

October 15, 2021

TO: Mayor and City Council Members
FROM: Brian K. Riblet, City Manager **BKR**
SUBJECT: City Council Work Session of Wednesday, October 20, 2021

As a reminder, City Council is scheduled to meet in Work Session on Wednesday, October 20, 2021 at 7:00 p.m.

Work Session

1. Call to Order
2. Roll Call
3. Special Presentation
 - a. Forrest and Johann Smith will be presented with a Certificate of Appreciation as the 2021 Residential Summer Seasons of Beauty Winners
 - b. Brett Gilmore of Wild Birds Unlimited will be presented with a Certificate of Appreciation as the 2021 Business Summer Seasons of Beauty Winners
4. Guest and Residents
5. Legislation for Consideration this Evening
6. Establishing an Agenda for November 3, 2021 Business Session

Pending Legislation

- a. An Ordinance to Make Appropriations for Current Expenses and Other Expenditures of the City of Montgomery, State of Ohio During the Fiscal Year Ending December 31, 2022—(Mr. Suer, 2nd Reading) Information has been previously supplied on this Ordinance that, if passed, will establish the City's budget for fiscal year 2022. These documents were presented to and reviewed with the Financial Planning Committee of City Council at their September 7 meeting. City Council will conduct its formal review of the 2022 Operating and Capital Budget with Four Year Forecast and 2022-2026 Capital Improvement Program, on Thursday, September 9. As a result of these discussions, any changes to the budget

will be forthcoming and will be presented to City Council in the packet for the October 6, Business Session.

Add this Ordinance to the November 3, 2021 Business Session for second reading. The third reading of the Ordinance will be held at the December 1, 2021 Business Session with adoption of the Ordinance requested at that meeting.

- b. An Ordinance Approving A Planned Development Overlay For Property Owned By Twin Lakes Located On Montgomery Road At Schoolhouse Lane—(Vice Mayor Margolis, 2nd Reading) Information has been previously supplied on this Ordinance that, if approved, will establish a Planned Development overlay district for the property located at 10120 Montgomery Road owned by Twin Lakes Senior Living Community. This Ordinance approves a Planned Development Overlay with certain conditions and exceptions as recommended by the Planning Commission and presented at the September 1, 2021 Public Hearing. This Ordinance will only take effect if approved at three successive readings and then thirty days after final approval.

Add this Ordinance to the November 3, 2021 Business Session for second reading. The third reading of the Ordinance will be held at the December 1, 2021 Business Session with adoption of the Ordinance requested at that meeting.

New Legislation

There is no new legislation

7. Administration Report
8. Law Director Report
9. City Council Member Reports
 - a. Mr. Cappel
 - b. Mrs. Bissmeyer
 - c. Mr. Suer
 - c. Ms. Roesch
 - d. Mr. Messer
 - e. Vice Mayor Margolis
 - f. Mayor Dobrozsi
10. Approval of Minutes- October 6, 2021 Business Session
11. Other Business
12. Executive Session
13. 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



CITY COUNCIL WORK SESSION AGENDA
10101 Montgomery Road • Montgomery, Ohio 45242
(513) 891-2424 • Fax (513) 891-2498

October 20, 2021
City Hall
7:00 p.m.

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Add this Ordinance to the November 3, 2021 Business Session for second reading. The third reading of the Ordinance will be held at the December 1, 2021 Business Session with adoption of the Ordinance requested at that meeting.

- b. An Ordinance Approving A Planned Development Overlay For Property Owned By Twin Lakes Located On Montgomery Road At Schoolhouse Lane—(Vice Mayor Margolis, 2nd Reading)

Add this Ordinance to the November 3, 2021 Business Session for second reading. The third reading of the Ordinance will be held at the December 1, 2021 Business Session with adoption of the Ordinance requested at that meeting.

New Legislation

There is no new legislation

7. Administration Report
8. Law Director Report
9. City Council Member Reports

- a. Mr. Cappel
- b. Mrs. Bissmeyer
- c. Mrs. Harbison
- d. Ms. Roesch
- e. Mr. Suer
- f. Vice Mayor Margolis
- g. Mayor Dobrozsi

10. Approval of Minutes- October 6, 2021 Business Session

11. Other Business

12. Executive Session

13. 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



CITY OF

MONTGOMERY

Certificate of Appreciation

to

Brett Gilmore

Wild Birds Unlimited

9889 Montgomery Road

WHEREAS, the Montgomery Beautification and Tree Commission has selected the business, **Wild Birds Unlimited**, as the 2021 Summer Seasons of Beauty Award Winner; and,

WHEREAS, **Wild Birds Unlimited** has been a fixture in Montgomery since 1985; and,

WHEREAS, The business's pollinator garden at the entry of the store was in full bloom this summer attracting bees, butterflies, moths, tree frogs, and of course birds of several varieties. Sweet Alyssum, Plain Coreopsis, Blanket Flower, Butterfly Weed, Black-eyed Susan, Sunflower, Salvia, Butterfly Bush, Zinnia, and Milkweed were some of the pollinator plants that added color, interest, and enjoyment for the many visitors to Montgomery Plaza; and,

WHEREAS, the Seasons of Beauty award recognizes homes and businesses in Montgomery with special front yards, window boxes, and planters that peak during certain seasons as well as those homes and businesses with decorative features that celebrate the "season" or holiday; and,

WHEREAS, **Wild Birds Unlimited** have contributed to the beautification of Montgomery through the landscaping of their property, thereby visually enhancing the City for all its citizens.

