

April 2, 2021

TO: Mayor and City Council Members

FROM: Brian K. Riblet, City Manager 

SUBJECT: City Council Business Session of Wednesday, April 7, 2021

As a reminder, City Council is scheduled to meet in Business Session on Wednesday, April 7, 2021 at 7:00 p.m.

Prior to the Business Session, a Special Session is scheduled at 5:30.

Following the Special Session, a Public Hearing is scheduled at 6:30 p.m.

Public Hearing

At 6:30 p.m., a Public Hearing will be held for the expansion of a conditional use and a General Development Plan with an equivalency for Sycamore High School.

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.

Business Session

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Special Presentation
 - a. David Clark will be presented with a Certificate of Appreciation for his service on the Landmarks Commission
 - b. Doug King will be presented with a Certificate of Appreciation for his service on the Board of Zoning Appeals
5. Guest and Residents
 - a. Larry Dannenberg of the Montgomery Farmers Market will be present to provide an update of the market to City Council
6. Legislation for Consideration this Evening

Pending Legislation

- a. An Ordinance Designating the Wooley-Hattersley Carriage House as A Montgomery Landmark—(Vice Mayor Margolis, 2nd 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.

Move to read the Ordinance by title only

Voice Vote

Move for passage of the second reading of the Ordinance

Explain the Ordinance

Roll Call Vote

The third reading of the Ordinance will be conducted at the May 5, 2021 Business Session with adoption requested that evening.

- 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, 2nd 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.

Move to read the Ordinance by title only

Voice Vote

Move for passage of the second reading of the Ordinance

Explain the Ordinance

Roll Call Vote

The third reading of the Ordinance will be conducted at the May 5, 2021 Business Session with adoption requested that evening.

- 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, 2nd 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.

Move to read the Ordinance by title only

Voice Vote

Move for passage of the second reading of the Ordinance

Explain the Ordinance

Roll Call Vote

The third reading of the Ordinance will be conducted at the May 5, 2021 Business Session with adoption requested that evening.

New Legislation

- a. 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) 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.

Move to read the Resolution by title only

Voice Vote

Explain the Resolution

Move for passage of the Resolution

Roll Call Vote

7. Administration Report

8. Minutes-March 24, 2021 Special Session; Public Hearing and Work Session Minutes

9. Mayor's Court Report

10. Other Business

- a. Appointment of Andrew McKenrick to the Beautification and Tree Commission for a term ending January 31, 2024.

11. Executive Session

12. 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 7, 2021
7:00 p.m.**

The meeting will be offered 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.

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Special Presentations
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 - b. Doug King will be presented with a Certificate of Appreciation for his service on the Board of Zoning Appeals
5. Guest and Residents
 - a. Larry Dannenberg of the Montgomery Farmers Market will be present to provide a update of the market to City Council
6. Legislation for Consideration for this Evening
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 - a. An Ordinance Designating the Wooley-Hattersley Carriage House as A Montgomery Landmark—(Vice Mayor Margolis, 2nd Reading)

Move to read the Ordinance by title only

Voice Vote

Move for passage of the second reading of the Ordinance

Explain the Ordinance

Roll Call Vote

The third reading of the Ordinance will be conducted at the May 5, 2021 Business Session with adoption requested that evening.

- 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, 1st Reading)

Move to read the Ordinance by title only

Voice Vote

Move for passage of the second reading of the Ordinance

Explain the Ordinance

Roll Call Vote

The third reading of the Ordinance will be conducted at the May 5, 2021 Business Session with adoption requested that evening.

- 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, 1st Reading)

Move to read the Ordinance by title only

Voice Vote

Move for passage of the second reading of the Ordinance

Explain the Ordinance

Roll Call Vote

The third reading of the Ordinance will be conducted at the May 5, 2021 Business Session with adoption requested that evening.

