

1 City of Montgomery
2 City Council Work Session Minutes
3 December 15, 2021
4

5 Present

6 Brian Riblet, City Manager
7 Terry Donnellon, Law Director
8 Tracy Henao, Asst. City Manager
9 Kevin Chesar, Community Development Director
10 John Crowell, Police Chief
11 Gary Heitkamp, Public Works Director
12 Katie Smiddy, Finance Director
13 Paul Wright, Fire Chief
14 Matthew Vanderhorst, Community and Information Services Dir.
15 Connie Gaylor, Clerk of Council
16

City Council Members Present

Craig Margolis, Mayor
Lee Ann Bissmeyer, Vice Mayor
Mike Cappel
Chris Dobrozsi
Ron Messer
Sasha Naiman
Ken Suer

17 Council convened its Work Session for December 15, 2021 at 6:50 p.m. in City Council Chambers with Mayor
18 Margolis presiding.
19

20 **ROLL CALL**

21 Mayor Margolis asked for a motion to dispense with the roll call as all members were present.
22

23 Mr. Cappel made a motion to dispense with the roll call. Vice Mayor Bissmeyer seconded. City Council
24 unanimously agreed.
25

26 Mayor Margolis asked for a moment of silence in remembrance of the victims of the devastating tornadoes that
27 swept across Kentucky and surrounding states.
28

29 **LEGISLATION FOR CONSIDERATION THIS EVENING**

30 **An Ordinance to Amend Appropriations for Current Expenses and Other Expenditures of the City of**
31 **Montgomery, State of Ohio, During the Fiscal Year Ending December 31, 2021**
32

33 Mr. Dobrozsi recused himself from the discussion and vote of this legislation. He explained that although he has no
34 ownership interest in Neyer Properties, Inc. nor any in the limited liability companies in partnership to develop the
35 Montgomery Quarter, he will continue to recuse himself from discussion and abstain from voting upon legislation
36 related to the Montgomery Quarter project.
37

38 Mayor Margolis stated that he would need a motion to add this legislation to the agenda for consideration this
39 evening.
40

41 Mr. Cappel made a motion to add the legislation to the agenda for consideration this evening. Vice Mayor Bissmeyer
42 seconded. City Council unanimously agreed.
43

44 Mayor Margolis assigned the legislation to Mr. Suer.
45

46 Mr. Suer moved to read by title only. Mr. Cappel seconded. City Council unanimously agreed.
47

48 Mr. Suer read the title and moved suspension of the rules that requires three separate readings of the Ordinance. Mr.
49 Cappel seconded.
50

51 The roll was called, and showed the following vote:
52

53 AYE: Cappel, Bissmeyer, Margolis, Naiman, Suer, Messer (6)
54 NAY: (0)
55 ABSTAIN: Dobrozsi (1)
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Mr. Suer moved for passage of the Ordinance. Mr. Cappel seconded.

Mr. Suer explained that, if approved, this Ordinance will amend appropriations for current expenses and other expenditures during the fiscal year ending December 31, 2021. The year-end supplemental appropriations are necessary to reconcile line items which had expenditures exceed budget for various reasons, which need additional appropriations or are required to be reduced by law. He added that this was discussed at the December 6 Financial Planning Committee meeting and was a normal part of year end processes in the Finance Department.

Mr. Messer asked if this meant funds were overspent.

Ms. Smiddy explained that this was to balance out specific fund lines in the budget but that it did not mean we over appropriated and does not impact our reserves. She explained that when line items are forecasted when the budget is prepared that often times there are items that have to be estimated and when the actual numbers come in, they may be higher.

The roll was called, and showed the following vote:

AYE: Bissmeyer, Margolis, Naiman, Suer, Messer, Cappel	(6)
NAY:	(0)
ABSTAIN: Dobrozsi	(1)

A Resolution Authorizing An Amendment To The Current Contract With Donnellon, Donnellon & Miller For Legal Services To The City Of Montgomery

Mayor Margolis stated that he would need a motion to add this legislation to the agenda for consideration this evening.

Mr. Cappel made a motion to add the legislation to the agenda for consideration this evening. Vice Mayor Bissmeyer seconded. City Council unanimously agreed.