NOW THEREFORE, BE IT CERTIFIED by the Council of the City of Montgomery, Ohio:

SECTION 1. The Council of the City of Montgomery, Ohio recognizes this extraordinary effort and contribution to our City and calls upon all residents and officials of this community to honor **Wild Birds Unlimited** for their 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



CITY OF

MONTGOMERY

Certificate of Appreciation

to

Forrest and Johan Smith

7712 Cooper Road

WHEREAS, the Montgomery Beautification and Tree Commission has selected the home of **Forrest and Johan Smith**, as the 2021 Summer Seasons of Beauty Award Winner; and,

WHEREAS, the **Smith's** family home, built in 1897 and once part of a large farm, is a welcome site each season along one of Montgomery's busiest fairways; and,

WHEREAS, the traditional, yellow farmhouse is adorned each season with a plethora of plants and decorations. During the middle of the summer, the house was decorated with red, white, and blue flags hanging from the columns of the front porch along with other patriotic items celebrating Independence Day and as an added "bang," potted plants along with perennial beds that flanked the front porch were adorned with red and pink Begonias, white Shasta Daisies, multi-colored Zinnia, orange and red Hibiscus, and many other colorful perennials; and,

WHEREAS, the Seasons of Beauty award recognizes homes and businesses in Montgomery with special front yards, window boxes, and planters that peak during certain seasons as well as those homes and businesses with decorative features that celebrate the "season" or holiday; and,

WHEREAS, **Forrest and Johan Smith** have contributed to the beautification of Montgomery through the landscaping of their property, thereby visually enhancing the City for all its citizens.

NOW THEREFORE, BE IT CERTIFIED by the Council of the City of Montgomery, Ohio:

SECTION 1. The Council of the City of Montgomery, Ohio recognizes this extraordinary effort and contribution to our City and calls upon all residents and officials of this community to honor **Forrest and Johan Smith** for their 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 TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF MONTGOMERY, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2022

WHEREAS, Council previously did approve and submit to the Budget Commission a Budget for revenues and expenses for the fiscal year commencing January 1, 2021 and ending December 31, 2022; and

WHEREAS, the proposed Budget has been accepted and approved, and Council does desire to appropriate funds according to the Budget to meet current expenses and other expenditures for the 2022 fiscal year.

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

SECTION 1. Commencing January 1, 2022 and for the fiscal year ending December 31, 2022, in order to provide for the current expenses and other expenditures of the City, the sums detailed on the attached Budget schedule are hereby appropriated as if such schedule is fully set forth herein.


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

Attachment to 2022 Appropriation Ordinance

General Fund		
101 Police Department	Personnel	3,600,677
	Nonpersonnel	422,800
	Total	\$4,023,477
106 Disaster Services	Personnel	0
	Nonpersonnel	9,300
	Total	\$9,300
201 Public Health and Welfare	Personnel	58,500
	Nonpersonnel	0
	Total	\$58,500
301 Recreation	Personnel	263,527
	Nonpersonnel	108,634
	Total	\$372,161
303 City Parks	Personnel	373,191
	Nonpersonnel	271,500
	Total	\$644,691
317 Swaim and Terwilliger Lodges	Personnel	0
	Nonpersonnel	67,700
	Total	\$67,700
321 Special Events	Personnel	0
	Nonpersonnel	134,000
	Total	\$134,000
405 Landmarks Commission	Personnel	0
	Nonpersonnel	14,250
	Total	\$14,250
406 City Beautiful	Personnel	0
	Nonpersonnel	152,263
	Total	\$152,263
407 Development	Personnel	383,360
	Nonpersonnel	715,200
	Total	\$1,098,560
408 Planning Commission	Personnel	0
	Nonpersonnel	10,400
	Total	\$10,400
409 Historical Building Operations	Personnel	0
	Nonpersonnel	48,900
	Total	\$48,900
701 City Administration	Personnel	622,781
	Nonpersonnel	34,900
	Total	\$657,681
702 Finance Department	Personnel	672,474
	Nonpersonnel	122,000

	Total	\$794,474
703 Legal Administration	Personnel	0
	Nonpersonnel	240,500
	Total	\$240,500
705 City Council	Personnel	17,914
	Nonpersonnel	13,300
	Total	\$31,214
707 Mayor's Court	Personnel	32,372
	Nonpersonnel	76,908
	Total	\$109,280
708 Civil Service Commission	Personnel	0
	Nonpersonnel	5,150
	Total	\$5,150
709 Public Works Administration	Personnel	611,526
	Nonpersonnel	203,700
	Total	\$815,226
712 Community and Information Services	Personnel	492,212
	Nonpersonnel	140,000
	Total	\$632,212
715 General Government	Personnel	10,000
	Nonpersonnel	7,091,800
	Total	\$7,101,800
Total General Fund Transfers/Cash Advances Out		5,002,550
Total General Fund	Personnel	7,138,533
	Nonpersonnel	9,883,205
	Total	17,021,738

