

City of Montgomery  
City Council Business Session  
December 5, 2018

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 Information Service Director  
Paul Wright, Fire Chief  
Faith Lynch, Communications and Engagement Coordinator  
Connie Gaylor, Clerk of Council

City Council Members

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

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

**ROLL CALL**

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

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

**SPECIAL PRESENTATIONS**

Mayor Dobrozsi presented Dan Lauterbur, along with employees of Riley and Rees, as well as Steve Cornett of C & W Woodworking with a Certificate of Appreciation for their work on the renovation of the City Hall Council Chambers.

City Council and staff thanked them all for their hard work in meeting a strict deadline and for the craftsmanship and detail of their work product.

**GUESTS AND RESIDENTS**

Sean Deschene, 8340 Hopewell Road-Mr. Deschene addressed City Council regarding the issue of the use of the City owned soccer fields. He stated that he spoke about this at home with his family and how it effects the families across Montgomery. He stated that they were with him in the audience and that he would like to introduce his wife to speak.

Erin Deschene, 8340 Hopewell Road-Mrs. Deschene addressed City Council by explaining how much the soccer organization, GSSA, has meant to their family. She stated they have fond memories of going to Weller Park and seeing friends that they have bonded with year after year. She explained that the GSSA is totally recreational. She stated that 70 percent of the players will drop out by age 13 due to the competitiveness, intensity or expense. She feels that GSSA works hard to retain the spirit of community and fun for the families. She stated that Premiere SC requires tryouts. She stated that both sides must be willing to make it work and that it should be about community. She would like to see the fields used for an organization that is for everyone and not for a select few.

Ms. Roesch stated that both sides had the opportunity to come to a compromise and were not able to do so, so at this point the City will have to split the usage.

Mayor Dobrozsi asked when it would be finalized.

Ms. Roesch stated that it would be discussed at the December 10, Parks and Recreation Committee meeting. She stated that we must make the parks available to all residents.

Mrs. Deschene responded that there are other parks available.

Ms. Roesch restated that it would be discussed at the Parks and Recreation Committee meeting on December 10.

Steve Silverman, 7504 Golf Green Drive – Mr. Silverman stated that he had two items to discuss. The first was in reference to a Government Affairs meeting approximately six months ago in which the discussion regarded rewriting the Parks Ordinance and that it hadn't been addressed in 20 years.

Mr. Donnellon replied that on the agenda for the meeting, an Ordinance was included for the update of language regarding the approval of park rules from being made by the Parks and Recreation Commission to being made by City Council. He also stated that the Ordinance would not be specific to current rules or rates, but rather would reference "attached" rules so that it would be more convenient to amend rules without having to amend the legislation each time. He stated that any amendment to park rules would be considered at the Parks and Recreation Commission, but the authority for final decisions will go through Council.

Mr. Silverman stated that his next comment was regarding the Branding presentation made prior to the meeting. He stated that he thought that Ms. Roblero should present an abbreviated version of the presentation at a Planning Commission meeting as he felt that the Planning Commission would be a resource to the group overseeing the campaign.

## **LEGISLATION FOR CONSIDERATION TONIGHT**

### **Pending Legislation**

#### **An Ordinance Creating the GRA Tax Increment Financing Fund**

Mr. Suer moved for passage of the Ordinance. Mr. Margolis seconded.

Mr. Suer stated that information was previously supplied that, if approved, will establish the Gateway Redevelopment Area Tax Increment Financing for receipt of tax increment financing fund to account for the debt proceeds for the construction of public improvements for the Gateway project.

Mayor Dobrozsi asked if there were any updates.

Ms. Smiddy stated there were no updates.

The roll was called and showed the following vote:

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

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

Mr. Suer moved for passage of the Ordinance. Mr. Margolis seconded.

Mr. Suer stated that information has been previously supplied on this Ordinance that, if approved, will establish the GRA Capital Construction Fund to account for the debt proceeds for the construction of public improvements for the Gateway project. As stated before, the creation of this fund is in anticipation of the creation of the TIF District in 2019 and this Ordinance will allow for the fund to be established in the 2019 budget.

The roll was called and showed the following vote:

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

NAY: (0)

ABSENT: (0)

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

Mr. Suer moved for passage of the Ordinance. Mr. Margolis seconded.

