update. She explained with the upcoming bond issuance for the Montgomery  
121 Quarter scheduled for later this month that there was a needed adjustment in the 2021 budgeted construction cost to  
122 coincide with the issuance of bonds. The increase of appropriation has been changed in Montgomery Quarter  
123 construction fund 464 to reflect the bond issue.

124  
125 Mr. Sue stated that this Ordinance would establish the budget for 2021. He explained this Ordinance was explained  
126 in September and reviewed for several months now.

127  
128 Vice Mayor Margolis asked City Council if there were any comments or questions. There were none.

129  
130 The roll was called and showed the following vote:

131  
132 AYE: Harbison, Roesch, Suer, Margolis, Cappel, Bissmeyer (6)  
133 NAY: (0)  
134 ABSTAIN: Dobrozsi (1)

135  
136 **NEW LEGISLATION**

137  
138 **A Resolution Adopting a Five-Year Capital Improvement Program for The City of Montgomery**

139  
140 Mr. Suer moved to read the Resolution by title only. Mr. Cappel seconded. City Council unanimously agreed.

141  
142 Mr. Suer read the title and moved for passage. Mr. Cappel seconded.

143  
144 Mr. Suer explained that information has been previously supplied on this legislation that, if passed, would adopt the  
145 City's proposed Five-Year Capital Improvement Program. This was reviewed by City Council as a companion piece  
146 to the proposed 2021 Operating and Capital Budget with Four Year Forecast and represents a comprehensive  
147 planning tool for capital investment in the community over the next five years.

148 Mayor Dobrozsi resumed the management of the meeting.

149  
150 Mr. Suer asked if there were any updates.

151  
152 Ms. Smiddy replied there were none.

153  
154 Mr. Suer asked City Council if there were any comments or questions. There were none.

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155 The roll was called and showed the following vote:

156  
157 AYE: Roesch, Suer, Margolis, Cappel, Bissmeyer, Harbison (6)  
158 NAY: (0)  
159 ABSTAIN: Dobrozsi (1)  
160

161 Mayor Dobrozsi regained control of the meeting.  
162

163 **A Resolution Authorizing an Amendment to The Current Contract with Donnellon, Donnellon and Miller for**  
164 **Legal Services to the City of Montgomery**  
165

166 Mrs. Harbison moved to read the Resolution by title only. Vice Mayor Margolis seconded. City Council unanimously  
167 agreed.  
168

169 Mrs. Harbison read the title and moved for passage. Mr. Cappel seconded.  
170

171 Mrs. Harbison explained that information has been previously supplied on this Resolution that , if approved, will  
172 authorize an amendment to the current contract with Donnellon, Donnellon and Miller for legal services to the City  
173 of Montgomery for the year 2021.  
174

175 Mrs. Harbison and City Council thanked Mr. Donnellon for his dedication and service to the City. They praised him  
176 for his role in bringing the Montgomery Quarter project to closure and the many hours (and years) that it took to get  
177 it there.  
178

179 The roll was called and showed the following vote:

180  
181 AYE: Roesch, Suer, Margolis, Cappel, Bissmeyer, Harbison, Dobrozsi (7)  
182 NAY: (0)  
183

184 **ADMINISTRATION REPORT**  
185

186 Mr. Riblet reported the following items:  
187

- 188 • City Council Work Session is scheduled for Wednesday, December 16.
- 189
- 190 • The Financial Planning Committee will meet on Monday, December 7 at 4:00 p.m. in a hybrid meeting via  
191 teleconference. The Law and Safety and Planning, Zoning and Landmarks Committees have cancelled their  
192 meetings for the month of December.
- 193
- 194 • The Government Affairs and the Public Works Committees will hold their meetings on Monday, December  
195 14 at 3:30 p.m. and 4:30 p.m. respectively as a hybrid meeting as well. The Parks and Recreation Committee  
196 has cancelled their meeting for December.
- 197
- 198 • As a reminder, the presentation of the Climb Awards will be aired on Channel 64 on Thursday, December  
199 17.  
200
- 201 • Dugan & Meyer has begun mobilizing at the MQ site with construction of the parking garages in Phase I of  
202 the Montgomery Quarter next week, weather permitting.