Special Revenue Funds

219 Community Oriented Policing Solutions	Personnel	187,248
	Nonpersonnel	3,650
	Total	\$190,898
220 Law Enforcement Assistance Fund	Personnel	1,000
	Nonpersonnel	0
	Total	\$1,000
223 Fire Department	Personnel	3,784,885
	Nonpersonnel	438,171
	Total	\$4,223,056
261 Street Maintenance and Repair	Personnel	744,704
	Nonpersonnel	357,425
	Total	\$1,102,129
209 Memorial Fund	Personnel	0
	Nonpersonnel	41,000
	Total	\$41,000
210 Parks & Recreation	Personnel	0
	Nonpersonnel	500

	Total	\$500
215 Law Enforcement	Personnel	0
	Nonpersonnel	86,500
	Total	\$86,500
216 Drug Enforcement	Personnel	0
	Nonpersonnel	400
	Total	\$400
217 DUI Enforcement and Education	Personnel	0
	Nonpersonnel	10,500
	Total	\$10,500
218 Mayor's Court Technology Fund	Personnel	0
	Nonpersonnel	13,903
	Total	\$13,903
221 Coronavirus Relief Fund	Personnel	0
	Nonpersonnel	346,285
	Total	\$346,285
227 Environmental Impact Area I	Personnel	0
	Nonpersonnel	8,000
	Total	\$8,000
228 Environmental Impact Area II	Personnel	0
	Nonpersonnel	20,150
	Total	\$20,150
229 Environmental Impact Area III	Personnel	0
	Nonpersonnel	10,000
	Total	\$10,000
230 Environmental Impact Area IV	Personnel	0
	Nonpersonnel	5,000
	Total	\$5,000
265 State Highway Fund	Personnel	0
	Nonpersonnel	42,000
	Total	\$42,000
266 Permissive MVL Fund	Personnel	0
	Nonpersonnel	77,000
	Total	\$77,000
275 Municipal Pool	Personnel	0
	Nonpersonnel	271,605
	Total	\$271,605
485 Arts and Amenities	Personnel	0
	Nonpersonnel	96,750
	Total	\$96,750
Total Special Revenue Funds	Personnel	4,717,837
	Nonpersonnel	1,828,839
	Total	6,546,676

Debt Service Funds

324 General Bond Retirement	Personnel	0
	Nonpersonnel	505,193
	Total	\$505,193
328 Reserve Bond Retirement	Personnel	0
	Nonpersonnel	3,000
	Total	\$3,000
329 Montgomery Quarter TIF Fund	Personnel	0
	Nonpersonnel	666,293
	Total	\$666,293
331 Vintage Club TIF Fund	Personnel	0
	Nonpersonnel	2,289,883
	Total	\$2,289,883
332 Vintage Club North TIF Fund	Personnel	0
	Nonpersonnel	283,606
	Total	\$283,606
Total Debt Service Funds	Personnel	0
	Nonpersonnel	3,747,975
	Total	3,747,975

Capital Projects Funds

410 Capital Improvements	Personnel	0
	Nonpersonnel	4,568,355
	Total	\$4,568,355
460 Urban Redevelopment Fund	Personnel	0
	Nonpersonnel	165,000
	Total	\$165,000
461 Triangle Equivalent TIF Fund	Personnel	0
	Nonpersonnel	170,222
	Total	\$170,222
463 Vintage Club Capital Construction Fund	Personnel	0
	Nonpersonnel	301,200
	Total	\$301,200
464 Montgomery Quarter Construction Fund	Personnel	0
	Nonpersonnel	1,500,000
	Total	\$1,500,000
480 Downtown Improvements	Personnel	0
	Nonpersonnel	300,550
	Total	\$300,550
Total Capital Projects Funds	Personnel	0
	Nonpersonnel	7,005,327
	Total	7,005,327

Fiduciary Funds

875 Compensated Absence	Personnel	75,000
	Nonpersonnel	0
	Total	\$75,000

546 Trust Reimbursements	Personnel	0
	Nonpersonnel	100,000
	Total	\$100,000
601 State Fees	Personnel	0
	Nonpersonnel	20,000
	Total	\$20,000
840 Cemetery Expendable Trust	Personnel	0
	Nonpersonnel	64,850
	Total	\$64,850
890 Unclaimed Moneys Fund	Personnel	0
	Nonpersonnel	1,000
	Total	\$1,000
Total Fiduciary Funds	Personnel	75,000
	Nonpersonnel	185,850
	Total	260,850

Total All Funds

Personnel	11,931,370
Nonpersonnel	22,651,196
Total	34,582,566

ORDINANCE NO. , 2021

**AN ORDINANCE APPROVING A PLANNED DEVELOPMENT OVERLAY
FOR PROPERTY OWNED BY TWIN LAKES LOCATED ON
MONTGOMERY ROAD AT SCHOOLHOUSE LANE**

WHEREAS, Twin Lakes has applied to the City to approve a General Development Plan and Planned Development Overlay for property owned by Twin Lakes on Montgomery Road at Schoolhouse Lane, being Hamilton County Auditor's parcel number 603-0008-0524, to enable it to construct thirty (30) residential units in a multi-family development of three (3) flat style buildings with a community room and amenity space for residents of the Twin Lakes Senior Living Community, as more specifically detailed on the Concept Plans attached hereto; and

WHEREAS, the Planning Commission in a meeting July 19, 2021 did approve the General Development Plan, a copy of which is attached hereto, and recommended approval of the Planned Development Overlay with a List of Conditions and Exhibits, a copy of which is attached hereto; and

WHEREAS, after appropriate notice, Council did hold a public hearing on September 1, 2021 to review Planning Commission's recommendation, and Council did accept the recommendation and moved that this matter be placed upon the legislative Agenda for further consideration.

