

April 16, 2021

TO: Mayor and City Council Members

FROM: Brian K. Riblet, City Manager *BKR*

SUBJECT: City Council Work Session of Wednesday, April 21, 2021

As a reminder, City Council is scheduled to meet in Work Session on Wednesday, April 21, 2021 immediately following the Public Hearing.

Public Hearing

At 6:30 p.m., a Public Hearing will be held to consider the approval of the expansion of a conditional use and General Development Site Plan approval for Columbia Chevrolet.

At the close of the presentation, City Council's options are to:

- *Approve the Recommendation*
- *Deny the Recommendation*
- *Remand the matter to Staff for more specific information or*
- *Take the matter under advisement and vote at another public meeting within thirty days.*

If City Council chooses the final option, it is suggested that City Council announce the date and time of the subsequent hearing when the matter will be discussed and considered for vote.

As a reminder, the Code does not allow additional new evidence to be submitted for review during the public hearing. City Council is to limit its consideration to the information presented from the City, and any comments, pro or con, from the public.

This meeting will be offered as a hybrid meeting, both in place at City Hall and by teleconference for those who cannot attend in person or feel safer sheltering at home. To participate in this meeting by teleconference please use the following phone number: 1-866-228-9900 with a passcode of 204938.

Work Session

1. Call to Order
2. Roll Call
3. Special Presentation
 - a. Doug King will be presented with a Certificate of Appreciation for his service on the Board of Zoning Appeals
 - b. Tyler and Anita Scott will be presented with a Certificate of Appreciation as the 2020 Winter Seasons of Beauty Winners
4. Guest and Residents
5. Legislation for Consideration this Evening
6. Establishing an Agenda for May 5, 2021 Business Session

Pending Legislation

- a. An Ordinance Designating the Wooley-Hattersley Carriage House as A Montgomery Landmark—(Vice Mayor Margolis, 3rd Reading) Information has been previously supplied on the Ordinance that, if approved, would designate the carriage house at 7967 Cooper Road as a local Landmarks to be known as the Wooley - Hattersley Carriage House.

Add this Ordinance to the May 5, 2021 Business Session, with adoption of the Ordinance requested at that meeting.

- b. An Ordinance Agreeing To Adjust The Boundaries Between The City Of Montgomery, Ohio And The City Of The Village Of Indian Hill, Ohio Pursuant To Ohio Revised Code Section 709.37—(Vice Mayor Margolis, 3rd Reading) Information has been previously supplied on this Ordinance that, if approved, would grant a request from Amy M. and Christopher Gilles, Property Owners on Remington Road, to approve a boundary adjustment for their property to relocate a portion of their lot from the Village of Indian Hill into the City to then be consolidated to create a larger, buildable lot. This Ordinance is the first step in the statutory process to adjust the boundary between the City and the Village. The Village of Indian Hill is passing a similar Ordinance, after which the legislation will be presented to the Board of Commissioners of Hamilton County, Ohio to approve the boundary adjustment between the two communities.

Add this Ordinance to the May 5, 2021 Business Session, with adoption of the Ordinance requested at that meeting.

- c. An Ordinance Authorizing the Law Director to Initiate Proceedings to Appropriate Property for The Purpose of a Road Improvement Project on Montgomery Road in The City of Montgomery, Hamilton County, Ohio—(Mr. Cappel, 3rd Reading) Information has been previously supplied on this Ordinance that, if approved, would acquire the property rights for the sidewalk right-of-way located at 10334 Montgomery Road. This Ordinance authorizes by statute the Law Director to proceed with eminent domain litigation in the Hamilton County Court of Common Pleas to acquire this interest in the real estate.

Add this Ordinance to the May 5, 2021 Business Session, with adoption of the Ordinance requested at that meeting.

New Legislation

- a. A Resolution Recognizing The Month Of May 2021 As National Historic Preservation Month in The City Of Montgomery—Please see attached correspondence from Assistant City Manager/Acting Community Development Director Tracy Roblero requesting that City Council consider this Resolution that, if approved, will recognize the month of May as National Historic Preservation Month in the City of Montgomery.

Add this Resolution to the May 5, 2021 Business Session agenda, assign it to a City Council member for reading, and consider adoption of the Resolution that evening.

- b. An Ordinance Providing for The Issuance of Not to Exceed \$7,500,000 Of Notes by The City of Montgomery, Ohio, For the Purpose of Making Public Infrastructure Improvements Within the City—Please see attached correspondence from Katie Smiddy, Finance Director requesting that City Council consider this Ordinance that, if approved, would refinance \$7,500,000 in outstanding Notes which were issued in 2020 in anticipation of construction in the Montgomery Quarter. With interest rates remaining favorable, it was recommended by our bond underwriter that we renew the Notes for another year. Eventually the Notes will either be paid in full or incorporated into a long-term bond. To timely issue the Notes, the Ordinance is not being proffered as an emergency, but Council will waive the second and third reading of the Ordinance so it will take effect the first week of June in anticipation of a closing on the new bonds.

Add this Ordinance to the May 5, 2021 Business Session for first reading held at the meeting. The second reading would be held at the June 2, 2021 Business Session. The third reading would be held at the July 7, 2021 Business Session, with adoption of the Ordinance requested at that meeting.

- c. A Resolution Authorizing The Administration To Apply For And Administer Funding From The American Rescue Plan Act of 2021—Please see attached correspondence from Brian Riblet, City Manager requesting that City Council consider this Resolution that, if approved, will allow the City of Montgomery to participate in the American Rescue Plan Act of 2021 and affirming that any funds received will only be applied to eligible expenses.

Add this Resolution to the May 5, 2021 Business Session agenda, assign it to a City Council member for reading, and consider adoption of the Resolution that evening.

7. Administration Report
8. Law Director Report
9. City Council Member Reports
 - a. Mr. Cappel
 - b. Mrs. Bissmeyer
 - c. Mr. Messer
 - c. Ms. Roesch
 - d. Mr. Suer
 - e. Vice Mayor Margolis
 - f. Mayor Dobrozsi
10. Approval of Minutes- April 7, 2021 Special Session, Public Hearing and Work Session.
11. Other Business
12. Executive Session
13. Adjournment

Should you have any questions or concerns regarding this information, please do not hesitate to contact me.

C: Connie Gaylor, Administrative Coordinator
Department Heads
Terry Donnellon, Law Director

April 21, 2021
City Hall

The City Council Work Session will begin immediately following the Public Hearing at 6:30 p.m. as a hybrid meeting both in City Hall and via teleconference. Social distancing guidelines will be observed with the meeting being conducted via teleconference. To phone in please use the following phone number: 1-866-228-9900 with access code 204938.

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- b. An Ordinance Agreeing to Adjust the Boundaries Between the City of Montgomery, Ohio And the City of The Village of Indian Hill, Ohio Pursuant to Ohio Revised Code Section 709.37 -(Vice Mayor Margolis, 3rd Reading)

Add this Ordinance to the May 5, 2021 Business Session, with adoption of the Ordinance requested at that meeting.

- c. An Ordinance Authorizing the Law Director to Initiate Proceedings to Appropriate Property for The Purpose of a Road Improvement Project on Montgomery Road in The City of Montgomery, Hamilton County, Ohio-(Mr. Cappel, 3rd Reading)

Add this Ordinance to the May 5, 2021 Business Session, with adoption of the Ordinance requested at that meeting.

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C: Connie Gaylor, Administrative Coordinator
Department Heads
Terry Donnellon, Law Director



CITY OF

MONTGOMERY

Certificate of Appreciation

to

Tyler and Anita Scott

7714 Cooper Road

WHEREAS, the Montgomery Beautification and Tree Commission has selected the home of **Tyler and Anita Scott**, as the 2020 Winter Seasons of Beauty Award Winner; and,

WHEREAS, the **Scott's** typically decorate with simple and live evergreens for the winter, but in 2020 they added a whimsical look with gnome trees in the window box and bistro lighting on the front porch and each window was adorned its own wreath; and,

WHEREAS, **Tyler and Anita** draped the porch with evergreen garland and evergreen balls where there are typically hanging baskets during the warmer months. Pots were filled with additional evergreens with berries and muted holiday bows; and,

WHEREAS, the **Scott's** shopped locally at Kroger and Costco stores to style their evergreen pots, hanging evergreen balls, and gnome trees for an "all live" winter and holiday look; and,

WHEREAS, the Seasons of Beauty award recognizes homes and businesses in Montgomery with special front yards, window boxes, and planters that peak during certain seasons as well as those homes and businesses with decorative features that celebrate the "season" or holiday; and,

WHEREAS, **Tyler and Anita Scott** have contributed to the beautification of Montgomery through the landscaping of their property, thereby visually enhancing the City for all its citizens.

NOW THEREFORE, BE IT CERTIFIED by the Council of the City of Montgomery, Ohio:

SECTION 1. The Council of the City of Montgomery, Ohio recognizes this extraordinary effort and contribution to our City and calls upon all residents and officials of this community to honor **Tyler and Anita Scott** for his efforts.



Lee Ann Bissmeyer, Councilmember


Mike Cappel, Councilmember

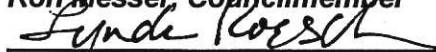
CHRIS DOBROZSI

Chris Dobrozsi, Councilmember



Craig Margolis, Councilmember


Ron Messer, Councilmember



Lynda Roesch, Councilmember



Ken Suer, Councilmember



Certificate of Appreciation to Doug King

WHEREAS, Doug King generously shared his time and talents with this municipality for four years by volunteering on the Board of Zoning Appeals; and,

WHEREAS, during his term of service on the Board of Zoning Appeals Doug faithfully attended the monthly meetings and was dedicated to upholding the spirit and intent of the Zoning Code while taking a fair and balanced approach to considering variance requests; and,

WHEREAS, Doug was giving of his time and an example of professionalism, fair-mindedness, and commitment to the Montgomery community, while showing compassion and understanding; and,

WHEREAS, Doug could always be counted on to volunteer his time to help out on Bastille Day; and,

WHEREAS, Doug is passionate about giving back to his community and his contributions have extensively contributed to making the City of Montgomery the great community it is.

NOW THEREFORE, BE IT CERTIFIED by the City Council of the City of Montgomery, Ohio, all members concurring:

SECTION 1. On behalf of all citizens of the City of Montgomery, the City Council wishes to thank **Doug King** for his valued service as a member of the Montgomery Board of Zoning Appeals. The citizens of Montgomery shall benefit now and hereafter from his efforts.