New Legislation

- a. 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)

Move to read the Resolution by title only

Voice Vote

Explain the Resolution

Move for passage of the Resolution

Roll Call Vote

8. Administration Report

9. Approval of Minutes – March 24, 2021 Special Session; Public Hearing and Work Session Minutes

10. Mayor's Court Report

11. Other Business

- a. Appointment of Andrew McKenrick to the Beautification and Tree Commission for a term ending January 31, 2024.

12. Executive Session

13. Adjournment

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



Certificate of Appreciation to Dave Clark

WHEREAS, Dave Clark generously shared his time and talents with this municipality for seven years by volunteering on the Landmarks Commission; and,

WHEREAS, during his term of service on the Landmarks Commission Dave faithfully attended the monthly meetings and was dedicated to preserving the City's history and upholding the spirit and intent of the Zoning Code; and,

WHEREAS, Dave was giving of his time and an example of professionalism and commitment to the Montgomery community, while showing passion for the City's Heritage District and Landmark buildings; and,

WHEREAS, Dave's architectural expertise improved the look and historic character of projects within the Heritage District and the Old Montgomery Gateway District; and,

WHEREAS, Dave 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 **Dave Clark** 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.

LA Bissmeyer
Lee Ann Bissmeyer, Councilmember

Mike Cappel
Mike Cappel, 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



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.

LA Bissmeyer
Lee Ann Bissmeyer, Councilmember

Mike Cappel
Mike Cappel, 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.

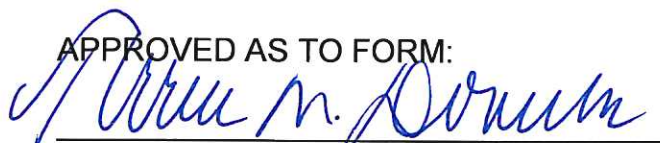
SECTION 2. This Ordinance shall be in full force and effect from and after the earliest period allowed by law.

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. Donnellon, Law Director

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

Cincinnati Metropolitan Housing Authority
O.R. Vol. 9401 Page 2925
603-0004-0100

Robert Cribbin
603-0004-0094

Area in Indian Hill
After Transfer
2.2465 Acres
978555.8 Sq.Ft.

Set 5/8" Iron Pin

Indian Hill Ohio Trustee
619-0190-0032

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

Occupation Note.
Occupation as shown.

LANDALE SURVEYING, INC.
1008 MAIN STREET - (ST. RT. 28)
MILFORD OHIO 45150 PHONE (513) 831-9900

**SURVEY FOR
CORPORATION LINE
ADJUSTMENT**

Survey for
Amy & Christopher Gilles
7985 Remington Road

DATE: 12/15/2020	DRAWN BY: mrh	DRAWING NUMBER 09-029A



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

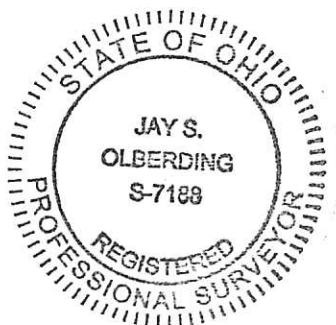
Situate in Section 3, Town 4, E.R. 1, Sycamore Township, Indian Hill Township, City of Indian Hill, Village of Montgomery, Hamilton County Ohio and being more particularly described as follows:

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.



1008 Main Street (State Route 28)
Milford, Ohio 45150
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December 15, 2020
09-029A

LEGAL DESCRIPTION FOR 1.0418 ACRES

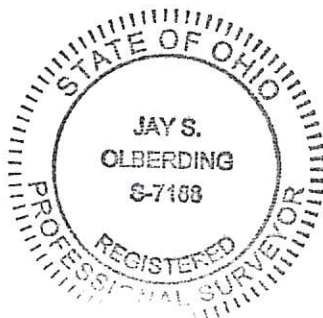
Situate in Section 3, Town 4, E.R. 1, Sycamore Township, Indian Hill Township, City of Indian Hill, Village of Montgomery, Hamilton County Ohio and being more particularly described as follows:

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.

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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.