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

SECTION 1. The Planned Development Overlay and the General Development Plan, attached hereto as Exhibit A, as recommended by the Planning

Commission for the property owned by Twin Lakes at the intersection of Montgomery Road and Schoolhouse Lane, being Hamilton County Auditor's parcel number 603-0008-0524, are hereby approved, subject to the Statement of Conditions and Exceptions as outlined in more detail on the attached Exhibit B.

SECTION 2. The Community Development Director is hereby directed to make a change in the zoning map for the City of Montgomery to reflect the approval of this Planned Development Overlay and the General Development Plan for the Twin Lakes site.

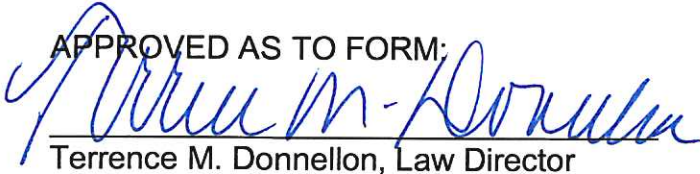
SECTION 3. This Ordinance shall take effect the earliest opportunity as allowable by law.

PASSED: _____

ATTEST: _____
Connie M. Gaylor, Clerk of Council

Christopher P. Dobrozsi, Mayor

APPROVED AS TO FORM:



Terrence M. Donnellon, Law Director

EXHIBIT A



**General Development Plan
Schoolhouse Lane**

July 19, 2021

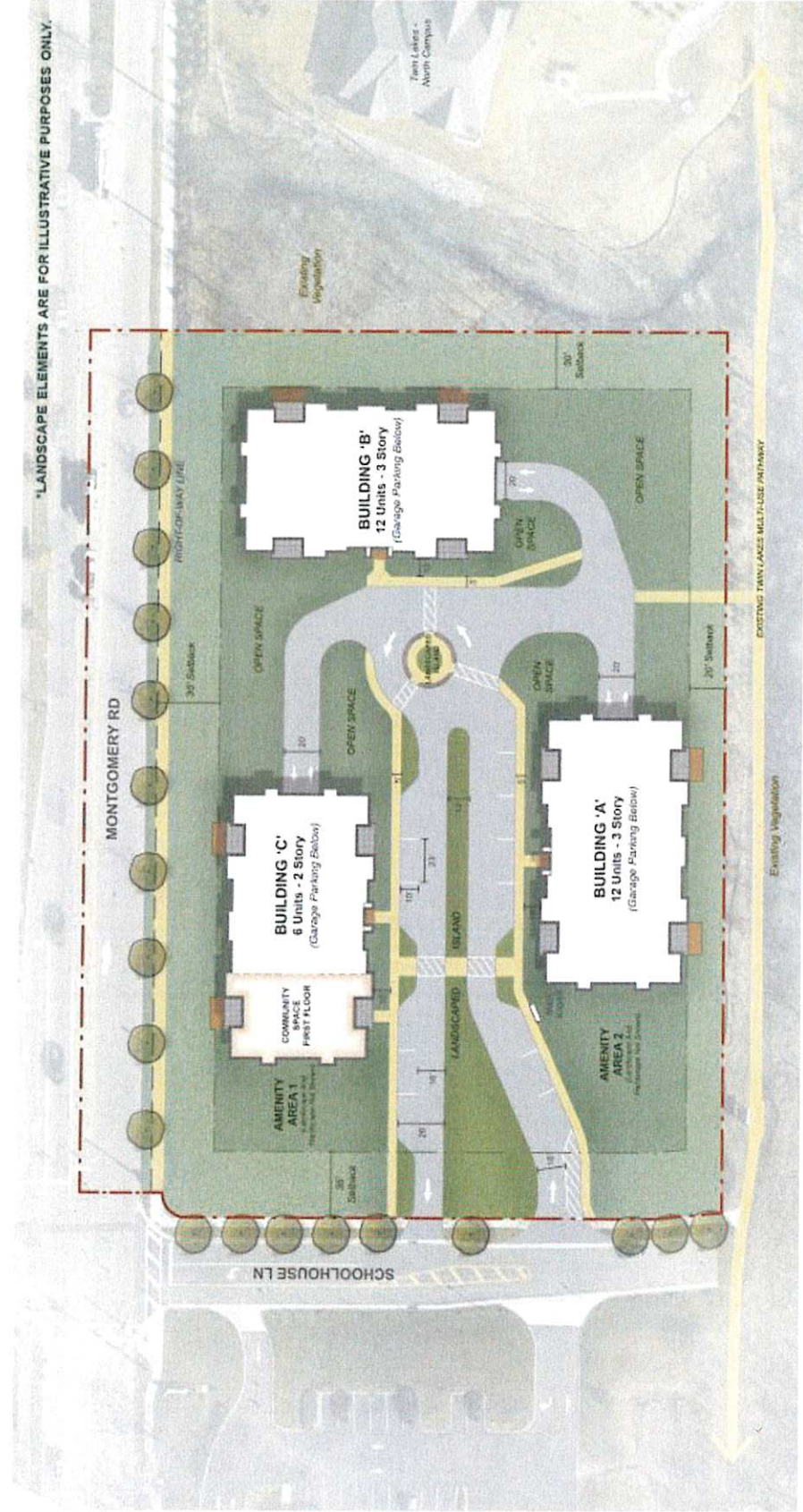


Introduction



- Twin Lakes (TL) is in agreement with the Staff Report.
- The proposed development is in line with the Comprehensive Community Plan as stated in the Staff Report.
- The PUD application and GDP meets the general standards outlined in the zoning code, section 151.1306(d) which are the standards to be applied by the Planning Commission in review.
- TL desires to expand its mission with the addition of 30 Flats located in 3 multi-story buildings at our property on Schoolhouse Lane in Montgomery.
- Current proposed plan is the result of over 18 months of work which included negative feedback on a former townhome design, additional market study, focus groups as well as a proof of concept meeting with the Planning Commission.
- TL thinks the application before the Planning Commission is the best and highest use for this parcel based current market demand factors.

Site Plan



Scale 1" = 50'



TWIN LAKES - SCHOOL HOUSE LANE DEVELOPMENT
 Planned Development & General Development Plan
 July 2021



Site Plan Observations



- Proposed PUD overlay district allows for the most creativity, flexibility and efficiency in design.
- The proposed development acreage far exceeds the minimum required land area for a PUD of 2 acres.
- Perimeter setbacks meet or exceed underlying zoning requirements on all sides except the eastern property line which is buffered by the TL walking path and sanitary sewer easement. Due to easements an effective set-back of 60 ft. +/- is created which exceeds the minimum underlying zoning requirement.
- The amenity and open spaces are planned to be park like in nature.
- Building C located on Montgomery Road is less intense with only 2 stories. Buildings A and B are 3 stories.

Mission



- Life Enriching Communities is a not-for-profit organization committed to the belief that everyone deserves the opportunity to live their best life.
- We provide exceptional everyday experiences in Christian community by:
 - Creating associate experiences that support, engage and empower
 - Delivering resident and customer experiences that exceed expectations
 - Setting and surpassing standards for quality and safety
 - Growing consistently in service and value
 - Producing expanded resources to extend our impact
- Benevolent Care – 2020 Total - \$1.6 million. Through May 2021 - \$829 K.

Key Market Demand & Demographic Statistics



- Twin Lakes currently has over 100 Diamond Club members on a waiting list.
- An additional 145 qualified leads through 6/30 to supplement active lead base of over 2,000 prospects.
- Through June 30th, TL experienced over 32,000 clicks to our collection of Twin Lakes web pages.
- Projected Total population growth 75+ population from 2021-2026 is 2,095 (9.4%). Compared to Total All Population of 4,078 (1.3%).**
- 75+ population is growing at over 7 times faster than the overall population and makes up over half of the total population growth.

** Source – Claritas Pop-Facts Premier 2021 using Twin Lakes PMA of 16 zip codes.

EXHIBIT B

Twin Lakes – 10120 Montgomery Road STATEMENT OF CONDITIONS & EXCEPTIONS ESTABLISHED AS THE STANDARDS IN THE PLANNED DEVELOPMENT DISTRICT

July 7, 2021

General Conditions for the PD

1. The sidewalks along Montgomery Road shall be 7' in width and the final design shall be approved by the Public Works Director. (Matching the recent Twin Lakes Villa project)
2. Proposed development to utilize the existing curb cut on Schoolhouse Lane for the entry drive, while creating a second curb cut for exiting.
3. There will be a minimum of 0.7 acres of open space as designated on the General Development Plan submitted by Twin Lakes.
4. There will be 30 dwelling units maximum as designated on the General Development Plan submitted by Twin Lakes.
5. Buildings labelled 'A' and 'B' will be three stories tall while Building 'C' will be two stories tall as designated on the General Development Plan submitted by Twin Lakes.
6. In addition to standard Hamilton County storm water management plans, the applicant will adhere to the following:
 - a. Will adhere to Ohio EPA post construction runoff guidelines;
 - b. Develop storm water pollution prevention plans as required by the Ohio EPA;
 - c. Adhere to Section 401 of the Clean Water Act as administered by OEPA.
 - d. Twin Lakes will work with City Engineer to determine the best management practices that will be used to address NPDES Phase II regulations.

Residential D-3 District

The regulations for the D-3 zoning district will apply, with the following conditions and variations:

1. Buildings shall be set back from the right-of-way of Montgomery Road and Schoolhouse Lane a minimum of 35'.
2. A minimum landscaped buffer yard of 30' shall be maintained along Montgomery Road.
3. A minimum buffer yard of 30' shall be maintained along the north property line.
4. A buffer yard of 20' shall be maintained along the east property line.
5. Porches, covered or uncovered patios and balconies may encroach a maximum of 10' into any required buffer yard.
6. Fences up to a 6.25' in height shall be permitted to separate patio spaces in the front yard along Montgomery Road provided they are perpendicular to Montgomery Road.
7. Bay windows, roof overhangs, chimneys, and architectural features may extend 5' into the buffer yards.