Lee Ann Bissmeyer
Lee Ann Bissmeyer, Councilmember

Mike Cappella
Mike Cappella, Councilmember

CHRIS DOBROZSI
Chris Dobrozsi, Councilmember

Craig Margolis
Craig Margolis, Councilmember

Ron Messer
Ron Messer, Councilmember

Lynda Roesch
Lynda Roesch, Councilmember

Ken Suer
Ken Suer, Councilmember

ORDINANCE NO. , 2021

**AN ORDINANCE DESIGNATING THE WOOLEY-HATTERSLEY CARRIAGE
HOUSE AS A MONTGOMERY LANDMARK**

WHEREAS, Chapter 150.18 of the Code of Ordinances governs the procedure to safeguard the City's heritage to promote the preservation of historic areas, places and structures within the City which contribute to the City's economic, recreational, cultural and educational development; and

WHEREAS, Section 150.1802 of the Code of Ordinances sets forth the procedure specifically to recognize landmark properties which meet these intended purposes and should be recognized and preserved as an integral part of the fabric of the City's heritage; and

WHEREAS, the Landmark's Commission has proposed the Wooley-Hattersley Carriage House located on the same lot as the Wooley-Kelsch House at 7967 Cooper Road be separately recognized for landmark designation; and

WHEREAS, it has been demonstrated that in its history and by its certain characteristics, the Wooley-Hattersley Carriage House occupies a singular position in the heritage of the City described as follows:

This Carriage House is sited on the same property as the Wooley-Kelsch House, a designated landmark located at 7967 Cooper Road. The Carriage House dates to the 1880's. It resembles an English or a three-bay barn, but it likely was not used for agricultural purposes, but as a Carriage House. As a Carriage House it has a center aisle, room for a carriage on one side and horse stalls on the other side under a hayloft. There are several elements

of constructions consistent with the mid to late 1800's when the property first appears on the records in Hamilton County, Ohio. These elements are (1) mortise-and-tenon framing, (2) circular-sawn lumber, and (3) board-and-batten siding with molded battens. The Carriage House has been carefully restored by Thomas and Sharon Hattersley in 2020-2021 to showcase the Carriage House as a part of the City's heritage.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Montgomery, Hamilton County, Ohio, that:

SECTION 1. The property known as Wooley-Hattersley Carriage House located upon the Wooley-Kelsch House lot at 7967 Cooper Road is hereby designated as a landmark subject to the regulations and privileges set forth in Chapter 151.18 of the Code of Ordinances. An appropriate symbol of such designation shall be imprinted on the zoning map of the municipality.

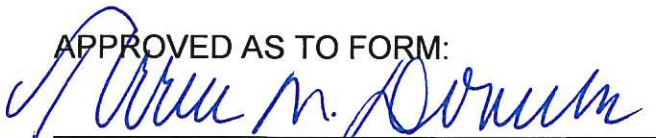
SECTION 2. This Ordinance shall be in full force and effect from and after the earliest period allowed by law.

PASSED: _____

ATTEST: _____
Connie M. Gaylor, Clerk of Council

Christopher P. Dobrozsi, Mayor

APPROVED AS TO FORM:



Terrence M. Donnellon, Law Director

ORDINANCE NO. , 2021

**AN ORDINANCE AGREEING TO ADJUST THE BOUNDARIES BETWEEN THE
CITY OF MONTGOMERY, OHIO AND THE CITY OF THE VILLAGE OF INDIAN HILL,
OHIO PURSUANT TO OHIO REVISED CODE SECTION 709.37**

WHEREAS, pursuant to Ohio Revised Code Section 709.37, two adjoining municipal corporations may, by Ordinance adopted by their respective legislative authorities, agree to adjust their boundaries, provided that such adjustment does not involve the transfer of land inhabited by more than five voters; and

WHEREAS, property owners, Amy M. and Christopher Gilles, are the record owners of two plats located on Remington Road, Hamilton County, Ohio, which lots border the common corporation line between the City of Montgomery, Ohio ("Montgomery") and the City of the Village of Indian Hill, Ohio ("Indian Hill"); and

WHEREAS, to create appropriately buildable lots for this land, the property owners have petitioned both Montgomery and Indian Hill to adjust the corporation line to move .3362 acres from Hamilton County Auditor's parcel number 619-0190-0082 from Indian Hill, and to consolidate such lot with lot 603-0004-0093 located within Montgomery. A copy of the proposed survey plat is attached hereto as **Exhibit A-1** and the former legal description for the remaining lots are attached hereto **Exhibit A-2**; and

WHEREAS, the Council of the City of Montgomery hereby finds and determines that a boundary adjustment of a portion of the property from Indian Hill to Montgomery will allow the adjusted and consolidated property to be governed by the laws of only one municipality, it will allow for the effective enforcement of the appropriate municipal codes in each jurisdiction, and it will avoid confusion regarding the provision of

municipal services by properly adjusting the boundary line to recognize these as two distinctive lots in their respective jurisdictions; and

WHEREAS, the City of Montgomery is willing to adjust its municipal boundary line with the Village of Indian Hill as graphically depicted in **Exhibit A-1** and described in **Exhibit A-2** attached hereto; and

WHEREAS, the proposed boundary adjustment would not affect any voters in either municipality and would be in the best interest of both municipalities; and

WHEREAS, the Council of the City of Montgomery desires to zone the new lot as consolidated and adjust it to the City of Montgomery as Residential A.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Montgomery, Hamilton County, Ohio, that:

SECTION 1. The Council of the City of Montgomery, Ohio does hereby agree to a boundary adjustment with the City of the Village of Indian Hill to consolidate a portion of Hamilton County Auditor's parcel number 619-0190-0082 to Hamilton County parcel number 603-0004-0093, and to adjust the new corporation line as appropriate and as depicted on the attached **Exhibit A-1**. Council hereby requests that the Board of Commissioners of Hamilton County, Ohio adjust the boundaries for the City of Montgomery, Ohio and the City of the Village of Indian Hill in the manner as provided by law and as depicted in **Exhibit A-1** and described in **Exhibit A-2** attached hereto.

SECTION 2. The territory that is becoming a part of the City of Montgomery shall be zoned Residential A and subject to all laws generally applicable to properties in the City. The Community Development Director shall cause the official zoning map of the City of Montgomery to be amended in accordance with this Ordinance.

SECTION 3. This Ordinance shall go into effect and become law from and after the earliest period allowed by law.

SECTION 4. The Clerk of the City is hereby directed to certify a copy of this Ordinance to the Hamilton County Recorder.

PASSED: _____

ATTEST: _____
Connie M. Gaylor, Clerk of Council

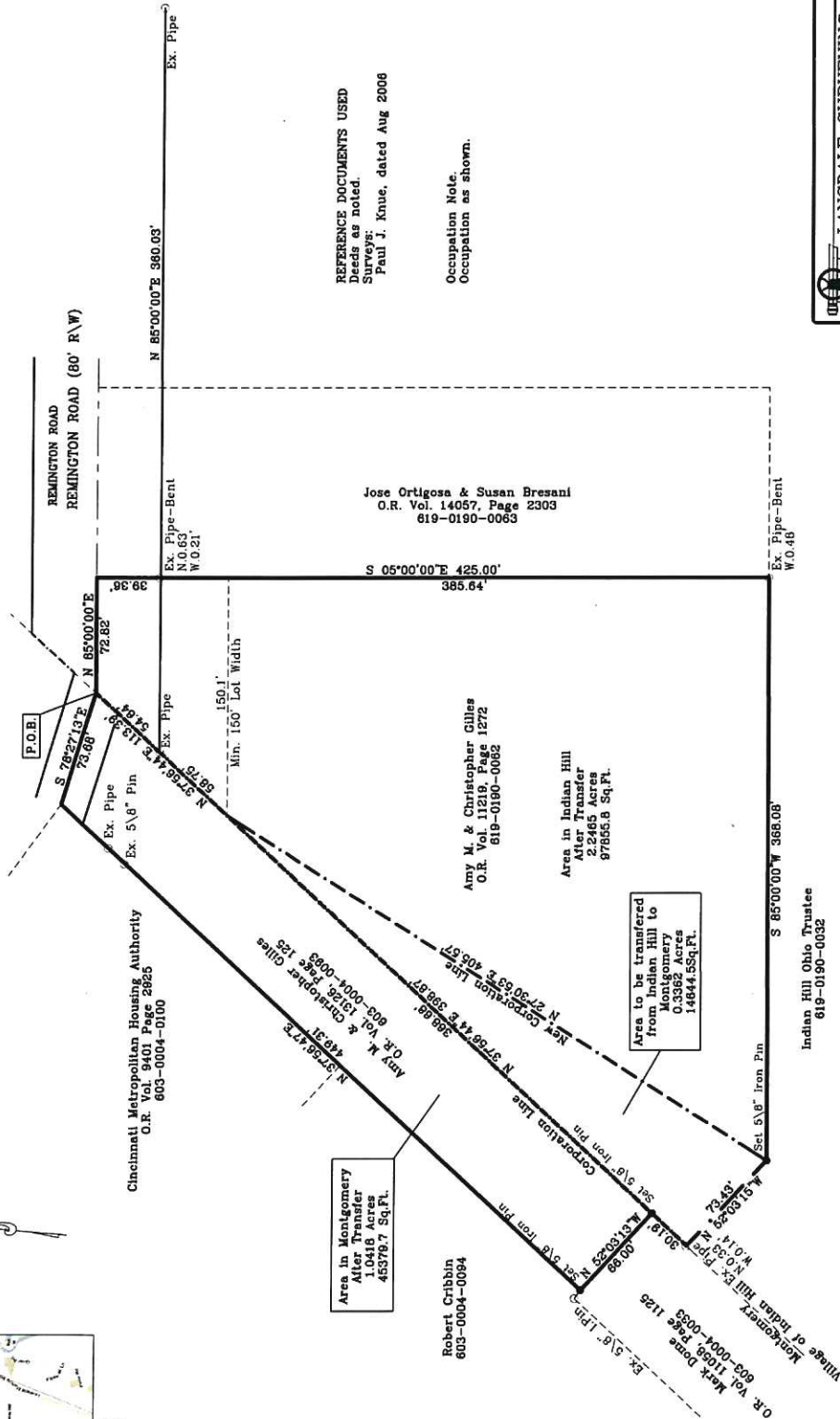
Christopher P. Dobrozsi, Mayor

APPROVED AS TO FORM:



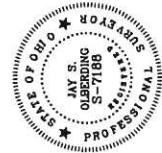
Terrence M. Donnella, Law Director

SECTION 3, TOWN 4, E.R. 1
INDIAN HILL TOWNSHIP \ SYCAMORE TOWNSHIP
CITY OF INDIAN HILL \ VILLAGE OF MONTGOMERY
HAMILTON COUNTY, OHIO




NOTE: The professional surveyor or Landsdale Surveying, Inc. has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose. No abstract of title, nor title commitment, or results of a title search were furnished to the surveyor or Landsdale Surveying, Inc.

I hereby certify that this plat represents a true and complete survey made under my supervision and all monuments have been set or found as shown.



Jay S. Olberding P.S.
Jay S. Olberding P.S.
Ohio Registered Surveyor #S-7188

	LANDSALE SURVEYING, INC. 1008 MAIN STREET - (ST. RT 28) MILFORD OHIO, 45150 PHONE (513) 631-9970	
	SURVEY FOR CORPORATION LINE ADJUSTMENT	
Survey for Amy & Christopher Gilles 7665 Remington Road		
DATE: 12/15/2020	DRAWN BY: mra	DRAWING NUMBER 09-029A
SCALE: 1"=50'		



1008 Main Street (State Route 28)
Milford, Ohio 45150
Telephone 513-831-9970 Fax 513-831-9971

President - Jay Olberding, P.S.
Founder - Jimmy Lansdale, P.S.