Mayor Margolis assigned the legislation to Mr. Messer.

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

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

Mr. Messer explained that, if passed, this legislation would authorize an amendment to the current contract with Donnellon, Donnellon and Miller for legal services to the City of Montgomery for the year 2022. He stated that Council and staff recently completed the annual evaluation process for Mr. Donnellon, and all expressed the excellent work performed by Mr. Donnellon and his team.

The roll was called, and showed the following vote:

AYE: Margolis, Naiman, Suer, Messer, Cappel, Bissmeyer, Dobrozsi	(7)
NAY:	(0)

A Resolution Amending and Correcting Resolution No. 42, 2021

Mayor Margolis stated that he would need a motion to add this legislation to the agenda for consideration this evening.

110 Mr. Cappel made a motion to add the legislation to the agenda for consideration this evening. Vice Mayor
111 Bissmeyer seconded. City Council unanimously agreed.

112
113 Mayor Margolis assigned the legislation to Vice Mayor Bissmeyer.

114
115 Vice Mayor Bissmeyer moved to read by title only. Mr. Cappel seconded. City Council unanimously agreed.

116
117 Vice Mayor Bissmeyer read the title and moved passage of the legislation. Mr. Cappel seconded.

118
119 Mr. Donnellon explained that, if passed, this Resolution would amend and correct Resolution 42, 2021 passed on
120 December 1, 2021 establishing a Community Entertainment District. Mr. Donnellon explained that it was noticed
121 that the original survey did not include one of the five subdivided lots of Lot 2 of the Montgomery Quarter
122 specifically parcel number 603-0004-0207. This correction will enable an applicant to secure a liquor license for
123 this location within the development and does not affect the acreage.

124
125 The roll was called, and showed the following vote:

126
127 AYE: Naiman, Suer, Messer, Cappel, Bissmeyer, Dobrozsi, Margolis (7)

128 NAY: (0)

129
130 **ESTABLISHING AN AGENDA FOR JANUARY 5, 2022 BUSINESS SESSION**

131
132 **NEW LEGISLATION**

133
134 **A Resolution Authorizing the City Manager to Contract with National Inspection Corporation for**
135 **Professional Services to Serve as Building Official and to Provide Plan Review and Field Inspection Authority**
136 **and Services for the City's Building Department for the Calendar Year 2022**

137
138 Mayor Margolis assigned the legislation to Vice Mayor Bissmeyer

139
140 Mr. Chesar explained that, if approved, this legislation would authorize the City Manager to enter into a contract
141 with National Inspection Corporation for professional services to serve as Building Official and to provide plan
142 review and field inspection authority and services for the City's Building Department for the calendar year 2022.
143 The City has contracted for approximately 18 years with National Inspection Corporation to provide plan review
144 and field inspection authority and services for the City's building department and the City continues to be very
145 satisfied with their ability to perform each of these duties.

146
147 Mr. Messer asked how much was spent with NIC this year.

148
149 Mr. Chesar replied that close to \$650,000 was spent this year but reminded Council that this is a pass-through cost,
150 and the City does actually get a portion of those funds from permit fees. He stated that there have been 616 permits
151 processed this year so far.

152
153 Mayor Margolis asked how the approval ratings for NIC have been.

154
155 Ms. Henao replied that according to a survey that is done annually with permit holders that 98% answered satisfied
156 or highly satisfied with their performance.

157
158 **A Resolution Authorizing the City Manager to Enter into a Contract with CT Consultants, Inc. for**
159 **Professional Services Related to General Engineering and Architectural Services**

160
161 Mayor Margolis assigned the legislation to Mr. Cappel.

162

163 Mr. Heitkamp explained that, if approved, this Resolution would authorize the City Manager to enter into a contract
164 with CT Consultants, Inc. for professional engineering and architectural services for calendar year 2022. The City
165 has contracted for approximately 30 years with CT Consultants to provide civil, traffic, structural, electrical and
166 storm water engineering services. CT Consultants has provided a competitive fee structure for 2022 including slight
167 hourly rate increases for engineering services. As was provided in previous years, CT Consultants has deleted the
168 line item for billing of the "Principal" from the fee schedule. If for any reason the Principal Engineer provides
169 engineering services during the contract year for development/design review or project design/review, that work
170 would be billed at the hourly rate of a "Senior Manager". Funding for this professional services contract is included
171 in the City's 2022 Operating Budget in both the Public Works and Community Development operating budgets.