Mr. Suer explained that information has been previously supplied on this Ordinance that, if approved, will establish a second capital construction fund for the GRA Intersection Modification Fund (RAB) for accounting for various grant funds received and expended as part of the Gateway Redevelopment project.

The roll was called and showed the following vote:

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

NAY: (0)

ABSENT: (0)

An Ordinance Creating the Vintage Club North Tax Increment Financing Fund

Mr. Suer moved for passage of the Ordinance. Mr. Cappel seconded.

Mr. Suer stated information has been supplied on this Ordinance that, if approved, will establish the VC North Tax Increment Financing Fund (Fund 332).

The roll was called and showed the following vote:

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

NAY: (0)

ABSENT: (0)

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

Mr. Suer moved for passage of the Ordinance. Mr. Margolis seconded.

Mr. Suer stated that information has been previously supplied on this Ordinance that, if approved, establishes the City's budget for fiscal year 2019.

Mayor Dobrozsi asked if there were any updates.

Ms. Smiddy stated there were no updates.

The roll was called and showed the following vote:

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

NAY: (0)

ABSENT: (0)

**NEW LEGISLATION**

A Resolution Authorizing the City Manager to Enter into a Labor Agreement with the Montgomery Firefighters IAFF Local 4391 for Wages and Benefits from April 1, 2018 Through March 31, 2021

Mrs. Bissmeyer moved to read the Resolution by title only. Mr. Cappel seconded. City Council unanimously agreed.

Mrs. Bissmeyer moved for passage of the Resolution. Mr. Margolis seconded.

Mrs. Bissmeyer stated that information has been supplied on this Resolution that, if approved, would authorize the City Manager to enter into a labor agreement with the International Association of Firefighters (IAFF), Local 4391 for wage and benefits from April 1, 2018 through March 31, 2021. The City and the International Association of Firefighters (IAFF), Local 4391 have reached an agreement on a new three (3) year labor contract that includes wage and benefit modifications.

Mrs. Bissmeyer asked if there were any updates.

Mr. Riblet stated there were no updates.

The roll was called and showed the following vote:

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

NAY: (0)

ABSENT: (0)

A Resolution Adopting a Five-Year Capital Improvement Program for the City of Montgomery

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

Mr. Suer moved for the passage of the Resolution. Mr. Cappel seconded.

Mr. Suer stated that information has been supplied on this Resolution that, if approved, would adopt the City's proposed Five-Year Capital Improvement Program. This was reviewed by City Council as a companion piece to the proposed 2019 Operating and Capital Budget with Four Year Forecast and represents a comprehensive planning tool for capital investment in the community over the next five years.

Steve Silverman, 7504 Golf Green Drive – Mr. Silverman stated that Mr. Riblet had stated in a previous meeting that an intensive study had been conducted of the City facilities as a needs assessment. He asked if there were specific recommendations that would be paid for out of this 5-year program.

Mr. Riblet responded that there were funds programmed into the 2019 and 2020 budget to begin addressing some of the needs brought forth in the study. He stated that many of the needs could be done in house and would be addressed by staff.

The roll was called and showed the following vote:

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

NAY: (0)

ABSENT: (0)

A Resolution Authorizing the City Manager to Enter into a Contract with SwimSafe Pool Management, Inc. for Professional Services Related to the Operation and Management of the Montgomery Municipal Pool

Ms. Roesch moved to read the Resolution by title only. Mr. Cappel seconded. City Council unanimously agreed.

Ms. Roesch moved for the passage of the Resolution. Mr. Cappel seconded.

Ms. Roesch stated that information has been supplied on this Resolution that, if approved, would authorize the City Manager to enter into a contract with SwimSafe Pool Management, Inc. for the management of the pool, staffing of personnel and provisions for swim lessons and swim team staff. Two proposals were received from pool management companies and based on staff's analysis, it is recommended that SwimSafe Pool Management, Inc. be awarded the contract to provide the management services for the 2019, 2020 and 2021 swim seasons. The contract proposal by SwimSafe indicates no increase of costs for year 2019 and an increase of \$4,430 for year 2020 due to an extended summer. Funds for this contract have been programmed into the 275.000.5365 account for the years 2019-2023.

The roll was called and showed the following vote:

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

NAY: (0)

ABSENT: (0)

An Ordinance Amending Portions of Chapter 97, Parks and Recreational Facilities

Ms. Roesch moved to read the Ordinance by title only. Mr. Margolis seconded. City Council unanimously agreed.