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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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President - Jay Olberding, P.S.
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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

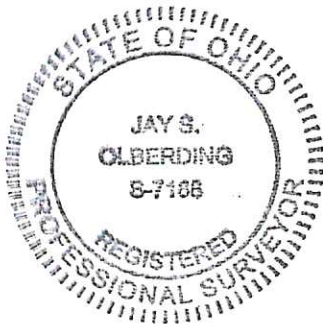
711 Transfer

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;

EXHIBIT

A

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).

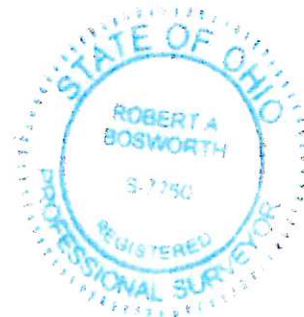
Iron pins set are 5/8" x 30" steel reinforcing bars with plastic identification caps.

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

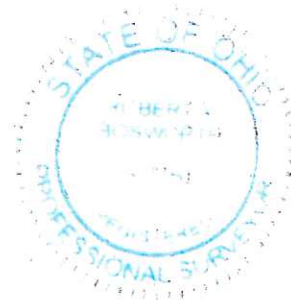


EXHIBIT B
To
CONTRACT FOR RIGHT OF ENTRY

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.

RESOLUTION NO. , 2021

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER
INTO A CONTRACT WITH JAKE SWEENEY CHRYSLER/DODGE/JEEP/RAM
FOR THE PURCHASE OF THREE (3) 2021 DODGE CHARGER SEDANS**

WHEREAS, the Police Department has requested in the routine course of vehicle replacement to purchase Three (3) sedan police cruisers; and

WHEREAS, the City of Montgomery is a participant in the State of Ohio's Cooperative Purchasing Program authorized by R.C. § 125.04 allowing the purchase of goods and services without competitive bidding; and

WHEREAS, R.C. § 125.04 also allows a participating political subdivision to purchase goods which are available through the Ohio Cooperative Purchasing Program from another source if such goods are available upon equivalent terms, conditions and specifications, but at a lower price; and

WHEREAS, the Police Department has priced the purchase of Three (3) 2021 Dodge Charger Sedans through both the designated dealership approved by the Ohio Department of Administrative Services within the Ohio Cooperative Purchasing Program and Jake Sweeney Chrysler/Dodge/Jeep/Ram and has found that the purchase of these motor vehicles through Jake Sweeney Chrysler/Dodge/Jeep/Ram can be made at a lower price.

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

SECTION 1. The City Manager is hereby authorized to purchase from Jake Sweeney Chrysler/Dodge/Jeep/Ram Three (3) 2021 Dodge Charger Sedans, for a total

amount not to exceed \$ 76,854.00 for delivery in calendar year 2021. Council finds that such purchase is at a lower price for the same vehicles as offered through the Ohio Cooperative Purchasing Program and shall be purchased as allowable by state law without separate competitive bidding.

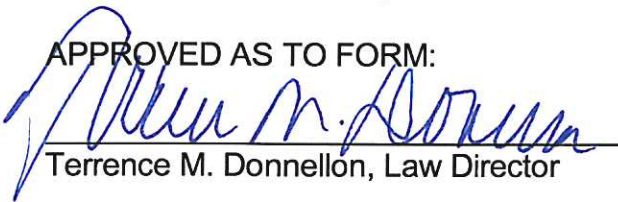
SECTION 2. This Resolution shall be in full force and effect from and after its passage.

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
March 24, 2021

Visitors Present

Jerry Newfarmer, Management Partners
Jacquelyn McCray, Management Partners

Council Members Present

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

Council convened in Council Chambers with Mayor Dobrozsi presiding at 6:00 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. Mrs. Bissmeyer 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 6:01 p.m.

Council reconvened in public session at 6:39 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 6:41 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
March 24, 2021

Present

Brian Riblet, City Manager
Terry Donnellon, Law Director
John Crowell, Police Chief
Tracy Henao, Asst. City Manager/Acting Comm. Dev. Dir.
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 March 24, 2021 at 6:45 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.

