

City of Montgomery  
City Council Business Session Minutes  
June 2, 2021

Present

Brian Riblet, City Manager  
Terry Donnellon, Law Director  
John Crowell, Police Chief  
Melissa Hays, Zoning and Code Compliance Officer  
Gary Heitkamp, Public Works Director  
Ben Shapiro, Asst. Fire Chief  
Katie Smiddy, Finance Director  
Matthew Vanderhorst, Community and Information Services Dir.  
Amy Frederick, Community and Engagement Coordinator  
Connie Gaylor, Clerk of Council

City Council Members Present

Chris Dobrozsi, Mayor  
Lee Ann Bissmeyer  
Mike Cappel  
Ron Messer  
Lynda Roesch  
Ken Suer

City Council Members Absent

Craig Margolis, Vice Mayor

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City Council convened its Business Session for June 2, 2021 at 6:50 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 asked for a roll call.

The roll was called with all members except Vice Mayor Margolis present. Mayor Dobrozsi explained that Vice Mayor Margolis was out of town and asked for a motion to excuse his absence. Mr. Cappel made a motion to excuse Vice Mayor Margolis from the meeting. Mrs. Bissmeyer seconded. City Council unanimously agreed.

**SPECIAL PRESENTATIONS**

Barbara Steinebrey was presented with a Certificate of Appreciation in recognition for being a new member of the Volunteer Walk of Fame. Mr. Suer presented Mrs. Steinebrey with her certificate and gifts and also mentioned that she attended the very first Montgomery Citizens Leadership Academy in 2008.

City Council and staff thanked Mrs. Steinebrey for her valued years of service and continued service on the Planning Commission.

Mrs. Steinebrey thanked Council for the honor and stated that she moved to Montgomery 44 years ago for the schools but has been so honored to live in Montgomery and felt truly blessed to be part of the community.

Deborah Hutchins was presented with a Certificate of Appreciation for her service not only on the Landmarks Commission but for her many volunteer efforts. Mrs. Bissmeyer presented Ms. Hutchins with her certificate and gift and thanked her for being such a positive role model to the community.

City Council expressed their thanks to Ms. Hutchins for her time spent on other Commissions as well as being a part of the MCLA Class of 2010 and the 2002 Charter Review Committee.

Ms. Hutchins thanked Council for the many opportunities to serve and be a part of the community.

**GUESTS & RESIDENTS**

Mayor Dobrozsi asked that any guests, either in person or on the phone line, hold their comments until the end of the agenda. He asked to move Guests and Residents to the end of the meeting and allow any public participating in

60 the meeting in person or on the call to speak at that time. He stated that comments will be allowed but asked that all  
61 questions be forwarded by email to City Manager Brian Riblet. He stated that all comments will be limited to three  
62 minutes in total.

63  
64 Mr. Cappel made a motion to move the Guests and Residents item to after item #10 on the agenda. Mrs. Bissmeyer  
65 seconded. City Council unanimously agreed.

66  
67 **LEGISLATION FOR CONSIDERATION THIS EVENING**

68  
69 **A Resolution Rescinding Resolution 12, 2020 Declaring a State of Emergency In The City Of Montgomery**  
70 **Due To The Covid-19 Outbreak**

71  
72 Mayor Dobrozsi asked for a motion to add the legislation to the agenda for consideration. Mr. Cappel made the  
73 motion to add the legislation to the agenda for consideration. Mrs. Bissmeyer seconded. City Council unanimously  
74 agreed.

75  
76 Mayor Dobrozsi assigned the legislation to Mr. Messer.

77  
78 Mr. Messer moved to read the legislation by title only. Mr. Cappel seconded. City Council unanimously agreed.

79  
80 Mr. Messer read the title and moved for passage of the Resolution. Mr. Cappel seconded.

81  
82 Mr. Riblet explained that this Resolution will rescind Resolution 12, 2020 which issued the State of Emergency for  
83 the City as a result of the pandemic in 2020. Mr. Riblet explained that as Governor DeWine has lifted the State of  
84 Emergency for Ohio and the health restrictions, that he is recommending that Council approved rescinding the  
85 legislation that is currently in place.

86  
87 Mr. Cappel asked if the Governor were to issue another State of Emergency if we would as well.

88  
89 Mr. Riblet replied that it would depend on type of order that the Governor passed.

90  
91 Mrs. Bissmeyer asked if rescinding the legislation would mean that we would still hold meetings in a hybrid forum.

92  
93 Mr. Riblet explained that we would continue the hybrid meetings through the month of June but would go back to  
94 normal procedures for the July 7 Business Session.

95  
96 Mayor Dobrozsi asked for the roll to be called.

