

1 City of Montgomery  
2 City Council Work Session Minutes  
3 September 12, 2018  
4

5 Present

6 Brian Riblet, City Manager  
7 Terry Donnellon, Law Director  
8 John Crowell, Police Chief  
9 Gary Heitkamp, Public Works Director  
10 Tracy Roblero, Community Development Director  
11 Katie Smiddy, Finance Director  
12 Paul Wright, Fire Chief  
13 Faith Lynch, Community Engagement Coordinator  
14 Frank Davis, Special Operations Coordinator  
15 Connie Gaylor, Clerk of Council  
16

City Council Members Present

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

17  
18 City Council convened in Council Chambers at 7:07 p.m. for the Work Session with Mayor Dobrozsi presiding.  
19

20 **ROLL CALL**

21  
22 Mayor Dobrozsi asked for a motion to dispense with the roll call since everyone was in attendance.  
23

24 Mr. Margolis moved to dispense with the roll call. Mr. Cappel seconded. City Council unanimously agreed.  
25

26 **SPECIAL PRESENTATION**

27  
28 Vice Mayor Roesch presented Melissa Goldstein of 10020 Trail Lane with a Certificate of Appreciation for being  
29 selected as the 2018 Summer Seasons of Beauty Winner by the City of Montgomery Beautification and Tree  
30 Commission.  
31

32 **GUEST AND RESIDENTS**

33  
34 Lennie DeMania, 14047 Bob White Court-Mrs. DeMania addressed City Council requesting a Resolution be passed  
35 to express opposition to the proposed Duke Energy Pipeline project. She stated that four other communities in  
36 Hamilton County have passed similar Resolutions including the City of Cincinnati. She referenced a recent  
37 newsletter from the organization NOPEcincy (Neighbors Opposing Pipeline Extension) outlining changes made in  
38 the proposed route. She explained to Council that there was a pipeline explosion on June 12 in West Virginia in  
39 which ten acres were destroyed. She expressed her frustration with City Council for allowing this project to go  
40 unopposed by the City.  
41

42 Mayor Dobrozsi explained that Council and staff are monitoring the progress of the proposed Resolution that is  
43 under review by the State Board at this time and will act accordingly when there are updates from the State.  
44

45 **LEGISLATION FOR CONSIDERATION THIS EVENING**

46  
47 **An Ordinance Rezoning A Portion of Land Along Montgomery Road North of Hopewell Road to Sterling  
48 Point Drive and From Deerfield Road North to Pfeiffer Road to The Residential C Single and Two-Family  
49 District**

50  
51 Mr. Margolis moved to read the Ordinance by title only. Mr. Cappel seconded. City Council unanimously agreed.  
52

53 Mr. Margolis read the Ordinance by title only and moved for passage of the first reading. Mr. Cappel seconded.  
54

55 Mr. Margolis explained that, if approved, this Ordinance would expand the Residential C District along  
56 Montgomery Road north of Hopewell Road to include other residential properties on both east and the west side  
57 which were not included in the separate Ordinance requesting approval of the application of the Robert Lucke Group

58 to rezone a portion of the properties in the same area for a Planned Unit Development. This Ordinance is being  
59 considered upon the recommendation of the Planning Commission to compile all properties within the area on both  
60 the east and west side from Deerfield Road to Pfeiffer Road, and from Sterling Point Drive to Hopewell Road within  
61 this same District.

62  
63 Mr. Margolis asked if there were any updates.

64  
65 Ms. Roblero stated there were none.

66  
67 Steve Silverman, 7504 Golf Green Drive- Mr. Silverman stated that it was his impression that the two Montgomery  
68 Road rezoning Ordinances were related. He stated that Mr. Lucke's original plat of the two family attached homes  
69 included a wall that served as a partition between Montgomery Road and the properties and that the Planning  
70 Commission denied this plan. He asked that consideration be given to create consistency between the two  
71 Ordinances.

72  
73 Ms. Roblero stated that Mr. Lucke was only been given approval on his general development plan and that he would  
74 have to submit a final development plan before any permits can be applied for and construction can begin.

75  
76 The roll was called for the passage of the first reading and showed the following vote:

77  
78 AYE: Cappel, Bissmeyer, Harbison, Dobrozsi, Roesch, Suer, Margolis (7)  
79 NAY: (0)  
80 ABSENT: (0)

81  
82 Mayor Dobrozsi stated that he is recusing himself from the discussion and vote regarding the next piece of  
83 legislation due to a possible conflict of past, present and future business relations with the applicant. He asked Vice  
84 Mayor Roesch to conduct the meeting during this time.