Ms. Roesch moved for passage of the first reading. Mr. Cappel seconded.

Ms. Roesch stated that information has been supplied on this Ordinance that, if approved, would resolve inconsistencies in Chapter 97 of our Municipal Code concerning the authority to establish rules and regulations governing the City parks and recreation activities. Rulemaking authority will rest with City Council; however, recommendations for any changes may be made by the Parks and Recreation Commission and the Council's own Parks and Recreation Committee. Updating this Ordinance will give the City more flexibility in establishing rules and modifying rules as circumstances require.

Steve Silverman, 7504 Golf Green Drive-Mr. Silverman addressed City Council and asked if the amendments were to change the process of decision making going through City Council instead of the Parks and Recreation Commission.

Mr. Donnellon replied that it is to clean up inconsistencies so that all authority is given to City Council and not the Commission members. He stated that this would also make updates to park rules easier as they can now be made by motion as an extension of the Ordinance rather than by amending the legislation each time.

Mr. Silverman asked if there were any specific recommendations for change to the park rules.

Mr. Donnellon stated that there was discussion as part of the WeTHRIVE initiative to prohibit smoking in City parks, however that has not been recommended formally at this time.

Mr. Deschene stated that he thought it was a great idea to make the parks smoke free.

Mr. Silverman asked when residents would address the Parks and Recreation Commission.

Ms. Roesch stated that they have monthly meetings on a Monday evening that are listed on the website.

The roll was called and showed the following vote:

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

NAY: (0)

ABSENT: (0)

A Resolution Authorizing A Purchase Agreement with Traditions VC Developer, LLC To Acquire Certain Real Property Within the Vintage Club Development



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

Mr. Margolis read the title and moved for passage of the Resolution. Mr. Cappel seconded.

Mr. Margolis stated that information has been supplied on this Resolution that, if approved, would approve a Purchase Agreement to acquire certain land and easement rights south of Vintage Club Boulevard to be able to complete public improvements associated with the Vintage Club-North project. The purchase price, \$204,600, is based upon the same per acre price negotiated by the City to acquire the land necessary for the parking field and public improvements north of the Boulevard. These monies are being drawn from the TIF fund supported by the Service Agreement and the developer's guarantee.

The roll was called and showed the following vote:

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

A Resolution Authorizing an Amendment to The Current Contract with Donnellon, Donnellon & Miller for Legal Services to The City of Montgomery

Mrs. Harbison moved to read the Resolution by title only. Mr. Cappel seconded. City Council unanimously agreed.

Mrs. Harbison read the title and moved for passage of the Resolution. Mr. Cappel seconded.

Mrs. Harbison stated that this Resolution will authorize an amendment to the current contract with Donnellon, Donnellon and Miller for legal services to the City of Montgomery. This Resolution is the result of the recent performance appraisal of the Law Director conducted by City Council and staff.

Mr. Steve Silverman, 7504 Golf Green-Mr. Silverman asked if this contract included the prosecutor's services.

Mr. Donnellon stated that it is covered under the contract but that it was a flat fee each month.

**ADMINISTRATION REPORT**

Mr. Riblet gave the following report:

- City Council Work Session December 19, 2018 at 7:00 p.m.
- The Parks and Recreation and Government Affairs Committees will meet on December 10, at 3:30 and 4:30 p.m., respectively. The Public Works Committee has cancelled their meeting for the month of December.
- The City's annual Holiday in the Village festivities were held on Saturday, December 1 and although the rain threatened to dampen the spirit of the event, a lucky break in the weather allowed the event to go off without a hitch and was a wonderful day for the community. The tree was adorned with 3,000 lights. Thanks to public works/recreation for your work and time to make this a great event.
- The Planning Commission met on Monday evening to consider two applications. The first application was for a new ground mounted sign for The Exchange at Twin Lakes, which is the new retail center at 9856 Montgomery Road. There were some concerns with safe sight distance from the adjacent property owner; however, a study completed by the City Engineer found that the placement of the sign would not cause an issue with safe sight distance. Therefore, the Planning Commission approved the sign. The second application was for Final Development Site Plan Approval for Phase 8 of the Vintage Club, which includes

the site work for buildings A and B as well as the building layout and architecture for Building B. There were several residents in attendance who expressed concern over the use for the building for a bank (GE Credit Union); however, a bank is a permitted use in the Limited Business District. After hearing the testimony and much discussion, the Planning Commission voted to approve the application in a 5-1 vote.

