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2 City of Montgomery
3 City Council Work Session Minutes
4 September 22, 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 Matthew Vanderhorst, Community and Information Services Dir.
13 Amy Frederick, Community and Engagement Coordinator
14 Connie Gaylor, Clerk of Council

City Council Members Present

Chris Dobrozsi, Mayor
Vice Mayor Margolis
Mike Cappel
Ron Messer
Lynda Roesch
Ken Suer

City Council Members Absent

Lee Ann Bissmeyer

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17 City Council convened its Work Session for September 22, 2021 at 7:00 p.m. in City Council Chambers with Mayor
18 Dobrozsi presiding.

19
20 ROLL CALL

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22 Mayor Dobrozsi asked for a roll call.

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24 The roll was called with all members present except Mrs. Bissmeyer.

25
26 Mayor Dobrozsi explained that Mrs. Bissmeyer was ill. He asked for a motion to excuse her absence.

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28 Mr. Cappel made the motion to excuse Mrs. Bissmeyer. Vice Mayor Margolis seconded. City Council unanimously
29 agreed.

30
31 GUESTS & RESIDENTS

32
33 Steve Uckotter, 7561 Trailwind Drive- Mr. Uckotter thanked City Council for the opportunity to attend the 2022
34 Budget Meeting held on September 9 and stated that after having time to go through the binder he was impressed
35 with the level of detail put into the budget pages. He stated that he did find one item that he took exception to,
36 which was a line item earmarking \$10,000 to replace a pump in the fountain at the Pfeiffer Road and I-71
37 interchange. He stated that he felt the City should stop investing money to fix the pump and spend the money to
38 either redesign it, fill it in or move the fountain to a different area. He stated he felt it would be a better visual for
39 the City.

40
41 Mayor Dobrozsi thanked him for his suggestions and stated that staff and Council would take that into consideration
42 as they go through the three readings of the Budget Ordinance.

43
44 LEGISLATION FOR CONSIDERATION THIS EVENING

45
46 There was no legislation for consideration at the meeting.

47
48 ESTABLISHING AN AGENDA FOR OCTOBER 6, 2021 BUSINESS SESSION

49
50 TABLED LEGISLATION

51
52 **An Ordinance Agreeing to Adjust the Boundaries Between the City of Montgomery, Ohio And the City of**
53 **The Village of Indian Hill, Ohio Pursuant to Ohio Revised Code Section 709.37**

54
55 Mayor Dobrozsi explained that this Ordinance has been tabled since the April 21 Work Session and asked Mr.
56 Donnellon for an update.

57

58 Mr. Donnellon stated that he had spoken with the homeowner's attorney and at this time it appears the School
59 Boards are not willing to make adjustments, so he recommended removing the legislation from the agenda. He
60 stated that if they come back with a different solution, it can be added back to the agenda. He stated that he advised
61 their counsel to work with the Community Development Department to see if there are other solutions. He advised
62 Council to make a motion to remove the legislation from the agenda and not go through with the third reading.

63
64 Mr. Cappel made a motion to remove the Ordinance from the agenda. Vice Mayor Margolis seconded. City Council
65 unanimously agreed.

66
67 **PENDING LEGISLATION**

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69 There is no pending legislation on this agenda.

70
71 **NEW LEGISLATION**

72
73 **A Resolution Accepting the Amounts and Rates as Determined by The Budget Commission and Authorizing**
74 **the Necessary Tax Levies and Certifying Them to The County Auditor**

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

77
78 Mr. Riblet explained that, if approved, this Resolution would accept the rates and amounts determined by the
79 Hamilton County Budget Commission. As a State of Ohio taxing authority and pursuant to the Ohio Revised Code,
80 the City is required to adopt an annual Tax Budget. City Council adopted the Tax Budget on July 7, 2021, and then
81 submitted it to the Hamilton County Auditor for review by that office and the Hamilton County Budget Commission.
82 Those reviews did not generate any questions and the proposed Tax Budget was accepted by the Budget
83 Commission and Auditor. City Council is requested to act to accept the Budget Commission's rates and amounts,
84 which would result in the estimated collections as specified in the City's 2022 Tax Budget. This action will then
85 permit the Budget Commission to collect property taxes at the rates established for the upcoming year. Mr. Riblet
86 added that this item was discussed at the September 7 Financial Planning Committee meeting.

