

City of Montgomery
City Council Work Session Minutes
February 21, 2018

Present

Brian Riblet, City Manager
Terry Donnellon, Law Director
John Crowell, Police Chief
Gary Heitkamp, Asst. 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, Communications and Engagement Coordinator
Connie Gaylor, Clerk of Council

City Council Members Present

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

City Council convened in Council Chambers for the Work Session at 6:43 p.m. with Mayor Dobrozsi presiding.

ROLL CALL

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

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

LEGISLATION FOR CONSIDERATION THIS EVENING

An Ordinance to Amend the City Income Tax Code to Adopt Sections 718.80 Through 718.95 of the Ohio Revised Code and Declaring an Emergency

Mayor Dobrozsi explained that this legislation was not originally approved to be on the agenda and asked for a motion to add to the agenda.

Mr. Margolis made a motion to add the Ordinance to the agenda for consideration this evening. Mr. Cappel seconded. City Council unanimously agreed.

Mayor Dobrozsi asked Mr. Suer to sponsor the legislation.

Mr. Suer made a motion to read the Ordinance by title only. Mr. Margolis seconded. City Council unanimously agreed.

Mr. Suer then read the Ordinance by title.

Mr. Suer made a motion to suspend the requirement of three separate readings. Mr. Margolis seconded.

The roll was called and showed the following vote:

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

Mr. Suer made a motion to pass the Ordinance with emergency measures making it effective on February 24, 2018. Mr. Margolis seconded.

Mr. Donnellon explained that this litigation represents the City as a named Plaintiff challenging the constitutionality of HB 49. He explained that HB 49 was the legislature's attempt to force centralized collection upon municipal governments for corporate income taxes. He stated that Judge Cain of the Franklin County Court issued a stay for the effective date of HB 49 from January 21 until February 24, 2018. He learned just prior to the meeting that the

Judge has denied the preliminary injunction to continue the stay of HB 49. He stated that there are other municipalities that are prepared to file appeals. If any of these appeals are granted a stay, then that stay would be effective throughout the State. Since the City relies substantially on income tax revenues to support the General Fund, he stated that it is better to mitigate our risk by enacting the Ordinance to amend our City Income Tax Code. He stated that if any provision of HB 49 is found to be unconstitutional or is stayed or enjoined, then the enactment of these Code sections will similarly be stayed. In the event there is a long-term stay, the City can revisit and repeal the Ordinance after such date.

The roll was called and showed the following vote:

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

NAY: (0)

ESTABLISHING AN AGENDA FOR MARCH 7, 2018

Pending Legislation

An Ordinance Dedicating Real Property on Montgomery Road at the Safety Center for Public Use

Mr. Margolis stated that this would be the second reading of this Ordinance and asked if there were any updates.

Mr. Donnellon replied there were none.

New Legislation

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, 2018

Ms. Smiddy explained that, if approved, this Ordinance will amend the 2018 Annual Appropriation Ordinance to reflect changes in the initial budget requests as the result of an unforeseen grant received by the State of Ohio for police department training and for design services provided by Strand and Associates for various improvements as part of the reconstruction of the Ronald Reagan Highway and Montgomery Road Interchange. It is requested that the 2018 budget be amended in the amount of \$8,000 from the unappropriated Law Enforcement Assistance Fund to account 220.000.5300 Law Enforcement Assistance Fund-Training and \$735,632 from the unappropriated Downtown Improvement Fund to 480.000.5401 Downtown Improvement Fund-Special Projects.

Mr. Riblet reminded the Committee that a Resolution was passed in May of 2017 for the agreement with Strand Associates, however it was found later that the cost was not appropriated in the 2018 budget.

ADMINISTRATION REPORT

Mr. Riblet, city manager, gave the following report:

- The City Council Business Session is scheduled for March 7 at 7:00 p.m.
- The Law and Safety and Financial Planning Committees will meet on Monday, March 5 at 3:30 and 4:30 p.m., respectively. The Planning, Zoning and Landmarks Committee has cancelled their meeting for the month of March.
- The Park and Recreation, Government Affairs and Public Works Committees have cancelled their meetings for the month of March.
- The Planning Commission met on Monday evening to consider proposed text amendments to the Land Usage Code regarding signs and telecommunications. The Planning Commission voted to recommend

approval of the proposed text amendments to the sign code and tabled the proposed telecommunications amendments. Mr. Riblet stated that staff would like to request a public hearing on April 4, prior to the City Council Business Session at 6:00 p.m., to consider recommendations from the Planning Commission regarding medical marijuana, the Old Montgomery Gateway District regulations, fencing in the front yard and the sign code. Mr. Riblet also indicated that there are scheduled Volunteer Walk of Fame inductions that same evening during the Business Session and recommended the Business Session begin as normally scheduled at 7:00 p.m. to allow the inductees and their families time to arrive.

City Council agreed to holding the Public Hearing on April 4 to begin at 6:00 p.m.

- As part of the public outreach for the round-about project, Staff has identified two potential dates in May to host an open house at Terwilliger Lodge and would like to discuss the potential dates with City Council for consideration. Those potential dates include Wednesday, May 16 or Thursday, May 17.

