

City of Montgomery  
City Council Work Session Minutes  
May 23, 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 and Information Services Director  
Faith Lynch, Communications and Engagement Coordinator  
Connie Gaylor, Clerk of Council  
Kathi Ranford, Customer Service Representative

City Council Members Present

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

City Council Members Absent

Lynda Roesch, Vice Mayor

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City Council convened in Council Chambers for the Work Session at 7:04 p.m. with Mayor Dobrozsi presiding.

**ROLL CALL**

Mayor Dobrozsi asked for a motion to excuse Vice Mayor Roesch from the meeting as she is on vacation. Mr. Cappel made the motion. Mr. Margolis seconded.

The roll was called.

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

**SPECIAL PRESENTATIONS**

Mayor Dobrozsi presented Harold and Eugenia Thomas with a proclamation and a key to the City in honor of their donation in the amount of \$184,603.40 to pay for the purchase of a new 2017 Braun Chief XL Ambulance.

Fire Chief Paul Wright explained the magnitude of the Thomas's philanthropy to the City of Montgomery and to the surrounding area with their generous support to Bethesda North Hospital over the years and specifically to the construction of the Thomas Comprehensive Care Center.

City Council and Staff shared their appreciation and gratitude with the Thomas's for their generosity, love and support for the community.

Mayor Dobrozsi presented the Moeller 2018 Basketball Team with a proclamation in honor of their Division I State Title win this year.

City Council and Staff congratulated Coach Kremer and the players for their hard work and dedication this year.

Council Member Suer explained that as in the past, he has worked with Mr. Ashwin Corattiyil, Dean of Students at Sycamore High School, to select two recipients of the Montgomery Local Government Scholarship. He explained that this is the 7<sup>th</sup> year for the scholarship program and is pleased to announce the winners: Senior, Matthew Swartz and Junior, Irem Verimli. Mr. Suer asked the students to explain to City Council the projects their applications were based on.

Matthew Swartz explained that he interviewed Mr. Suer and Police Chief Crowell to investigate the effects of the heroin epidemic in Montgomery. He explained his idea of the City partnering with Bethesda North Hospital to provide literature about how to receive help with opioid addictions.

58 Irem Verimli explained that she interviewed Mr. Suer about the possibility of driverless cars in the future and how  
59 the City would be prepared for this advance in technology. She discussed the necessary road markings and road  
60 specifications.

61  
62 Mr. Suer presented both students with a scholarship check in the amount of \$500 each and thanked them for their  
63 efforts and interest in local government.

64  
65 **LEGISLATION FOR CONSIDERATION THIS EVENING**

66  
67 **An Ordinance Authorizing The Issuance Of Not To Exceed \$5,700,000 Special Obligation Revenue Bonds Of**  
68 **The City Of Montgomery; Providing For The Pledge Of Revenues For The Payment Of Such Bonds;**  
69 **Authorizing A Trust Agreement Appropriate For The Protection And Disposition Of Such Revenues And To**  
70 **Further Secure Such Bonds; Authorizing An Official Statement; Authorizing Other Necessary And**  
71 **Appropriate Documents; And Authorizing Other Actions In Connection With The Issuance Of Such Bonds**  
72 **And Declaring An Emergency**

73  
74 Mayor Dobrozsi explained that this piece of legislation will need to be added to the agenda be considered with  
75 emergency measures this evening.

76  
77 Mr. Margolis made a motion to add the legislation to the agenda for this evening. Mr. Cappel seconded. City  
78 Council unanimously agreed.

79  
80 Mayor Dobrozsi assigned the legislation to Mr. Suer.

81  
82 Mayor Dobrozsi recused himself during the discussion of the legislation due to a possible professional conflict. He  
83 asked Council Member Harbison to act as Mayor during this time.

84  
85 Mr. Suer moved to read the Ordinance by title only. Mr. Margolis seconded. City Council unanimously agreed.

86  
87 Mr. Suer read the title and moved to suspend the rules requiring three separate readings of the Ordinance. Mr.  
88 Margolis seconded.