EXHIBIT A-2

December 15, 2020
09-029A

LEGAL DESCRIPTION FOR 0.3362 ACRES 711 Transfer from Indian Hill Township To Sycamore Township

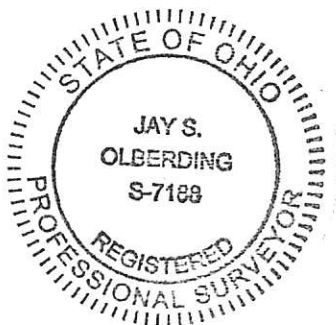
Situate in Section 3, Town 4, E.R. 1, Sycamore Township, Indian Hill Township, City of Indian Hill, Village of Montgomery, Hamilton County Ohio and being more particularly described as follows:

Commencing at a point of intersection of the Corporation Line between The Village of Montgomery and The Village of Indian Hill with the centerline of Remington Road; Thence leaving the centerline of Remington Road and going along The Corporation Line South $37^{\circ} 56' 44''$ West 113.39 feet to a point and **TRUE PLACE OF BEGINNING** for this description; Thence along a New Corporation Line South $27^{\circ} 30' 53''$ West 405.57 feet to a set $5\frac{1}{8}''$ iron pin; Thence North $52^{\circ} 03' 15''$ West 73.43 feet to a point, said point being witnessed by an existing pipe North 0.33 feet and West 0.14 feet, said point in also on the Corporation Line The Village of Montgomery and The Village of Indian Hill, Thence North $37^{\circ} 56' 44''$ East 398.87 feet to the place of beginning containing 0.3362 acres of land.

North is based upon deed recorded in Official Record 10411 - Page 1415 of the Hamilton County Recorder's Office.

The above described real estate is part of the same premises described as recorded in O.R. 11219, Page 1272 of the Hamilton County Ohio Deed Records and identified as all of Parcel ID. No.619-0190-0062, 0072, and 0073 on the tax maps of said county.

This description is the result of a survey and plat by Lansdale Surveying, Inc. dated August, 2009 under the supervision of Jay S. Olberding, Professional Surveyor, Ohio Registration #S-7188.



Jay S. Olberding P.S.



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December 15, 2020
09-029A

LEGAL DESCRIPTION FOR 1.0418 ACRES

Situate in Section 3, Town 4, E.R. 1, Sycamore Township, Indian Hill Township, City of Indian Hill, Village of Montgomery, Hamilton County Ohio and being more particularly described as follows:

Beginning at a point of intersection of the Corporation Line between The Village of Montgomery and The Village of Indian Hill with the centerline of Remington Road; Thence leaving the centerline of Remington Road South $37^{\circ} 55' 56''$ West passing through an existing Pipe at 54.64 feet for a total distance of 113.39 feet to a point; Thence with a New Corporation line South $27^{\circ} 30' 53''$ West 405.57 feet to a set $5\frac{1}{8}''$ iron pin; Thence North $52^{\circ} 03' 15''$ West 73.43 feet to a point, said point being witnessed by an existing pipe North 0.33 feet and West 0.14 feet, said point in also on the Corporation Line of The Village of Montgomery and The Village of Indian Hill; Thence North $37^{\circ} 56' 44''$ East 30.19 feet to a set $5\frac{1}{8}''$ iron pin; Thence North $52^{\circ} 03' 13''$ West 66.00 feet to a set $5\frac{1}{8}''$ iron pin; Thence North $37^{\circ} 56' 47''$ East 449.31 feet to a point in the centerline of Remington Road; Thence along the centerline of Remington Road South $78^{\circ} 27' 13''$ East 73.68 feet to the place of beginning containing 1.0418 acres of land.

North is based upon deed recorded in Official Record 10411 - Page 1415 of the Hamilton County Recorder's Office.

The above described real estate is part of the same premises described as recorded in O.R. 11219, Page 1272 of the Hamilton County Ohio Deed Records and identified as all of Parcel ID. No.619-0190-0062, 0072, and 0073 on the tax maps of said county.

This description is the result of a survey and plat by Lansdale Surveying, Inc. dated August, 2009 under the supervision of Jay S. Olberding, Professional Surveyor, Ohio Registration #S-7188.



Jay S. Olberding P.S.



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December 15, 2020
09-029A

LEGAL DESCRIPTION FOR 2.2465 ACRES

Situate in Section 3, Town 4, E.R. 1, Indian Hill Township, City of Indian Hill, Hamilton County Ohio and being more particularly described as follows:

Beginning at a point of intersection of the Corporation Line between The Village of Montgomery and The Village of Indian Hill with the centerline of Remington Road; Thence with the centerline of Remington Road North $85^{\circ} 00' 00''$ East 72.82 feet to a point; Thence leaving the centerline of Remington Road South $05^{\circ} 00' 00''$ East 425.00 feet to a point, said point being witnessed by an existing pipe West 0.48 feet; Thence South $85^{\circ} 00' 00''$ West 368.08 feet to a set $5\frac{1}{8}''$ iron pin; Thence with a New Corporation Line North $27^{\circ} 30' 53''$ East 405.57 feet to a point; Thence along the existing Corporation Line North $37^{\circ} 56' 44''$ East passing through an existing pipe at 58.75 feet for a total distance of 113.39 feet to the place of beginning containing 2.2465 acres of land.

subject to all easements and restrictions of record.

North is based upon deed recorded in Official Record 10411 - Page 1415 of the Hamilton County Recorder's Office.

The above described real estate is part of the same premises described as recorded in O.R. 11219, Page 1272 of the Hamilton County Ohio Deed Records and identified as all of Parcel ID. No.619-0190-0062, 0072, and 0073 on the tax maps of said county.

This description is the result of a survey and plat by Lansdale Surveying, Inc. dated August, 2009 under the supervision of Jay S. Olberding, Professional Surveyor, Ohio Registration #S-7188.



Jay S. Olberding P.S.



1008 Main Street (State Route 28)
Milford, Ohio 45150
Telephone 513-831-9970 Fax 513-831-9971

President - Jay Olberding, P.S.
Founder - Jimmy Lansdale, P.S.

Prepared by: Lansdale Surveying, Inc
Routine: Area Summary Coord File: 09-029.crd 12/15/20 8:35:15
Input Scale Factor: 1.000000000 Output Scale Factor: 1.000000000

Area in Indian Hill

Pt ID	Ang Rt	Bearing	Distance	Pt ID	Northing	Easting
28		N 85°00'10"E	72.82	21	5029.1362	5050.2505
21	90°00'10"	S 05°00'00"E	425.00	15	4605.7534	5087.2917
15	90°00'00"	S 85°00'00"W	368.08	17	4573.6731	4720.6124
17	57°29'07"	N 27°30'53"E	405.57	155	4933.3700	4907.9762
155	169°34'10"	N 37°56'44"E	133.39	28	5022.7892	4977.7007
28	132°55'46"					

Perimeter: 1384.86 Cumulative Perimeter: 1384.86

Approx: Sq. Feet: 97855.8 Acres: 2.2465
Approx: Total - Sq. Feet: 97855.8 Acres: 2.2465

Correct Ending Coordinates, North: 5022.7930 East: 4977.7073
Ending Coordinates, North: 5022.7892 East: 4977.7007
Error, N: 0.00 E: -0.01 Total: 0.01 Brg: N 59°58'10"E
Distance Traversed: 1384.86 Closure: 180329



Jay S. Olberding P.S.



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Milford, Ohio 45150
Telephone 513-831-9970 Fax 513-831-9971

President - Jay Olberding, P.S.
Founder - Jimmy Lansdale, P.S.

Routine: Area Summary Coord File: 09-029.crd 12/15/20 8:32:00
Input Scale Factor: 1.000000000 Output Scale Factor: 1.000000000

Area in Montgomery

Pt ID	Ang Rt	Bearing	Distance	Pt ID	Northing	Easting
28		S 37°56'44"W	113.39	155	4933.3738	4907.9828
155	190°25'50"	S 27°30'53"W	405.57	17	4573.6770	4720.6190
17	79°34'08"	N 52°03'15"W	73.43	18	4618.8303	4662.7127
18	90°00'10"	N 37°56'44"E	30.19	25	4642.6388	4681.2758
25	269°59'48"	N 52°03'13"W	66.00	26	4683.2238	4629.2291
26	90°00'00"	N 37°56'47"E	449.31	27	5037.5435	4905.5206
27	116°24'00"	S 78°27'13"E	73.68	28	5022.7957	4977.7095
28	63°36'04"					

Perimeter: 1211.57 Cumulative Perimeter: 1211.57

Approx: Sq. Feet: 45379.7 Acres: 1.0418
Approx: Total - Sq. Feet: 45379.7 Acres: 1.0418

Correct Ending Coordinates, North: 5022.7930 East: 4977.7073
Ending Coordinates, North: 5022.7957 East: 4977.7095
Error, N: 0.00 E: 0.00 Total: 0.00 Brg: S 39°30'58"W
Distance Traversed: 1211.57 Closure: 350897



Jay S. Olberding P.S.



1008 Main Street (State Route 28)
Milford, Ohio 45150
Telephone 513-831-9970 Fax 513-831-9971

President - Jay Olberding, P.S.
Founder - Jimmy Lansdale, P.S.

Prepared by: Lansdale Surveying, Inc
Routine: Area Summary Coord File: 09-029.crd 12/15/20 8:28:30
Input Scale Factor: 1.000000000 Output Scale Factor: 1.000000000

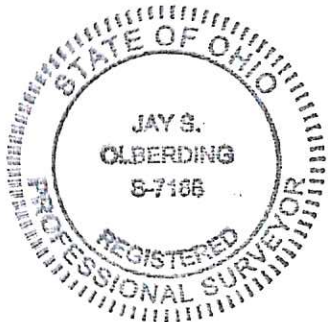
711 Transfer

Pt ID	Ang Rt	Bearing	Distance	Pt ID	Northing	Easting
155		S 27°30'53"W	405.57	17	4573.6754	4720.6180
17	79°34'08"	N 52°03'15"W	73.43	18	4618.8287	4662.7116
18	90°00'00"	N 37°56'44"E	398.87	155	4933.3745	4907.9833
155	10°25'52"					

Perimeter: 877.87 Cumulative Perimeter: 877.87

Approx: Sq. Feet: 14644.5 Acres: 0.3362
Approx: Total - Sq. Feet: 14644.5 Acres: 0.3362

Correct Ending Coordinates, North: 4933.3722 East: 4907.9818
Ending Coordinates, North: 4933.3745 East: 4907.9833
Error, N: 0.00 E: 0.00 Total: 0.00 Brg: S 32°33'02"W
Distance Traversed: 877.87 Closure: 319965



Jay S. Olberding P.S.