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 Council Public Hearing Minutes

March 24, 2021

Page 2.

NEW BUSINESS

A request from Christopher Felber for a Transfer of the Conditional Use Permit to operate a Vehicle Maintenance and Repair Facility at 5017 Cooper 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 Christopher Felber for a transfer of the conditional use permit to operate a vehicle maintenance and repair facility at 5017 Cooper Road.

Ms. Henao explained that the property is zoned 'GB' – General Business District and vehicle maintenance and repair facilities are conditionally permitted. She explained that a vehicle maintenance and repair facility was originally approved for the site in 2003 for Tuffy. The Planning Commission approved a transfer of the conditional use permit to Car-X in 2005 and it has been used as such until Car-X closed in March of 2019. She explained that the applicant is not proposing any changes to the site or the building and agrees with the conditions previously approved for the site. She explained that staff conducted a site visit and found the site to be in compliance with the conditions. The operational issues could not be confirmed during the site visit; however, Staff has not received any complaints regarding these operational items.

Ms. Henao explained that the property to the north, across Cooper Road, is located in the City of Blue Ash and used for multi-family residential. The property to the west is also located in the City of Blue Ash and used for a Jiffy Lube. The property to the east is zoned 'GB' and used for Pipkin's Market. The property to the south is zoned 'D-3' and used for multi-family residential.

Ms. Henao added that Section 150.1609(A) requires written approval of the Planning Commission and City Council for any transfer of a previously approved conditional use to another person or entity.

Ms. Henao stated that the Planning Commission met on February 15, 2021 to discuss the transfer of the conditional use permit. After hearing testimony and discussing the application, the Planning Commission voted unanimously to recommend approval of the transfer of the conditional use permit with the conditions previously approved, the removal of the phone number on the sign and the following additional condition:

- No vehicles shall be parked in the circulation or access drive aisles and no non-handicapped vehicles shall be parked in the handicapped spaces.

Ms. Henao stated that the site is well maintained and there have been no complaints about operations since the business opened. The applicant has stated that they agree with the conditions previously approved and are able to meet the conditions as established in Section 151.2007(W). Therefore, Staff has no objection to the transfer of the conditional use permit to All European Auto Service and Repair with the additional condition recommended by the Planning Commission.

Mayor Dobrozsi noted that the applicant was not present at City Hall and asked if there was anyone on the line that would like to speak on behalf of the applicant. There was no response.

Mayor Dobrozsi asked for any questions from City Council.

Vice Mayor Margolis asked for confirmation that this request is for a transfer of like use.

Ms. Henao replied that he was correct.

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 Council Public Hearing Minutes

March 24, 2021

Page 3.

Vice Mayor Margolis replied that he agrees with the Planning Commission's decision and condition.

Mr. Suer stated that he felt it was good to have a business fill an existing facility that was vacant. He stated that the applicant is not proposing any major changes and the items that are mentioned are minor. He thought the Planning Commission did a good job in their review and recommendation. He stated he agreed with it.

Ms. Roesch stated she remembered the applicant process when Tuffy applied. She stated that as long as the new business abides by the same conditions, she was in support of it.

Mrs. Bissmeyer stated that in the midst of the pandemic she was happy to see that businesses are choosing to move to Montgomery. She stated that with the conditions Planning Commission set, that residents should not have any problems.

Mr. Cappel, Mr. Messer, and the Mayor had no additional comments.

Mayor Dobrozsi stated that there was no one in City Hall that wanted to speak to the request. He asked if there was anyone on the phone who would like to speak. There being no response, Mayor Dobrozsi closed the floor to public comment.

Mayor Dobrozsi reviewed Council's options in acting on the request.

Mr. Cappel made a motion to approve the request from Christopher Felber for a Transfer of the Conditional Use Permit to operate a Vehicle Maintenance and Repair Facility at 5017 Cooper Road. Mrs. Bissmeyer seconded.

The roll was called and showed the following vote:

AYE: Cappel, Roesch, Dobrozsi, Suer, Margolis, Messer, Bissmeyer (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. Cappel seconded. City Council unanimously agreed.

