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City of Montgomery
City Council Work Session Minutes
January 19, 2022

Present

Brian Riblet, City Manager
Terry Donnellon, Law Director
Tracy Henao, Asst. City Manager
John Crowell, Police Chief
Gary Heitkamp, Public Works Director
Katie Smiddy, Finance Director
Paul Wright, Fire Chief
Amy Frederick, Communications and Engagement Coord.
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

City Council convened its Work Session for January 19, 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 the motion. Mr. Dobrozsi seconded. City Council unanimously agreed.

SPECIAL PRESENTATIONS

Council Member Naiman presented Paul and Penny Curtis and family with a Certificate of Appreciation as the 2021 Beautification and Tree Commission's Fall Seasons of Beauty Winners.

Larry Dannenberg of the Montgomery Farmers Market presented an update on the 2021 season of the Market to City Council.

LEGISLATION FOR CONSIDERATION THIS EVENING

There was no legislation for consideration at the meeting.

ESTABLISHING AN AGENDA FOR FEBRUARY 2, 2022 BUSINESS SESSION

PENDING LEGISLATION

There was no pending legislation

NEW LEGISLATION

An Ordinance Establishing an Excise Lodging Tax

Mayor Margolis assigned the legislation to Mr. Suer.

Mr. Donnellon explained that, if approved, this Ordinance would establish an excise tax within the City of Montgomery. He stated that the Ohio Revised Code (O.R.C.) § 5739.08 allows a municipal corporation to levy an excise tax of up to 3% on transactions by which the hotel provides lodging to transient guests. He explained that as we continue to move forward with the development of the Montgomery Quarter project, the Development Team will be constructing a boutique hotel within the development. The hotel plans have been reviewed and approved by the Planning Commission. Montgomery does not currently have a hotel within the City, and it is believed this high-end boutique hotel will fill that gap to support not only the Montgomery Quarter development, but the entire community.

Mr. Messer asked Mr. Donnellon if there was an estimate of projected revenue from this tax on the hotel.

58 Mr. Donnellon explained that a general estimate was between \$175,000 to \$225,000 a year; however,
59 as the rates of the hotel haven't been set yet these are projected estimates.

60
61 Mr. Messer asked if the City of Blue Ash has an excise tax.

62
63 Mr. Donnellon replied, yes that almost any community that has a hotel has a 3% excise tax.

64
65 Mrs. Naiman asked why it was 3% county wide.

66
67 Mr. Donnellon replied that was the amount that the State of Ohio allows.

68
69 Mr. Dobrozsi stated he would recuse himself from the vote on this legislation as he does with any
70 legislation that has to do with the Montgomery Quarter.

71
72 Vice Mayor Bissmeyer asked if this type of tax was common in every state.

73
74 Mr. Donnellon replied that it was.

75
76 Mrs. Naiman asked Mr. Donnellon to explain the language regarding criminal penalties.

77
78 Mr. Donnellon explained that the language referred to a circumstance where the hotel was to collect the
79 tax from the consumer but did not pay the City the excise tax then it became a criminal penalty.

80
81 **A Resolution Authorizing The City Manager To Enter Into A Contract With Murphy Tractor & Equipment**
82 **Co. for the Purchase of a John Deere 410L Backhoe Loader**

83
84 Mayor Margolis assigned the legislation to Mr. Cappel

85
86 Mr. Heitkamp explained that, if approved, this Resolution would authorize the purchase of a John Deere 410L
87 Backhoe. He stated the purchase of a replacement backhoe is programmed in the 2022 Capital Improvement
88 Program with a requested amount of \$140,595.29, funded through the 410-261-5405 account. If approved, the
89 purchased will be made utilizing the State Bid through the State of Ohio Cooperative Purchasing Agreement
90 (Supplier OAKS Contract ID 800864-48, Program ID – UINV9013).

91
92 Mrs. Naiman asked what would happen with the current backhoe.

93
94 Mr. Heitkamp replied that it would either be traded in or sold on GovDeals.com.

95
96 **ADMINISTRATION REPORT**

97
98 Mr. Riblet reported the following items:

- 99
100
- 101 • The next City Council Business Session is scheduled for Wednesday, February 2 immediately following a
102 CIC meeting scheduled at 6:45 p.m., to hold the annual meeting of Members and Trustees. He added that
103 Council had previously made a motion to commence with the Business Session immediately following the
104 CIC meeting.
 - 105 • The Law and Safety and Financial Planning Committees will meet on Monday, February 7 at 3:30 and 4:30
106 p.m., respectively. The Planning, Zoning and Landmarks Committee has cancelled their meeting for
107 February.

108

109

- Mr. Riblet stated for the February 14 Committee meetings the Government Affairs Committee has agenda items, but the Parks and Recreation and Public Works Committees do not have agenda items. He stated he will provide an update at the February 2 meeting.

112

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- The Planning Commission met on January 18, 2022, to consider the following cases, all of which were approved.

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- The first case included a Final Development Plan for Sycamore High School regarding the construction of a new football stadium which is anticipated to start in March 2022 with completion by August 2022. Additional phases include the expansion of the existing pool and spectator area, the relocation of the main entry to the east side of the building and reconfiguration of the access points and drop off/pick up for buses and vehicular traffic. The second phase is anticipated to start in April 2022 with completion in September of 2022.