ORDINANCE NO. , 2021

AN ORDINANCE AUTHORIZING THE LAW DIRECTOR TO INITIATE PROCEEDINGS TO APPROPRIATE PROPERTY FOR THE PURPOSE OF A ROAD IMPROVEMENT PROJECT ON MONTGOMERY ROAD IN THE CITY OF MONTGOMERY, HAMILTON COUNTY, OHIO

WHEREAS, the Council of the City of Montgomery, Ohio, by Resolution No. 4, 2021, adopted March 3, 2021, declared the necessity and intention of appropriating a fee simple property interest and a temporary construction easement described in this Ordinance for the public purpose of constructing sidewalk and related roadway improvements open to the public without charge, specifically a road improvement project on Montgomery Road – the HAM-US22-14.74 Project - in the City of Montgomery, Ohio (“Road Improvement Project”); and

WHEREAS, notice of the adoption of Resolution No. 4, 2021 has been served upon the person(s) in possession of or having an interest in the property; and

WHEREAS, the City needs to appropriate certain property for public purposes described in detail below to accomplish the Road Improvement Project.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Montgomery, Hamilton County, Ohio, that:

SECTION 1. For the public purpose of the Road Improvement Project in the City of Montgomery, Ohio, the fee simple interest set forth in the attached **Exhibit A**, over real estate owned by Brandi Jo Kelly, now known as Brandi Jo Bock, being Hamilton County Auditor’s Permanent Parcel Numbers 603-0009-0016, 603-0009-0017 and 603-0009-0054 consolidated, is appropriated.

SECTION 2. For the public purpose of the Road Improvement Project on Montgomery Road in the City of Montgomery, Ohio, the temporary construction easement set forth in the attached **Exhibit B**, over real estate owned by Brandi Jo Kelly, Hamilton County Auditor's Permanent Parcel Numbers 603-0009-0016, 603-0009-0017 and 603-0009-0054 consolidated, is appropriated.

SECTION 3. The Law Director for the City of Montgomery, Ohio, or his designee, is directed to apply to a court of competent jurisdiction to have a jury impaneled to make inquiry into and assess the compensation to be paid for the fee simple interest and the temporary construction easement described above.

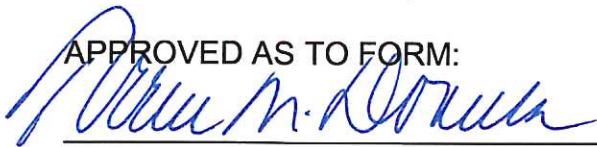
SECTION 4. This Ordinance shall take effect the earliest opportunity as allowable by law.

PASSED: _____

ATTEST: _____
Connie M. Gaylor, Clerk of Council

Christopher P. Dobrozsi, Mayor

APPROVED AS TO FORM:



Terrence M. Donnellon, Law Director

LPA RX 851 WD

Page 1 of 2

Rev. 06/09

Ver. Date 1/29/2020

PID 104934

**PARCEL 11-WD
HAM-US22-14.74
ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS
IN THE NAME AND FOR THE USE OF THE
CITY OF MONTGOMERY, HAMILTON COUNTY, OHIO**

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situated in Section 4, Town 4, Entire Range 1 of the Miami Purchase, Sycamore Township, City of Montgomery, Hamilton County, Ohio, and being more particularly described as follows:

Being a parcel of land lying on the east side of the centerline of Montgomery Road (US22/SR3) of Project HAM-US22-14.74, the centerline plat of which is recorded in Plat Book ____, Page ____ of the Hamilton County records, and being located within the following described points in the boundary thereof:

Beginning at a point in the existing easterly right-of-way line of Montgomery Road, being the northwesterly corner of Lot 1 of Jones Farm Subdivision, Block "A" and in the grantor's southerly line, being 29.41 feet right of Station 58+97.07;

Thence with the grantor's southerly line, South 88 degrees 18 minutes 35 seconds West, a distance of 31.22 feet to the grantor's southwesterly corner at Station 58+86.58 in the centerline of Montgomery Road;

Thence with the grantor's west line and the centerline of Montgomery Road, North 17 degrees 56 minutes 21 seconds East, a distance of 108.46 feet to the grantor's northwesterly corner at Station 59+95.04 in the centerline of Montgomery Road;

Thence with the grantor's northerly line, North 88 degrees 18 minutes 35 seconds East, a distance of 49.44 feet to an iron pin with cap set in the proposed easterly right-of-way line for Montgomery Road, being 46.57 feet right of Station 60+11.65;



Thence through grantor's property, with the proposed easterly right-of-way line for Montgomery Road, for the following three (3) courses:

1. South 16 degrees 06 minutes 53 seconds West, a distance of 11.58 feet to an iron pin with cap set, being 46.94 feet right of Station 60+00.07;
2. North 72 degrees 01 minutes 49 seconds West, a distance of 2.00 feet to an iron pin with cap set, being 44.94 feet right of Station 60+00.07;
3. South 17 degrees 24 minutes 05 seconds West, a distance of 97.14 feet to an iron pin with cap set in the grantor's southerly line, being 45.85 feet right of Station 59+02.93;

Thence with the grantor's southerly line, South 88 degrees 18 minutes 35 seconds West, a distance of 17.46 feet to the point of beginning;

Containing 0.1134 acre, more or less, of which the Present Road Occupies (P.R.O.) 0.0959 acre, for a net take of 0.0175 acre and being subject to all rights-of-way, easements, restrictions, covenants and/or conditions of record.

The above described tract is located in Auditor's Parcel numbers 603-9-16, 603-9-17, and 603-9-54.

This description was prepared and reviewed in January 2020 by CT Consultants, Inc., under the direction of Robert A. Bosworth, P.S., Ohio Registration Number 7750.

This description is based on a survey made in June 2017 under the direction and supervision of CT Consultants, Inc., Jerome Wald, P.S., Ohio Registration Number 6930.

Grantor claims title by deed recorded in Official Record Volume 13060, Page 1730, Hamilton County, Ohio Recorder's Office.

The basis of bearings in this description is based on the Ohio State Plane Coordinate System, South Zone, (NAD83).

Iron pins set are 5/8" x 30" steel reinforcing bars with plastic identification caps.

Robert A. Bosworth, P.S.
Registered Professional Surveyor
No. 7750 in Ohio

Date

Approved by Montgomery
Planning Commission

Planning Commission Chair
M E HARRISON



LPA RX 887 T

Page 1 of 3

Rev. 07/09

Ver. Date 1/29/2020

PID 104934

**PARCEL 11-T
HAM-US22-14.74
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
PERFORM GRADING AND DRIVEWAY REPLACEMENT
FOR 24 MONTHS FROM DATE OF ENTRY BY THE
CITY OF MONTGOMERY, HAMILTON COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situated in Section 4, Town 4, Entire Range 1 of the Miami Purchase, Sycamore Township, City of Montgomery, Hamilton County, Ohio, and being more particularly described as follows:

Being a parcel of land lying on the east side of the centerline of Montgomery Road (US22/SR3) of Project HAM-US22-14.74, the centerline plat of which is recorded in Plat Book ____, Page ____ of the Hamilton County records, and being located within the following described points in the boundary thereof:

Commencing at a point in the existing easterly right-of-way line of Montgomery Road, being the northwesterly corner of Lot 1 of Jones Farm Subdivision, Block "A and in the grantor's southerly line, being 29.41 feet right of Station 58+97.07;

Thence with the northerly line of said Lot 1 and the grantor's southerly line, North 88 degrees 18 minutes 35 seconds East, a distance of 17.46 feet to an iron pin with cap set in the proposed easterly right-of-way line for Montgomery Road and the Principal Point of Beginning for this description, being 45.85 feet right of Station 59+02.93;

Thence through the grantor's property, with said proposed easterly right-of-way line, North 17 degrees 24 minutes 05 seconds East, a distance of 97.14 feet to an iron pin with cap set, being 44.94 feet right of Station 60+00.07;

Thence continuing through the grantor's property, with said proposed easterly right-of-way line, South 72 degrees 01 minutes 49 seconds East, a distance of 2.00 feet to an iron pin with cap set, being 46.94 feet right of Station 60+00.07;

Thence continuing through the grantor's property, with said proposed easterly right-of-way line, North 16 degrees 06 minutes 53 seconds East, a distance of 11.58 feet to an iron pin with cap in the grantor's northerly line, being the southerly line of Lot 5 of the Grove of Montgomery, the

EXHIBIT

B

plat of which is recorded in Plat Book 381, Page 58, and being 46.57 feet right of Station 60+11.65;

Thence with the grantor's northerly line and the southerly line of said Lot 5, North 88 degrees 18 minutes 35 seconds East, a distance of 9.07 feet to a point, being 55.11 feet right of Station 60+14.70;

Thence through the grantor's property, with the herein described temporary construction easement, South 21 degrees 38 minutes 00 seconds West, a distance of 63.37 feet to a point, being 51.03 feet right of Station 59+51.46;

Thence continuing through the grantor's property, with said temporary construction easement, South 02 degrees 13 minutes 33 seconds West, a distance of 10.37 feet to a point, being 53.84 feet right of Station 59+41.47;

Thence continuing through the grantor's property, with said temporary construction easement, South 60 degrees 11 minutes 54 seconds East, a distance of 12.24 feet to a point, being 65.82 feet right of Station 59+38.96;

Thence continuing through the grantor's property, with said temporary construction easement, South 02 degrees 51 minutes 59 seconds West, a distance of 23.64 feet to a point, being 71.97 feet right of Station 59+16.13;

Thence continuing through the grantor's property, with said temporary construction easement, South 75 degrees 25 minutes 37 seconds West, a distance of 16.37 feet to a point in the grantor's southerly line, being 58.16 feet right of Station 59+07.33;

Thence with the grantor's southerly line, South 88 degrees 18 minutes 35 seconds West, a distance of 13.07 feet to the point of beginning;

Containing 0.0298 acre, more or less, and being subject to all rights-of-way, easements, restrictions, covenants and/or conditions of record.

The above described tract is located in Auditor's Parcel numbers 603-9-16 and 603-9-17.

This description was prepared and reviewed in January 2020 by CT Consultants, Inc., under the direction of Robert A. Bosworth, P.S., Ohio Registration Number 7750.

This description is based on a survey made in June 2017 under the direction and supervision of CT Consultants, Inc., Jerome Wald, P.S., Ohio Registration Number 6930.

LPA RX 887 T

Page 3 of 3

Rev. 07/09

Grantor claims title by deed recorded in Official Record Volume 13060, Page 1730, Hamilton County, Ohio Recorder's Office.

The basis of bearings in this description is based on the Ohio State Plane Coordinate System, South Zone, (NAD83).

Iron pins set are 5/8" x 30" steel reinforcing bars with plastic identification caps.

Robert A. Bosworth, P.S.
Registered Professional Surveyor
No. 7750 in Ohio

Date

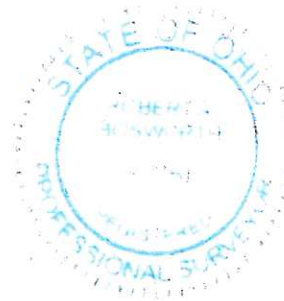


EXHIBIT B
To
CONTRACT FOR RIGHT OF ENTRY

PARCEL(S): 011-WD and 011-T
HAM-US22-14.74 – PID 104934

If structures are within the area described in Exhibit A, the terms and conditions of occupancy or non-occupancy and access are set forth in this Exhibit. THERE ARE NO STRUCTURES WITHIN THE AREA DESCRIBED IN EXHIBIT A.

