

City of Montgomery
City Council Work Session Minutes
December 21, 2022

Present

Brian Riblet, City Manager
Tracy Henao, Asst. City Manager
Chris Bigham, Interim Finance Director
Kevin Chesar, Community Development Director
John Crowell, Police Chief
Gary Heitkamp, Public Works Director
Matthew Vanderhorst, Community and Information Serv. Dir.
Paul Wright, Fire Chief
Connie Gaylor, Clerk of Council

City Council Members Present

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

Special Guest

Connor Chesar

City Council convened its Work Session for December 21, 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.

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

GUESTS AND RESIDENTS

There were no additional guests or residents.

LEGISLATION FOR CONSIDERATION THIS EVENING

Mayor Margolis explained that the following legislation was to be added to the agenda for consideration this evening and asked for a motion to do so.

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

Mr. Dobrozsi explained that he would recuse himself from the vote and discussion on this legislation. 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. Mr. Dobrozsi exited the dais.

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

Mayor Margolis assigned the legislation to Mr. Suer.

Mr. Bigham explained that this final Appropriation Ordinance for the year is needed to balance the budget for 2022. He explained that an updated attachment was placed at Council's seats. Mr. Bigham explained that the modification to the appropriations was divided into three sections. Section One includes a transfer of \$61,000 from the General Fund 101 to the Compensated Absences Fund 875 and is requested per policy to transfer unused budgeted leave payouts upon retirement when employees do not retire to fund future retirement expenses.

Mr. Bigham explained that Section Two includes a reduction of appropriation in Fund 324 General Bond Retirement Fund by \$375,000 as there are no principal payments due in FY 2022. There is also \$500,000 reduction in

appropriation in Fund 480 Downtown Improvements due to appropriating \$500,000 more than is necessary for the fund.

Mr. Bigham explained that Section Three includes appropriation adjustments for all funds. The General Fund transfers include two intradepartmental transfers for the Parks and Recreation Departments utilizing personnel savings of \$6,000 in each department to cover additional contract services costs for both departments. There is also a request for additional appropriation of \$95,000 in the General Fund for increased contract services for the Swaim and Terwilliger Lodges Department (\$5,000) and contract services in the Finance Department (\$90,000).

Finally, for restricted funds, there are nine funds that require additional appropriation to cover current expenditures. Fund 219 Community Oriented Policing needs an additional \$1,000 for increased training costs. Fund 261 Street Maintenance and Repair needs an additional appropriation of \$15,000 for increased fuel costs. Fund 324 General Bond Retirement and Fund 410 Capital Improvement Fund need additional appropriations of \$2,000 and \$35,000 respectively for increased income tax refunds. Fund 328 Reserve of Montgomery Bond Fund needs an additional appropriation of \$389,030 which represents the refund amount to homeowners for assessment overpayments as approved by City Council in November. Fund 460 Heritage District Fund needs \$30,000 related to the parking lot lease. Fund 461 Triangle TIF Fund needs \$1,500 related to increased school board payments based on actual collections. Fund 875 needs an additional \$30,245 for retirements of four employees. \$75,000 is budgeted but actual expenditures are \$105,245 for FY 2022. Fund 890 Unclaimed Moneys Fund needs an additional \$1,000 for a check that was cashed in the current fiscal year.

Vice Mayor Bissmeyer asked if the residents of The Reserves of Montgomery were notified of the refunds for the overpayments of assessments.

Mr. Bigham replied that a letter has been drafted to accompany the refund checks, but nothing was sent prior as he was waiting for this legislation to be approved.

Vice Mayor Bissmeyer asked as Fund 328 was being depleted would that fund be used again.

Mr. Bigham replied that the fund could be renamed and used again for another specific purpose, but it would become stagnant for a while before used again.

Mayor Margolis asked if this legislation would close out all adjustments.

Mr. Bigham replied that it would.

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

Mr. Suer moved to move to suspend the rules requiring reading of the Ordinance on three separate occasions. 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)

Mr. Suer moved for passage of the Ordinance. Mr. Cappel seconded.

The roll was called and showed the following vote:

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

Mr. Dobrozsi rejoined Council on the dais.

