

City of Montgomery  
City Council Business Session Minutes  
February 3, 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  
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

City Council convened its Business Session for February 3, 2021 at the conclusion of the Montgomery Community Improvement Corporation (CIC) at 7:10 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

The roll was called during the CIC meeting after which the Business Session began immediately with no interruption between the meetings.

SPECIAL PRESENTATION

Mayor Dobrozsi presented Jennifer Johnston with a Proclamation acknowledging February 7-14, 2021 as Congenital Heart Defect Awareness Week. Mrs. Jennifer Johnston introduced her family, Kaitlyn, Claire, and her husband Christopher. She shared their story of Kaitlyn being born with a heart defect and having to have open heart surgery when she was nine days old. She thanked the Mayor and City Council for honoring her request for the proclamation to help further awareness and raise funds for research in heart disease in general.

City Council thanked the Johnston family for coming in and for leading an initiative to raise awareness and funds for the issue of heart disease.

Steve Uckotter shared his experiences with his son's heart defect as an infant and young boy. He thanked Mrs. Johnston and her family for what they are doing to raise awareness.

GUESTS & RESIDENTS

Mayor Dobrozsi asked that any guests on the phone line hold their comments until the end of the agenda. He asked to move Guests and Residents on the phone to the end of the meeting and allow any public participating in the call to speak at that time. He stated that comments will be allowed but asked that all questions be forwarded by email to City Manager Brian Riblet. He stated that all comments will be limited to three minutes in total.

Vice Mayor Margolis made a motion to move the Guests and Residents item to after item #10 on the agenda. Mr. Cappel seconded. City Council unanimously agreed.

**PENDING LEGISLATION**

**An Ordinance Modifying Section 132.14, Noise, of The Montgomery Code of Ordinances**

Vice Mayor Margolis moved to amend the Ordinance as noted in the text. Mr. Cappel seconded. City Council unanimously agreed.

Vice Mayor Margolis moved for passage of the Amended Ordinance for second reading. Mr. Cappel seconded.

Vice Mayor Margolis explained that information has been previously supplied on this legislation that, if approved, would enact modifications to the noise ordinance which include differentiating between general noise and construction noise, by defining "construction work" as "any type of work which requires a building and/or zoning permit". Times for construction work would be limited to 7:00 a.m. – 9:00 p.m. (Monday through Friday) and 9:00 a.m. – 8:00 p.m. on Saturdays and Sundays. The proposed modifications maintain the hours of 7:00 a.m. – 10:00 p.m. for all other types of noise outside of construction work. In addition, the proposed modifications limit the sound permitted outside these hours to 60 decibels, as measured from the complainant's property line. Since the original presentation of the proposed modifications Staff has further researched the historical premise of the existing Noise Ordinance and has revised the modifications which were noted in the redlined version of the Ordinance.

Vice Mayor Margolis asked if there were any updates

Mr. Donnellon stated there were none.

Mayor Dobrozsi stated that as Gary Gross had expressed his interest in speaking on this piece of legislation, he would open the phone line up for Mr. Gross to comment.

Gary Gross, 7943 Shelldale Way- Mr. Gross stated that he had sent an email to Mr. Donnellon with his remaining concerns of which many were answered. He stated that he felt the revisions were not addressing residential noise complaints, but that Mr. Donnellon had assured him they did. He stated he was concerned with the 200 feet designation but was satisfied with the explanation provided to him.

Mayor Dobrozsi asked if there were any additional questions. As there were none he asked for a roll call.

The roll was called and showed the following vote:

AYE: Bissmeyer, Cappel, Roesch, Dobrozsi, Suer, Margolis (6)

NAY: (0)

**ADMINISTRATION REPORT**

Mr. Riblet reported the following items:

- City Council Work Session is scheduled for Wednesday, January 17 immediately following a Public Hearing scheduled for 6:30 pm. He explained that a motion had previously been made to commence the Work Session at the completion of the Public Hearing.
- The Parks & Recreation, Government Affairs and Public Works Committees have cancelled their meetings for February.
- The applicant for the proposed expansion of the Audi Connection at 9678 Montgomery Road requested to table their application before City Council; however, are now ready for the case to be heard. Staff would like to request a public hearing to consider the recommendation from Planning Commission for the expansion of a conditional use and an equivalency on March 3 at 6:45 p.m. City Council approved of the date and time.