April 16, 2021

TO: Brian K. Riblet, City Manager

FROM: Tracy Henao, Assistant City Manager/Acting Community Development Director *JMH*

SUBJECT: National Historic Preservation Month

Request

Staff is requesting that City Council adopt a resolution recognizing the month of May 2021 as National Historic Preservation Month.

Background

Once again, the month of May is designated as National Historic Preservation month. It is a time when communities and organizations recognize the value and importance of their heritage. Traditionally Montgomery has passed a resolution endorsing historic preservation and the heritage of Montgomery. Based on the positive response the City receives on the downtown walking tour as well as the fantastic turnout for Lanterns and Landmarks, it is clear that the more people become familiar with the City's history and the Landmark buildings, the more appreciative they become of the community and the more committed they are to preserving the past. Additionally, the City's downtown Heritage District is appreciated throughout the region and its unique character draws visitors to the City's restaurants and stores, which helps add vitality to the community.

Recommendation

Staff recommends that City Council support the enthusiasm of National Historic Preservation Month by passing a resolution recognizing the importance of historic preservation in the community.

RESOLUTION NO. , 2021

**A RESOLUTION RECOGNIZING THE MONTH OF
MAY 2021 AS NATIONAL HISTORIC PRESERVATION MONTH
IN THE CITY OF MONTGOMERY**

WHEREAS, the City of Montgomery has a rich heritage which is manifested in numerous buildings throughout the City, including eight buildings listed in the National Historic Register; and

WHEREAS, this heritage enriches the lives of our citizens, and it is in the public interest to preserve this legacy so that future generations may benefit from the cultural, aesthetic, educational, economic and inspirational benefits of their heritage; and

WHEREAS, the retention of the City of Montgomery's heritage is best accomplished only through the combined efforts of concerned individuals and organizations in the community.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Montgomery, Ohio, that:

SECTION 1. The City of Montgomery does hereby designate the month of May 2021 as ***National Historic Preservation Month*** in the City of Montgomery. We call special attention to the Montgomery Landmarks that have been carefully researched and recognized by the Landmarks Commission and the collection of our community history assembled by the Montgomery Historical Preservation Association at the Wilder Swaim House. This month the City also celebrates the designation of our newest landmark, the Wooley-Hattersley Carriage House at 7967 Cooper Road.

SECTION 2. The City of Montgomery is proud to be home to many

authentic architectural representations of the City's historic cultural heritage.

SECTION 3. We hereby call upon all citizens to recognize our City's historical past, and to protect these precious resources for the enjoyment of future generations.

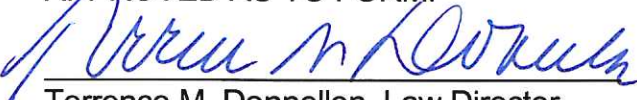
SECTION 4. This Resolution shall be in full force and effect from and after its passage.

PASSED: _____

ATTEST: _____
Connie M. Gaylor, Clerk of Council

Christopher P. Dobrozsi, Mayor

APPROVED AS TO FORM:



Terrence M. Donnellon, Law Director

April 13, 2021

TO: Brian K. Riblet, City Manager

FROM: Katie Smiddy, Finance Director 

SUBJECT: Montgomery Quarter Public Infrastructure Improvements Limited Tax
General Obligation Bond Anticipation Notes, Series 2020, 2021 Renewal

Request

It is necessary for City Council to consider an Ordinance authorizing the City Manager to renew the \$7,500,000 Series 2020 Bond Anticipation Notes issued for public infrastructure improvements.

Background

On June 23, 2020, the City issued \$7,500,000 Series 2020 Public Infrastructure Improvements General Obligation Bond Anticipation Notes. The BANs mature on June 22, 2021, with net interest totaling \$58,335.50. This short term borrow was used to fund the construction of public improvements in the Montgomery Quarter development. These Notes can either be converted to General Obligation Bonds in the coming years or continue to be rolled each year as Bond Anticipation Notes. The current plan is to renew the BAN for one more year to mature in June 2022.

Financial Impact

These notes are general obligations of the City. No separate tax is levied and collected to pay such Notes as the required debt service payments have been appropriated in the City's annual budget. The Series 2021 BAN Renewal is projected to have an All-In Cost less than 1.00%.

Recommendation

Staff recommends City Council approve the action to authorize issuance of not to exceed \$7,500,000 Public Infrastructure Improvements Limited Tax General Obligation Bond Anticipation Notes, Series 2020, 2021 Renewal. It is also recommended this request be added to the May 5th agenda for the first reading with Council consideration in suspending the second and third readings to allow us to meet the anticipated June closing date.

ORDINANCE NO. , 2021

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$7,500,000 OF NOTES BY THE CITY OF MONTGOMERY, OHIO, FOR THE PURPOSE OF MAKING PUBLIC INFRASTRUCTURE IMPROVEMENTS WITHIN THE CITY

WHEREAS, this Council has previously issued bond anticipation notes in the amount of \$7,500,000, which notes are about to mature and should be refinanced in a like principal amount; and

WHEREAS, the Finance Director, the fiscal officer of the City of Montgomery has heretofore estimated that the life of the project hereinafter described is at least five (5) years, and certified that the maximum maturity of the bonds issued therefor is twenty-five (25) years, and of the notes to be issued in anticipation thereof is nineteen (19) years; and

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Montgomery, (hereinafter called the "City"), County of Hamilton, Ohio, that:

SECTION 1. It is necessary to issue bonds of the City in the principal amount of not to exceed \$7,500,000, to refinance outstanding notes originally issued for the purposes of making public infrastructure improvements, including road improvements consisting of constructing new roads, curbs and sidewalks; installing water mains, sewers and storm sewers; and all related improvements, including site development and engineering in the City of Montgomery. Said bonds shall be dated approximately March 1, 2022, shall bear interest at the estimated rate of four per centum (4%) per annum and shall mature in substantially equal annual or semiannual installments over a period not exceeding twenty-five (25) years after their issuance.

SECTION 2. It is hereby determined that notes (hereinafter called the "Notes") in the principal amount of not to exceed \$7,500,000 shall be issued in anticipation of the issuance of said bonds.

SECTION 3. The Notes shall be dated the date of their issuance, shall bear interest at a rate not to exceed three per centum (3.00%) per annum, payable at maturity, shall mature not more than one year from the date of their issuance, and shall be of such number and denomination as may be requested by the purchaser, however the Notes shall be issued only in authorized denominations of \$100,000 or integral multiples of \$5,000 in excess of \$100,000. This Council hereby covenants that it will not exchange or reissue the Notes in less than authorized denominations other than through a "primary offering", as that term is defined in SEC Rule 15c2-12. Interest on the Notes shall be calculated on an actual days elapsed, 360-day year basis.

Final terms of the Notes, which shall be consistent with this ordinance, shall be set forth in the certificate of award ("Certificate of Award") which is hereby authorized and which shall be executed by the Finance Director without further action of this Council.

SECTION 4. The Notes shall be executed by the City Manager and Finance Director and shall bear the seal of the corporation. The Notes shall be designated "Public Infrastructure Improvements Limited Tax General Obligation Bond Anticipation Notes, Series 2020, 2021 Renewal" or as otherwise

designated in the Certificate of Award, and shall be payable in Federal Reserve funds by the paying agent and registrar for the Notes as determined by the Finance Director, and shall express upon their faces the purpose for which they are issued and that they are issued pursuant to this ordinance.

SECTION 5. Said Notes shall be sold by the Finance Director at public or private sale, at the discretion of such officer and awarded by such officer without further action by this Council, at not less than the par value of such Notes together with interest thereon, if any, as specified in Section 3 of this Ordinance. The proceeds from such sale, except any premium or accrued interest thereon, shall be paid into the proper fund and used for the purpose aforesaid and for no other reason, and for which purpose said money is hereby appropriated. Accrued interest and premium, if any, received on the sale of said Notes, shall be transferred to the bond retirement fund to be applied to the payment of principal and interest of said Notes in the manner provided by law.

Notwithstanding the above, the Finance Director is hereby directed to withhold delivery of the Notes, and to refuse to accept payment therefor, unless and until the original purchaser delivers to the City a certificate acknowledging that the original purchaser will sell the notes to no more than 35 persons, each of whom the original purchaser reasonably believes (i) has such knowledge and experience in financial and business matters that it is capable of evaluating the merits and risks of the prospective investment and (ii) is not purchasing for more than one account or with a view to distributing the Notes.

SECTION 6. The Notes shall be the full general obligations of the City, and the full faith, credit and revenue of the City are hereby pledged for the prompt payment of the same. The par value received from the sale of bonds anticipated by the Notes, and any excess fund resulting from the issue of the Notes, shall to the extent necessary be used only for the retirement of the Notes at maturity, together with interest thereon and is hereby pledged for such purpose.

SECTION 7. During the period while the Notes run there shall be levied upon all of the taxable property in the City within applicable limitations, in addition to all other taxes, a direct tax annually, not less than that which would have been levied if bonds had been issued without the prior issue of the Notes; said tax shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers in the same manner and at the same time that taxes for general purposes for each of said years are certified, extended and collected. Said tax shall be placed before and in preference to all other items and for the full amount thereof.

The funds derived from said tax levy hereby required shall be placed in a separate and distinct fund and, together with interest collected on the same, shall be irrevocably pledged for the payment of the principal and interest of the Notes, or the bonds in anticipation of which they are issued, when and as the same fall due; provided, however, to the extent that debt service on said obligations is appropriated and paid from other municipal sources said tax shall not be collected for the purposes thereof.

SECTION 8. This Council, for and on behalf of the City, hereby covenants that it will restrict the use of the proceeds of the Notes hereby authorized in such manner and to such extent, if any, and take such other action as may be necessary, after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute obligations the interest on which is subject to federal income taxation or "arbitrage bonds" under Section 103(b)(2) and 148 of the Internal Revenue Code of 1986, as amended (the "Code"), and the regulations prescribed thereunder. The Finance Director or any other officer having responsibility with respect to the issuance of the Notes is

authorized and directed to give an appropriate certificate on behalf of the City, on the date of delivery of the Notes for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the proceeds thereof and the provisions of Sections 103(b)(2) and 148 of the regulations thereunder.

These Notes are hereby designated "qualified tax-exempt obligations" for the purposes set forth in Section 265(b)(3) of the Code. The City does not anticipate issuing more than \$10,000,000 of "qualified tax-exempt obligations" during this year.

SECTION 9. The Clerk of Council is hereby directed to forward a certified copy of this Ordinance to the County Auditor.

SECTION 10. The firm of Dinsmore & Shohl LLP, is hereby engaged as the City's "Bond Counsel" pursuant to the engagement letter on file with the City.

SECTION 11. All appropriate officers of the City are further authorized to make, execute, acknowledge and deliver such financing statements, closing certificates and other instruments or agreements as are, in the opinion of Bond Counsel, necessary to carry out the purposes of this Ordinance.