85  
86 Vice Mayor Roesch asked Mr. Margolis to proceed with the legislation.

87  
88 **An Ordinance Rezoning A Portion of Montgomery Road North of Hopewell Road to The Residential C Single  
89 and Two-Family District with A Planned Development Overlay**

90  
91 Mr. Margolis moved for passage of the Ordinance. Mr. Cappel seconded.

92  
93 Mr. Margolis explained that information has been previously supplied on this Ordinance that, if approved, will  
94 accept the recommendation of the Planning Commission to rezone multiple parcels along Montgomery Road north  
95 of Hopewell Road from Single Family Residential A to the Single Family Residential C District. This Ordinance  
96 also approves a Planned Development Overlay with certain conditions and exceptions as recommended by the  
97 Planning Commission, and approves the General Development Plan as submitted by the applicant, the Robert Lucke  
98 Group, Inc. This Ordinance will only take effect if approved at three successive readings and then thirty days after  
99 final approval.

100  
101 Mr. Donnellon stated that there was a slight amendment to the text in Section One that refers to the property as more  
102 fully "described" to be changed to "depicted". He stated that there would need to be a motion to amend the text.

103  
104 Mr. Margolis moved to amend the Ordinance to include the text amendment. Mr. Cappel seconded. City Council  
105 unanimously agreed.

106  
107 Mrs. Harbison asked Mr. Lucke if he planned to reach out to the other property owners that are on both ends of his  
108 project now that their properties will be included in the zoning.

110 Mr. Lucke stated that he has reached out to them but has not been successful in speaking with them.

111  
112 Mr. Suer commended Ms. Roblero for the excellent job she has done in providing a good understanding and  
113 rationale of the rezoning. He feels it makes sense for the property owners and the City.

114  
115 Steve Silverman, 7504 Golf Green Drive- Mr. Silverman reported that he polled the community through social  
116 media and received no negative comments regarding this issue. He asked if there were any intentions of removing  
117 the medians in front of these properties.

118  
119 Mr. Riblet replied that there were no intentions of removing the medians.

120  
121 The roll was called and showed the following vote:

122  
123 AYE: Bissmeyer, Harbison, Roesch, Suer, Margolis, Cappel (6)

124 NAY: (0)

125 RECUSAL: Dobrozsi (1)

126  
127 **ESTABLISHING AN AGENDA FOR OCTOBER 3, 2018**

128  
129 **PENDING LEGISLATION**

130  
131 **An Ordinance Establishing Regulations for Small Cell Facilities and Wireless Support Structures within the**  
132 **Right-of-Way**

133  
134 Mr. Donnellon updated City Council that staff received an notification from the Ohio Municipal League (OML)  
135 stating that the FCC (Federal Communications Commission) is considering a rule which would preempt HB48. He  
136 stated that the two big concerns were that it lifts the ability of the municipalities to have control over the aesthetics  
137 of the small cell antennae and it also raises a concern of when the State and federal government will stop superseding  
138 local control. He explained that the OML is requesting that all municipalities prepare a Letter of Opposition to be  
139 sent to the FCC to speak against the infringements.

140  
141 Mrs. Harbison made a motion to approve staff to send a Letter of Opposition to the FCC. Mrs. Bissmeyer seconded.  
142 City Council unanimously agreed.

143  
144 Steve Silverman, 7504 Golf Green Drive-Mr. Silverman stated that he has 23 years of experience in the  
145 telecommunications industry and has helped people lobby against these kinds of infringements. He stated that it  
146 would behoove the City to find out more. His understanding is it is for high speed data. He stated that the idea is to  
147 create competition between the providers.

148  
149 Mayor Dobrozsi stated that the third reading of this Ordinance would be at the October 3 Business Session.

150  
151 **NEW LEGISLATION**

152  
153 **An Ordinance Creating the GRA Tax Increment Financing Fund**

154  
155 Ms. Smiddy explained that, if approved, this Ordinance will establish the Gateway Redevelopment Area Tax  
156 Increment Financing Fund for receipt of tax increment financing collections, capitalized interest to support the initial  
157 operations of this fund, compensation payment to the Sycamore School District and Hamilton County, and the  
158 Gateway Redevelopment project debt service. While the TIF District is not yet established it is anticipated to be  
159 setup in 2019 and this Ordinance will allow for the fund to be established in the 2019 budget.