172
173 Mr. Cappel asked if the new contract would continue to waive the Principal Engineer fees.

174
175 Mr. Heitkamp replied that it does and if there were a need to have Principal Engineer services it would be billed as
176 a Senior Engineer rate.

177
178 Mr. Dobrozsi stated that he felt the rates were competitive to the industry standard.

179
180 Mr. Messer asked how much had been spent through this contract this year.

181
182 Mr. Heitkamp explained that he could email that information to Mr. Messer as he would have to compile the amount
183 spent by all departments.

184
185 Mr. Messer asked why some services were bid out and some were secured straight through contracts.

186
187 Mr. Riblet replied that professional services such as engineering are not always tied to a specific project or dollar
188 amount so a blanket contract such as this is the better path to take. He explained that professional services are also
189 at a different threshold for bidding than say a construction or street project.

190
191 Mr. Heitkamp explained that a benefit of consecutive contracts is that there is institutional knowledge with the staff
192 such as Jay Korros who has worked with the City for years through CT Consultants and knows the signal format,
193 roadways and area of the city so he is able to provide knowledge that others would not.

194
195 **A Resolution Accepting a Bid and Authorizing the City Manager to Enter into a Contract with Elex, Inc. for**
196 **the Montgomery Heritage District Traffic Signal Project**

197
198 Mayor Margolis assigned the legislation to Mr. Cappel.

199
200 Mr. Heitkamp explained that, if approved, this Resolution authorize the City Manager to enter into a contract with
201 Elex, Inc. to complete the Montgomery Heritage District Traffic Signal Improvement Project. He stated that the
202 project was included in the Capital Improvement Budget for 2021 and will be funded through account 410-261-
203 5470 Street Maintenance and Repair. It is requested that the project be approved in the amount of \$185,680.00,
204 which is the amount of the Base Bid plus 10% contingency.

205 Mr. Heitkamp explained the project will improve four (4) traffic signals located in the Montgomery Heritage
206 District, located at the intersections of Montgomery Road and Cooper Road, Montgomery Road and Remington
207 Road, Main Street and Cooper Road, and Main Street and Remington Road. The project will include the replacement
208 of the traffic signal controllers and installation of microwave advance radar detection at each intersection. The new
209 controllers and radar detection will allow the traffic signals to achieve "automated traffic signal performance
210 measures", which will allow the traffic signals to detect real-time traffic in all directions and make real-time signal
211 timing adjustments in order to maximize traffic flow efficiency, thus minimizing traffic congestion and commuter
212 delay.

213
214 Mr. Heitkamp explained the project was publicly advertised, and a bid opening was held on Tuesday, December 7.
215 A total of three (3) bids were received for this project. The lowest and best bid received was provided by Elex, Inc.

216 The amount of the recommendation includes \$16,880 in project contingency funding, which is an amount equal to
217 10% of the Base Bid amount.

218
219 Mr. Cappel asked if this was a traffic control system and if it replaced what is currently in place.

220
221 Mr. Heitkamp replied that we have a system that detects traffic through a loop placed in the pavement and includes
222 some cameras. He explained that the current system only operates off of information that Jay Korros puts into the
223 software. He explained that the new traffic signals would replace all of that and include superior technology that
224 would monitor traffic and adjust the timing automatically.

225
226 Mr. Cappel asked if the new system would communicate with emergency vehicles.

227
228 Mr. Heitkamp explained that the preemption sensors operate off of sound and not off of cameras so they will be
229 there but are not part of the actual signal hardware or software. He explained that the contract also includes new
230 signals to be installed at the MQ and also at Kennedy Lane.

231
232 Vice Mayor Bissmeyer asked if the goal was to upgrade all signals and how many were there in total. She also asked
233 if they are calibrated to each other.