SECTION 12. This City Council hereby authorizes and directs the Finance Director to take any and all actions which may be necessary to issue the Notes in book-entry-only form without further action by this Council including execution of all documents necessary therefor.

SECTION 13. The Finance Director is hereby authorized to apply, if she deems it appropriate, for a rating on the Notes from either Standard & Poor's Corporation or Moody's Investors Service, and to pay the fee or premium for said rating to the extent authorized by law and approved by Bond Counsel.

SECTION 14. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

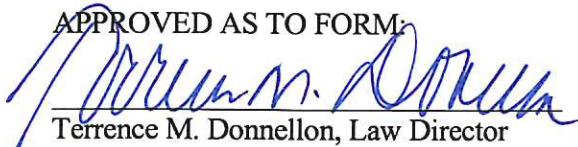
SECTION 15. This Ordinance shall take effect the earliest opportunity as allowable by law.

PASSED: _____

ATTEST: _____
Connie M. Gaylor, Clerk of Council

Christopher P. Dobrozsi, Mayor

APPROVED AS TO FORM:


Terrence M. Donnellon, Law Director

April 16, 2021

TO: Montgomery City Council

FROM: Brian K. Riblet, City Manager 

SUBJECT: Legislation Request to Participate in the American Rescue Plan Act of 2021

Request

It is necessary for City Council to consider a Resolution allowing the City of Montgomery to participate in the American Rescue Plan Act of 2021 and affirming that any funds received will only be applied to eligible expenses.

Financial Impact

It is anticipated the City of Montgomery would receive a total of approximately \$2.1 million dollars with 50% being delivered no later than Tuesday, May 10, 2021 and the remaining 50% will be delivered no earlier than one year later.

Background

The American Rescue Plan Act of 2021 was signed into law by President Biden on Thursday, March 11, 2021. The \$1.9 trillion Coronavirus rescue package aims to fuel the nationwide recovery from economic impacts of the pandemic through direct payments to individuals and families as well as funding to essential state and local government services. State and local governments recipients will be able to use the funds to cover eligible costs incurred until December 31, 2024.

Recommendation

Staff recommends City Council adopt a Resolution allowing the City of Montgomery to participate in the American Rescue Plan Act of 2021 and affirming that any funds received will only be applied to eligible expenses.

RESOLUTION NO. , 2021

**A RESOLUTION AUTHORIZING THE ADMINISTRATION TO APPLY FOR AND
ADMINISTER FUNDING FROM THE AMERICAN RESCUE PLAN ACT OF 2021**

WHEREAS, Congress has enacted the American Rescue Plan Act of 2021 from which through federal, state and local management the City has been allocated approximately \$2,100,000 to assist the City to recover economically from the impact of the COVID-19 pandemic; and

WHEREAS, the Administration has requested, and City Council does agree, to authorize the City Manager to execute any and all documentation necessary to participate in the American Rescue Plan Act of 2021 and to expend such funds received for eligible expenses.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Montgomery, Hamilton County, Ohio, that:

SECTION 1. Council does hereby authorize the City Manager to execute any and all documentation required, including an application, and if appropriate, a Participation Agreement, to allow the City to participate in funding allocated from the American Rescue Plan Act of 2021 to the City of Montgomery. All monies for which the Administration may apply and for which funds may be appropriated and expended shall be only those eligible expenses which may be identified in the rules and regulations associated with this program to the extent that such eligible expenses will assist the City in recovering from the impact of the COVID-19 pandemic.

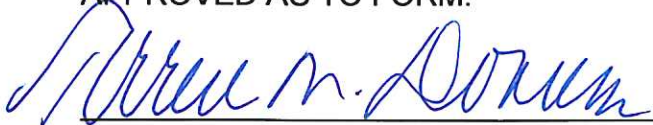
SECTION 2. This Resolution shall be in full force and effect from and after its passage.

PASSED: _____

ATTEST: _____
Connie M. Gaylor, Clerk of Council

Christopher P. Dobrozsi, Mayor

APPROVED AS TO FORM:



Terrence M. Donnellon, Law Director

These minutes are a draft of the proposed minutes from the City Council meeting. They do not represent the official record of proceedings until formally adopted by the City Council. Formal adoption is noted by signature of the Clerk within the minutes.

City of Montgomery
City Council Special Session
April 7, 2021

Staff Present

Brian Riblet, City Manager

Guest Present

Jacquelyn McCray, Management Partners

Council Members Present

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

Council convened in Council Chambers with Mayor Dobrozsi presiding at 5:30 p.m.

ROLL CALL

The roll was called, and all Council Members answered as present either in person or on the phone line.

EXECUTIVE SESSION

Mayor Dobrozsi asked for a motion to adjourn into Executive Session to discuss matters related to the appointment, employment, or compensation of a public employee or official.

Mr. Cappel moved to adjourn into Executive Session to discuss matters related to the appointment, employment, or compensation of a public employee or official. Mr. Suer seconded.

The roll was called and showed the following vote:

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

NAY: (0)

Council adjourned into Executive Session at 5:31 p.m.

Council reconvened in public session at 6:55 p.m.

Mayor Dobrozsi asked if there was any further business to discuss in public session. There being none he asked for a motion of adjournment.

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

The Special Session of Council adjourned at 6:55 p.m.

Clerk of Council

These minutes are a draft of the proposed minutes from the Public Hearing. They do not represent the official record of proceedings until formally adopted by the City Council. Formal adoption is noted by signature of the Clerk within the minutes.

City of Montgomery
City Council Public Hearing Minutes
April 7, 2021

Present

Brian Riblet, City Manager
Terry Donnellon, Law Director
John Crowell, Police Chief
Gary Heitkamp, Public Works Director
Tracy Henao, Asst. City Manager/Acting Comm. Dev. Dir.
Katie Smiddy, Finance Director
Matthew Vanderhorst, Community and Information Services Dir.
Paul Wright, Fire Chief
Connie Gaylor, Clerk of Council

City Council Members Present

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

City Council convened its Public Hearing for April 7, 2021 at 6:55 p.m. in a hybrid meeting at City Hall and by telephone conference with Mayor Dobrozsi presiding. This remote access meeting was allowed by emergency legislation adopted by the Ohio General Assembly and approved by the Governor. The emergency legislation added language to RC Section 121.22 allowing public meetings by telephone conference during the current pandemic and declared State of Emergency. As required by the statute, notice of the telephonic meeting was publicized more than 24 hours in advance to allow public access through the same conference call in service. The public was also given a backup number to call in the event there were technical difficulties. This Notice was posted on the City's website and a similar Notice was sent to The Cincinnati Enquirer.

Mayor Dobrozsi asked for a roll call.

The roll was called and showed the following:

PRESENT: Cappel, Bissmeyer, Roesch, Suer, Dobrozsi, Messer, Margolis (7)

ABSENT: (0)

Mayor Dobrozsi explained that as this was a Public Hearing he would allow for public comment after the presentation of the new business and Council questions and discussion. He asked that any guests on the phone line hold their comments until after the presentation and Council discussion as well. He stated that all comments will be limited to three minutes in total.

Mayor Dobrozsi explained the process for the Public Hearing to those in attendance and on the phone line. He explained that in a public hearing Council has the following options when considering an application:

- Approve the Recommendation
- Deny the Recommendation
- Remand the matter to Staff for more specific information or
- Take the matter under advisement and vote at another public meeting within thirty days.

Mayor Dobrozsi explained that if City Council chooses the final option, it is suggested that they announce the date and time of the subsequent hearing when the matter will be discussed and considered for vote.

Mayor Dobrozsi stated that as a reminder, the Code does not allow additional new evidence to be submitted for review during the public hearing. City Council is to limit its consideration to the information presented from the City, and any comments, pro or con, from the public.

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NEW BUSINESS

A request by the Planning Commission to a request from SHP, on behalf of Sycamore Community Schools, for an expansion of a conditional use and an equivalency for construction of additions to the existing High School and construction of a new stadium on the existing campus at 7400 Cornell Road.

Mayor Dobrozsi asked Ms. Henao to present the background of the agenda item.

Ms. Henao explained that this Public Hearing was requested to consider a request from SHP, on behalf of Sycamore Community Schools, for an expansion of a conditional use and an equivalency for construction of additions to the existing High School and construction of a new stadium on the existing campus at 7400 Cornell Road.

Ms. Henao explained that the high school campus is approximately 48.89 acres and houses Sycamore High School, athletic fields, and the Gregory Center. The existing school is located on twelve parcels; however, the property would be consolidated as part of this project. The project includes two phases. The first phase will include constructing a new stadium and relocation of athletic fields which is anticipated to start in the Fall of 2021. The second phase will entail relocating the main entry to the east side of the building by adding a new entry canopy and reconfiguring the site drop-off and pick-up for busses and vehicles. The second phase will include an expansion to the existing pool to accommodate two new lanes and a footprint expansion to accommodate 400 spectators. This phase is anticipated to begin in March of 2022. The applicant is also requesting an equivalency regarding event parking with the condition that for events that regularly exceed the on-site parking capability of 3,860 visitors, the School shall demonstrate that additional parking can be created on-site or through a shared parking arrangement.

Ms. Henao added that the property is zoned 'B' Single Family Residential, and schools are a conditionally permitted use in the district. She explained that the original building on this site was constructed in 1975 with several additions and renovations over the years. The site is located on Cornell Road and bordered by I-71 and I-275. The City of Montgomery Public Works facility is located across Cornell Road to the south and is also a conditionally permitted use in the District. Several single-family homes are located along the south side of Cornell Road in the City of Montgomery and are also zoned 'B' Single Family Residential. Montgomery Towne condos are located on the south side of Cornell Road in Sycamore Township.

Ms. Henao explained that the Planning Commission met on March 1, 2021 to consider the application for the expansion of a conditional use and the General Development Site Plan with an equivalency. After hearing testimony and discussing the application, the Planning Commission voted unanimously to recommend approval of the expansion of the conditional use permit and approve the General Development Plan with a recommendation to approve the equivalency request. The conditions recommended by the Planning Commission are shown below:

- The applicant shall comply with the specific conditions for a conditional use permit listed in Section 151.2007(v) Schools, public and private.
- A Final Development Site Plan in compliance with the approved General Development Site Plan be reviewed and approved by the Planning Commission prior to issuance of any permits.
- The parcels shall be consolidated into one lot.
- Events that regularly exceed the on-site parking capability of 3,875 visitors shall demonstrate that additional parking can be created on-site or through a shared parking arrangement.
- Should the future average attendance at events exceed 3,875 spectators per game for an entire season, the School will establish a permanent plan for additional parking or a shared parking arrangement.

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- Sycamore Schools shall not schedule large events in the Natatorium or Auditorium during large events at the Stadium, which would cause the parking requirement to exceed the capability of the site.
- Addition of a sidewalk along the eastern driveway to provide pedestrian access to the stadium and athletic fields.
- Addition of a crosswalk on Cornell Road at Valleystream, if deemed appropriate by the Traffic Engineer.
- An annual review of the parking situation, to include neighbor's feedback, after the construction of the stadium for a period of two to three years.
- Increase the landscaping around the new parking lot and in the area between the parking lot and Cornell Road to soften the noise and light from the stadium.
- The Stormwater Management Plan shall be in compliance with the concept plan that was provided by the applicant, including best management practices.