8. Below grade window wells and/or stairwells with or without guardrails can extend into the buffer yards by a maximum of 5'.
9. Impervious surfaces shall not exceed what is generally shown on the general development plan submitted by Twin Lakes, with an overall ratio maintained no greater than 70% impervious surfaces of the developable acreage 3.3439 acres which is 2.34 acre.
10. No dumpsters shall be allowed except as permitted by the Zoning Code in residential districts
11. Any proposed lighting shall be in compliance with the regulations of the underlying zoning district.
12. The following accessory structures and uses shall be permitted in Amenity Areas 1 and 2: benches, trellises, pergolas, patios, hardscape, and landscaping.
13. The following uses shall only be permitted in Amenity Area 2 or General Open Space: pickleball court, shuffleboard, bocce ball or other similar games provided these uses maintain a minimum setback of 35' from Schoolhouse Lane.

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 Business Session Minutes
October 6, 2021

Present

Brian Riblet, City Manager
Terry Donnellon, Law Director
Tracy Henao, Asst. City Manager/Acting Comm. Dev. Dir.
John Crowell, Police Chief
Gary Heitkamp, Public Works Director
Paul Wright, Fire Chief
Katie Smiddy, Finance Director
Amy Frederick, Community and Engagement Coordinator
Connie Gaylor, Clerk of Council

City Council Members Present

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

City Council convened its Business Session for October 6, 2021 at 7:00 p.m. at City Hall Council Chambers with Mayor Dobrozsi presiding.

ROLL CALL

Mayor Dobrozsi asked for a motion to dispense with roll call as all Council Members were present.

Vice Mayor Margolis made a motion to dispense with the roll call. Mr. Cappel seconded. City Council unanimously agreed.

PENDING LEGISLATION

There was no pending legislation on this agenda.

NEW LEGISLATION

A Resolution Accepting the Amounts and Rates as Determined by The Budget Commission and Authorizing the Necessary Tax Levies and Certifying Them to The County Auditor

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

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

Mr. Suer explained that, if approved, this Resolution would accept the rates and amounts determined by the Hamilton County Budget Commission. As a State of Ohio taxing authority and pursuant to the Ohio Revised Code, the City is required to adopt an annual tax budget. City Council adopted the Tax Budget on July 7, 2021, and then submitted it to the Hamilton County Auditor for review by that office and the Hamilton County Budget Commission. Those reviews did not generate any questions and the proposed Tax Budget was accepted by the Budget Commission and Auditor. City Council is requested to act to accept the Budget Commission's rates and amounts, which would result in the estimated collections as specified in the City's 2022 Tax Budget. This action will then permit the Budget Commission to collect property taxes at the rates established for the upcoming year.

Mr. Suer asked if there were any updates.

Ms. Smiddy replied there were none.

Mrs. Bissmeyer asked for confirmation that inside milage was for taxes that fall under 10 million and do not have to be voted on versus outside milage that are for taxes that are above 10 million and have to be approved by the voters.

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City Council Business Session Minutes
October 6, 2021
Page 2

55 Ms. Smiddy replied that she was correct.

56

57 Mrs. Bissmeyer asked if someone received a rollback in reduction, if the City still received a portion of their property
58 taxes.

59

60 Ms. Smiddy replied that we do.

61

62 Mayor Dobrozsi asked for the roll to be called.

63

64 The roll was called and showed the following vote:

65

66 AYE: Cappel, Bissmeyer, Suer, Dobrozsi, Roesch, Messer, Margolis (7)

67 NAY: (0)

68

69 **An Ordinance to Make Appropriations for Current Expenses and Other Expenditures of the City of**
70 **Montgomery, State of Ohio During the Fiscal Year Ending December 31, 2022**

71

72 Mayor Dobrozsi stated that he would recuse himself from the discussion and vote on this legislation. He explained
73 that although he has no ownership interest in Neyer Properties, Inc. nor any in the limited liability companies in
74 partnership to develop the Montgomery Quarter, he will continue to recuse himself from discussion and abstain from
75 voting upon legislation related to the Montgomery Quarter project. He asked Vice Mayor Margolis to take over the
76 meeting.

77

78 Vice Mayor Margolis assumed management of the meeting.

79

80 Mr. Suer moved to read the legislation by title only. Mr. Cappel seconded. City Council unanimously agreed.

81

82 Mr. Suer read the title and moved for passage of the first reading of the Ordinance. Mr. Cappel seconded.

83

84 Mr. Suer explained that, if approved, this Resolution would establish the City's budget for fiscal year 2022. These
85 documents were presented to and reviewed with the Financial Planning Committee of City Council at their
86 September 7 meeting. City Council conducted its formal review of the 2022 Operating and Capital Budget with Four
87 Year Forecast and 2022-2026 Capital Improvement Program, on Thursday, September 9.

88

89 Mr. Suer asked if there were any updates.

90

91 Ms. Smiddy replied there were none at this time.

92

93 The roll was called and showed the following vote:

94

95 AYE: Bissmeyer, Suer, Roesch, Messer, Margolis, Cappel (6)

96 NAY: (0)

97 ABSTAIN: Dobrozsi (1)

98

99 Mayor Dobrozsi resumed management of the meeting.

100

101 **A Resolution Authorizing An Intergovernmental Agreement Between The City And The Hamilton County**
102 **Transportation Improvement District**

103

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

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105
106 Mr. Cappel read the title and moved for passage. Mr. Messer seconded.
107