89  
90 The roll was called and showed the following vote:

91  
92 AYE: Cappel, Bissmeyer, Harbison, Dobrozsi, Suer, Margolis (6)  
93 NAY: (0)  
94 ABSENT: Roesch (1)

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96 Mr. Suer moved for passage of the Ordinance as an emergency. Mr. Margolis seconded.

97  
98 Mr. Donnellon explained that the passage of this Ordinance is the first step to issuing Tax Increment Revenue Bonds  
99 for the purposes of funding the acquisition of real estate and constructing public improvements at the Vintage Club  
100 North project. This Ordinance authorizes \$5.7 million of bonds and the execution of a Trust Agreement. The Trust  
101 Agreement is with U.S. Bank which would serve as the Trustee. Mr. Donnellon stated that he anticipates the close  
102 of the contract by the end of June. Mr. Donnellon stated that an official statement would be forwarded onto City  
103 Council upon its completion.

104  
105 Mr. Margolis asked what the source of funding was for this and the impact on our budget.

106  
107 Mr. Donnellon stated that we will see no impact on our budget. He explained that the City will net 5.35 million on  
108 the bonds. Over the course over the next 20 years these bonds will be paid back as the development comes on line  
109 through property taxes. With the collection of this revenue, the City will repay Sycamore Community Schools 50%

110 and the other 50% goes to our Trustee. U.S. Bank will then pay those funds against the bonds. If at any time during  
111 these twenty years there isn't enough funds to pay the bonds, it is the Developers responsibility to pay them.

112  
113 Mr. Cappel stated that he was happy to see the project moving forward.

114  
115 With no further discussion the roll was called and showed the following vote:

116  
117 AYE: Bissmeyer, Harbison, Dobrozi, Suer, Margolis, Cappel (6)  
118 NAY: (0)  
119 ABSENT: Roesch (1)

120

121 **ESTABLISHING AN AGENDA FOR JUNE 6, 2018**

122

123 **PENDING LEGISLATION**

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125 **An Ordinance Establishing the Schedule of Municipal Compensation for Employees—(Mr. Suer-3<sup>rd</sup> Reading)**

126

127 Mayor Dobrozi explained that this will be the third reading of this Ordinance and asked if there were any updates.

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129 Mr. Riblet replied there were none.

130

131 **An Ordinance Enacting New Section 150.0205, Medical Marijuana, of the City of Montgomery Zoning Code**

132

133 Mayor Dobrozi explained that this will be the second reading of this Ordinance and asked if there were any updates.

134

135 Ms. Roblero replied there were none.

136

137 **An Ordinance Amending the Land Usage Code to Enact New Regulations for the Old Montgomery Gateway  
138 District**

139

140 Mayor Dobrozi explained that this will be the second reading of this Ordinance and asked if there were any updates.

141

142 Ms. Roblero replied that the Landmarks Commission has reviewed the proposed text amendments and did have a  
143 suggestion and a concern. She explained that the Landmarks Commission recommends adding language to allow  
144 for wood composite windows rather than wood. This would add more flexibility to the owners. She explained that  
145 the Landmarks Commission had a concern with permitting halo or backlite signs in the Old Montgomery Gateway  
146 District. She explained that they felt it was not complimentary to the Gateway District. She explained that Planning  
147 Commission had a very lengthy discussion on this style of pin mounted letters with lighting behind them and a  
148 compromise was reached to limit to white lights only. She explained since there were concerns that she told the  
149 Landmark Commission she would bring it before City Council for review.