Ms. Henao explained the project is a significant development for Sycamore Community Schools, which is one component of the facilities master plan which will involve renovations and/or new construction on many of the campuses throughout the district. The improvements to the High School site provide a nice opportunity to separate vehicular and bus traffic and make improvements to internal circulation that will have a positive impact on traffic on Cornell Road during pick-up/drop-off. The plan will also allow for the high school teams to have games on campus instead of holding games at the Junior High on Cooper Road.

Ms. Henao stated the proposed plan as approved by the Planning Commission meets the regulations in the Zoning Code except for 107 parking spaces that are required if the stadium is at capacity. To keep impervious surface coverage to a minimum and reduce the environmental and aesthetic concerns of an 'over-parked' site, the applicant proposed an equivalency with the condition that for events that regularly exceed the on-site parking capability of 3,875 visitors, the School shall demonstrate that additional parking can be created on-site or through a shared parking arrangement. With this condition and the additional conditions recommended by the Planning Commission, Staff believes that surrounding residential properties will be protected, if attendance at the events begins to grow in the future. Therefore, Staff is in support of the recommendation of the Planning Commission, with the conditions as recommended by the Commission.

Mayor Dobrozsi asked the applicant if they would like to speak. Mayor Dobrozsi congratulated Mr. Lewis for being named as the new superintendent of Sycamore Schools in August 2021 after the retirement of Frank Forsthoefel.

Chad Lewis, Sycamore Community Schools was present for the meeting. Mr. Lewis thanked the Mayor and Mr. Forsthoefel for his support. Mr. Lewis stated that he appreciated the consideration of the project as it was a significant change for the community, students and staff. He stated that he felt the construction and change in the traffic flow into the school would improve conditions on Montgomery Road. He added that in addition, the relocation of games and the bus compound from Cornell Road would also improve traffic flow. He stated that he appreciated the feedback from residents as well as the Planning Commission in working to bring improvements to the plan that will be a good solution for everyone.

Frank Forsthoefel, Superintendent with Sycamore Community Schools was on the phone line. Mr. Forsthoefel congratulated Mr. Lewis on being named as his successor. He stated that he was very excited about the projects across the district as they will enhance opportunities for students. He thanked the Planning Commission for the opportunity to have meaningful conversations to make this a fluid project.

Charlie Jahnigen of SHP, Architect for the Schools and applicant, was on the phone line and stated that the overall goal of the project was to create a safest site for the students. He added that a priority was given to traffic and storm water management.

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Mayor Dobrozsi asked for City Council input.

Vice Mayor Margolis stated that Sycamore High School was built in 1975, which was the year he moved into the city. He stated the construction of the school was very good for the City as it is the number one driver for the community. He stated he thought the plan was good as it addressed the issues and offers expansion and improvement to the schools. He stated he was in support of the request.

Mr. Suer stated that he felt the internal traffic flow looks to be improved, which was needed. He added that he felt the traffic on Cornell Road will be improved also, moving in a more logical fashion. He stated that he understood after being at events that the stadium on the high school site will be very nice and the improvements will enhance the school. He stated that there was no question that the improved facilities would make the community more competitive with other Tier 1 communities and improves property values for the residents. He stated that other areas with older school buildings have corresponding lower property values. He stated he supported the request.

Mr. Cappel stated that he watches how the world changes and that the schools need to keep up and move forward with those changes.

Mrs. Bissmeyer stated that the community is excited to see this project come to fruition.

Mrs. Roesch thanked the School District for working with the Planning Commission and appreciated their efforts to address the traffic and storm water issues.

Mr. Messer stated that this was a much-needed improvement. He stated that the traffic could be a nightmare but felt the plans would alleviate that problem. He added that he hoped the new stadium would help to keep athletes at Sycamore and from transferring to area private schools.

Mayor Dobrozsi explained that as he had two kids go through the school system, he knew it is the number one reason that people come to the community. He stated that obviously the levy was supported by the residents in order to make the construction projects possible. He thanked Mr. Lewis and Mr. Forsthoefel for the informative pamphlet that was sent to the residents featuring each building in the district that was being updated. Mayor Dobrozsi also thanked the Planning Commission and Staff for working to get the project to this point.

Mayor Dobrozsi asked if there were any guests at City Hall that would like to speak.

James Hoffman, 7511 Cornell Road-Mr. Hoffman identified the area across from the lake that the University of Cincinnati owned as a center of flooding for four families. He asked that the area be looked at for changes to improve drainage.

Susan Bardes, 7651 Cornell Road-Ms. Bardes spoke about overflow and shared parking. She asked where that would be if parking was exceeded.

Ms. Henao replied that average attendance is typically 2,000 to 2,500 visitors. She stated that the Schools have agreed to research that and present a more solid parking plan and storm water plan with the final development plan to the Planning Commission.

Gail Rodgers, 10887 Lake Thames Drive-Ms. Thames stated that she lived at the Montgomery Town Condominiums and inquired how the Schools would handle the first home football game.

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Mr. Lewis responded that the old stadium was at the Junior High and the home stands were being demolished, to make room for the new Junior High building. He stated that they have come up with a plan to upgrade some of the bleachers at the High School, to hold the games there but there will be limited capacity. He stated that the School Resource Officer, Paul Payne arranges traffic control and typically has five-six officers at the games to help with traffic control.

Mayor Dobrozsi stated that as there were no other visitors in City Hall, he asked for any visitors on the phone line who would like to speak. There being no response, Mayor Dobrozsi closed the floor for public comments.

Mayor Dobrozsi restated that the options available to City Council related to this request were:

- Approve the Recommendation
- Deny the Recommendation
- Remand the matter to Staff for more specific information or
- Take the matter under advisement and vote at another public meeting within thirty days.

Mr. Suer moved to approve the Planning Commission's recommendation of an expansion of a conditional use and an equivalency for construction of additions to the existing High School and construction of a new stadium on the existing campus at 7400 Cornell Road. Vice Mayor Margolis seconded.

Mayor Dobrozsi asked for a roll call and the vote was as follows:

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

NAY: (0)

Mayor Dobrozsi asked if there was any further business to be heard in the Public Hearing. There being none, he asked for a motion to adjourn from the Public Hearing.

Vice Mayor Margolis made a motion to adjourn. Mr. Messer seconded. City Council unanimously agreed.

The meeting was adjourned at 7:13 p.m.

Connie Gaylor, Clerk of Council

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City of Montgomery
City Council Business Session Minutes
April 7, 2021

Present

Brian Riblet, City Manager
Terry Donnellon, Law Director
John Crowell, Police Chief
Gary Heitkamp, Public Works Director
Tracy Henao, Asst. City Manager/Acting Comm. Dev. Dir.
Katie Smiddy, Finance Director
Matthew Vanderhorst, Community and Information Services Dir.
Paul Wright, Fire Chief
Connie Gaylor, Clerk of Council

City Council Members Present

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

City Council convened its Business Session for April 7, 2021 at the conclusion of the Public Hearing held at 6:45 p.m. as a hybrid meeting at City Hall and also by telephone conference with Mayor Dobrozsi presiding. This remote access meeting was allowed by emergency legislation adopted by the Ohio General Assembly and approved by the Governor. The emergency legislation added language to RC Section 121.22 allowing public meetings by telephone conference during the current pandemic and declared State of Emergency. As required by the statute, notice of the telephonic meeting was publicized more than 24 hours in advance to allow public access through the same conference call in service. The public was also given a backup number to call in the event there were technical difficulties. This Notice was posted on the City's website and a similar Notice was sent to The Cincinnati Enquirer.

ROLL CALL

Mayor Dobrozsi called the meeting out of recess and into the regular Business Session at 7:15 p.m.

SPECIAL PRESENTATIONS

Vice Mayor Margolis presented David Clark with a Certificate of Appreciation for his service on the Landmarks Commission.

City Council thanked Mr. Clark for his service to the City and the community.

Larry Dannenberg, representative of the Montgomery Farmers Market (MFM), thanked the City for allowing him to present a short power point outlining the 2020 Montgomery Farmers Market season. Mr. Dannenberg thanked the City for their ongoing support of the Market.

Vice Mayor Margolis thanked Mr. Dannenberg for his kind comments. He stated that he hoped the MFM could be incorporated into the Montgomery Quarter as well as offering extended hours and food trucks. Vice Mayor Margolis thanked Stuart Zanger of the MFM as well for his dedication to the market throughout the years.

Mr. Dannenberg replied to Vice Mayor Margolis that the Market is looking to do new things once the pandemic is over.

Mr. Messer stated that the market is part of what makes Montgomery great.

Mr. Suer recalled when Valerie Taylor started the market on Shelly Lane and now it has grown to the size of the parking lot at Montgomery Elementary. He stated that it has progressed into a professional operation.

Ms. Roesch stated that many people comment that they love the MFM. She thanked them for working with the Beautification and Tree Commission to include holding the Plant Swap at the market.

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Mrs. Bissmeyer stated that her family is a huge advocate of the Farmer's Market. She stated that she was part of a Cookbook Club where they post on social media recipes in which they can find ingredients at the Farmer's Market. She stated that many chef's buy their ingredients locally. She thanked the MFM for their efforts.

Mr. Cappel stated that the market was a fun place to detour through on his morning walk.

Mayor Dobrozsi stated that he always goes to the market with his dog, "Boone" and feels it is a great community service and event.

Mr. Riblet wished the MFM continued success and thanked them their community involvement.

GUESTS & RESIDENTS

Mark Laskovics, 10608 Deercreek Lane-Mr. Laskovics stated that he was there to speak to City Council regarding energy aggregation in the community. He explained that when the residents vote to enter into an energy aggregation contract that they establish themselves as a group to get better pricing on their energy rates. He stated that 10 million residents of Ohio are aggregated which is 87% of Ohio's population. He asked for Council support in establishing an energy aggregation for Montgomery. He explained to move forward there has to be a ballot issue and subsequently the engagement of an Energy Broker to establish a program. He stated that a lot of communities are aggregated. He stated that he knows the City staff is overworked so he offered himself as a resource. He stated he would be glad to conduct a review.

Mr. Riblet stated that he had spoken to his counterparts and felt the next step is to discuss this topic at a future Government Affairs Committee meeting to dig deeper into the details.

Mayor Dobrozsi thanked Mr. Laskovics for sharing information with City Council and for attending the meeting. He stated that Staff and City Council would take the information under advisement and discuss at a future Committee meeting as Mr. Riblet stated.

Mayor Dobrozsi stated that he was going to hold any other comments by Guests and Residents to just after Other Business on the agenda.

PENDING LEGISLATION

An Ordinance Designating the Wooley-Hattersley Carriage House as A Montgomery Landmark

Vice Mayor Margolis moved to read the legislation by title only. Mr. Cappel seconded.

Vice Mayor Margolis read the title and moved for passage of the second reading of the Ordinance. Mr. Cappel seconded.

