

City of Montgomery
City Council Business Session Minutes
April 6, 2022

Present

City Council Members Present

Brian Riblet, City Manager

Craig Margolis, Mayor

Terry Donnellon, Law Director

Lee Ann Bissmeyer, Vice Mayor

Kevin Chesar, Community Development Dir.

Mike Cappel

John Crowell, Police Chief

Chris Dobrozsi

Gary Heitkamp, Public Works Director

Ron Messer

Tracy Henao, Asst. City Manager

Sasha Naiman

Matthew Vanderhorst, Community and Information Services Director

Ken Suer

Paul Wright, Fire Chief

Amy Frederick, Communications and Engagement Coordinator

Connie Gaylor, Clerk of Council

City Council its Business Session for April 6, 2022 at 7:00 p.m. at City Hall with Mayor Margolis presiding.

ROLL CALL

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

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

LEGISLATION TO BE CONSIDERED THIS EVENING

An Ordinance Amending The Land Usage Code To Enact New Regulations For The Sign Code And The Old Montgomery Gateway District

Mayor Margolis asked for a motion to add the legislation to the agenda.

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

Mayor Margolis assigned the legislation to Vice Mayor Bissmeyer.

Mr. Dobrozsi recused himself from discussion and voting on this piece of legislation as well as the next like he has done with all legislation that relates to the development and roundabout. He explained that although he has no ownership interest in Neyer Properties, Inc. nor any in the limited liability companies in partnership to develop the Montgomery Quarter, he will continue to recuse himself from discussion and abstain from voting upon legislation related to the Montgomery Quarter project.

Vice Mayor Bissmeyer made a motion to read the Ordinance by title only. Mr. Cappel seconded.

Vice Mayor Bissmeyer read the title and moved to suspend the second and third readings of the Ordinance. Mr. Cappel seconded.

The roll was called and showed the following vote:

AYE: Cappel, Bissmeyer, Margolis, Naiman, Suer, Messer (6)

NAY: (0)

ABSTAIN: Dobrozsi (1)

Ms. Henao explained that it is requested that City Council consider a recommendation from the Planning Commission on a series of text amendments to Chapter 151.30 Sign Code and 151.15 Old Montgomery Gateway District Regulations. City Council held a public hearing on the proposed text amendments prior to the Business Session on March 2. No guests or residents spoke in support on in opposition to the proposed text amendments.

60

61 Ms. Henao stated that the existing Sign Code is primarily designed for signage on single or two-story buildings
62 and the regulations are appropriate for the size and scale of those buildings. However, newer developments have
63 buildings which are larger in scale and may have multiple entrances and frontage on more than one street which
64 requires more flexibility to design effective identification and wayfinding signage. In the past, signage for
65 buildings of larger scale and massing have been approved by variance. In collaborating with applicant, Staff
66 suggested that modifications to the Zoning Code would be more appropriate than requesting variances to create a
67 cohesive approach to signage for the development and for the city. The proposed text amendments have been
68 created by Staff and the applicant working together to create proposed text amendments that will allow for
69 flexibility in sign design while respecting the existing built environment. Staff also took the opportunity to clean
70 up sections of the Sign Code that needed clarity (i.e., definitions, clarity on temporary signs in residential districts,
71 process, etc.). It is important to note that the specific regulations for signage for the Heritage District as defined in
72 Chapter 151.14 would supersede these regulations. The Landmarks Commission met to discuss the proposed
73 amendments on November 10, 2021. After discussion, the Commission felt comfortable with the
74 recommendations regarding size, height from grade, etc. however, requested additional information on brightness
75 levels for internally illuminated signs and made other recommendations for changes to the proposed amendments.
76 Staff incorporated all the recommendation from the Landmarks Commission into the proposed text amendments
77 and collaborated with the applicant to provide the additional information requested on brightness levels. The
78 Landmarks Commission met to continue discussions on the proposed text amendments on December 8, 2021. At
79 the meeting, Staff reviewed the changes that were made since the first meeting and the applicant presented the
80 additional information regarding lighting and brightness levels. After discussion, the Landmarks Commission
81 voted to recommend approval of the proposed amendments to the Planning Commission (4-1 vote) modifications.
82

83

84 Ms. Henao explained that following the Landmarks Commission recommendation, Staff worked with Kolar
85 Design and the Landmark Commission consultants to research and create proposed language to address the
86 Commission's concerns regarding color temperature and brightness for internally illuminated signs. The changes
87 were incorporated into the proposed text amendments for consideration by the Planning Commission. The
88 Planning Commission met on January 18, 2022, to discuss the proposed text amendments as recommended by the
89 Landmarks Commission. After discussion, the Planning Commission voted unanimously to recommend approval
90 of the text amendments to Chapter 151 of the Land Usage Code as recommended by the Landmarks Commission.