150

151 Mayor Dobrozi asked if the composite windows were for Landmark buildings only.

152

153 Mrs. Roblero replied that it was for any buildings, new or renovated, apart from the Landmarks buildings.

154

155 Mrs. Harbison is supportive of the change with the composite wood and asked how staff felt about it?

156

157 Ms. Roblero stated that staff is supportive of the composite wood.

158

159 Mr. Suer felt they were more practical.

160

161 Mr. Margolis is supportive of the composite wood.

162

163 Mayor Dobrozsi asked how staff felt about the halo lighting.  
164

165 Ms. Roblero stated that staff supports the Planning Commission recommendation of allowing the halo lighting as  
166 this is not in the Heritage District and are for bigger buildings.  
167

168 Mr. Davis stated that although he didn't like the internal illuminated signs that he felt the halo lighting was a good  
169 compromise.  
170

171 City Council supports staff's decisions on both the composite windows and the halo lighting.  
172

173 **An Ordinance Amending Chapter 151.30 of the Code of Ordinances Regulating Signs**  
174

175 Mayor Dobrozsi explained that this will be the second reading of this Ordinance and asked if there were any updates.  
176

177 Ms. Roblero replied there were none.  
178

179 **NEW LEGISLATION**  
180

181 **A Resolution Authorizing the City Manager to Contract with Frost Brown Todd, LLC to Provide Special**  
182 **Counsel Services**  
183

184 Mr. Riblet explained that, if approved, this Resolution would authorize the City Manager to enter into a contract  
185 with Frost Brown Todd, LLC to provide special legal services for labor negotiations/labor relations/human resource  
186 functions. In 2004, the City contracted with Frost Brown Todd, LLC to provide legal services for the negotiations  
187 of a contract with the International Association of Fire Fighters (IAFF). Since that time, the City has used the  
188 services of Frost Brown Todd, LLC in negotiations with the Fraternal Order of Police (FOP) and in the negotiation  
189 of collective bargaining agreements with the American Federation of State, County and Municipal Employees  
190 (AFSCME), as well as the IAFF bargaining units. The work of Frost Brown Todd, LLC has been invaluable in  
191 labor negotiations/relations efforts, and it is important that the City maintain this relationship as the City continues  
192 it labor and employee relations into the future.  
193

194 **A Resolution Authorizing a Design-Build Construction Contract with Traditions VC Developer, LLC for**  
195 **The Vintage Club-North Site**  
196

197 Mr. Donnellon explained that, if approved, this Resolution will authorize a Design-Build/Guaranteed Maximum  
198 Price Contract with Traditions VC Developer, LLC to complete Public Improvements at the Vintage Club-North  
199 site. Staff has worked closely with the contractors and their design engineers over the last several months to identify  
200 the Public Improvements, to cost such Public Improvements, and to match such cost to the proceeds to be received  
201 from the Special Revenue Bonds to be issued to support such construction. These bonds have separately been  
202 authorized and are projected to be paid in a timely manner over the life of the bonds. The bonds are separately  
203 secured with pledges from the Developer to meet Minimum Debt Service requirements.  
204

205 **An Ordinance Rezoning a Portion of Montgomery Road North of Hopewell Road to The Residential C Single**  
206 **and Two-Family District with A Planned Development Overlay**  
207

208 Ms. Roblero explained that, if approved, this Ordinance would accept the recommendation of the Planning  
209 Commission to rezone multiple parcels along Montgomery Road north of Hopewell Road from Single Family  
210 Residential 'A' to the Single Family Residential 'C' District. This Ordinance also approves a Planned Development  
211 Overlay with certain conditions and exceptions as recommended by the Planning Commission, and approves the  
212 General Development Plan as submitted by the applicant, the Robert Lucke Group, Inc. This Ordinance will only  
213 take effect if approved at three successive readings and then thirty days after final approval.  
214

215 Mr. Cappel asked if someone were to apply for a zone change and the process changed after the application came  
216 in, would their application be grandfathered?

217  
218 Mr. Donnellon replied that the City can only make a zone change based on an applicant's request, City Council's  
219 request, or Planning Commission request. He stated that if the City received an application for a zone change, it  
220 would be forwarded to the Planning Commission for review. He stated if City Council wanted to expand the  
221 rezoning they would have to ask the Planning Commission to consider a zone change and file an application in  
222 parallel.

223  
224 Mr. Cappel asked if we had the opportunity to place a stay on the legislation.

225  
226 Mr. Donnellon replied that we do. We would have to place a stay on the Lucke application until other applications  
227 have went through the same process. He stated if Council concurs that they could consider the entire area including  
228 any additional applications. Mr. Donnellon explained that there is no requirement to do a new comprehensive plan  
229 every time a zoning change application is received.