ESTABLISHING AN AGENDA FOR JANUARY 4, 2023 BUSINESS SESSION

NEW LEGISLATION

A Resolution Authorizing the City Manager to Enter into a Contract with CT Associates, Inc.

Mayor Margolis assigned the legislation to Mr. Cappel.

Mr. Heitkamp explained that staff is requesting that City Council authorize the City Manager to enter into a contract with CT Consultants, Inc. for professional engineering and architectural services for calendar year 2023. The City has contracted for approximately 31 years with CT Consultants to provide civil, traffic, structural, electrical and storm water engineering services. CT Consultants has provided a competitive fee structure for 2023 including slight hourly rate increases for engineering services. As was provided in previous years, CT Consultants has deleted the line item for billing of the "Principal" from the fee schedule. If for any reason the Principal Engineer provides engineering services during the contract year for development/design review or project design/review, that work would be billed at the hourly rate of a "Senior Manager". Funding for this professional services contract is included in the City's 2023 Operating Budget in both the Public Works and Community Development operating budgets.

Mr. Messer asked how much has been spent with CT Consultants this year and if we expect to spend the same amount in 2023.

Mr. Heitkamp stated that he did not have the exact amount but estimates that \$30,000-\$40,000 is paid out of the Public Works budget and Mrs. Henao estimated \$40,000 out of the Community Development Fund for an estimated total of \$80,000 to \$90,000 a year. Mr. Heitkamp explained that the amount can fluctuate each year depending on the projects the City has, and the services provided by CT Consultants. Mr. Heitkamp stated that there were several big projects in 2022 and he does not anticipate as many in 2023 but there are always things that come up that could require their engineering services.

Mr. Suer stated that from time to time a resident may question the longstanding contract with CT Consultants, but he feels that staff has a good relationship with CT Consultants, and they have provided reliable service over the years.

Vice Mayor Bissmeyer stated that as with Mr. Donnellon, with long service comes a greater understanding and a cost benefit to remaining with the same vendor. She asked if Mr. Heitkamp felt this was the case with CT Consultants.

Mr. Heitkamp replied that yes, Jay Korros of CT Consultants has been our primary consultant for 20 years and the historical knowledge he has of the City is of a great benefit to us.

Mr. Cappel stated he fully supports this contract as he feels we receive a great value for their service.

A Resolution Authorizing the City Manager to Contract With National Inspection Corporation For Professional Services To Serve As Building Official And To Provide Plan Review And Field Inspection Authority And Services For The City's Building Department For The Calendar Year 2023

Mayor Margolis assigned the legislation to Vice Mayor Bissmeyer.

Mr. Chesar explained that staff is requesting that City Council consider a Resolution to authorize the City Manager to enter into a contract with National Inspection Corporation (NIC) for professional services to serve as Building Official and to provide plan review and field inspection authority and services for the City's Building Department for the calendar year 2023. The City has contracted for approximately 19 years with National Inspection Corporation to provide plan review and field inspection authority and services for the City's building department and the City continues to be very satisfied with their ability to perform each of these duties.

Mr. Chesar stated that like CT Consultants, staff has been very satisfied with the service from NIC and there has been no change in the contract terms. National Inspection will continue to receive 90% of building permit collections and the City will receive 10%. He stated that the applicants pay all costs.

Mr. Cappel stated that he has dealt with NIC in his own home projects and found them to be fantastic to work with.

A Resolution Authorizing the City Manager to Enter into a Contract with Johnson's Emergency Vehicle Solutions for a Spartan LT 110' NXT Quint Aerial Truck

Mayor Margolis assigned the legislation to Mr. Messer.

Chief Wright explained that staff is requesting that City Council consider a Resolution that would authorize the City Manager to enter into a contract with Johnson's Emergency Vehicle Solutions for the purchase of a Spartan LT 110' Quint Aerial Truck.

