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City of Montgomery
City Council Work Session Minutes
March 20, 2019

Present

Brian Riblet, City Manager
Terry Donnellon, Law Director
John Crowell, Police Chief
Gary Heitkamp, Public Works Director
Tracy Roblero, Community Development Director
Katie Smiddy, Finance Director
Matthew Vanderhorst, Community and Information Services Director
Paul Wright, Fire Chief
Faith Lynch, Community Engagement Coordinator
Connie Gaylor, Clerk of Council

City Council Members Present

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

City Council Member Absent

Gerri Harbison

City Council convened in Council Chambers for the Work Session at 7:00 p.m. with Mayor Dobrozsi presiding.

ROLL CALL

Mayor Dobrozsi asked for a motion to excuse Mrs. Harbison's absence due to a medical procedure. Mr. Margolis made a motion to excuse Mrs. Harbison's absence. Mr. Cappel seconded. City Council unanimously agreed.

The roll was called and showed the following vote:

AYE: Cappel, Bissmeyer, Dobrozsi, Roesch, Suer, Margolis	(6)
NAY:	(0)
ABSENT: Harbison	(1)

SPECIAL PRESENTATIONS

Nancy Haverkamp of the Haverkamp Foundation, along with Jeanette Altenau of TriHealth, were both presented with a Certificate of Appreciation for their financial support of the addition of the new K9 Unit to the Montgomery Police Department.

Chief Crowell introduced Officer Alex Janszen and the new K9 Ricky, a two-year-old Belgium Malinois, both of whom make up the City's new K9 unit. Chief Crowell provided background on the process of requesting and receiving funding for the K9 unit. He thanked Nancy Haverkamp of the Haverkamp Foundation, as well as Jeanette Altenau of TriHealth for their financial support that enabled the City to create the first-ever K9 unit in the City. Chief Crowell stated that Ricky is already in high demand for events and has assisted on police investigations since his active duty began in January.

Officer Janszen thanked Chief Crowell, Assistant Chief Vonden Benken, City Manager Brian Riblet, and City Council for their trust and support in him as the K9 handler. Officer Janszen thanked his family for their support and special thank you to Nancy Haverkamp and Jeanette Altenau for the funding of this new unit.

Mr. Riblet ceremoniously presented Officer Janszen a badge for Ricky and thanked the Haverkamp Foundation and TriHealth for their ongoing efforts in providing K9 dogs to five area police departments, including the City. Mr. Riblet thanked Officer Janszen for his diligence and passion in making the addition of the K9 unit a reality. Mr. Riblet stated that he felt that Officer Janszen and Ricky would make a great impact in the city.

Mayor Dobrozsi presented Nancy Haverkamp and Jeanette Altenau with Certificates of Appreciation in honor of their generosity and commitment to the safety of the community. Mayor Dobrozsi also thanked Officer Janszen and his wife, Katie, for their commitment to having a K9 as it is a full family commitment.

City Council all shared their thanks and excitement for the addition of the K9 unit.

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GUESTS AND RESIDENTS

Toni Lehmkuhl, 9853 Knollbrook Terrace- Mrs. Lehmkuhl congratulated staff and City Council for the addition of a K9 unit and shared that she thought it would be great to have Ricky make an appearance at Safety Village.

Steve Silverman, 7504 Golf Green Drive-Mr. Silverman shared with City Council his experience at a recent Planning Commission meeting at which time the Montgomery Quarter was an agenda topic. He stated that he feels the Montgomery Quarter is the largest development project in the history of Montgomery. He spoke about the amount of time that the Law Director was spending on the development and a preferred developer agreement. Mr. Silverman displayed a drawing that, in his opinion, was the information the Commission was supplied with in order to decide. He stated that he received an email from the Community Development Director that was a one-page document used to present to the Commission. He stated that Ms. Roblero did make a very detailed presentation. Mr. Silverman stated that he didn't see any Council members at the meeting.

Mr. Margolis stated that he was there.

Mr. Silverman asked Mr. Margolis to not interrupt him. Mr. Silverman stated that it was an embarrassment to the city. Mr. Silverman then stated that he understood afterwards that Mr. Margolis was sitting in the back of the room. Mr. Silverman stated that the presentation of the Montgomery Quarter renderings did not indicate the transition of the historic district to the development. Mr. Silverman stated that there was controversy over Brandicorp taking over the Vintage Club North development project. He advised Council that they should be concerned with the quality of Brandicorp as they have no obligation to meet with the community. He stated that City Council needs to take a higher interest.