160  
161 Steve Silverman, 7504 Golf Green Drive-Mr. Silverman stated that funding of the GRA is a complicated process

162 and asked if there a plan to have a public presentation on how the funding works.

163

164 Mr. Donnellon explained that this Ordinance was to establish the budget lines in anticipation of funds. He stated  
165 that no agreements have been signed, however the intent is to include the lines in the 2019 Operating and Capital  
166 Budgets to be prepared.

167

168 Mr. Riblet stated that there will be additional Open Houses held regarding the GRA project as agreements are signed  
169 and the project moves forward.

170

171 Mr. Silverman asked the Mayor about his request made during the September 6, 2018 Budget Review meeting in  
172 which the Mayor asked about having a normalized budget amount sent to him by Ms. Smiddy.

173

174 Mayor Dobrozsi stated that a normalized amount would remove all Tax Increment Financing funds to reflect  
175 revenues and expenditures based on day-to-day operations and capital projects.

176

177 Mr. Margolis asked is this was public improvement funding only.

178

179 Mayor Dobrozsi replied that TIF funding is for public improvements or structures.

180

181 **An Ordinance Establishing the GRA Capital Construction Fund for Public Improvements in the Gateway**  
182 **Redevelopment Area**

183

184 Ms. Smiddy explained that, if approved, this Ordinance will establish the GRA Capital Construction Fund to account  
185 for the bond proceeds for the construction of public improvements for the Gateway project. As stated before, the  
186 creation of this fund is in anticipation of the creation of the TIF District in 2019 and this Ordinance will allow for  
187 the fund to be established in the 2019 budget.

188

189 **An Ordinance Establishing A Gateway Redevelopment Area Capital Construction Fund for The Interchange**  
190 **Modification Project**

191

192 Ms. Smiddy explained that, if approved, this Ordinance will establish a second capital construction fund for the  
193 GRA Intersection Modification Fund (RAB) for the purpose of accounting for various grant funds received and  
194 expended as part of the Gateway Redevelopment project.

195

196 **An Ordinance Creating the Vintage Club North Tax Increment Financing Fund**

197

198 Ms. Smiddy explained that, if approved, this Ordinance will establish the VC North Tax Increment Financing Fund  
199 (Fund 332), a debt service fund (TIF Fund) that will collect payments in lieu of taxes (PILOT), capitalized interest  
200 to support the initial operations of this fund, and issue compensation payment to the Sycamore School District and  
201 Hamilton County, and the Vintage Club North project debt service.

202

203 **An Ordinance to Make Appropriations for Current Expenses and Other Expenditures of the City of**  
204 **Montgomery, State of Ohio, During the Fiscal Year Ending December 31, 2019**

205

206 Ms. Smiddy explained that, if approved, this Ordinance will establish the City's budget for fiscal year 2019. These  
207 documents were presented to and reviewed with the Financial Planning Committee of City Council at their  
208 September 4 meeting. She stated that City Council conducted its formal review of the 2019 Operating and Capital  
209 Budget with Four Year Forecast and 2019-2023 Capital Improvement Program, on Thursday, September 6. As a  
210 result of these discussions, any changes to the budget will be forthcoming and will be presented to City Council in  
211 the packet for the October 3, Business Session.

212

213 Steve Silverman, 7504 Golf Green Drive- Mr. Silverman stated that he attended the September 6 Budget Review  
214 meeting and that the budget was presented very well in detail. He stated that it was a good opportunity to hear how

215 the money is being spent in the City. He stated that he posted a message on social media regarding the meeting and  
216 how fortunate the community is to have a staff that can present the budget to this detail. He thanked everyone for  
217 their efforts.