87
88 Mr. Suer confirmed that it was discussed at the Financial Planning Committee meeting and that it was an annual
89 routine piece of legislation.

90
91 **An Ordinance to Make Appropriations for Current Expenses and Other Expenditures of the City of**
92 **Montgomery, State of Ohio During the Fiscal Year Ending December 31, 2022**

93
94 Mayor Dobrozsi assigned the legislation to Mr. Suer.

95
96 Mr. Riblet explained that, if approved, this Ordinance would establish the City's budget for fiscal year 2022. He
97 stated that these documents were presented to and reviewed with the Financial Planning Committee of City Council
98 at their September 7 meeting. City Council also conducted its formal review of the 2022 Operating and Capital
99 Budget with Four Year Forecast and 2022-2026 Capital Improvement Program, on Thursday, September 9. As a
100 result of these discussions, any changes to the budget will be forthcoming and will be presented to City Council in
101 the packet for the October 6, Business Session.

102
103 Mr. Suer explained that this annual process may have a few modifications before the final reading.
104 Mayor Dobrozsi explained that he would recuse himself from the vote and discussion moving forward. He
105 explained that although he has no ownership interest in Neyer Properties, Inc. nor any in the limited liability
106 companies in partnership to develop the Montgomery Quarter, he will continue to recuse himself from discussion
107 and abstain from voting upon legislation related to the Montgomery Quarter project.

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

111
112 Mayor Dobrozsi assigned the legislation to Mr. Cappel.

113
114 Mr. Riblet explained that, if approved, this Resolution would approve an Intergovernmental Agreement with
115 Hamilton County Transportation Improvement District for the City to be eligible to receive House Bill 74 funds in
116 an amount not to exceed \$400,000 for Fiscal Year 2022. The Intergovernmental Agreement establishes the City of
117 Montgomery and Hamilton County Transportation Improvement District as Co-Administrators for work associated
118 with approved House Bill 74 reimbursable funds for the Pfeiffer Road and Deerfield Road Roundabout Project as
119 authorized under Ohio law. Mr. Riblet explained that The Ohio Department of Transportation indicated they
120 received 52 applications competing for the nearly \$15 million of funding for project development and construction.
121 The City of Montgomery was notified on August 13,2021 that our funding application for the Pfeiffer Road and
122 Deerfield Road Roundabout Project was approved for an amount not to exceed \$400,000 for costs associated with
123 construction of the project. Mr. Riblet added that the City and the County will work together to administer the
124 project.

125
126 Mr. Suer asked Ms. Henao about a meeting with a resident who had concerns about the roundabout.

127
128 Ms. Henao explained that their concern was not with the roundabout as it was with the installation of their extended
129 driveway. She explained that the residents concern was with the cost of a survey that would be required in order to
130 apply for a variance through the Board of Zoning Appeals (BZA). She explained that she has worked with Mr.
131 Heitkamp and Strand Associates, who performed the engineering services for the Pfeiffer and Deerfield Road
132 roundabout, to review plans and determine that they include the resident's driveway and can be utilized for their
133 variance. She explained that having those plans will reduce their costs in applying for a variance with the BZA.

134
135 Mr. Uckotter asked that through the Intergovernmental Agreement how much the City will be paying for the
136 roundabout.

137
138 Mr. Riblet explained that the combing the grant funding that has been awarded through Hamilton County and OKI,
139 he anticipated the City would be responsible for \$200,000 of the total costs.

140
141 **A Resolution Authorizing A Debt Collection Agreement With The Ohio Attorney General**

142
143 Mayor Dobrozsi assigned the legislation to Mr. Suer.

144
145 Mr. Riblet explained that, if approved, this Resolution would authorize the City to enter into a Delinquent Debt
146 Collection Agreement with the Ohio Attorney General to collect various delinquent debts owed the City such as
147 delinquent income taxes. He explained that the cost of collection is passed through to the debtor and collections
148 are managed through the Attorney General's Collection Division as well as their outside vendors or special counsel.
149 Mr. Riblet stated this is a much more efficient process for the City than pursuing each debt individually. He
150 explained that on average the Tax Department has 40-50 cases per year but the time it takes to pursue the collection
151 add a tremendous amount of work onto staff. He stated that the Agreement can be terminated by the City at any
152 time with forty-five (45) days advanced notice. He added that this was discussed at the September 7 Financial
153 Planning Committee meeting.

