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2 City of Montgomery
3 City Council Business Session Minutes
4 October 6, 2021

5 Present

6 Brian Riblet, City Manager
7 Terry Donnellon, Law Director
8 Tracy Henao, Asst. City Manager/Acting Comm. Dev. Dir.
9 John Crowell, Police Chief
10 Gary Heitkamp, Public Works Director
11 Paul Wright, Fire Chief
12 Katie Smiddy, Finance Director
13 Amy Frederick, Community and Engagement Coordinator
14 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

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

18
19 ROLL CALL

20
21 Mayor Dobrozsi asked for a motion to dispense with roll call as all Council Members were present.

22
23 Vice Mayor Margolis made a motion to dispense with the roll call. Mr. Cappel seconded. City Council unanimously
24 agreed.

25
26 PENDING LEGISLATION

27
28 There was no pending legislation on this agenda.

29
30 NEW LEGISLATION

31
32 **A Resolution Accepting the Amounts and Rates as Determined by The Budget Commission and Authorizing**
33 **the Necessary Tax Levies and Certifying Them to The County Auditor**

34
35 Mr. Suer moved to read the Resolution by title only. Mr. Cappel seconded. City Council unanimously agreed.

36
37 Mr. Suer read the title and moved for passage of the Resolution. Mr. Cappel seconded.

38
39 Mr. Suer explained that, if approved, this Resolution would accept the rates and amounts determined by the Hamilton
40 County Budget Commission. As a State of Ohio taxing authority and pursuant to the Ohio Revised Code, the City
41 is required to adopt an annual tax budget. City Council adopted the Tax Budget on July 7, 2021, and then submitted
42 it to the Hamilton County Auditor for review by that office and the Hamilton County Budget Commission. Those
43 reviews did not generate any questions and the proposed Tax Budget was accepted by the Budget Commission and
44 Auditor. City Council is requested to act to accept the Budget Commission's rates and amounts, which would result
45 in the estimated collections as specified in the City's 2022 Tax Budget. This action will then permit the Budget
46 Commission to collect property taxes at the rates established for the upcoming year.

47
48 Mr. Suer asked if there were any updates.

49
50 Ms. Smiddy replied there were none.

51
52 Mrs. Bissmeyer asked for confirmation that inside milage was for taxes that fall under 10 million and do not have to
53 be voted on versus outside milage that are for taxes that are above 10 million and have to be approved by the voters.

54
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.

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

158
159 Council Member Roesch also recused herself for possible professional conflicts.

160
161 Vice Mayor Margolis asked Mr. Suer to proceed with the legislation.

162

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

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

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

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

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

182 Mr. Donnellon replied that there were none.
183

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

186	AYE: Bissmeyer, Suer, Messer, Margolis, Cappel	(5)
187	NAY:	(0)
188	ABSTAIN: Dobrozsi, Roesch	(2)

189

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

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

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

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

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

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

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

210 Ms. Henao replied there were none.
211
212
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214

215 The roll was called and showed the following vote:

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

220

221 **ADMINISTRATION REPORT**

222

223 Mr. Riblet reported the following items:

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225 • City Council Work Session is scheduled for Wednesday, October 20 at 7:00 p.m.

226

227 • The Government Affairs Committee will meet on Monday, October 18 at 4:30 p.m. The Parks and
228 Recreation and Public Works Committees of Council have cancelled their meetings for the month of
229 October.

230

231 Vice Mayor Margolis stated that he would not be present for the Government Affairs Committee meeting.

232

233 • Gary Heitkamp reports that Gordian has scheduled their last Block 2 Garage concrete deck pour on Monday,
234 October 11 (weather permitting). It is a very large pour, and they have requested that the pour begin at 3:00
235 a.m.

236

237 • J.K. Meurer began the resurfacing of the Safety Center and Swimming Pool parking lots on Monday,
238 October 4. Thus far, they have milled all of the existing pavement, performed some full depth pavement
239 repairs, and are currently in the process of applying the new asphalt surface course. Next week, they will
240 begin similar work at the Public Works facility.

241

242 • A contract extension in the amount of \$131,960 was completed with SwimSafe for professional services
243 provided at the Municipal Pool for the 2022 season. As you may recall, Council approved Resolution 33 in
244 2018 for a three-year term (2019, 2020 and 2021) and also provided authorization to extend the contract for
245 two additional years for the 2022 and 2023 seasons. The contract extension for the 2022 and 2023 seasons
246 is only \$1,000 more than the 2020 and 2021 contract amounts of \$130,960.00

247 **APPROVAL OF MINUTES**

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

250

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

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254 **MAYOR'S COURT REPORT**

255

256 Mayor Dobrozsi asked for a motion to disburse the September Mayor Court collections in the amount of \$8,511.01

257

258 Mr. Cappel moved to disburse the September Mayor Court collections. Mrs. Bissmeyer seconded. City Council
259 unanimously agreed.

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261 **OTHER BUSINESS**

262

263 Vice Mayor Margolis reported on the following items:

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

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

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

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

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

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

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


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

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