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- 203 • On the roundabout front, JRJ has installed both permanent and temporary asphalt base pavement in the  
204 location of the roundabout. The temporary pavement is to accommodate the traffic pattern for “Phase 3”  
205 work which will begin first thing Spring 2021.  
206
- 207 • The City was able to assist 25 small businesses in Montgomery through the Montgomery Small Business  
208 Relief Grant program totaling \$87,500. Staff has received numerous thank you emails and calls from those  
209 receiving assistance reaffirming a great use of CARES funds.  
210
- 211 • In addition, over the next few weeks the City will be utilizing CARES funds to install touchless faucets  
212 within City owned buildings, lodges, and parks.  
213
- 214 • Mr. Riblet provided an update on current open positions in the City, as follows:  
215
  - 216 ○ Community Development Director –a total of 31 applications have been received. These  
217 applications have been reviewed and 12 candidates have been identified for an initial screening  
218 interview in the upcoming weeks.
  - 219 ○ Communications and Engagement Coordinator –a total of 96 applications has been received. These  
220 applications have been reviewed and 18 candidates have been identified for an initial screening  
221 interview in the upcoming weeks.  
222
- 223
- 224 • Mr. Riblet provided an update to the Holiday in the Village event. He explained that due to the pandemic  
225 and out of safety for all who may attend, a brief tree lighting ceremony will be held at 5:00 p.m. which will  
226 be streamed on City’s Facebook account. He added that the coloring contest winner and her family would  
227 be there to flip the switch but that they would observe social distancing during this time.  
228

### **APPROVAL OF MINUTES**

230  
231 Mayor Dobrozsi asked for a motion to approve the November 18, 2020 Special Session and Work Session minutes  
232 as amended.  
233

234 Vice Mayor Margolis moved to approve the minutes as amended. Mrs. Harbison seconded. City Council  
235 unanimously agreed.  
236

### **MAYOR'S COURT REPORT**

237  
238  
239 Mayor Dobrozsi stated that there was Mayors Court collections in the amount of \$8,810 to be disbursed. He asked  
240 for a motion to accept the funds.  
241

242 Mrs. Harbison moved to accept the Mayors Court collections for the month of November in the amount of \$8,810.  
243 Mr. Cappel seconded. City Council unanimously agreed.  
244

### **OTHER BUSINESS**

245  
246  
247 Mrs. Harbison reported on the impending parole hearing of Mark Parrish, who was imprisoned for the attempted  
248 murder of Detective Don Jasper in 1995. She stated that on the Hamilton County Prosecutors website there was a  
249 portal in which individuals could submit requests regarding parole hearings. She encouraged everyone to submit  
250 their request for the denial of Mr. Parrish’s parole request.

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Mayor Dobrozsi informed City Council that he had received a notice that his current term as City Council's representative to the OKI Regional Council of Governments Board of Directors will expire in January 2021. He asked City Council if there was interest by another member to serve in this role. He stated he is happy to continue doing it but wanted to offer that opportunity to others to fill that role. He stated that he would need a motion by Council to serve in that role for another term.

Mrs. Harbison made a motion to nominate Mayor Dobrozsi as City Council's representative to the OKI Board of Directors. Mr. Suer seconded. City Council unanimously agreed.

**GUEST AND RESIDENTS**

Mayor Dobrozsi asked if there were residents on the call who would like to speak. He asked for them to state their name and address. He reminded callers to limit their comments to three minutes and to send all questions to Mr. Riblet for follow up after the meeting.

Roberto Rivera, 11936 Seventh Avenue, Sycamore Township-Mr. Rivera identified himself as being on the line.

Mayor Dobrozsi asked if there were any other guests on the phone line. There being no response, he closed the time for Guests and Residents.

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

Mr. Cappel made a motion to adjourn. Mr. Suer seconded. City Council unanimously agreed.

City Council adjourned at 7:39 p.m.

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Connie Gaylor, Clerk of Council