The meeting was adjourned at 6:55 p.m.

Connie Gaylor, Clerk of Council

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 Work Session Minutes
March 24, 2021

Present

Brian Riblet, City Manager
Terry Donnellon, Law Director
Tracy Henao, Asst. City Manager/Acting Comm. Dev. Dir.
John Crowell, Police Chief
Katie Smiddy, Finance Director
Paul Wright, Fire Chief
Matthew Vanderhorst, Community and Information Services Dir.
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 Work Session for March 24, 2021 at 7:00 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.

ROLL CALL

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

SPECIAL PRESENTATION

Officer Rich Riley was present to be honored for his heroic actions on January 9, 2021 in saving the life of Mary Thress.

Mayor Dobrozsi presented Officer Riley with a proclamation noting the extraordinary events on the evening of January 9, 2021 leading up to the rescue of Mary Thress from her burning car by Officer Riley.

City Manager Brian Riblet presented Officer Riley with a plaque holding a Key to the City. Mr. Riblet praised Officer Riley for his heroic actions and his positivity and selfless outlook.

Police Chief John Crowell presented Officer Riley with the Montgomery Police Department Valor Award. Chief Crowell thanked Officer Riley for his professionalism and concern for not only Ms. Thress but the community as well.

Stiney Vonderhaar of the Fraternal Order of Police (FOP) Lodge #74 presented Officer Riley with a Certificate of Appreciation. Mr. Vonderhaar recanted his experience in working with Officer Riley and thanked him for his service as a police officer.

Mary Thress gave an emotional thanks to Officer Riley for his actions in saving her life. She stated that without his actions of tracking her vehicle and responding to the call, she would not be at the meeting that night. She stated to Officer Riley that she would honor his actions by paying forward his selflessness and kindness to others.

City Council and staff extended their thanks to Officer Riley with thoughts of gratitude, pride and appreciation for his service that night and every day that he serves the residents of Montgomery.

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City Council Work Session Minutes

March 24, 2021

Page 2

Mrs. Riley thanked the City, specifically Assistant Chief Vonden Benken and Sergeant Davenport for contacting her, visiting the hospital, and for their continued follow up on Officer Riley's condition. She jokingly thanked them for making Rich stay off work for the two weeks as he wanted to come back to work the next day, discounting his injuries.

Officer Riley humbly thanked everyone for all their comments and love. He thanked all the family, friends, and coworkers for attending the meeting to share in this special recognition for him.

Mayor Dobrozsi stated that Council would be taking a short recess. Council went into recess at 7:31 pm.

Mayor Dobrozsi called the meeting back to out at 7:51 p.m.

GUESTS & RESIDENTS

Mayor Dobrozsi asked for a motion to move the Guests and Residents portion of the agenda to the end of the agenda after Other Business.

Vice Mayor Margolis made a motion to move the Guests and Resident portion to after Other Business on the agenda. Mr. Cappel seconded. City Council unanimously agreed.

LEGISLATION FOR CONSIDERATION THIS EVENING

There was no legislation for consideration at the meeting.

ESTABLISHING AN AGENDA FOR APRIL 7, 2021 BUSINESS SESSION

PENDING LEGISLATION

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

Mayor Dobrozsi explained that this was the second reading of this Ordinance and asked if there were any updates.

Ms. Henao replied there were none.

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

Mayor Dobrozsi explained that this was the second reading of this Ordinance and asked Mr. Donnellon if there were any updates.

Mr. Donnellon stated that there was an update regarding the Sycamore School and Indian Hill Exempted School tax designation. He explained that the homeowners reached out to the Hamilton County Auditors Office and were told that since the boundary was being adjusted between the Sycamore School District and the Indian Hill School District, that both the School Districts and the Ohio Board of Education would be required to consent. Mr. Donnellon stated that he explained to the homeowners that the legislation would be moved forward to April but if they change their mind and need to stall it to let him know. He suggested that we could, along with Indian Hill, pass legislation contingent upon passage of the required consent by the school districts. He suggested to the homeowners to reach out to Beth Weber of Sycamore Schools and her counterpart

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City Council Work Session Minutes

March 24, 2021

Page 3

at Indian Hill to gain their consent. He stated that we should leave the legislation on the agenda until we hear further and then consider if we need to amend the legislation with contingency language.