91

92 Ms. Henao stated that since the public hearing on March 2, 2022, two minor revisions have been made to the text
93 amendments. In Section 151.3014(c) the wording was changed to 'aligned' instead of 'in line' to provide
94 additional clarity as suggested the Law Director. The new text reads 'Logos should be aligned with lettering.' The
95 second revision is regarding material type for signs in the Old Montgomery Gateway District. Section
96 151.1518(E) was revised to allow for polycarbonate signs within the district. The proposed amendments as
97 recommended for approval by the Landmarks Commission and Planning Commission allow for edge-lit signs in
98 the Old Montgomery Gateway District; however, the permitted material types (wood, composite wood, metal, or
99 high-density urethane) are not compatible for edge-lighting. Therefore, this revision is being proposed to ensure
100 that a compatible material is permitted in the district to allow for edge-lit signs.

101

102 Ms. Henao closed by stating that Staff supports the recommendation of the Landmarks Commission and the
103 Planning Commission to approve the proposed text amendments to Chapter 151.30 Sign Code and 151.15 Old
104 Montgomery Gateway District Regulations. Staff believes that the applicant has worked well with the Landmarks
105 Commission, Planning Commission and Staff to create regulations that are appropriate while allowing flexibility to
106 create effective and appropriate signage for larger-scale buildings. Creating a Sign Code that provides different
107 regulations based on the scale and mass of the buildings is a more effective way of regulating signage that will
108 lead to a more cohesive approach to signage and reduce the amount of variance requests. Staff is also in support of
109 the minor revisions that have been made to the text amendments since the City Council public hearing on March 2,
110 2022. She added that due to the timing of Montgomery Quarter and the anticipated move-in dates for tenants,
111 Staff would like to request that City Council consider adding this legislation to the Business Session agenda,
112 holding the first reading, making a motion to suspend the second and third readings, and pass the Ordinance at that
113 time in order for the text amendments to go into effect prior to the anticipated June opening dates of several
tenants within the project.

114
115 Mr. Cappel asked Ms. Henao if there was a big demand for polycarbonate signs.
116
117 Ms. Henao replied that she has seen an increase as they are more durable and less costly. She added that edge lit
118 signs also require that type of material.
119
120 Mr. Donnellon clarified that if the language has been changed since the public hearing to add polycarbonate that
121 there should be a motion to amend Section 151.158 from the previously presented material.
122
123 Mr. Cappel moved to accept the amended recommendation. Mr. Messer seconded. City Council unanimously
124 agreed.
125
126 Mrs. Naiman asked with the changes regarding a 5' lit ground sign, would the amendment open the change to
127 other signs.
128
129 Ms. Henao replied that it would not. She stated that the 5' sign is allowed for a one story and that 8' is allowed for
130 a building taller than two stories.
131
132 Mayor Margolis added that sign companies are responsible for knowing the sign code.
133
134 Mrs. Naiman asked if there were existing signs that the changes would affect.
135
136 Ms. Henao replied that there were a few pole signs and if the owners were to remove their current signs, then they
137 would have to come into compliance with the code.
138

139 **PENDING LEGISLATION**

140
141 **An Ordinance Establishing an Excise Lodging Tax**

142
143 Mr. Suer read the title and moved for passage of the Ordinance. Mr. Cappel seconded.
144
145 Mr. Suer explained that information has been previously supplied on this Ordinance that, if approved, will
146 establish an excise tax within the City of Montgomery. The Ohio Revised Code (O.R.C.) § 5739.08 allows a
147 municipal corporation to levy an excise tax of up to 3% on transactions by which the hotel provides lodging to
148 transient guests.
149
150 Mr. Suer asked if there were any updates.
151
152 Mr. Donnellon replied there were none.
153