108 Mr. Cappel explained that, if approved, this Resolution will authorize the City Manager to approve an
109 Intergovernmental Agreement with Hamilton County Transportation Improvement District for the City to be eligible
110 to receive House Bill 74 funds in an amount not to exceed \$400,000 for Fiscal Year 2022. The Intergovernmental
111 Agreement establishes the City of Montgomery and Hamilton County Transportation Improvement District as Co-
112 Administrators for work associated with approved House Bill 74 reimbursable funds for the Pfeiffer Road and
113 Deerfield Road Roundabout Project as authorized under Ohio law.
114

115 Mr. Cappel asked if there were any updates.
116

117 Mr. Riblet replied there were none.
118

119 The roll was called and showed the following vote:
120

121 AYE: Suer, Dobrozsi, Roesch, Messer, Margolis, Cappel, Bissmeyer (7)
122 NAY: (0)
123

124 **A Resolution Authorizing A Debt Collection Agreement With The Ohio Attorney General**
125

126 Mr. Suer moved to read the Resolution by title only. Mr. Cappel seconded. City Council unanimously agreed.
127

128 Mr. Suer read the title and moved for passage of the Resolution. Mr. Cappel seconded.
129

130 Mr. Suer explained that, if approved, this Resolution will authorize the City to enter into a Delinquent Debt
131 Collection Agreement with the Ohio Attorney General to collect various delinquent debts owed the City such as
132 delinquent income taxes. The cost of collection is passed through to the debtor and collections are managed through
133 the Attorney General's Collection Division as well as their outside vendors or special counsel. This is a much more
134 efficient process for the City than pursuing each debt individually. The Agreement can be terminated by the City at
135 any time with forty-five (45) days advanced notice. Mr. Suer added that this Resolution was discussed at the
136 September 7 Financial Planning Meeting and was an efficient alternative to staff's current process.
137

138 Mr. Cappel asked if this program could be used as an alternative for liens for unpaid bills.
139

140 Mr. Donnellon replied that it was to be used for the collection of taxes, permit fees, licensing fees and nuisance
141 charges.
142

143 Mrs. Bissmeyer asked if staff would reach out to residents prior to submitting their information to the OAG for
144 collection.
145

146 Ms. Smiddy replied that they would send two notices to residents prior to sending to the OAG.
147

148 The roll was called and showed the following vote:
149

150 AYE: Dobrozsi, Roesch, Messer, Margolis, Cappel, Bissmeyer, Suer (7)
151 NAY: (0)
152
153

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154 Mayor Dobrozsi stated that he would recuse himself from the next piece of legislation like he has done with all
155 legislation that relates to the development and roundabout. He explained that although he has no ownership interest
156 in Neyer Properties, Inc. nor any in the limited liability companies in partnership to develop the Montgomery
157 Quarter, he will continue to recuse himself from discussion and abstain from voting upon legislation related to the
158 Montgomery Quarter project. He asked Vice Mayor Margolis to take over the meeting.

159
160 Council Member Roesch also recused herself for possible professional conflicts.

161
162 Vice Mayor Margolis asked Mr. Suer to proceed with the legislation.

163
164 **A Resolution Delegating Authority To Make Declarations Of Official Intent And Allocations With Respect**
165 **To Reimbursements Of Temporary Advances During Fiscal Years 2021 And 2022 Made For Capital**
166 **Improvements To Be Made From Subsequent Borrowings For The Montgomery Quarter Redevelopment**
167 **Project (Formerly Known As The Gateway Redevelopment Project)**
168

169 Mr. Suer moved to read the Resolution by title only. Mr. Cappel seconded. City Council unanimously agreed.
170

171 Mr. Suer read the title and moved for passage. Mr. Cappel seconded.
172

173 Mr. Suer explained that, if approved, this Resolution will allow the City to advance certain monies today for the
174 design and construction of public improvements in Stage 2 of the Montgomery Quarter Project and to be reimbursed
175 at a later date from the proceeds of a second round of Special Revenue Bonds to be issued to finance the public
176 improvements within the project. Stage 2 of the project includes extending the street grid to connect with the
177 Roundabout, as well as construction of the street grid, streetscape, and related utility improvements within the project
178 site. Stage 2 of the project site is south of the current public garage upon which the Fifth Third office building is
179 now being built.

180
181 Mr. Suer asked if there were any updates.

182
183 Mr. Donnellon replied that there were none.

184
185 The roll was called and showed the following vote:

186
187 AYE: Bissmeyer, Suer, Messer, Margolis, Cappel (5)

188 NAY: (0)

189 ABSTAIN: Dobrozsi, Roesch (2)

190
191 Mayor Dobrozsi and Ms. Roesch returned to the dais with the Mayor resuming management of the meeting.
192

193 **An Ordinance Approving A Planned Development Overlay For Property Owned By Twin Lakes Located On**
194 **Montgomery Road At Schoolhouse Lane**
195

196 Mr. Messer stated that he would be recusing himself from this legislation due to a professional conflict of interest.
197

198 Vice Mayor Margolis moved to read the Ordinance by title only. Mr. Cappel seconded. City Council unanimously
199 agreed.

200
201 Vice Mayor Margolis read the title and moved for passage of the first reading. Mr. Cappel seconded.
202

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203 Vice Mayor Margolis explained that, if approved, this Ordinance will establish a Planned Development overlay
204 district for the property located at 10120 Montgomery Road owned by Twin Lakes Senior Living Community. This
205 Ordinance approves a Planned Development Overlay with certain conditions and exceptions as recommended by the
206 Planning Commission and presented at the September 1, 2021 Public Hearing. This Ordinance will only take effect
207 if approved at three successive readings and then thirty days after final approval.