97  
98 The roll was called and showed the following vote:

99  
100 AYE: Cappel, Bissmeyer, Suer, Dobrozsi, Roesch, Messer (6)  
101 NAY: (0)  
102 ABSENT: Margolis (1)

103  
104 **TABLED LEGISLATION**

105  
106 **An Ordinance Agreeing To Adjust The Boundaries Between The City Of Montgomery, Ohio And The City**  
107 **Of The Village Of Indian Hill, Ohio Pursuant To Ohio Revised Code Section 709.37**

108  
109 Mayor Dobrozsi asked for an update on the legislation.

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111 Mr. Donnellon replied that there were no updates at this time and advised to leave the legislation as tabled until  
112 information was received by the homeowners.

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**PENDING LEGISLATION**

There was no pending legislation on this agenda.

**NEW LEGISLATION**

**A Resolution Authorizing The City Manager To Contract With Frost Brown Todd, LLC To Provide Special Counsel Services**

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

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

Mr. Messer explained that, if approved, this Resolution would authorize the City Manager to enter into a contract with Frost Brown Todd, LLC to provide special legal services for labor negotiations/labor relations/human resource functions. He added that the work of Frost Brown Todd, LLC has been invaluable in labor negotiations/relations efforts, and it is important that the City maintain this relationship as the City continues its labor and employee relations into the future.

Mr. Suer stated that he felt this firm has served the City well for a long period of time. He stated that this relationship makes a difference as administration goes into negotiations with the bargaining units. He added that the continuity was valuable.

Mr. Cappel asked how long we have used Frost Brown Todd.

Mr. Riblet replied for 21 years.

Mayor Dobrozsi stated that he felt they did an incredible job.

Mayor Dobrozsi asked for the roll to be called.

The roll was called and showed the following vote:

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

**A Resolution authorizing the City Manager to enter into contract with Strawser Construction, Inc. to complete the City of Montgomery 2021 Crack Seal Program through the Ohio Department of Transportation (ODOT) Cooperative Purchasing Program**

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

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

Mr. Cappel explained that, if approved, this Resolution would authorize the City Manager to enter into a contract with Strawser Construction for the 2021 Crack Seal program. He explained that the program includes work to crack seal 5.43 centerline miles on the streets indicated on the attached memorandum. Funding for this project is programmed in the 2021 Capital Improvement Program 410-261-5470 account. It is requested that the 2021 Crack Seal Program be approved for funding in the amount of \$60,350.

165 Mr. Suer stated that this was a good program to extend the life of the streets and stretch the time between the paving  
166 of the roads.

167  
168 Mayor Dobrozsi agreed that crack sealing is the reason the roads were lasting so long and only requires the top  
169 course to be replaced rather than the entire base.

170  
171 The roll was called and showed the following vote:

172  
173 AYE: Suer, Dobrozsi, Roesch, Messer, Cappel, Bissmeyer (6)  
174 NAY: (0)  
175 ABSENT: Margolis (1)  
176

177 **A Resolution Authorizing The City Manager To Enter Into A Contract With Physio Control-Stryker Medical**  
178 **For The Purchase Of Three LIFEPAK 15 Cardiac Monitor/Defibrillators**

179  
180 Mrs. Bissmeyer moved to read the Resolution by title only. Mr. Cappel seconded. City Council unanimously agreed.

181  
182 Mrs. Bissmeyer moved for passage. Mr. Cappel seconded.

183  
184 Mrs. Bissmeyer explained that, if approved, this Resolution would allow the City Manager to enter into a contract  
185 to purchase three LIFEPAK 15 V4 Cardiac Monitor Defibrillators from Physio Control-Stryker Medical. The  
186 purchase of the defibrillators is programmed in the 2021 Capital Improvement Program 223-000-5405 account. It is  
187 requested that \$57,849.75 in funding be approved for the purchase of the defibrillators. This amount includes 5%  
188 contingency for shipping or any unforeseen expenses.

189  
190 Mrs. Bissmeyer asked if there were any updates.

191  
192 Mr. Shapiro replied there were none.

193  
194 The roll was called and showed the following vote:

195  
196 AYE: Dobrozsi, Roesch, Messer, Cappel, Bissmeyer, Suer (6)  
197 NAY: (0)  
198 ABSENT: Margolis (1)  
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200 **ADMINISTRATION REPORT**

201  
202 Mr. Riblet reported the following items:

- 203  
204 • City Council Work Session is scheduled for Wednesday, June 23 at 7:00 p.m.  
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206 • The Law and Safety, Financial Planning and Planning, Zoning and Landmarks Committees of Council have  
207 cancelled their meetings for the month of June.  
208  
209 • The Parks and Recreation and Government Affairs Committees of Council will meet Monday, June 14 at  
210 3:30 and 4:30 p.m., respectively. The Public Works Committee has cancelled their meeting for the month  
211 of June.  
212  
213 • Prior to the June 23 Work Session, a Public hearing is requested to be held at 6:45 p.m. for the presentation  
214 of the 2022 Tax Budget. This is a requirement by the State of Ohio. This presentation was previously made  
215 to the Financial Planning Committee at the May meeting. City Council approved the request for a Public  
216 Hearing on June 23.  
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- Chief Wright is attending the Great Lakes Division of the International Fire Chiefs Association Strategic Planning Session in Champaign, Illinois this week. Chief Wright is the Ohio Representative to the Great Lakes Division Board of Directors.
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- Indian Hill will begin construction of a water main replacement project next week including portions of Remington Road, Main Street and Cooper Road. Traffic will be maintained or strategically detoured as some road closures will be required. Construction is anticipated to be complete in approximately 8-10 weeks. Staff will work closely with Indian Hill representatives in an effort to provide up to date and accurate information to surrounding businesses and residents throughout the project.
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- Historically we have met in late August on a Friday afternoon and Saturday morning to allow Management Partners to facilitate our Strategic Plan process. Assuming Council would like to follow this format, staff would suggest Friday, August 27 and Saturday, August 28. This would also give staff time to secure a location and other logistics necessary for the process. Also, Management Partners will begin looking for time in the weeks ahead to individually meet with Council to review the process and obtain your feedback. City Council approved the requested dates.
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### APPROVAL OF MINUTES

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237 Mayor Dobrozsi asked for a motion to approve the May 19, 2021 Work Session minutes.

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239 Mr. Cappel made a motion to approve the May 19, 2021 Work Session minutes as written. Mrs. Bissmeyer seconded.

240 City Council unanimously agreed.

### MAYOR'S COURT REPORT

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244 Mayor Dobrozsi stated that the May Mayors Court report will be added to the June 23, 2021 Work Session agenda due to the end of month processing by the bank.

### OTHER BUSINESS

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

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251 Mr. Suer thanked Ms. Gaylor for her efforts in organizing the Volunteer Walk of Fame Ceremony.

252

253 Mayor Dobrozsi reported on the Memorial Day Ceremony held at the City of Blues Ash. He stated that while there was no parade this year, there was a large turnout at the ceremony. He reported that Council Members Bissmeyer, Messer and Vice Mayor Margolis also attended. He thanked the City of Blue Ash administration for graciously including the City of Montgomery in this annual event and for our great relationship with them.

### GUEST AND RESIDENTS

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260 Mayor Dobrozsi asked if the guest in City Hall wished to speak.

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262 Dave Shardelow, 9903 Knollwind Drive-Mr. Shardelow stated that he had a few questions that he would like to ask City Council, there are as follows:

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- 264
- 265
1. When the State of Emergency is lifted, will comments by the public be allowed prior to voting.

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267 The Mayor replied that they would. He explained that with residents on the phone line as well as in person, it has been asked during all the meetings that the comments or questions be submitted to the City Manager

268

269 by email as communications by phone can be hard to hear or understand. He reminded Mr. Shardelow that  
270 these opportunities are shared at each meeting prior to the voting process.

271  
272 2. How does Frost Brown Todd compare to other firms.

273  
274 Mr. Riblet explained that Frost Brown Todd was in line with other firms with a 2-3% increase in their  
275 fees.

276  
277 Mr. Shardelow asked if there was a conflict with Ms. Roesch voting on the current legislation since she is  
278 an attorney.

279  
280 Ms. Roesch replied that she is retired and not actively practicing with her prior firm of Dinsmore and Shohl.  
281 She added that the 2-3% increase in fees is normal for law firms.

282  
283 Mr. Donnellon stated that Ms. Roesch would have recused herself if there would have been a conflict.

284  
285 3. Is the Strategic Plan retreat open to the public.

286  
287 Mr. Donnellon replied that informational meetings such as a planning meeting are not subject to the Public  
288 Meetings Act. He stated that as Management Partners is conducting the meeting, he would reach out to  
289 them to determine the format of the planning session.

290  
291 Mr. Shardelow stated that it seems that it would be a public meeting.

292  
293 Mr. Donnellon stated that he would follow up on the structure of the planning session.

294  
295 Mr. Shardelow stated that it would be encouraged to invite the public. He also asked when the information  
296 from the survey would be shared.

297  
298 Mr. Vanderhorst replied that it was on the City website already and that a written article would run in the  
299 July bulletin.

300  
301 Mayor Dobrozsi asked if there were any guests or residents on the phone line who would like to speak. There being  
302 no response, he closed the time for Guests and Residents.

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304 **ADJOURNMENT**

305  
306 Mayor Dobrozsi asked if there was any further business to discuss in Public Session. There being none he asked for  
307 a motion to adjourn.

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

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311 City Council adjourned at 7:40 p.m.

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Connie Gaylor, Clerk of Council