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

Mayor Dobrozsi explained that this was the second reading of the Ordinance and asked if there were any updates.

Mr. Donnellon stated there were none.

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

Mayor Dobrozsi assigned the legislation to Mrs. Bissmeyer.

Police Chief Crowell explained that, if approved, this Resolution 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. Chief Crowell explained that normally the cruisers were purchased through the State of Ohio Cooperative Bid program but through obtaining quotes this dealership came in lower and were local. He explained this purchase followed the department's program of replacing three vehicles one year and one vehicle the following.

Mrs. Bissmeyer asked if we would go out of state for purchasing cruisers as we have done in the past with the Houston-Galveston Area Council Cooperative Purchasing Program for fire equipment.

Chief Crowell stated that we normally don't for cruisers as we will often use the same dealership for service as well.

Mr. Suer asked Mr. Riblet to provide a update on the fleet analysis being conducting.

Mr. Riblet explained that staff has been researching a fleet analysis for some time and are working with a local entity that deals with fleet management. He stated that the police fleet has a higher turn-over rate than the other departments due to their mileage. He stated that the goal is to sell the vehicles while we still obtain a good return on investments. He stated the focus of the fleet assessment has primarily been on the Public Works vehicles as we tend to hold onto them much longer. He stated that the assessment should be completed within the next couple of months and will be brought to the Financial Planning Committee for discussion.

Mr. Suer stated that he is interested to see what strategies the fleet study would present.

Mr. Messer asked how many cruisers the Police Department had.

Chief Crowell stated that he thought it was 10 marked and 5 unmarked vehicles.

Vice Mayor Margolis stated that he agreed with trying to buy local.

Mayor Dobrozsi stated that he was amazed three vehicles could be purchased for \$76,000.

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ADMINISTRATION REPORT

Mr. Riblet reported the following items:

- The next City Council Business Session is scheduled for Wednesday, April 7.
- Mr. Riblet reminded City Council that Council Member Roesch has requested a Special Session prior to the City Council Business Session on April 7 beginning at 5:30 p.m.
- A reminder that there is also a Public Hearing scheduled for April 7 at 6:30 to consider a request for the expansion of a conditional use and a General Development Plan with an equivalency for Sycamore High School. There was no motion to roll into the Business Session.
- The Planning, Zoning and Landmarks Committees will meet on April 5 at 4:30 p.m. The Law and Safety, and Financial Planning Committees have cancelled their meetings for April.
- Mr. Riblet stated that the Government Affairs Committee will meet on Monday, April 12 at 4:30 p.m. The Parks and Recreation and Public Works Committees have cancelled their meetings for April.
- The Planning Commission voted to recommend approval of the expansion of a conditional use and General Development Site Plan approval for Columbia Chevrolet at their meeting on March 15. Staff would like to request a public hearing to consider the recommendation prior to the April 21 Work Session at 6:30 p.m.

City Council approved the meeting. Vice Mayor Margolis motioned to commence with the Work Session at the conclusion of the Public Hearing. Mr. Cappel seconded. City Council unanimously agreed.