City Council agreed to holding the Open House on May 16.

- The Montgomery Fire Levy Committee held their first meeting during the evening of February 19. The committee of nine members worked on their organizational structure, confirmed the filing of their group with the Hamilton County Board of Elections, and created areas of responsibilities for the members. They began their fund-raising program this week and have scheduled meetings and activities through the beginning of May.
- The initial collective bargaining session between the City and the International Association of Fire Fighters (IAFF) was last Friday, February 16. Additional sessions are scheduled for March 14 and 15.
- The next Montgomery Citizens Leadership Academy (MCLA) session will be held at Public Works starting at 5:45 p.m. The public works team will discuss "Innovative Solutions to Parks, Recreation and Public Works" and the session will feature an adult touch-a-truck and an interactive, table-top exercise on snow plowing methods. The barbeque dinner will be prepared by the public works team as well.

LAW DIRECTOR REPORT

Mr. Donnellon reported to City Council that a Developers Meeting will be held this week on the Vintage Club North project and that staff feels there will be a positive outcome in which to bring an update to City Council at the March 7 meeting.

CITY COUNCIL REPORTS

Mr. Cappel reported that the Environmental Advisory Commission held their monthly cardboard recycling collection on Saturday, February 17. He reported that collections were good despite the wintery weather.

Mrs. Bissmeyer reported that she has scheduled a meeting with residents John and Marcy Molander to discuss the roundabout project and tear downs.

Mrs. Harbison reported that the Arts Commission held their monthly meeting at which time they held their election of officers. She stated that following members were elected to the following positions: Greg Leader as Chair, Barbara Lindsey as Vice Chair, and Andrews Stephens as Secretary.

Mrs. Harbison reported that the Government Affairs Committee met and discussed adding Active Shooter Training to the annual Boards and Commission Training. This training was set for Thursday, May 3. The addition of the active shooter training will be included and the training time will be extended to allow for the additional information.

Mrs. Harbison reported that the Sister Cities Commission held the Dinner Around the World reception and it was very successful. She stated that approximately 50 people attended as well as multiple news stations that interviewed those in attendance. She stated that the Commission has already voted to continue this event into the future.

Mrs. Harbison reported that the Sister Cities Commission met and updated City Council on their actions, as follows:

- The Commission has been working on Bastille Day planning and has the entertainment set and scheduled for the event. Commission members are currently working on recruiting and confirming restaurants to fill booth spaces.
- The Commission held their election of officers. The results are: Marcellene Shockey as Chair, Dina Schmidt as Vice Chair and Jack Wild and Jody Ballah will partner in the secretarial duties.
- The Commission requested that Mayor Dobrozsi reach out to Neuilly-Plaisance to extend an invitation for a possible exchange this fall.

Vice Mayor Roesch reported that the Beautification and Tree Commission met and voted to hold the Garden Tour in June. She stated that the Commission also discussed organizing a different format for the Beautification Awards. The new format would be called "Seasons of Beauty" and the Commission will award a resident each quarter based on their landscaping and the exterior aesthetics of their property.

Vice Mayor Roesch reported that the Blue Ash Montgomery Symphony Orchestra (BAMSO) will meet on Saturday, February 24 for their Finance Committee meeting and for a regular board meeting on Sunday, March 3.

Mr. Suer reported that he is working with Ashwin Corattiyil, dean of students at Sycamore High School regarding the Mayors Scholarship program that Mr. Suer established years ago. He stated that the school has redesigned the curriculum for the Government classes and the scholarship will now be contingent on different factors than before. Mr. Suer stated that Mr. Corattiyil and a group of students will be attending the March 21 Work Session to speak with him and to observe a Council meeting.

Mayor Dobrozsi reported that he along with Council Member Harbison, City Manager Riblet, and administrators from Blue Ash, Symmes Township, Sycamore Township and Sycamore Community Schools participated in a quarterly community roundtable. He reported the following:

- Blue Ash is fielding calls regarding coyote sightings, held their second year of a Citizens Academy and have three new Council members.
- Sycamore Township has a new trustee, are facing fire department issues, are looking to install their third roundabout and also have dealt with coyote issues.

APPROVAL OF MINUTES

Mayor Dobrozsi requested a motion to approve the February 7, 2018 City Council Business Session minutes.

Mr. Margolis moved to approve the minutes as amended. Mr. Cappel seconded. City Council unanimously agreed.

Mayor Dobrozsi requested an Executive Session for matters related to personnel compensation. Mr. Cappel made a motion to enter into an Executive Session for matters related to personnel compensation. Mr. Margolis seconded.

The roll was called and showed the following vote:

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

City Council adjourned into Executive Session at 7:35 p.m.

216 City Council reconvened into Public Session at 8:15 p.m.
217
218 Mayor Dobrozsi asked if there was any further business to discuss in Public Session. There being none, he asked
219 for a motion to adjourn.
220
221 Mr. Cappel moved to adjourn. Mrs. Harbison seconded. City Council unanimously agreed.
222
223 City Council adjourned at 8:16 p.m.
224
225

A handwritten signature in blue ink that reads "Connie Gaylor". The signature is written in a cursive, flowing style.

Connie Gaylor, Clerk of Council