Vice Mayor Margolis explained that information has been previously supplied on the Ordinance that, if approved, would designate the carriage house at 7967 Cooper Road as a local Landmarks to be known as the Wooley – Hattersley Carriage House. He asked if there were any updates.

Ms. Henao stated there were none.

Mr. Suer asked if there would be a Landmark plaque placed on the building.

Ms. Henao stated that there would be.

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Mayor Dobrozsi asked for a roll call.

The roll was called and showed the following vote:

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

NAY: (0)

An Ordinance Agreeing to Adjust the Boundaries Between the City of Montgomery, Ohio And the City of The Village of Indian Hill, Ohio Pursuant to Ohio Revised Code Section 709.37

Vice Mayor Margolis moved to read the Ordinance by title only. Mr. Messer seconded. City Council unanimously agreed.

Vice Mayor Margolis read the title and moved for passage of the second reading of the Ordinance. Mr. Cappel seconded.

Vice Mayor Margolis explained that information has been previously supplied on this Ordinance that, if approved, will grant a request from Amy M. and Christopher Gilles, Property Owners on Remington Road, to approve a boundary adjustment for their property to relocate a portion of their lot from the Village of Indian Hill into the City to then be consolidated to create a larger, buildable lot. This Ordinance is the first step in the statutory process to adjust the boundary between the City and the Village. The Village of Indian Hill is passing a similar Ordinance, after which the legislation will be presented to the Board of Commissioners of Hamilton County, Ohio to approve the boundary adjustment between the two communities.

Mr. Donnellon explained that he asked the homeowner to reach out to the two school districts Indian Hill and Sycamore Schools. He stated that he does not think they have heard back from Sycamore Schools, but they have asked that City Council proceed forward to the May 5 Business Session. He stated that at such time if they have not received the proper agreement that he may ask Council to table the legislation at that meeting.

Mayor Dobrozsi asked for the roll to be called.

The roll was called and showed the following vote:

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

NAY: (0)

An Ordinance Authorizing the Law Director to Initiate Proceedings to Appropriate Property for The Purpose of a Road Improvement Project on Montgomery Road in The City of Montgomery, Hamilton County, Ohio

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

Mr. Cappel read the title and moved for passage of the second reading of the Ordinance. Mr. Suer seconded.

Mr. Cappel explained that information has been previously supplied on this Ordinance that, if approved, will approve the acquisition of property rights for the sidewalk right-of-way located at 10334 Montgomery Road. This Ordinance authorizes by statute the Law Director to proceed with eminent domain litigation in the Hamilton County Court of Common Pleas to acquire this interest in the real estate.

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Mr. Donnellon explained to those visitors in the audience or on the phone line that this was not an adversarial appropriation of property and that the homeowners worked along with the City to allow the transfer of the property. He stated that as we move forward to remember that there is another 60 days that would include the passage and time in which the Ordinance would be effective.

Mayor Dobrozsi asked for the roll to be called.

The roll was called and showed the following vote:

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

NAY: (0)

NEW LEGISLATION

A Resolution Authorizing the City Manager to Enter into A Contract with Jake Sweeney Chrysler Jeep Dodge Ram for The Purchase of Three (3) 2021 Dodge Charger Sedans

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

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

Mrs. Bissmeyer explained that information has been previously supplied on this Resolution that, if approved, would authorize the City Manager to enter into a contract with Jake Sweeney Chrysler Jeep Dodge Ram for the purchase of three (3) 2021 Dodge Charger Sedans. The purchase of three (3) police vehicles is part of a scheduled rotation program to replace older police vehicles in the Police Department's fleet. Funding for the vehicles is appropriated in the City's 2021 Police Department Operating and Capital Budget.

Mrs. Bissmeyer asked if there were any updates.

Chief Crowell replied there were none.

Mayor Dobrozsi asked for the roll to be called.

The roll was called and showed the following vote:

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

NAY: (0)

ADMINISTRATION REPORT

Mr. Riblet reported the following items:

- City Council Work Session is scheduled for Wednesday, April 21 immediately following a Public Hearing scheduled for 6:30 p.m.
- A Public Hearing is also scheduled for April 21, to consider the expansion of a conditional use and General Development Site Plan approval for Columbia Chevrolet. City Council previously made a motion to commence with the Work Session immediately following the conclusion of the Public Hearing.

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- The Government Affairs Committee of Council will meet on Monday, April 12 at 4:30 p.m. The Parks and Recreation and Public Works Committees have cancelled their meetings for the month of April.
- John R. Jurgensen (JRJ) performed the traffic pattern switch to “Phase 3” this past Saturday without issue and the new pattern has been functioning well. Duke Energy continues installation of the new 12-inch gas main on Montgomery Road at the roundabout project, and is expected to be complete by April 16, at which time JRJ will resume their construction activities. The construction activities of Phase 3 are expected to last 4 weeks, so until sometime mid to late-May.
- The Fire Department is holding COVID vaccination clinics for Ohio National employees on the following dates: April 7, April 14, April 15, April 28, and May 5. Additionally, the department is assisting Hamilton County Health Department with a Montgomery Community COVID Vaccination POD on April 13 with the second dose being given on May 4. The event is by appointment only and being held at Montgomery Assembly of God. (POD stands for Point of Distribution)
- Eric Rademacher from University of Cincinnati has indicated we are approaching the “top” end of the expected survey responses for the upcoming Strategic Plan process. He will continue to accept responses through next week. Mr. Rademacher is expected to attend the May 19 Work Session to provide a summary for City Council.
- A change order related to Resolution 29, 2020 was approved for professional services with Strand Associates for engineering and design of the proposed roundabout project at the intersection of Deerfield Road and Pfeiffer Road. The approved Resolution was for \$165,031 and will be adjusted to \$175,772 which is a differential of \$10,741 which is below both the 10% threshold for adjustments to contracts as and beneath the \$50,000 thresholds for City Manager approval. The additional funds are a result of additional temporary easements needed in conjunction with the project.
- Kyle Boeckermann will begin his employment with the City as a full-time firefighter/paramedic on May 5. Kyle’s current employer is the City of Taylor Mill Fire Department. Staff will be requesting the Civil Service Commission to authorize a new exam for the firefighter/paramedic classification as this hire will exhaust all viable candidates on the current firefighter/paramedic eligible list.
- As a reminder, the Hopewell Cemetery Revolutionary War Patriot’s Memorial and Grave Marking Ceremony will be held on Saturday, April 17 at 2:00 p.m. The ceremony will include the announcement of the honored patriots, unveiling of the monument, a color guard presentation, and a musket salute. Please confirm your attendance with Ms. Gaylor.
- Happy Birthday to our very own Terry Donnellon on April 9 and Vice Mayor Margolis on April 14.

APPROVAL OF MINUTES

Mayor Dobrozsi asked for a motion to approve the March 24, 2021 Special Session, Public Hearing and Work Session minutes.

Vice Mayor Margolis made a motion to approve the March 24, 2021 Special Session, Public Hearing and Work Session minutes as written. Mr. Messer seconded. City Council unanimously agreed.

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MAYOR'S COURT REPORT

Mayor Dobrozsi stated that the March Mayors Court collections in the amount of \$15,790 need to be disbursed. He asked for a motion to accept the funds.

Mr. Cappel moved to accept the Mayors Court collections for the month of March in the amount of \$15,790. Mr. Suer seconded. City Council unanimously agreed.

OTHER BUSINESS

Mayor Dobrozsi asked if there were any items for other business.

Ms. Roesch stated that she would like to make a motion to appoint Andrew McKenrick to the Beautification and Tree Commission for a term ending January 31, 2024. She stated he has attended four meetings and has his own landscaping company. She stated he would be a great addition to the Commission. She stated that this has not went before the Committee so it would need a second. Vice Mayor Margolis seconded the motion. City Council unanimously agreed.

Mr. Suer explained that the Planning, Zoning and Landmarks Committee held interviews for the vacancy on the Board of Zoning Appeals. He stated the Committee is making a recommendation to appoint Jade Stewart to the Board of Zoning Appeals with a term ending January 31, 2025. City Council unanimously agreed.

Vice Mayor Margolis explained that he would be on vacation from April 9 through April 23 and would miss the April 21 Work Session. Due to this he reported the following discussion from the Planning, Zoning and Landmarks Committee meeting held on April 5.

- 2020 Annual Housing Report- Vice Mayor Margolis stated that the annual housing report was presented by staff. He explained that there was an increase in the number of units sold in 2020 from 165 in 2019 to 181 in 2020. The median sale price was up 2% from \$420,176 in 2019 to \$425,000 in 2020. The median number of days on the market decreased by two days to 14 days.
 - The Orchard Trail subdivision, located just off Orchard Club Drive, at the site of the former Montgomery Swim and Tennis Club was approved for 29 single family patio style homes. While the original developer was Camden Homes, it has since been sold to Daley Design Build. Following the transition of ownership, Daley Design Build sold multiple lots to several different builders. This is a significant change in the development, as it was originally intended for all the houses to be built by the same builder. According to the MLS, in 2020, four homes were sold with a sales price ranging from \$670,000 to \$766,490.
 - No residences within the city were foreclosed on in 2020. The number of foreclosures over the past few years has remained relatively flat and significantly less than the peak immediately following the recession. This is the third year in a row since the City began tracking the data in 2001 that there were zero foreclosures.
- Customer Satisfaction Survey- A customer satisfaction survey was sent out to 209 applicants for building and/or electrical permits for calendar year 2020 to allow for the Community Development Department to receive valuable input from our customers. To date, 12 surveys have been returned for the building department survey, which represents a 6% response rate. This survey has been sent out to all applicants for building/electrical permits since 2008. The overall responses for 2020 were positive; apart from two respondents providing a score of 3 for the cost of the building permit being reasonable. While 2020

These minutes are a draft of the proposed minutes from the City Council meeting. They do not represent the official record of proceedings until formally adopted by the City Council. Formal adoption is noted by signature of the Clerk within the minutes.

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presented many challenges, Staff was able to make a quick change to electronic submittals for permitting. In addition, a system is now in place for applicants to pay online. This move, from paper to electronic permit processing has received positive feedback from contractors and homeowners.

Mr. Suer added that as indicated in the housing report, the city set a record for remodeling projects done to residents' homes.

Mayor Dobrozsi asked for a moment of silence in recognition of the passing of former Council Member, Dick Tuten.

GUEST AND RESIDENTS

Mayor Dobrozsi asked if there were any guests or residents on the phone line.

Larry Dannenberg, MFM- Mr. Dannenberg explained that at the last MFM Board meeting that it was discussed having security at the opening day of the market and asked Chief Crowell if he could set a meeting to discuss this with him.

Chief Crowell advised Mr. Dannenberg to get with him after the meeting.

Mayor Dobrozsi asked if there were any other guests on the phone line.

Roberto Rivera, 11936 Seventh Avenue, Sycamore Township-Mr. Rivera identified himself as being on the line and stated he had no comments.

Mayor Dobrozsi asked if there were any other Guests or Residents on the line. There being no response, he closed the time for Guests and Residents.

ADJOURNMENT

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

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

City Council adjourned at 8:07 p.m.

Connie Gaylor, Clerk of Council