218  
219 **A Resolution Accepting the Amounts and Rates as Determined by the Budget Commission and Authorizing**  
220 **the Necessary Tax Levies and Certifying Them to the County Auditor**

221  
222 Ms. Smiddy explained that, if approved, this Resolution would accept the rates and amounts determined by the  
223 Hamilton County Budget Commission. As a State of Ohio taxing authority and pursuant to the Ohio Revised Code,  
224 the City is required to adopt an annual tax budget. City Council adopted the Tax Budget on July 18, 2018, and then  
225 submitted it to the Hamilton County Auditor for review by that office and the Hamilton County Budget Commission.  
226 Those reviews did not generate any questions and the proposed Tax Budget was accepted by the Budget Commission  
227 and Auditor. City Council is requested to act to accept the Budget Commission's rates and amounts, which would  
228 result in the estimated collections as specified in the City's 2019 Tax Budget. This action will then permit the  
229 Budget Commission to collect property taxes at the rates established for the upcoming year.

230  
231 **A Resolution Authorizing the City Manager to Enter into a Contract with Cargill, Inc. for the Purchase of**  
232 **De-Icing Rock Salt for the 2018-2019 Season**

233  
234 Mr. Heitkamp explained that, if approved, this Resolution will authorize the City Manager to enter into a contract  
235 with Cargill, Inc. pursuant to a joint purchasing bid with Hamilton County for 2018-2019 de-icing rock salt. The  
236 purchase of de-icing rock salt for the 2018-2019 winter season is included in the City budget in the 261.000.5380  
237 Street Maintenance, 266.000.5380 Permissive MVL Fund and 265.000.5380 State Highway Fund. It is requested  
238 to purchase 600 tons at \$78.46 per ton. The total cost for this contract shall not exceed \$47,076.00.

239  
240 Mr. Riblet praised the Public Works Department and City Council for the addition of the salt bin which allows for  
241 greater storage of salt that enables the City to purchase additional tonnage during lower cost time.

242  
243 Mr. Margolis asked what the capacity of the bin was.

244  
245 Mr. Heitkamp stated that there is currently 1,800 tons of salt stored, which fills the bin. He anticipates this amount  
246 could last through a standard winter, however by passing this legislation it provides for the additional amount in  
247 anticipation of a harsher winter or to replenish the stock.

248  
249 Steve Silverman, 7504 Golf Green Drive- Mr. Silverman asked if we have considered other man-made products  
250 and the effect that salt has on the roads.

251  
252 Mr. Heitkamp replied that we do use liquids such as salt brine and Ice B-Gone to maximize the effectiveness of the  
253 salt and to prevent deterioration of the roads.

254  
255 **A Resolution Authorizing an Intergovernmental Agreement between the City and the Hamilton County**  
256 **Transportation Improvement District**

257  
258 Mr. Riblet explained that, if approved, this Resolution would authorize an Intergovernmental Agreement between  
259 the City and the Hamilton County Transportation Improvement District. Upon application by the City to the  
260 Hamilton County Transportation Improvement District, the City was awarded a grant of up to \$250,000 to provide  
261 reimbursement for engineering and design support for the Montgomery Road/Ronald Reagan Interchange  
262 Improvements Project. This legislation authorizes the City Manager to execute an Intergovernmental Agreement  
263 with the HCTID to co-administer and co-manage the Project. The City may be eligible for additional funding in  
264 future fiscal years during the term of the Project.

265  
266 **A Resolution Authorizing a Contract with Dayton Mailing Services, Inc. D/B/A DMSink for Design and**  
267 **Production Services**

268

269 Ms. Lynch explained that, if approved, this Resolution would authorize the City Manager to enter into an agreement  
270 with DMS Ink for design, production, printing, and mailing of the monthly newsletter and annual calendar for  
271 2018-2019 for \$78,121.00. After reviewing several proposals, staff has recommended the work of DMS Ink as  
272 meeting the high professional quality demanded by the City at an effective price. Funds for these services are  
273 budgeted in 101.715.5390.

274  
275 Steve Silverman, 7504 Golf Green Drive-Mr. Silverman reported that he polled social media regarding the contract  
276 for these services. He acknowledged that DMSink was a woman owned company. He encouraged the City to  
277 support a minority bidding process.

278  
279 **A Resolution Encouraging Expanded Participation in the WeTHRIVE! Initiative**

280  
281 Ms. Gaylor explained that, if approved, this Resolution would allow for the addition of the Environmental Health  
282 pathway to be included into the City's WeTHRIVE! Initiative partnership with Hamilton County. She stated that  
283 this is a recommendation of the Environmental Advisory Commission (EAC) which was presented at the August  
284 13 Public Works Committee meeting. She stated that the EAC, Beautification and Tree, and Parks and Recreation  
285 Commissions already sponsor many programs and functions of this pathway.