230  
231 Mr. Margolis stated that this neighborhood has characteristics that are unique such as: traffic patterns, speed  
232 regulations and the permitted day care center. He asked if there were other areas in the city that have blended zones.

233  
234 Mr. Roblero stated that the Vintage Club, Orchard Trail and the Heritage District all had planned development  
235 overlays.

236  
237 **ADMINISTRATION REPORT**

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

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- 241 • City Council Business Session is scheduled for Wednesday, June 6 at 7:00 p.m.
  - 242
  - 243 • Board and Commission Updates are also scheduled that evening beginning with Pete Teitelman (Parks and  
244 Recreation) 6:00; Aaron Kellenberger (Beautification and Tree) 6:15; Larry Schwartz (Landmarks) 6:30;  
245 and Mike Harbison (Planning) 6:45.
  - 246
  - 247 • Committee meetings scheduled for Monday, June 4 will be Law and Safety at 3:30 and Financial Planning  
248 scheduled at 4:30 p.m. Planning, Zoning and Landmarks has cancelled their meeting for the month of June.
  - 249
  - 250 • Committee meetings scheduled for Monday, June 11 will be Government Affairs at 4:30 p.m. Parks and  
251 Recreation and Public Works have cancelled their meetings for the month of June.
  - 252
  - 253 • The Landmarks Commission met last Wednesday evening to review an application from DuPriest  
254 Enterprises for replacement of siding on the Sycamore Messenger building at 9429 Shelly Lane. A  
255 recommendation from the Landmarks Commission is required since the applicant is also applying for the  
256 Historic Preservation Matching Grant. The Landmarks Commission considered the application and  
257 unanimously approved the replacement of the existing T1-11 siding with hardiplank. Staff would like to  
258 request a meeting of the Montgomery Community Improvement Corporation on Wednesday, June 20 at  
259 6:30 p.m. to consider the application for the Historic Preservation Matching Grant.
  - 260
  - 261 • The Planning Commission met on Monday evening to review an application from Traditions Building and  
262 Development for Phase 7 of the Vintage Club, which includes site preparation and flatwork for the Village  
263 portion as well as condo buildings H1 and H3. After hearing the presentations and considering the  
264 application carefully, the Planning Commission voted unanimously to approve the Final Development Plan.
  - 265
  - 266 • A pre-construction meeting was held today relative to the 2018 Street Resurfacing Program. John R.  
267 Jurgensen indicates they may begin work as early as the week of June 4.

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- A contract with 4 Seasons Ground Maintenance was approved to provide mowing services for the 2018 mowing season not to exceed \$49,672.00 which equates to 28 mowing cycles as directed by staff.
- Nick Miller started in his new assignment as Construction and Compliance Inspector on Monday, May 21.
- Job announcements were posted for the open Public Works Supervisor and Service Worker I positions. The deadline to receive applications is Friday, June 1 at 5 p.m.
- As a reminder, tomorrow is the Public Works Recognition breakfast in honor of National Public Works Week. Breakfast will begin at 7:30 a.m.
- The Montgomery Pool opens this Saturday and with the anticipated temperatures this weekend, it is anticipated there will be a good number of people celebrating the pool opening and the beginning of summer.
- As a reminder, City offices will be closed on Monday, May 28 in honor of Memorial Day.
- As a reminder, the Hamilton County Municipal League next meeting will be on Wednesday, May 30 at the Ohio-Kentucky-Indiana Regional Council of Governments (OKI) located at 720 E. Pete Rose Way. Social hour begins at 6:00 with dinner served at 6:30. Mark Policinski of OKI will be the featured speaker for that evening.
- Staff is working with the Traditions Group to schedule a Ground-Breaking Ceremony for the Vintage Club North on Monday July the 2 at 10:00 a.m. and is inquiring if this is a good date for City Council.
- Staff would also like to not lose sight of scheduling a Ribbon-Cutting Ceremony for the Public Works Addition. We have identified some dates at the end of July and beginning of August. They are:
  - Wednesday, July 25 or Thursday, July 26
  - Wednesday, August 1; Thursday, August 2 or Friday, August 3

Staff suggests an early morning ceremony, possibly 8:00 a.m., to accommodate the schedules of City Council, Contractors and employees before everyone's work days were to begin. City Council approved Wednesday, July 25 at 8:00 am.