154 Mr. Suer added that Ms. Smiddy thought this service would be very beneficial to staff.

155
156 Mr. Cappel asked if this is the same division of the State that if working to change the income tax collection laws
157 that effect municipalities.

158
159 Mr. Donnellon explained that there is a State statute that allows the OAG to perform this service.
160

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

166 Mayor Dobrozsi assigned the legislation to Mr. Suer.
167

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

176 Mr. Suer asked if, like we have done in the past, we would look at the current bond rates.
177

178 Mr. Donnellon replied that we would.
179

180 Ms. Roesch stated that she would recuse herself from the vote due to possible professional conflicts.
181

182 Mayor Dobrozsi explained that he would recuse himself from the vote and discussion moving forward. He
183 explained that although he has no ownership interest in Neyer Properties, Inc. nor any in the limited liability
184 companies in partnership to develop the Montgomery Quarter, he will continue to recuse himself from discussion
185 and abstain from voting upon legislation related to the Montgomery Quarter project.
186

187 **An Ordinance Approving A Planned Development Overlay For Property Owned By Twin Lakes Located On**
188 **Montgomery Road At Schoolhouse Lane**
189

190 Mayor Dobrozsi assigned the legislation to Vice Mayor Margolis.
191

192 Ms. Henao explained that, if approved, this Ordinance would establish a Planned Development overlay district for
193 the property located at 10120 Montgomery Road owned by Twin Lakes Senior Living Community. This Ordinance
194 approves a Planned Development Overlay with certain conditions and exceptions as recommended by the Planning
195 Commission and presented at the September 1, 2021 Public Hearing. This Ordinance will only take effect if
196 approved at three successive readings and then thirty days after final approval.
197

198 Vice Mayor Margolis stated that the Planned Development Overlay is focused on flexibility with the roadway and
199 sighting.
200

201 Ms. Henao added that it also increases density and changes the green space to 20%.
202

203 Mr. Messer stated that he would recuse himself from the vote as a parttime employee of Twin Lakes.
204

204 Mr. Suer asked Ms. Henao if this would be the final construction project for Twin Lakes.
205

206 Ms. Henao replied that she anticipated it would be as this project would encompass the remaining open land they
207 have.
208

209 **ADMINISTRATION REPORT**
210

211 Mr. Riblet reported the following items:
212

- 213 • The next City Council Business Session is scheduled for Wednesday, October 6 at 7:00 p.m.
214
- 215 • The Law and Safety, Financial Planning, and Planning, Zoning and Landmarks Committees have cancelled
216 their meetings for October.
217
- 218 • The Government Affairs Committee does have agenda items for October 11 and staff would like to request
219 to hold this meeting on October 18 rather than October 11. The Parks and Recreation and Public Works
220 Committees are not anticipated to have agenda items at this time, but an update will be provided at the
221 October 6 Business Session.
222
- 223 • The Montgomery Car Show was held this past Saturday, September 18, with a total of 96 cars being entered.
224 Police Department once again sold Montgomery Inn sandwiches and raised \$800 for the Holiday Family
225 Fund. Trophies were given to the Top 20, The Best of Show, People’s Choice and Participants’ Choice.
226 Great job by all involved.
227
- 228 • On Monday, September 20, Sycamore Community Schools were recognized by the Pittsburgh data
229 company *Niche* as the #4 ranked school district in Ohio and on Tuesday the Montgomery Elementary school
230 was one of 325 nationally to receive the 2021 National Blue Ribbon from the U.S. Department of Education.
231 Congrats to our partners at Sycamore.
232
- 233 • I would like to recognize the work of Chad Shaffer, our governmental representative from Duke Energy.
234 The development team made us aware of a major issue getting gas services installed on the site and after
235 contacting Chad on Monday, September 20, everyone met on site and the issues were resolved. We’re
236 fortunate to have a great relationship with Duke Energy.
237
- 238 • The job announcement for Finance Specialist has been published/posted to multiple outlets to begin a hiring
239 process in preparation for an upcoming vacancy (due to a retirement in early 2022.)
240
- 241 • A conditional offer of employment has been extended to a candidate for the position of Community
242 Development Director.
243
- 244 • The Parks and Recreation Commission is presenting “Evening Star Party” on Friday, September 24 from
245 7:30 to 9:30 p.m. at Pioneer Park. Instructors from the Cincinnati Observatory will give a short presentation
246 and then participants can view the night’s sky through telescopes. The program is sold out with 40 attending.
247 Due to the popularity of the program, a second date was added on Friday, October 1 from 7:30 to 9:30 p.m.
248 Registration for the October 1 Evening Star Party is still open.
249