- Staff is working to schedule the Volunteer Walk of Fame Ceremony on May 19. As you recall, this ceremony was cancelled last year due to the pandemic. We would like to hold the ceremony just prior to the May 19 Work Session and hold it in Montgomery Park for added safety. There are 7 individuals that qualify to be inducted. Staff is reaching out to those who will be honored to confirm who can attend. Based on this feedback, staff will follow up with a recommended time at the next meeting.
- The Fire Department placed a new Medic Chase Car in service this week. The new car is a Ford Explorer that's primary function is to provide a third paramedic to certain EMS responses.
- On Thursday, March 25, a representative from the Hamilton County Health Department will be meeting with Chief Wright and Assistant Chief Shapiro at Montgomery Assembly of God to potentially coordinate a vaccination POD (Point of Distribution) for residents of Montgomery. The church has long been identified as a POD by the City and Health Department. If it looks feasible it is hoped to have a vaccination date sometime in the next three weeks. Vaccinations would be given by appointment only and it is unknown at this time how many doses could be expected.
- On Wednesday, March 24, Chief Wright, Chief Crowell and Mr. Riblet met with Mr. Thomas of Indian Hill and he indicated that the Thomas Comprehensive Care Center has been open for just over a year and they have provided services to over 125,000 patients.
- The Resident Survey is off to a good start as over 500 responses have been received in just over a week. The survey is scheduled to remain open through April 5, with additional reminders being sent out.

- Terry Donnellon has offered to dust off his smoker and host a Barbecue on Friday, April 30 from 11:00 am to 1:00 pm.
- Staff is working on scheduling volunteers for Beautification Day, Saturday, May 15. City Council normally sponsors the beds in front of City Hall and the Annex. If you are able to participate that day could you let Ms. Gaylor know.

CITY COUNCIL REPORTS

Mr. Cappel

Mr. Cappel reported that cardboard recycling on March 20 went very well with multiple recyclable items collected that the Environmental Advisory Commission members were handling the disposable of.

Mrs. Bissmeyer

Mrs. Bissmeyer reported that she attended a Sycamore Advisory Board meeting where they discussed the handling of the pandemic looking into the new 2021-2022 school year. They also discussed the Superintendent search and announced that they had reached the threshold of private donations to install the new football stadium at the High School.

Mrs. Bissmeyer asked to be excused from the May 19 meeting to attend her son's graduation.

Mr. Messer

Mr. Messer reported that the Government Affairs Committee met and discussed the following items:

- Surplus of a van from Public Works and a printer from the Finance Department were approved for sale.
- 2021 Pool Season- the discussion entailed a recap of the 2020 season and the deficit of \$40,000 as well as recommendations from Julie Machon, Recreation Director for the 2021 season. Those recommendations are as follows:
 - Increase capacity of the pool
 - Sell packaged items at the front desk
 - Allow non-residents to attend the pool, with restrictions
 - Change time blocks on the weekends
 - End Pool Season on August 21, with Dog Swim on August 22
- Strategic Planning-An update of the process was presented by staff. The Resident Survey questions were discussed. Mr. Messer added that while he has received and taken his survey, that some of his neighbors had stated that they had not received theirs.

Mr. Riblet added stated that his feedback was appreciated. He explained that first class mail was initially used in the hopes they would be received by everyone but that there will also be a second mailing of postcards sent out to remind residents to take it.

- A memorial for Gerri Harbison-Mr. Riblet explained that initially after Mrs. Harbison's passing there were quite a few people reaching out to find ways to honor her. He stated that he asked if everyone would hold off on doing individual memorials to allow staff time to evaluate policies and garner feedback. Mr. Riblet explained that a sub-committee was formed to collect ideas. He stated that this was discussed with the Government Affairs Committee and he anticipated bringing recommendations to the April meeting that

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would be based on a revised memorial policy as well as feedback from staff, Boards and Commission members, and the Chamber of Commerce for the Committees consideration.

Mr. Riblet stated that in addition to the review of the memorial policy, staff is reviewing the Street/Park Renaming policy. He stated that Mr. Suer had brought in his notes from 2002 and 2005 when updates had been made. Mr. Riblet explained that as the policy is nearing 20 years old, it may be a good time to review it. He stated that staff has met to review and would also bring recommendations to the April Committee meeting for discussion.

Ms. Roesch

Ms. Roesch stated that the Beautification and Tree Commission Basket Planting event is scheduled for April 6 at the Public Works facility. She stated to observe safety guidelines the volunteers are scheduled in shifts.

Ms. Roesch stated that pansies are scheduled to be planted, same as in the hanging baskets.