Mayor Dobrozsi replied to Mr. Silverman and thanked him for his concern. Mayor Dobrozsi stated that City Council and staff have been working on this project for a very long time and it is a huge project for the City. He stated that this has been discussed many times, at many meetings. He stated that this is just the start of the approval process and that the meeting that Mr. Silverman is referring to is just one of the meetings. He stated there would be a lengthy approval process before the project does move forward.

ESTABLISHING AN AGENDA FOR APRIL 3, 2019

Pending Legislation

An Ordinance Accepting Dedicated Right-of-Way Along Kennedy Lane—(2nd reading)

Mr. Cappel stated that this would be the second reading of this Ordinance that, if approved, will accept a strip of land on the north edge of Kennedy Lane which was dedicated at the time the subdivision was platted many years ago, but was never accepted by the City. Acceptance of this property will allow the City to proceed with the sidewalk construction project along Kennedy Lane in cooperation with Sycamore Township.

Mr. Cappel asked if there were any updates.

Mr. Donnellon replied there were none.

New Legislation

A Resolution Authorizing A Contract with Dynegy Energy Services East, LLC

Ms. Smiddy explained that this Resolution, if approved, will authorize the City Manager to sign a contract with Dynegy Energy Services East, LLC to continue to provide electrical service to City of Montgomery facilities. In November of 2015, the City signed a three-year agreement with Dynegy Energy Services as electric supplier

111 beginning January 1, 2016 and ending December 31, 2018. Staff solicited quotes for electric supply for one, two-
112 and three-year terms and recommend contracting with Dynegy Energy Services East for a three (3) year period
113 beginning May 1, 2019 and ending April 30, 2021.

114
115 Mr. Cappel asked if this service included green energy or energy in general.

116
117 Ms. Smiddy replied that at this time there is not a good source of green energy that could be provided to the City.

118
119 Mr. Suer stated that this is another good example of the City's efforts in cost savings.

120
121 Steve Silverman, 7504 Golf Green Drive-Mr. Silverman stated that several communities sign agreements that allow
122 residents to contract with the provider as part of the contract. He asked under what circumstances Council would
123 consider that.

124
125 Mr. Riblet replied to Mr. Silverman that this type of an agreement is a different type of service and that he would
126 be happy to follow up with Mr. Silverman about that.

127
128 **A Resolution Accepting a Bid and Authorizing the City Manager to enter into a Contract with Rack &**
129 **Ballauer Co., Inc. for the 2019 Street Resurfacing Program**

130
131 Mr. Heitkamp explained that this Resolution, if approved, will authorize the City Manager to enter into a contract
132 with Rack & Ballauer Co., Inc. for the annual Street Resurfacing Program. This year's 2019 Street Resurfacing
133 Program includes resurfacing 1.76 centerline miles of roadways. The street resurfacing program is programmed in
134 the 2019 Capital Improvement Program 410-261-5470 account. It is requested that this project be approved for
135 funding in the amount of \$846,850.30 to complete the Base Bid and Alternate #1. The amount of the
136 recommendation includes \$12,515.03 in project contingency funding or approximately 1.5% of the bid amount.

137
138 Mr. Heitkamp added that included in City Council's packet was a bid tabulation that reflected the detailed bids from
139 the four companies that participated. He stated that Rack & Ballauer were the lowest bid.

140
141 Vice Mayor Roesch stated that she was not familiar with Rack & Ballauer and asked if we knew of their credentials.

142
143 Mr. Heitkamp replied that they were in fact the company that installed the water mains in Wellerwoods subdivision.
144 He explained that they have expanded their business to include paving by recruiting employees from other reputable
145 paving companies and purchasing the needed equipment to complete the project. He stated that he felt they did good
146 work, but that he would make sure to cover important aspects of the paving project with them at their pre-
147 construction meeting.

148
149 Mr. Suer stated that this contract will be the test of their performance. He also stated that the City's approach to the
150 cycle of paving has been very beneficial and saved the City money by being able to have an annual program. He
151 stated that many communities do not have the resources to do that.

152
153 Steve Silverman, 7504 Golf Green Drive-Mr. Silverman stated that the public works department does a diligent job
154 of maintaining the paving process. He stated the program gives a lot of attention to the maintenance of the roads.
155 Mr. Silverman stated that since this is a new supplier and that they have acquired new employees and equipment,
156 that a quality assurance meeting should be held by staff and that Mr. Heitkamp should do a review of their
157 equipment.