Chief Wright explained that this proposed vehicle purchase was part of the 2023 Capital Improvement Program. Funding for the project has been approved for \$1,500,000 in the 2023 Capital Improvement Program. Due to inflation and the current recession effecting the economy, all the manufactures have experienced four to six price increases just in 2022. Between the labor shortage, increase in wages and supply chain issues, the manufacturers have increased the prices and lengthen the build/delivery dates. The result is frustration in attempting to forecast the anticipated costs of this project as you will see in the Request For Proposals found later in this memorandum. If City Council approves this project, there be a need to slightly adjust the funding by an additional \$30,000.00 in conjunction with prepayment for the apparatus to take advantage of a net discount of approximately \$130,000.00.

Chief Wright explained that Requests for Proposals (RFP) were sent out to a number of apparatus manufacturers which are part of the cooperative purchasing program in which the City participates. Some of the manufacturers never responded to the RFP while others contacted us and opted not to submit an RFP. In the end staff received three RFPs which only took minimal exceptions to our specifications. They were:

Johnson's Emergency Vehicle Solutions (Spartan)	\$1,657,080.00
Vogelpohl Fire Equipment (E-One)	\$1,576,060.00
Atlantic Emergency Solutions (Pierce)-	\$1,626,729.00

Chief Wright closed by stating that staff recommends purchasing the Quint Fire Truck from Johnson's Emergency Vehicle Solutions due to the quality of their workmanship, price, and experience with this manufacturer. Furthermore, Johnson Emergency Vehicle Solutions offers a pre-pay of 100% on the contract price discount of \$138,324.00. In order to take this discount a 24-month Performance Bond would cost \$8,700.00 to guarantee the purchase amount in the event of a breach of contract. The total net discount after the purchase of the performance bond is a deduction of \$129,624.00. This would bring the total price of the apparatus as follows:

Johnson's Emergency Vehicle Solutions (Spartan)-	\$1,657,080.00
Pre-Pay Discount -	Deduct - (\$138,324.00)
24 Month Performance Bond	Add +\$8,700.00
Total Price of Spartan Apparatus -	\$1,527,456.00

*Total saving of pre-pay program = \$129,624.00

Mr. Messer stated that while the increase is significant, a new truck is sorely needed.

Mr. Suer asked if the truck would fit in the garage bay.

Chief Wright explained it would, but it was a challenge to obtain a 40' chassis.

Mr. Dobrozsi asked if the truck would be black and red to match the new ambulance. He also asked how the City would sell the old Quint.

Chief Wright replied that the truck was black and red and that he anticipated the truck being sold on Govdeals.com. He stated that due to its age, it would be sold as an entire unit for parts and not for use by another municipality.

Mr. Cappel stated that he was glad to see it would be ordered and coming in the next year.

Mayor Margolis asked if the components on the truck were generic or proprietary.

Chief Wright replied he is trying to get away from proprietary equipment, but some features will be as that is how the industry works. He stated the chassis is a Spartan chassis which is more common and more serviceable.

An Ordinance Confirming Methods for Publication of Legislative Action

Mayor Margolis assigned the legislation to Mr. Dobrozsi.

Mr. Riblet explained that, if passed, this legislation will formally designate the methods for publication of legislative action by City Council. The Charter under Section 7.03 requires legislative action to be published either in full or by title and summary in a newspaper of general circulation within the community or by posting a copy of such legislative action in a conspicuous public place designated from time to time by City Council. At the November 16 Work Session, Council made a motion to approve displaying a summary of legislative action at the Safety Center in the vestibule that is open 24/7 as well as posting in the bulletin and on the City website. This legislation will codify that motion.

ADMINISTRATION REPORT

Mr. Riblet reported the following items:

- A Council Business Session is scheduled for January 4, 2023 at 7:00 p.m.
- The Law & Safety, Financial Planning and Planning, Zoning and Landmarks Committees have cancelled their meetings for the month of January.
- Mr. Riblet distributed a 2023 Comprehensive Calendar of Events to Council.
- Mr. Riblet reminded Council that City offices will be closed on Friday (12/23) and Monday (12/26) in observance of the Christmas holiday and also on Monday (1/2/23) in observance of New Year's Day.
- Mr. Riblet thanked everyone for another successful year and wished everyone a happy holiday season and a healthy and happy new year!

Mr. Riblet requested an Executive Session for matters related to the appointment, employment or compensation of a public official and/or public employee.

