

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.

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.

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 the 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.

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.
- 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.

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 Parks and Recreation Committee of Council, 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 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