158
159 **A Resolution Giving Consent to The Director of Transportation to Replace Barriers and Add A Sidewalk to**
160 **Bridge Ham-275-3188 (Cornell Rd. Over I-275), Replace the Deck of Bridge Ham-275-3270 (Weller Road**
161 **Over I-275) and Incorporate a Sidewalk**

162

163 Mr. Heitkamp explained that this Resolution, if approved, will grant consent to the Director of Transportation of
164 the Ohio Department of Transportation to complete the project known as the HAM-275-31.88/32.70 Project, PID
165 No. 100808, Agreement No. 33052. This project involves replacing barriers and adding a sidewalk to bridge HAM-
166 275-31.88 located on Cornell Road crossing over I-275 and also replacing the deck of bridge and adding a sidewalk
167 to bridge HAM-275-3270 located on Weller Road crossing over I-275. The State of Ohio will provide 100% of the
168 eligible cost of the project, which will be funded with Federal and State Safety funds.

169
170 Mr. Cappel asked when this project was initiated.

171
172 Mr. Heitkamp replied that when the City installed sidewalks on Cornell Road up to the bridge. This project will
173 complete the sidewalk to this bridge connection.

174
175 Mr. Riblet stated that at one time we had 70 thousand dollars budgeted for this project, but after working with
176 ODOT, they agreed to incorporate this into their bridge maintenance plan.

177
178 Mr. Cappel asked if it was completely paid for by the State.

179
180 Mr. Heitkamp replied that it was.

181
182 Mr. Suer asked what the timeline was for the work.

183
184 Mr. Heitkamp stated that the project will be a 2022 ODOT project as the project still has to go through the design
185 process. He explained that this Resolution was a housekeeping measure to give consent prior to the actual design
186 work beginning.

187
188 Mr. Suer asked if traffic will be maintained.

189
190 Mr. Heitkamp stated that yes, in preliminary plans it was discussed to maintain traffic

191
192 Mr. Margolis asked if ODOT will make the connection to the sidewalk and the City will not be responsible.

193
194 Mr. Heitkamp replied that it was the responsibility of ODOT within the scope of the project.

195
196 Mrs. Bissmeyer asked if they consider working around the school schedule.

197
198 Mr. Heitkamp stated that is it something that is usually considered, but that he would be sure to advocate for the
199 consideration of the school schedule.

200
201 Mayor Dobrozsi asked if this included bridge decks.

202
203 Mr. Heitkamp replied that on Weller Road it does include deck replacement but not on Cornell.

204
205 Steve Silverman, 7504 Golf Green Road- Mr. Silverman stated his concern for having sidewalks to help with safety.
206 He asked if a presentation had been made to the School regarding the construction. He asked if the public works
207 department would be issuing communication regarding this project.

208
209 Mr. Heitkamp replied that he is not aware of the school being involved at this time since the design has not begun.
210 He stated that the school would be included in the coordination as the project grew closer.

211
212 Mayor Dobrozsi stated that staff and Council representatives meet with the school on a quarterly basis to review
213 these types of projects.

214

215 **An Ordinance Authorizing the City Manager to Dedicate Certain Portions of City Owned Property as Right-**
216 **of-Way for the Ronald Reagan Highway/Montgomery Road Interchange Modification**
217

218 Mr. Riblet explained that this Ordinance, if approved, will dedicate approximately 0.3661 acres upon property
219 owned by the City of Montgomery as additional right-of-way to support the Ronald Reagan Highway/Montgomery
220 Road Interchange Modification Project (round-a-bout). This land is currently owned by the City and runs along
221 Montgomery Road through Main Street on the eastern border of the project.
222

223 Steve Silverman, 7504 Golf Green Road- Mr. Silverman asked if this new legislation was a variance.
224

225 Mr. Riblet stated that this Ordinance was required by ODOT to ensure that a right-of-way was in place.
226

227 Mr. Silverman asked if Montgomery still owned the land and who owned the portion of Ronald Reagan in this area.
228

229 Mr. Riblet replied that Montgomery would still own the property but would dedicate it as right of way. He stated
230 that Sycamore Township owned the portion on Ronald Reagan.
231

232 **A Resolution Authorizing Membership in The Houston-Galveston Area Council Cooperative Purchasing**
233 **Program**
234

235 Ms. Smiddy explained that this Resolution, if approved, will allow the City to join the Houston-Galveston Area
236 Council to participate in their Cooperative Purchasing Program. The Houston-Galveston Area Council (HGAC)
237 has operated a government-to-government procurement service on a nationwide basis for more than thirty (30)
238 years. The Administration has researched the benefits in joining the Houston-Galveston Area Council and
239 recognized that the City may join the Houston-Galveston Area Council to take advantage of the Joint Purchasing
240 Program to provide significant cost savings to the City in obtaining necessary goods and services.
241