- An open house was held for the 2019 Kennedy Lane Sidewalk project on Monday evening. Approximately fifteen (15) people attended the event, most of which had questions regarding the impacts to property frontage, general location, and construction schedule. The feedback expressed by the participants was very positive for the sidewalk project. Staff, along with Sycamore Township officials, will continue to work with CT Consultants on final design of the sidewalk for the project to be bid early 2019 and constructed soon thereafter.
- Tuesday evening Council Member Margolis, Matthew Vanderhorst and Connie Gaylor attended the Hamilton County WeTHRIVE! recognition dinner last evening. Tim Ingram, Hamilton County Health Commissioner, recognized the City for its fourth year participating in the initiative. This year's recognitions went to 19 communities, 5 school districts, 18 child care facilities and 25 community champions. This program continues to recognize these entities and individuals for their efforts in furthering community wellness and disease prevention across the county.
- Public Works continues the brush pick-up in response to the November 13 ice storm. There has been a record amount of participation, and we are approximately halfway complete. For comparison purposes, the Spring Brush Collection of 2018 had 358 stops and Fall Brush Collection had 440 stops. As of lunch today, we have had over 500 stops, putting us on pace to have close to 1000 stops.
- This week the interview team conducted phone interviews with 20 candidates for the Firefighter/Paramedic position pulled from the current Civil Service eligible list. This step is the first step in the screening process to fill five new positions in 2019.
- Unfortunately, no suitable candidate could be identified in the second set of interviews conducted for the Finance Specialist announcement posted earlier this year. In the first quarter of 2019, staff will post a new job announcement and start a new process. In the interim, staff will continue with temporary agency staffing to help manage the workload in the Finance Department.
- Staff has identified 24 candidates from the Police Clerk applicant pool to participate in phone interviews which are scheduled for next week.
- The deadline for the Assistant City Manager applications was November 26. A total of 43 resumes were received. The interview team (Brian Riblet, John Crowell, Paul Wright, Connie Gaylor and Julie Prickett) has been assembled and will meet late this month to review the applications and identify candidates for initial interviews.
- Breakfast with Santa is Saturday, December 8 at Terwilliger Lodge. The event will run from 8:30 to 10:30 a.m. This buffet style breakfast costs \$5 for a plate or \$20 for a family. Non-perishable food items will be collected and donated to the Free Store Foodbank. All proceeds from this event will benefit the Holiday Family Fund. Come and share some pancakes and camaraderie with the community and your peers.
- The Holiday Live at the Uni concert, will be held at Universalist Church on Sunday, December 9 at 4:00 p.m. with Mandy Gaines performing.
- As a reminder, the annual Holiday Staff luncheon that will take place on Friday, December 14 at Terwilliger Lodge from 11:00 a.m. to 1:00 p.m. Montgomery Inn ribs and chicken will be the main dish as in past years.

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- I recently accepted the resignation of Kathi Ranford effective on Monday December 31. Kathi has decided to pursue other interests and will be missed. She will be attending the December 19 Work Session meeting while Connie Gaylor is on vacation.

Mr. Riblet requested an Executive Session to consider confidential information of an applicant for economic development assistance.

**Minutes**

Mr. Cappel moved to approve the November 7, 2018 Business Session, November 14 Work Session and November 14 Special Session minutes. Mrs. Bissmeyer seconded. City Council unanimously agreed.

**Mayor's Court Report**

Mayor Dobrozsi reported that the total Mayor's Court collection is \$8,190.00 for the month of November.

Mr. Margolis moved to accept the Mayor's Court Report for the month of November. Mr. Cappel seconded. City Council unanimously agreed.

**Other Business**

There was no Other Business to discuss.

Mayor Dobrozsi asked for a motion to adjourn into Executive Session to consider confidential information of an applicant for economic development assistance.

Mr. Margolis moved to adjourn to Executive Session to consider confidential information of an applicant for economic development assistance. Mr. Cappel seconded.

The roll was called and showed the following vote:

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


City Council adjourned into Executive Session at 8:00 p.m.

City Council reconvened into Public Session at 8:53 p.m.

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

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

City Council adjourned at 8:54 p.m.

  
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Connie Gaylor  
Clerk of Council