CITY COUNCIL REPORTS

Mr. Cappel

Mr. Cappel reported he recently spoke with the Vice Mayor of Wyoming and agreed to a friendly competition of who could recycle the most in 2023. He stated there may be pastries on the line as a reward.

Mr. Cappel stated that he would be thinking about all the City staff who would be working over the holidays and with the predicted inclement weather he wished that everyone would remain safe and thanked them for their service in keeping this community safe.

Vice Mayor Bissmeyer

Vice Mayor Bissmeyer stated that she attended the Live at the Uni concert with Mandi Gaines and complimented Ms. Gaines for her wonderful talent and staff for decorating the Universalist Church for the holidays. She stated the whole experience was very festive.

Vice Mayor Bissmeyer reported that she provided a presentation for a group of Cub Scouts at Maple Dale Elementary on government and how it works. She stated that they have requested a tour of City Hall in the new year.

Mr. Dobrozsi

Mr. Dobrozsi reported that he also attended the Mandi Gaines concert and how impressive of a talent she has. He stated that the whole Live at the Uni series was just great and gave kudos to Greg Leader and the Arts Commission for continuing to offer a wonderful concert series.

Mr. Dobrozsi reported that at the recent Government Affairs Committee meeting the Committee considered the request for the amendment to the Council Rules propose changing the start time of council meetings to 6:00 p.m. but with language that allows for Council to adjust meetings as needed. This would be in Section II, #1 of Council Rules. He explained that it was also suggested adding the word 'generally' under item 'A' Work Sessions in the reference to work sessions being held two weeks prior to the Business Session. He explained that there are times that in a five week month the Work Session is moved to the fourth week and also when the meeting falls before a holiday. He stated this would give Council the flexibility to change the Work Session date when needed. Mr. Dobrozsi stated that the Committee moved in favor of the changes, but he would like to request a motion from all of Council to approve the recommended changes.

Mr. Messer made a motion to accept the changes as recommended. Vice Mayor Bissmeyer seconded. City Council unanimously agreed.

Mrs. Naiman

Mrs. Naiman reported that she anticipates being at the January 4th Business Session but if her baby were to come sooner then she would miss and then anticipates being off for a short time while recovering and staying home with the baby.

Mr. Suer

Mr. Suer wished Mrs. Naiman good luck in her latest 'project' and hopes all goes well with her delivery. He also thanked staff for an excellent year and wished them all happy holidays.

Mr. Messer

Mr. Messer reported he had listened to the most recent podcast on the historic plane crash in Montgomery created by Matthew Vanderhorst and Amy Fredericks and other staff. He stated it was fantastic and was so impressed by the quality of the podcast.

Mr. Messer also thanked staff for all their work over the year. He stated the City had a wonderful staff and wished them all happy holidays.

Mayor Margolis

Mayor Margolis also thanked staff for their hard work over this year and wished them a happy holiday.

Mayor Margolis stated that he would be out of town from December 26 to January 3.

MINUTES

Mr. Cappel moved to approve the December 7, 2022 Business Session minutes as written. Vice Mayor Bissmeyer seconded. City Council unanimously agreed.

OTHER BUSINESS

Mayor Margolis asked if there was any other business to discuss. There being none, he stated that Mr. Riblet had requested an Executive Session for matters related to the appointment, employment or compensation of a public official and/or public employee.

Mr. Cappel made a motion to adjourn into Executive Session for matters related to the appointment, employment or compensation of a public official and/or public employee. Vice Mayor Bissmeyer seconded.

The roll was called and showed the following vote:

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

Mayor Margolis stated that there would be a short recess prior to the Executive Session and that there would be no items discussed when Council came back into Public Session.

City Council adjourned into Executive Session at 8:00 p.m.

City Council reconvened into Public Session at 8:59 p.m.

Mayor Margolis asked if there was any other business to discuss. There being none, he asked for a motion to adjourn.

Vice Mayor Bissmeyer made a motion to adjourn. Mrs. Naiman seconded. City Council unanimously agreed.

City Council adjourned at 9:00 p.m.



Connie Gaylor, Clerk of Council