Ms. Roesch explained that the Tree City Awards would be mailed this year and a virtual ceremony would be held. She stated that ODNR and the City of Sidney will also include awards in conjunction with the City as the awards were not held in 2020 or this year.

Ms. Roesch stated that the Parks and Recreation Commission is using a portion of their budget to defray the costs of pickleball nets for Swaim Park.

Ms. Roesch reported that the Chamber of Commerce would be hosting Lunch-n-Learns at the City Parks.

Ms. Roesch reported that Julie Machon, Sarah Fink and Christine Genovese met with herself and Michael Chertock to discuss themes for the July 3 Patriotic Concert, which they are hoping will take place outside at Montgomery Park.

Mr. Suer

Mr. Suer stated that the Diversity and Inclusion Committee met with a presentation by Charleston "C.K." Wang and Leo Chan, Head of the Miami Valley Asian-American Chamber addressing difficulties that Asian-Americans face regarding prejudice. He stated that it was an important meeting. He stated that the D& I Committee will be involved in better educating the community. He stated that this topic would also be a good Know Your Neighbor Series.

Mayor Dobrozi

Mayor Dobrozi reminded Council that he would be out of town from March 27 through April 4. He thanked Vice Mayor Margolis for acting on his behalf during that time period.

Mayor Dobrozi stated that he received a pamphlet from Sycamore Schools that outlined the enhancements to each building in the district as a result of the past levy. He stated it was a great form of outreach to the community.

Mayor Dobrozi commented on the news of Constellation Insurance Holdings acquiring Ohio National. He stated that he was happy to hear that they are committed to staying in Montgomery.

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Mr. Riblet added that he had spoken with both Barbara Turner and Steve Chaney of Ohio National who both reaffirmed the commitment to Montgomery. Mr. Riblet stated that there has been a tremendous relationship with Ohio National and Ms. Turner and Mr. Chaney both are committed to continuing that relationship.

Mayor Dobrozsi asked about the status of the Income Tax-House Bill.

Mr. Donnellon explained that the Ohio Municipal League (OML) has taken a step back to study the bill. He explained that traditionally income tax is withheld to the entity that you work in with the caveat for sub-contractors that can work up to 20 days in a different entity without changing where their withholdings go. He stated that because of Covid that threshold has been exceeded. He stated that if the threshold were changed and the withholdings were to go to where someone lives, that many cities would be devastated. He stated that OML is pushing to pause the House Bill so they can study the bill. He explained that until such time that the bill is passed, we collect as we normally do.

Mayor Dobrozsi explained that following the process of the playbook used for the process of interviewing City Council applicants, he wondered if we should create something similar for the Law Director and City Manager evaluation.

Mr. Riblet reported that the Law Director and City Manager Evaluations as well as events that are usually sponsored by City Council were discussed at the Government Affairs Committee meeting where it was agreed that staff would cue the Government Affairs Committee when the processes were to begin and to schedule events such as the City Council staff appreciation luncheon.

Mayor Dobrozsi thanked Mr. Riblet and stated he just did not want anything to get lost as those were items that Mrs. Harbison used to handle.

MINUTES

Mr. Cappel moved to accept the March 3, 2021 Special Session, Public Hearing and Business Session minutes as written. Mr. Messer seconded. City Council unanimously agreed.

OTHER BUSINESS

There was none.

GUESTS AND RESIDENTS

Mayor Dobrozsi asked if the guests and/or residents in City Hall would like to speak. They declined.

Mayor Dobrozsi opened the floor to those who may be present on the line. He asked for anyone on the line to state their name and address and to adhere to the three-minute speaking rule. There was no response.

Peter Fossett, 8160 Trabant Dr.- Mr. Fossett stated that he listened to the celebration for Officer Riley and hopes the Police Department would give him a raise for his actions.

Mayor Dobrozsi closed the floor to public comment.

EXECUTIVE SESSION

There was no executive session.

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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. Mrs. Bissmeyer seconded. City Council unanimously agreed.

City Council adjourned at 8:42 p.m.

Connie Gaylor, Clerk of Council