- In preparation of the 2019 Budget process, staff would like to schedule the City Council Budget Review session. Due to the back to back meetings scheduled for September 5 and September 12, we are a little challenged in identifying a date where there are little or no conflicts. As of this time we have identified Thursday, September 6 as a date with no conflicts and Tuesday, September 11, which does conflict with a EAC meeting. City Council approved Thursday, September 6 for the Budget Review Session.
- Mr. Riblet requested an Executive Session after the meeting for matters related to Economic Development.

### **CITY COUNCIL REPORTS**

Mr. Cappel reported that the Environmental Advisory Commission held their monthly cardboard recycling day, which was well attended.

Mrs. Bissmeyer reported that she is planning to attend the Public Works Recognition breakfast as well as the Sycamore Junior High School Memorial Day Ceremony.

Mrs. Harbison reported that the Chamber of Commerce, State of the City Address will be held on June 14 from 11:30 am to 1:00 p.m. at the Twin Lakes North Campus Clubhouse.

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Mrs. Harbison reported that Diane Fishbein, an Art Consultant with the Ohio Arts Council, attended the Arts Commission meeting in May to discuss a possible public arts project.

Mrs. Harbison reported that the Government Affairs Committee met with four finalists of the Brand and Imaging Services RFP. She stated that two of the four will be returning to the June meeting for further discussion.

Mrs. Harbison reported that the annual Staff Appreciation luncheon is scheduled for July 20 from 11:00 a.m. to 1:00 p.m. at Swaim Lodge.

Mayor Dobrozsi reported that his son recently graduated from Sycamore Schools and commended the Schools on the fantastic job that they do on the coordination of the entire commencement ceremony.

**MAYORS COURT REPORT**

Mayor Dobrozsi reported that the total Mayor's Court collections for the month of April 2018 was \$16,501.

Mr. Cappel moved to accept the Mayor's Court collections for the month of April 2018. Mrs. Harbison seconded. City Council unanimously accepted the collections.

**APPROVAL OF MINUTES**

Mayor Dobrozsi requested a motion to approve the May 2, 2018 Special Session and May 2, 2018 Business Session minutes.

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

**OTHER BUSINESS**

Chief Crowell explained that the City has received a notice from the Ohio Department of Liquor Control inquiring if City Council wishes to request a hearing on the transfer of an existing C1, C2 and D8 permit application received for Z Wine & Cheese, LLC at 7823 Cooper Road. This request is the result of the sale of the business. Chief Crowell stated that he sees no need to request a hearing as all background reports are clean for this company and their owners. Mr. Cappel made a motion to not request a hearing. Mrs. Harbison seconded. City Council unanimously agreed. Mayor Dobrozsi asked if there was any further business to discuss in Public Session.

Mayor Dobrozsi stated that as Mr. Riblet had requested an Executive Session for matters related to Economic Development and he would need a motion to adjourn.

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

The roll was called and showed the following vote:

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

City Council adjourned into Executive Session at 8:26 p.m.

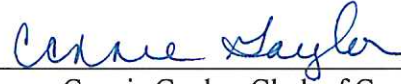
City Council reconvened into Public Session at 9:53 p.m.

373 Mr. Cappel stated that he and Mr. Margolis will be meeting the third Saturday of every month at Awakenings Coffee  
374 Shop to have "Coffee with a Council Member". The next date is June 16. He stated that this is being advertised on  
375 Next Door.

376  
377 Mayor Dobrozsi asked if they were anything further to discuss. There being none, he asked for a motion to adjourn.  
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379 Mr. Margolis moved to adjourn. Mr. Cappel seconded. City Council unanimously agreed.  
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381 City Council adjourned at 9:55 p.m.  
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Connie Gaylor, Clerk of Council