242 Ms. Smiddy further stated that it is budgeted for the Fire Department to replace their Self-Contained Breathing
243 Apparatus in the 2019 budget. She explained that membership in this program would allow the City to purchase
244 off of this agreement and share in the cost savings of this equipment and others. She added that there is no cost to
245 be a member.
246

247 Mr. Cappel asked that if we were not a member of this program, would we have to issue a bid for this equipment.
248

249 Ms. Smiddy replied that we would.
250

251 Mrs. Bismeyer asked if we were to look for additional equipment would we automatically go to the HGAC.
252

253 Ms. Smiddy replied that we would check both the State of Ohio and this program.
254

255 Mr. Suer stated he thought it was a good deal and would provide us with more options.
256

257 Steve Silverman, 7504 Golf Green Road- Mr. Silverman asked if this was the first year for this and how many
258 members it had.
259

260 Ms. Smiddy replied that it was the first year for the City to be a member. She stated that they have approximately
261 7,200 members.
262

263 Mr. Silverman stated that he has experience in forming a cooperative agreement. He stated that an attorney needs
264 to review this to see if a consortium doesn't represent a significant amount of buying. He stated if they do, then they
265 tend to set the price. He recommended an anti-trust review of the consortium.
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267 **ADMINISTRATION REPORT**

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Mr. Riblet, City Manager, gave the following report:

- The City Council Business Session is scheduled for April 3 immediately following a Public Hearing scheduled for 6:30 p.m. to hear a recommendation from the Planning Commission to consider the expansion of a conditional use and Final Development Plan from The Church of the Saviour to allow the building at 8003 Pfeiffer Road to be used as a Ministry Center.
- The Financial Planning Committee will meet on Monday, April 1 at 4:30 p.m. The Law and Safety and Planning, Zoning and Landmarks Committees have cancelled their meeting for the month of April.
- The Parks and Recreation and Government Affairs Committees will meet on Monday, April 8 at 3:30 and 4:30 p.m., respectively. The Public Works Committee has cancelled their meeting for the month of April.
- It is time to look to schedule Boards and Commission Chair Updates with City Council. The following dates are proposed to hold updates if agreeable with City Council.
 - April 17 – (2) 6:00 & 6:15.
 - May 22- (4) 6:00 to 7:00
 - June 5- (4) 6:00 to 7:00

City Council was agreeable on the proposed meeting dates and times and advised Ms. Gaylor to proceed with scheduling the updates.

- The Planning Commission met on Monday evening to consider two applications. The first application was from Brandicorp for a Final Development Site Plan for building architecture for Building A at the Vintage Club. After hearing the presentation and comments from guests and residents, the Planning Commission voted to approve the application in a unanimous vote. The second application was from Gateway Partners for General Development Site Plan approval for Phase I of the Montgomery Quarter project. After hearing presentations, considering comments from adjacent property owners and much discussion, the Planning Commission voted to approve the General Development Plan with conditions in a 4-1 vote.
- The Montgomery Road Phase 1, Water Main Replacement and Kennedy Lane Sidewalk projects will both be advertised for bid on Friday, with bid openings scheduled for Friday, April 5.
- On Monday, March 25, the Mayor and staff will attend the Hamilton County Transportation Improvement District meeting to provide an update on the Roundabout and Montgomery Quarter projects and to express our interest in submitting for another round of potential TID funding.
- A contract was completed this week with Brian Christian Landscaping and Lawn Care for mowing services throughout the City in the amount of \$49,999. This contract will provide for 26 mowing cycles throughout the 2019 mowing season. (\$1923.00 per cycle).
- Amy Smith was hired as the new police clerk. Her first day will be Monday, March 25. Ms. Smith is currently a police clerk with the City of Sharonville and formerly was a Cincinnati police officer.
- The hiring team of Matthew Vanderhorst, Connie Gaylor, Julie Prickett and Mike Rogers conducted phone interviews Monday through Wednesday of this week with 19 candidates for the customer service representative position (City Hall front desk). They will be narrowing the field down in the days ahead for the second round.

- 319
- The Hamilton County Planning Partnership will hold its next meeting on Friday, March 22 from 11:30 a.m. to 1:00 p.m., at the Blue Ash Cooper Creek Center.
- 320
- Mr. Riblet wished happy birthday to Fire Chief Paul Wright who had a birthday on March 4, and to Mayor Dobrozsi whose birthday is March 23. Mr. Riblet also wished Mayor Dobrozsi a Happy 20th Wedding Anniversary this evening.
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326 Mr. Riblet requested an Executive Session for matters related to pending or imminent litigation, preparing for labor negotiations with public employees, and to consider confidential information of an applicant for economic development.