234
235 Mr. Heitkamp replied that there were 14 signals in total that will be upgraded. He stated there are funds budgeted
236 in 2023 to include the Schoolhouse Lane signal and those north of downtown up to I-275. He added that they will
237 communicate with each other and calculate speeds in between lights to calibrate the timing of the lights.

238
239 Mr. Suer stated that if Mr. Korros feels it will be an improvement, then he looks forward to the new software
240 providing more efficiency in the management of traffic.

241
242 Mrs. Naiman asked if Mr. Heitkamp knew of surrounding entities who have used this technology and what kind of
243 an effect it has had on their traffic.

244
245 Mr. Heitkamp stated that he would reach out to surrounding entities that are using the technology for their feedback
246 and provide an update on that.

247
248 Mr. Messer stated that he felt this was an exciting step in addressing the traffic concerns of residents. He asked if
249 there was grant funding available due to the decrease in emissions.

250
251 Mr. Heitkamp stated he was not aware of grant funding but would look into it for the next phase of installations in
252 2023.

253
254 Mrs. Naiman asked who does the programming of the signals.

255 Mr. Heitkamp stated that Mr. Korros who is the project manager of this project will work with Elex in the
256 programming, but he felt that Path Master who produced the software would do the initial programming.

257
258 Vice Mayor Bissmeyer asked if the signals would have the capabilities to identify license plates for reasons such as
259 Amber or Silver Alerts.

260
261 Mr. Heitkamp replied that the signals will just detect movement and wouldn't be able to focus in on license plates.

262
263 Chief Crowell added that there is technology that uses a high-resolution camera to be mounted to the signal, but
264 they are very pricey.

265
266 **A Resolution Authorizing The City Manager To Enter Into A Contract With Human Nature, Inc. For**
267 **Professional Design And Engineering Services Related To The Ronald Reagan Cross County**
268 **Highway/Montgomery Road Interchange Landscaping Project**

269

270 Mayor Margolis assigned the legislation to Mr. Messer.

271

272 Mr. Riblet explained that, if approved, this Resolution would authorize an agreement with Human Nature, Inc. to
273 provide professional services for the Ronald Reagan Highway and Montgomery Road Roundabout Landscape
274 Design. He explained that in August 2021 the City conducted a Request for Qualifications process to solicit firms
275 that were interested in providing design services at the newly completed roundabout at the interchange of
276 Montgomery Road and Ronald Reagan Highway to include landscape, hardscape, and other miscellaneous structural
277 components. The City received (3) responses from firms including:

- 278 • MKSK
- 279 • The Kleingers Group
- 280 • Human Nature

281

282 After reviewing the submittals staff elected to invite all (3) firms to participate in an interview process and were
283 asked to develop a high-level conceptual design for the interior of the roundabout and immediate islands around
284 and adjacent to the roundabout. Interviews were conducted on September 29 and after lengthy review and
285 discussion the committee consisting of Council members Chris Dobrozsi, Ken Suer, Lynda Roesch, Darla Hall
286 (Beautification & Tree Commission), Bonnie Pendleton (Arts Commission), and staff members Gary Heitkamp,
287 Terry Willenbrink, Tracy Henao and myself; selected Human Nature as the preferred firm to work with to advance
288 design for the project.

289

290 He explained that a kick-off meeting with Human Nature was conducted on Wednesday, November 3 to further
291 discuss the vision for the project, anticipated timing of construction and other related items. It was decided that
292 Human Nature would provide a scope and fee proposal to advance design services and construction drawings to a
293 30% status and include an estimated cost of construction based upon those drawings. Human Nature will provide
294 2-3 alternatives for consideration, conduct meetings with the City and host an open house for general feedback from
295 the public. The proposed fee to provide these services is \$64,000

296

297 In closing, Mr. Riblet stated that staff recommends City Council approve a request authorizing an agreement with
298 Human Nature Inc. to provide professional services for the Ronald Reagan Highway and Montgomery Road
299 Roundabout Landscape Design for an amount not to exceed \$69,500 which includes the base bid of \$64,000 and
300 \$5,500 for incidental items that may arise through the design process.