- Despite the cold temperatures and snow construction of the Block 2 parking garage at the Montgomery Quarter is moving at a quick pace as foundation piers and walls continue to be placed and you can see the garage taking shape.
- An update was provided on the following hiring processes:
  - Community Development Director – Follow-up interviews with the four finalists are being conducted this week.
  - Communications and Engagement Coordinator – In-person interviews have been scheduled for the week of February 22.
  - Firefighter/Paramedic – Kaitlyn Uhrig is our most recent new hire with a February 8 start date
- Mr. Riblet explained that staff is looking ahead at confirming staff recognitions that are held annually. He stated that Ms. Gaylor will send a list of those events out for Council to review. He asked for Council to let her know if the dates and times are satisfactory for them.

Mr. Riblet requested an Executive Session to consider the appointment and employment of a public employee or official.

#### **APPROVAL OF MINUTES**

Mayor Dobrozsi asked for a motion to approve the January 20, 2021 Work Session minutes.

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

#### **MAYOR'S COURT REPORT**

Mayor Dobrozsi stated that the January Mayors Court collections in the amount of \$14,201.96 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 January in the amount of \$14,201.96. Mr. Suer seconded. City Council unanimously agreed.

#### **OTHER BUSINESS**

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

Vice Mayor Margolis reported out on the following meetings:

- Hamilton County EMA-The HCEMA overseen the distribution of vaccines within the four Public Health Departments within the county.
  - Commission Driehaus stated that 8,000 vaccines were sent to the sites last week.
  - It was reported that there were plenty of Personal Protection Equipment (PPE's).
  - The outdoor warning systems were updated to prevent software hacks.
- OPWC-District 2-Vice Mayor Margolis was appointed as an alternate on the Integrating Committee. He stated that Committee would review appeals of disqualified grant and loan applicants.



- He reported that the OPWC were working on 70 program applications. He stated that out of the 70 million available in grant funding, 18 million has been allocated. He stated that in March the Commission would begin to work on 2023 projects.

Mayor Dobrozsi shared a card he had received from Jill and Steve Cole regarding the loss of Council Member Harbison and extending their deepest sympathies.

#### **GUEST AND RESIDENTS**

Mayor Dobrozsi stated that there was a guest at City Hall and asked him if he would like to speak.

Steve Uckotter, 7561 Trailwind Drive- Mr. Uckotter thanked the Mayor for letting him speak during the presentation to the Johnston family regarding the Congenital Heart Defect Awareness Week. He stated he was also in attendance to observe the Council meeting.

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

Roberto Rivera, 11936 Seventh Avenue, Sycamore Township-Mr. Rivera identified himself as being on the line and stated he would like to live in Montgomery but could not afford it. He also stated that Mr. Riblet and the Mayor could be his sons (referring to his age).

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

#### **EXECUTIVE SESSION**

Mayor Dobrozsi stated that as Mr. Riblet has requested an Executive Session consider the appointment and employment of a public employee or official. He explained that he anticipated no further discussion or vote on legislation when Council came back into Public Session.

Mayor Dobrozsi asked for a motion to go into Executive Session. Vice Mayor Margolis made a motion to go into Executive Session to consider the appointment, and employment of a public employee or official. Mr. Cappel seconded.

The roll was called and showed the following vote:

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

Council adjourned into Executive Session at 7:42 p.m.

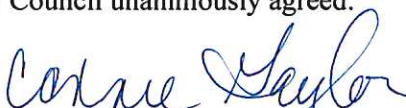
Council came back into Public Session at 8:21 p.m.

#### **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.

Mr. Cappel moved to adjourn. Mrs. Bissmeyer seconded. City Council unanimously agreed.

City Council adjourned at 8:23 p.m.

  
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Connie Gaylor, Clerk of Council