286  
287 Mr. Cappel reported that while at the 2017 WeTHRIVE! Recognition Dinner there were other communities getting  
288 recognized for supporting this pathway performing many of the same functions that we already offer to the  
289 community. He feels like it is a natural progression for our WeTHRIVE! program.

290  
291 **ADMINISTRATION REPORT**

292  
293 1) Mr. Riblet, city manager, gave the following report

- 294
- 295 • City Council Business Session is scheduled for Wednesday, October 3 at 7:00 p.m.
  - 296
  - 297 • The Financial Planning and Planning, Zoning and Landmarks Committees of Council will meet on Monday,  
298 October 1 at 4:30 and 5:30 respectively. The Law and Safety Committee has cancelled their meeting for  
299 the month of October.
  - 300
  - 301 • The Finance Department is currently reviewing the RFP's for financial software and anticipates presenting  
302 their findings to the Financial Planning Committee in October.
  - 303
  - 304 • Chief Crowell and Mr. Riblet submitted all necessary documents to the Haverkamp Foundation requesting  
305 funds for the purchase of a canine unit and associated training in an amount totaling \$14,500. They  
306 conducted a conference call with Nancy Haverkamp yesterday and anticipate receiving notification if we're  
307 approved in the next week.
  - 308
  - 309 • A contract was signed with Construction Process Solutions (CPS) in the amount of \$21,888 to provide  
310 construction management services for the Vintage Club North Improvement project.
  - 311
  - 312 • As a reminder, the Montgomery Chamber of Commerce Hot Dog Luncheon is tomorrow at Neully-  
313 Plaisance Plaza from 11:30 a.m. to 1:00 p.m.
  - 314
  - 315 • The Montgomery Car Show will be held at the Montgomery Square Shopping Plaza on Saturday, September  
316 15, from 4:00 to 7:00 p.m.
  - 317
  - 318 • As a Save the Date, on December 14 the annual Holiday Luncheon will be held at Terwilliger's Lodge from  
319 11:00 a.m. to 1:00 p.m.
  - 320

- 321 • For planning purposes, staff has forwarded information regarding the 2019 Volunteer Appreciation Dinner  
322 which has been scheduled for Wednesday, April 24 at the Montgomery Inn. This date is consistent with  
323 the scheduling of this event on the last Wednesday in April each year.  
324

325 Mr. Riblet requested an Executive Session for matters related to Economic Development to consider confidential  
326 financial information.  
327

328 **CITY COUNCIL REPORT**

329  
330 Mr. Cappel reported that the EAC will hold the annual One Stop Drop recycling event on Saturday, September 15  
331 from 10:00 a.m. to 1:00 p.m. at the Public Works Facility. Goodwill Industries, Habitat for Humanity and Matthew  
332 25 Ministries are the participating vendors this year.  
333

334 **MINUTES**

335  
336 Mayor Dobrozsi explained that due to the back to back meetings, the minutes for the September 5, Public Hearing;  
337 September 5, Business Session; September 6 Budget Review meeting the minutes from these evenings meetings  
338 would all be presented with the October 3 Business Session packet.  
339

340 **OTHER BUSINESS**

341  
342 Mayor Dobrozsi stated that as Mr. Riblet had requested an Executive Session, he would need a motion to adjourn  
343 into Executive Session for matters related to Economic Development to consider confidential financial information.  
344

345 Mr. Cappel moved to adjourn into Executive Session for matters related to Economic Development. Mr. Margolis  
346 seconded.  
347

348 The roll was called:

349  
350 AYE: Cappel, Bissmeyer, Harbison, Dobrozsi, Roesch, Suer, Margolis (7)  
351 NAY: (0)  
352 ABSENT: (0)  
353

354 City Council adjourned into Executive Session at 8:15 p.m.  
355

356 City Council reconvened into Public Session at 10:15 p.m.  
357

358 Mayor Dobrozsi asked if there was any further business to discuss in Public Session. There being none, he asked  
359 for a motion to adjourn.  
360

361 Mr. Cappel moved to adjourn. Mrs. Bissmeyer seconded. City Council unanimously agreed.  
362

363 City Council adjourned at 10:15 p.m.  
364  
365  
366  
367  
368  
369  
370  
371



Connie Gaylor, Clerk of Council