301

302 Mr. Cappel explained that he was asked a question about the safety of the landscaping at the roundabout and where
303 liability would fall if there were claims made due to the landscaping causing sight issues resulting in accidents.

304

305 Mr. Riblet explained that safety was a key concern when the RFP was issued and discussed. He stated that design
306 of the landscape would be focused on directing attention to the roadway and not to the center of the roundabout.
307 He stated that pedestrian and vehicular traffic is a top priority.

308

309 Mr. Dobrozsi stated that he would recuse himself from the discussion and vote on this legislation. He explained that
310 although he has no ownership interest in Neyer Properties, Inc. nor any in the limited liability companies in
311 partnership to develop the Montgomery Quarter, he will continue to recuse himself from discussion and abstain
312 from voting upon legislation related to the Montgomery Quarter project.

313

314 **A Resolution Authorizing The City Manager To Enter Into A Lease For City Copier Equipment And**
315 **Authorize Related Services**

316

317 Mayor Margolis assigned the legislation to Mr. Dobrozsi.

318

319 Mr. Vanderhorst explained that, if approved, this Resolution would authorize the City Manager to enter into a
320 contract with US Bank Equipment Finance to acquire copiers and related services. He explained that the current
321 copier lease expires on April 1, 2022 and given the continued supply chain issue affecting many economic sectors,

322 staff thought it would be prudent to start the replacement process earlier than in the past. A request for proposal was
323 published on September 8, 2021, to solicit quotes for the replacement of equipment and maintenance agreements
324 for the copiers located at City Hall, Public Works, and the Safety Center. A total of six proposals were received
325 representing ten copier brands. He explained that after review staff determined that ProSource Option 1 (Konica)
326 copiers and maintenance agreement proposed by ProSource best meets the needs of the City of Montgomery. This
327 recommendation is based on cost, specification review, hardware demonstrations, and positive feedback from
328 references that Prosource provided.
329

330 Mr. Vanderhorst added that staff has used approximately 1.5M sheets of paper over the past five years and has spent
331 \$78,000 as of September of this year.
332

333 ADMINISTRATION REPORT

334
335 Mr. Riblet reported the following items:
336

- 337 • The next City Council Business Session is scheduled for Wednesday, January 5 2022 at 7:00 p.m.
338
- 339 • The Law and Safety, Financial Planning, and Planning Zoning and Landmarks Committees have cancelled
340 their meetings for January.
341
- 342 • The Government Affairs and Public Works Committees are expected to meet on Monday, January 10 at
343 4:30 and 5:30 p.m. respectively. The Parks and Recreation Committee is not anticipated to have agenda
344 items at this time, but an update will be provided at the January 5 Business Session.
345
- 346 • The City of Montgomery recently partnered with the Center for Internet Security (CIS) to improve City
347 network and computer security measures. This new World-Class antivirus service is operated 24x7x365 at
348 a Security Operations Center (SOC). The SOC will continuously monitor and manage the antivirus/endpoint
349 software, including analyzing malicious activity and escalating actionable threats to the City, and quickly
350 isolate infected systems if an attack is underway.
351
- 352 • Amy Frederick and Matthew Vanderhorst continue to work on a podcast to commemorate the 40th
353 anniversary of the FBI plane crash in Montgomery on December 16, 1982. An upcoming interview is
354 scheduled with the daughter of one of the agents that died in the tragic incident.
355
- 356 • Breakfast with Santa was held on Saturday, December 11 and was a great success.
357
 - 358 • Approximately 85 adults and children attended each session which was a total of 255 during the three
359 sessions as compared to 184 in 2019.
 - 360 • After supply expenses the Holiday Family Fund received \$768 which is up from 2019 where the fund
361 received \$575.
 - 362 • Matthew 25 Ministries also benefited from the event by receiving two full bins of donated shelf stable
363 food items.
364
- 365 • The following staff members have submitted for their retirements in 2022:
366
 - 367 • Sharon Savitt – January 31 (25 years)
 - 368 • Sgt. Mike Plaatje – April 2 (33 years)
 - 369 • Terry Willenbrink – May 20 (35 years)
370
- 371 • Jessica Hunt will be joining City staff on Monday, January 3 as a Finance Specialist.
372

- 373 • The second restaurant for the MQ has been secured and it is the Livery Restaurant. This is part of the
374 Cunningham Restaurant Group who currently have locations in Indianapolis and Noblesville, Indiana. The
375 name comes from the original location in Indianapolis as the building was the post office horse livery from
376 the 1800's when mail was delivered by horseback.