154 The roll was called and showed the following vote:

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

159
160 **NEW LEGISLATION**

161
162 **An Ordinance Establishing Schedules of Municipal Compensation**

163
164 Mr. Dobrozsi moved to read the Ordinance by title only. Mr. Cappel seconded. City Council unanimously agreed.
165
166 Mr. Dobrozsi read the title and moved for passage of the first reading. Mr. Cappel seconded.
167

168 Mr. Dobrozsi explained that information has been previously supplied on this legislation that, if approved, would
169 establish a new Schedule of Municipal Compensation for non-bargaining unit employees. It is necessary to
170 establish a new Schedule of Municipal Compensation as the current Schedule does not specify any wage rate
171 adjustments for July 2022 or beyond. A new schedule is also needed to provide for title changes to address
172 organizational needs.

173
174 Mr. Dobrozsi asked if there were any updates.

175
176 Mr. Riblet stated there were none at this time.

177
178 The roll was called and showed the following vote:

179
180 AYE: Dobrozsi, Margolis, Naiman, Suer, Messer, Cappel, Bissmeyer (7)
181 NAY: (0)

182
183 **ADMINISTRATION REPORT**

184
185 Mr. Riblet reported the following items:

- 186
187
- 188 • City Council Work Session is scheduled for Wednesday, April 20 at 7:00 p.m.
 - 189 • As a reminder the Volunteer Walk of Fame Induction Ceremony is scheduled for 6:15 p.m. prior to the
190 Work Session and will be held at Montgomery Park. Weather permitting.
 - 191
 - 192 • Staff will be prepared to present an overview of the final draft of the 2022-2026 Strategic Plan at this
193 meeting.
 - 194
 - 195 • The Parks and Recreation, Government Affairs and Public Works Committees have cancelled their
196 meetings for the month of April.
 - 197
 - 198 • Chief Wright is attending the Congressional Fire Service Institutes program in Washington DC. He is
199 representing the Executive Committee of the Ohio Fire Chiefs Association. Three other Ohio Fire
200 Chiefs are joining him as they visit 10 congressmen and lobby on Capitol Hill for a number of issues
201 that are important to the Ohio fire services.
 - 202
 - 203 • On the morning of April 5, 10 volunteers and public works staff planted the annual flower hanging
204 baskets, 330 total. The process took 4-hours, and everyone did a wonderful job. The baskets will now
205 grow in the Public Works greenhouse until after the frost-free date which is after May 15. 262 of the
206 hanging baskets are installed throughout the Heritage District and the additional baskets will be used
207 as extras and will be installed in the Montgomery Quarter when the development is ready.
 - 208
 - 209 • A contract was signed with National Gunitite in the amount of \$21,970.00 to repair a large, corrugated
210 metal pipe at 7777 Cooper Rd as part of our annual CMP repair program. The pipe is a 52" CMP
211 approximately 56' long. The pipe is completely deteriorated and will be completely lined as part of
212 this repair. Work is scheduled for this summer.
 - 213
 - 214 • There are currently have five hiring processes underway: Patrol Officer, Public Works Department
215 Supervisor, Service Worker I, Customer Support and Volunteer Specialist, and seasonal positions.
 - 216
 - 217 • The Montgomery Photo Contest, the area's longest-running amateur photo competition – now in its
218 34th year – takes place on Sunday, April 10, from 1:00 to 3:00 p.m. at Terwilliger Lodge. The awards
219 ceremony begins at 2:30 p.m. In addition to the exhibit and awards presentation on April 10, the public
220 is invited to a preview reception on Saturday, April 9 from 12:00 to 4:00 p.m. at Terwilliger Lodge.
 - 221

- 222
- 223
- 224
- 225
- 226
- 227
- 228
- 229
- 230
- 231
- 232
- 233
- 234
- As a reminder, the HCML Quarterly meeting will be held on April 18 at the Deer Park Branch Library beginning at 6:30 p.m. Please let Ms. Gaylor know if you would like to attend.
 - As a reminder, the first Know Your Neighbor Series for 2022 will be held on April 21 featuring Juan and Rosa Molina at Terwilliger Lodge from 6:00 p.m. to 9:00 p.m.
 - Terry Donnellon has generously offered to sponsor a Rib Luncheon as a fundraiser for Robert Dunham and his family on Friday, April 22 from 11 to 1 at Public Works. Sign-ups were sent out for anyone who would like to bring side dishes, desserts, etc. for the luncheon.
 - The Volunteer Dinner is scheduled for April 27 at 6:00 p.m. at Montgomery Inn. Please let Ms. Gaylor or Ms. Cooper know.