250 **LAW DIRECTOR REPORT**

251
252 Mr. Donnellon had no update.
253

254 **CITY COUNCIL REPORTS**

255
256 **Mr. Cappel**
257

258 Mr. Cappel reported that the One Stop Drop event was held on Saturday 18, with a lower attendance as in past years
259 with approximately 160 cars coming through the event. He stated there were 13 volunteers at the event along with
260 staff. He stated the event offered document shredding services as well as the collection of 2 tons of batteries.

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Mr. Suer

No report.

Ms. Roesch

Ms. Roesch reported that the Parks and Recreation Commission voted at their meeting to use their budget to add the second night of the Star Party due to the growing popularity of the event.

Ms. Roesch reported that Beautification and Tree Commission is working on the flower selection for next month.

Ms. Roesch reported that the BAMSO Board and Music Committee met to plan next year's program. She stated that that theme for the July 3rd concert for 2022 was going to be "High Adventure".

Ms. Roesch stated that the postponed Spring Concert for BAMSO would be held on October 24 at the Montgomery Assembly of God at 7:00 p.m. She stated the concert would feature young artists.

Mr. Messer

Mr. Messer reported that the Sister Cities Commission decided to cancel the International Dinner scheduled for February 2022 due to the pandemic. He added that this is not to be confused with the Diversity and Inclusion Dinner scheduled for October.

Mr. Messer reported that at the Arts Commission meeting they discussed filling the vacancy and he would come back to Council with a recommendation on that in a future meeting.

Mr. Messer reported that he attended a Hamilton County Municipal League meeting along with Vice Mayor Margolis, and Ms. Henao where representatives from the County and State level were in attendance to discuss current topics. He reported the following items were a major focus:

- Redistricting Plans
- Ohio Capital Budget
- Individual Legislators Priorities looking ahead
- Report by the Greater Cincinnati Port Authority regarding rental properties

Vice Mayor Margolis

Vice Mayor Margolis stated that he attended both the One Stop Drop and the Car Show and was appreciative of staff that would spend their Saturdays to participate in City events.

Vice Mayor Margolis reported that he attended a Welcome Back ceremony for Honor Flight Veterans. He stated that there were over 90 veterans on the flight, and it was a very touching ceremony.

Vice Mayor Margolis reported that the History Club met on Monday, September 20 and are working to have a presentation at the Harvest Moon Festival that features the former Swaim Field Golf Course with an overlay to show how it was laid out prior to the housing development being constructed.

Vice Mayor Margolis reported on his trip to Montgomery New York for General Montgomery Day. He complimented the Village for their hospitality for himself, his wife and Mr. and Mrs. Heitkamp. He reported that he had fruitful conversations with Brian Fitzpatrick their historian.

313 **Mayor Dobrozi**

314
315 No report.

316
317 **MAYORS COURT REPORT**

318
319 Mayor Dobrozi asked for a motion to disburse the August Mayor Court collections in the amount of \$11,995.

320
321 Mr. Cappel moved to disburse the August Mayor Court collections. Vice Mayor Margolis seconded. City Council
322 unanimously agreed.

323
324 **MINUTES**

325
326 Mr. Cappel moved to approve the minutes from the following meetings: August 27 & August 28, 2021 Strategic
327 Planning Retreat; September 1, 2021 Public Hearing; September 1, 2021 Business Session; and the September 9,
328 2021 Budget Review. Vice Mayor Margolis seconded. City Council unanimously agreed.

329
330 **OTHER BUSINESS**

331
332 There was no other business.

333
334 **ADJOURNMENT**

335
336 Mayor Dobrozi asked if there was any further business to discuss in Public Session. There being none he asked for
337 a motion to adjourn.

338
339 Mr. Cappel moved to adjourn. Vice Mayor Margolis seconded. City Council unanimously agreed.

340
341 City Council adjourned at 8:06 p.m.

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345



Connie Gaylor, Clerk of Council