377
378 **LAW DIRECTOR REPORT**

379
380 Mr. Donnellon thanked everyone for their trust and confidence in him as the Law Director and looks forward to
381 another year of working with the City, He wished everyone happy holidays.

382
383 **CITY COUNCIL REPORTS**

384
385 **Mr. Cappel**

386
387 Mr. Cappel reported the monthly cardboard recycling is scheduled for December 18 at which time the EAC will
388 continue to also take holiday lights and electric cords for recycling.

389
390 **Vice Mayor Bissmeyer**

391
392 Vice Mayor Bissmeyer reported on the following:

- 393
394 • She attended a Hamilton County Municipal League meeting where Nick Crossley of the Hamilton County
395 Emergency Management Association was the presenter.
396 • She commented on how well attended the Holiday in the Village, BAMSO Concert, and the Live at the Uni
397 events were.
398 • The Law and Safety Committee met and discussed a No Engine Brake issue. Staff will do more studies on
399 this topic and report back to the Committee.
400 • She rode along with the K9 Unit of the police department.

401
402 **Mr. Dobrozsi**

403
404 Mr. Dobrozsi shared his appreciation for the tree lighting and Holiday in the Village event and how well it went.

405
406 **Mrs. Naiman**

407
408 Mrs. Naiman reported that she attended the Law and Safety Committee meeting in preparation of being on that
409 committee in January.

410
411 **Mr. Suer**

412
413 Mr. Suer reported on the success of the holiday events and how nice it was to see all the residents participate with
414 their children.

415
416 Mr. Suer stated that in light of the tornado that went through Kentucky and the surrounding states that he felt it
417 would be good to receive a refresher on the City's Emergency Operation Plan.

418
419 **Mr. Messer**

420
421 Mr. Messer reported that 104 people attended the Live at the Uni event with Mandi Gaines and having those events
422 at Sycamore High School has allowed for a more comfortable and safer seating capacity.

424 Mr. Messer reported that he also rode along with the Fire Department that week and Fire Chief Wright provided a
425 overview of the Emergency Operations Plan and he asked that a review of the plan could be done at an upcoming
426 Law and Safety Committee meeting.

427

428 **Mayor Margolis**

429

430 Mayor Margolis added to the discussion on the Emergency Operations Plan that the City is considered the Gold
431 Standard of what the HCEMA does. He thanked staff for the exceptional events that were held over the holiday
432 season.

433

434 **MINUTES**

435

436 Mr. Cappel moved to approve the minutes from the December 1 Organizational and Business Session. Vice Mayor
437 Bissmeyer seconded. City Council unanimously agreed.

438

439 **MAYORS COURT REPORT**

440

441 Mayor Margolis made a motion to disburse the Mayors Court Collection for November in the amount of \$10,030.00.
442 Vice Mayor Bissmeyer seconded. City Council unanimously agreed.

443

444 **OTHER BUSINESS**

445

446 **Application for a Trex Transfer Request**

447

448 Mr. Riblet explained that a TREX Transfer request was received from A Tavola Trattoria LLC dba Taglio's at 9321
449 Montgomery Road. This request, if approved, would allow the request form to be forwarded to the State of Ohio
450 Division of Liquor Control Board for consideration. He added that we would subsequently receive a form allowing
451 City Council to request a hearing in the same license.

452 Mr. Cappel made a motion to accept the Trex application from Taglio's. Vice Mayor Bissmeyer seconded. City
453 Council unanimously agreed.

454

455 **ADJOURNMENT**

456

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

459

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

461

462 City Council adjourned at 8:13 p.m.

463

464

465

466



Connie Gaylor, Clerk of Council