235 **APPROVAL OF MINUTES**

236

237 Mayor Margolis asked for a motion to approve the March 23, 2022 Work Session minutes.

238

239 Mr. Cappel moved to approve the minutes as written. Vice Mayor Bissmeyer seconded. City Council unanimously

240 agreed.

241

242 **MAYOR'S COURT REPORT**

243

244 Mayor Margolis asked for a motion to accept the March Mayors Court collections in the amount of \$7,550.

245

246 Mr. Cappel moved to accept the Mayors Court collections for the month of March in the amount of \$7,550. Mr.

247 Messer seconded. City Council unanimously agreed.

248

249 **OTHER BUSINESS**

250

251 Mrs. Naiman explained that she would like to move to appoint two new members to the Parks and Recreation

252 Commission. She explained that these individuals have attended the required number of meetings and are a good

253 fit with the other commission members.

254

255 Reza Ghoorkhanian with a term ending on 1/31/2025

256 Teja Bollimunta with a term ending on 1/31/2025

257

258 She explained that this motion would need a second as it had not been presented at the Parks and Recreation

259 Committee of Council. Mr. Suer seconded the motion. City Council unanimously agreed.

260

261 **Roundabout Hardscape/Landscape Design Presentation**

262

263 Mr. Dobrozi gave a presentation on conceptual designs from the firm Human Nature who created the hardscape

264 and landscape designs for the Montgomery Road Roundabout. He explained that the designs also included

265 landscaping from Interstate 71 and along Ronald Reagan Highway to and from Montgomery to improve those

266 areas.

267

268 Mr. Suer added that there were considerations taken for the visibility of motorists, what should be inside of the

269 circle, the signature theme of the city and the type of material used around the circle. He stated that during the

270 design meetings there were practical discussions regarding snow plowing and maintenance of landscape.

271

272 Mr. Cappel stated that he was glad to see the highway areas included as they needed improvement. He stated he

273 does have concerns about people running into the landscaping.

274

275 Vice Mayor Bissmeyer stated that she loved everything about the designs and was excited to see the landscaping.
276
277 Mayor Margolis stated that all the materials combined provided for the “wow” factor that he knew visitors would
278 enjoy.
279
280 Mrs. Naiman stated that she also really liked it. She asked if neighboring businesses would be asked for feedback.
281
282 Mr. Riblet stated that they would, as well as the public, when the Open House was held to display the renderings.
283
284 Mrs. Naiman asked if the City was responsible for all the maintenance.
285
286 Mr. Riblet replied we were.
287
288 Mr. Messer stated that he liked it. He asked if there could be a potential safety issue with the center structure
289 inhibiting the sight of drivers.
290
291 Mr. Riblet stated that the way the structure was designed it will allow drivers to see to thru the structure to the
292 roundabout and other motorists. He explained that the renderings do not show that perception.
293
294 Mr. Messer asked what the budget was for the proposed design.
295
296 Mr. Riblet replied that the final cost has not been identified at this point until all feedback is received and a final
297 concept is approved. He stated that \$400,000 is in the budget as a placeholder but that the current design will be
298 significantly higher. He added that there is still a lot of work through before there is a final design. He stated that
299 he anticipates the project will not begin until 2023.
300
301 Other Business
302 Mayor Margolis reminded Council and staff of the Beautification and Tree Commissions “B & T Talk” which will
303 feature an Ohio Pollinator presentation on Wednesday April 27.
304
305 Mayor Margolis added that on April 29, Terry Willenbrink would conduct his final “Tree Walk” before his
306 retirement.
307
308 Mayor Margolis asked if there was any other business to discuss. There being none he asked for a motion to
309 adjourn.
310
311 Mr. Cappel made a motion to adjourn. Vice Mayor Bissmeyer seconded. City Council unanimously agreed.
312
313 City Council adjourned at 8:04 p.m.
314
315
316



Connie Gaylor, Clerk of Council