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330 **LAW DIRECTOR REPORT**

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332 Mr. Donnellon reported to Council that he has finished the revisions on the proposed changes to Council Rules and would forward those back to City Council.

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334

335 Mr. Donnellon also reported that he met with Mr. Riblet and Ms. Gaylor to review Cemetery rules and processes.

336

337 **CITY COUNCIL REPORTS**

338 **Mr. Cappel**

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341 Mr. Cappel reported that the EAC held its monthly cardboard recycling on March 16, which went well.

342

343 **Vice Mayor Roesch**

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345 Vice Mayor Roesch reported that the Beautification and Tree Commission met and are working on the 2019 Garden Tour and are actively seeking participants.

346

347

348 Vice Mayor Roesch reported that Julie Machon and Sarah Fink met with the BAMSO (Blue Ash Montgomery Symphony Orchestra Board) to set a theme for the July 3 Patriotic Concert. Ms. Roesch reported the theme will be Superhero's and Super Divas.

349

350

351 **Mr. Suer**

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353

354 Mr. Suer praised staff for doing a terrific job with the administration of the 2019 MCLA (Montgomery Citizens Leadership Academy) Session. He stated that it takes a lot of staff's time to present and manage this academy and the city benefits greatly from it.

355

356

357

358 **Mr. Margolis**

359

360 Mr. Margolis reported that he recently visited with a Mr. Evers, a 2019 MCLA Graduate and friend of former Council Member Barry Joffe, who gushed over the MCLA class, especially Faith Lynch.

361

362

363 Mr. Margolis reported that at the Landmarks Commission meeting, a review of drawings submitted by Brandicorp of the Montgomery Quarter was conducted. He stated that the Commission considered the scale, perspective, and integration of the buildings into the Heritage District and provided feedback.

364

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366

367 Mr. Margolis reported that at the Planning Commission meeting, the Commission considered the general development plan of the Montgomery Quarter as a broad overview of where the buildings are to be placed that will carry over into the final development plan. He stated that residents and the Commission both gave good feedback.

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372 **Mayor Dobrozi**

373
374 Mayor Dobrozi expressed his thanks to Faith and all staff for the phenomenal job they continue to do year after
375 year on MCLA.

376
377 Mayor Dobrozi reported that Mr. Riblet gave a great presentation to the OKI Executive Board on the Montgomery
378 Quarter and Roundabout projects. He stated that the multiple projects that the City is running through OKI is
379 incredible.

380
381 Mr. Riblet stated that OKI seemed very appreciative of the update and gave the City a chance to thank them for
382 their support on these projects. He stated that they would like another representation to be made post-construction.

383
384 Mayor Dobrozi stated that he had lunch with Mark Kuenning, Mayor of The Village of Indian Hill, which was a
385 great way to network on community projects.

386
387 **APPROVAL OF MINUTES**

388
389 Mayor Dobrozi requested a motion to approve the March 6, 2019 Business Session minutes.

390
391 Mr. Cappel moved to approve the minutes as written. Mr. Margolis seconded. City Council unanimously agreed.

392
393 **OTHER BUSINESS**

394
395 Mayor Dobrozi stated that as Mr. Riblet had requested an Executive Session for matters related to pending or
396 imminent litigation, preparing for labor negotiations with public employees, and to consider confidential
397 information of an applicant for economic development, he would need a motion to adjourn.

398
399 Mr. Margolis motioned to adjourn into Executive Session for matters related to pending or imminent litigation,
400 preparing for labor negotiations with public employees, and to consider confidential information of an applicant for
401 economic development.

402
403 Mr. Cappel seconded.

404
405 The roll was called and showed the following vote:

406
407 AYE: Cappel, Bissmeyer, Dobrozi, Roesch, Suer, Margolis (6)
408 NAY: (0)
409 ABSENT: Harbison (1)

410
411 City Council adjourned into Executive Session at 8:20 p.m.

412
413 City Council reconvened into Public Session at 9:24 p.m.

414
415 Mayor Dobrozi asked if there was any further business to discuss in Public Session. There being none he asked for
416 a motion to adjourn.

417
418 Mr. Margolis moved to adjourn. Mr. Cappel seconded. City Council unanimously agreed.

419
420 City Council adjourned at 9:24 p.m.

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423 
Connie Gaylor, Clerk of Council