208
209 Vice Mayor Margolis asked if there were any updates.

210
211 Ms. Henao replied there were none.

212
213 The roll was called and showed the following vote:

214
215 AYE: Roesch, Margolis, Cappel, Bissmeyer, Suer, Dobrozsi (6)
216 NAY: (0)
217 ABSTAIN: Messer (1)
218

219 **ADMINISTRATION REPORT**

220
221 Mr. Riblet reported the following items:

- 222
223
 - City Council Work Session is scheduled for Wednesday, October 20 at 7:00 p.m.
 - The Government Affairs Committee will meet on Monday, October 18 at 4:30 p.m. The Parks and Recreation and Public Works Committees of Council have cancelled their meetings for the month of October.

224
225
226 Vice Mayor Margolis stated that he would not be present for the Government Affairs Committee meeting.
227
228

- 229
230
 - Gary Heitkamp reports that Gordian has scheduled their last Block 2 Garage concrete deck pour on Monday, October 11 (weather permitting). It is a very large pour, and they have requested that the pour begin at 3:00 a.m.
 - J.K. Meurer began the resurfacing of the Safety Center and Swimming Pool parking lots on Monday, October 4. Thus far, they have milled all of the existing pavement, performed some full depth pavement repairs, and are currently in the process of applying the new asphalt surface course. Next week, they will begin similar work at the Public Works facility.
 - A contract extension in the amount of \$131,960 was completed with SwimSafe for professional services provided at the Municipal Pool for the 2022 season. As you may recall, Council approved Resolution 33 in 2018 for a three-year term (2019, 2020 and 2021) and also provided authorization to extend the contract for two additional years for the 2022 and 2023 seasons. The contract extension for the 2022 and 2023 seasons is only \$1,000 more than the 2020 and 2021 contract amounts of \$130,960.00

245 **APPROVAL OF MINUTES**

246
247 Mayor Dobrozsi asked for a motion to approve the September 22, 2021 Work Session minutes.
248

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249 Vice Mayor Margolis made a motion to approve the September 22, 2021 Work Session minutes as written. Mr.
250 Cappel seconded. City Council unanimously agreed.

251
252 **MAYOR'S COURT REPORT**

253
254 Mayor Dobrozsi asked for a motion to disburse the September Mayor Court collections in the amount of \$8,511.01
255
256 Mr. Cappel moved to disburse the September Mayor Court collections. Mrs. Bissmeyer seconded. City Council
257 unanimously agreed.

258
259 **OTHER BUSINESS**

260
261 Vice Mayor Margolis reported on the following items:

- 262
- 263 • Diversity Dinner-Vice Mayor commented on the success of the Diversity Dinner and thanked staff for their
264 efforts in coordinating the event.
 - 265 • Partners in Preparedness Meeting with Hamilton County EMA and Homeland Security-Vice Mayor
266 Margolis reported that tabletop exercises were conducted at this meeting with various scenarios of
267 emergency situations.
 - 268 • Montgomery Bulletin-Vice Mayor Margolis displayed a Montgomery Bulletin from a year ago alongside a
269 current issue and praised staff for all of the creative changes made to the monthly newsletter.
- 270

271 Mr. Messer reported that Nancy Nolan, a former Arts Commission member, has attended recent Arts Commission
272 meetings and has expressed her interest in serving on the commission again. He explained the Commission is very
273 excited to have her back. He made a motion to appoint Nancy Nolan to the Arts Commission with a term ending on
274 January 31, 2024. Mr. Messer explained that the motion would need a second as it was not discussed at a
275 Government Affairs Committee meeting. Mr. Cappel seconded the motion. City Council unanimously agreed.

276
277 Mr. Messer reported that a Live at The Uni concert was held at Sycamore High School on Monday, October 4 and
278 was a fantastic evening.

279
280 Mr. Suer stated that the news of appointing Ms. Nolan was great news as she has been instrumental in many of the
281 Arts Commission programs, such as Live at the Uni and has an extensive list of contacts which has benefited the
282 City greatly over the years.

283
284 Mr. Suer asked Mr. Heitkamp to provide an update on the Weller Road Bridge.

285
286 Mr. Heitkamp explained that the project was currently on schedule. He stated that the State projected 120 days for
287 the project which makes the completion date fall around the first week of December. He stated that he viewed the
288 project the week prior, and the superstructure had been removed and the new bridge structure was being formed. He
289 stated that he would continue to follow up to see that they are still on schedule.

290
291 Mrs. Bissmeyer reported that she spoke at the American Legion Post 630 meeting in Blue Ash. She reported how
292 appreciative they were of their relationship with the City which has greatly improved from the past.

293
294 Mayor Dobrozsi stated that he would be out from October 11 through October 14. Vice Mayor Margolis reported
295 that he would be out from October 12 through October 18. Due to these overlapping absences, Mr. Cappel made a
296 motion to appoint Mr. Suer as Mayor Pro Tem from October 11 through October 14. Mr. Messer seconded. City
297 Council unanimously agreed.

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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.

Mr. Cappel moved to adjourn. Mr. Messer seconded. City Council unanimously agreed.

City Council adjourned at 7:45 p.m.

Connie Gaylor, Clerk of Council

DRAFT