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- The second case was a General Development Plan for a new attached single-family home to be located at 7960 Remington Road and will entail demolition of the current residential structure with a future rebuild.

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- Finally, the Planning Commission considered a recommendation from the Landmarks Commission for proposed text amendments to the Sign Code and the Old Montgomery Gateway District Regulations. After consideration, the Planning Commission voted to recommend approval of the proposed text amendments to City Council. Staff would like to request a public hearing to consider the recommendation from the Planning Commission at 6:30 p.m. prior to the March 2 Business Session, and if Council is so inclined, they could make a motion to go directly into the Business Session at the conclusion of the public hearing.

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City Council approved the scheduling of the Public Hearing. Mr. Cappel made a motion to commence with the Business Session at the completion of the Public Hearing. Vice Mayor Bissmeyer seconded. City Council unanimously agreed.

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- The City of Montgomery recently signed a contract with Cincinnati Bell Technology Solutions to replace the current phone system and install backup network connections between City Hall, Safety Center, and Public Works. The project kickoff meeting is scheduled for February 3. The project is anticipated to be completed by the mid-March.

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- The 2022 Resurfacing Program will advertise for bids on Tuesday, January 25, with a scheduled bid opening for Tuesday, February 8.

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- Staff, along with identified members of Council will be meeting with Human Nature on Tuesday, February 1 to review their proposed design concepts for the landscape and hardscape elements for the Montgomery Road Roundabout.

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- The Weller Park COVID mobile testing site was put in place today with appointments beginning on July 20 beginning at 8:00 a.m. Hours of operation are Monday through Friday from 8:00 a.m. to 4:00 p.m. The site is staffed with personnel from the National Guard and Ethos Lab Facility. It is anticipated WCPO will be on site tomorrow morning to provide some media coverage.

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- Mr. Riblet explained that he received a letter from the Ohio Kentucky Indiana (OKI) Regional Council of Governments asking for their annual confirmation of a Council Board Representative. Mr. Riblet stated that Mr. Dobrozsi was currently serving in that position and asked Mr. Dobrozsi if he wished to continue

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159 in that role. Mr. Dobrozsi replied he did. Vice Mayor Bissmeyer made a motion to reappoint Mr. Dobrozsi
160 as the Council Representative to the OKI Board. Mr. Cappel seconded. City Council unanimously agreed.
161

162 • The monthly HCML meeting is scheduled for Thursday, February 3 at Deer Park Library from 6:00 to 8:00
163 p.m. Kent Scarrett of the OML will be the speaker. Please let Ms. Gaylor know if you would like to be
164 registered to attend.
165

166 • The Ohio Municipal League will also be conducting Municipal Officials Training Seminars on
167 Saturday, March 5 at the Cincinnati Marriott Northeast (Mason). Please let Ms. Gaylor know if you would
168 like to be registered to attend this session if you have not already done so.
169

170 • Mr. Riblet wished Council Member Suer a Happy Birthday.
171

172 • Mr. Riblet congratulated Mr. Messer on his appointment to the Board of Matthew 25 Ministries.
173

174 **CITY COUNCIL REPORTS**

175 **Mr. Cappel**

176 Mr. Cappel stated that he would like to reappoint Greg Brodrick and Zeeshan Pasha to the Environmental Advisory
177 Commission with terms ending January 31, 2025. He stated that these reappointments are a recommendation from
178 the Public Works Committee that met on January 10, 2022 and therefore do not a second.
179

180 City Council unanimously agreed to the reappointments.
181

182 Mr. Cappel also reported that the Environmental Advisory Commission (EAC) collected 300 pounds of holiday
183 lights at the past Saturday recycling day. He stated that in total the EAC had collected 444 pounds of holiday lights.
184

185 **Vice Mayor Bissmeyer**

186 Vice Mayor Bissmeyer stated that she would like to make a motion to reappoint Mary Jo Byrnes, Peter Fossett and
187 Richard White to the Board of Zoning Appeals for terms ending January 31, 2026. She explained that the
188 reappointments have not been discussed at the Committee level so they would need a second.
189

190 Mr. Cappel seconded. City Council unanimously agreed.
191

192 Vice Mayor Bissmeyer stated that she would like to make a motion to reappoint Patrick Stull to the Planning
193 Commission with a term ending on January 31, 2026. She explained that the reappointments have not been discussed
194 at the Committee level so they would need a second.
195

196 Mrs. Naiman seconded. City Council unanimously agreed.
197

198 **Mr. Dobrozsi**

199 Mr. Dobrozsi stated that he would like to make a motion to reappoint the following Commission members to their
200 respective Commissions as follows:
201

202 Elise Williams and Christine Genovese to the Arts Commission with terms ending January 31, 2025
203

204 Marcallene Shockey and Blair Davis to the Sister Cities Commission with terms ending January 31, 2025
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209

210 Mr. Dobrozi stated that the reappointments are a recommendation from the Government Affairs Committee that
211 met on January 10, 2022 and therefore does not a second. City Council unanimously agreed to the reappointments.
212

213 Mr. Dobrozi also reported that at the January 10 Government Affairs Committee meeting a list of computer
214 equipment was declared as surplus as requested by Mr. Vanderhorst.
215

216 Mr. Dobrozi also reported that at the Government Affairs meeting the City Manager evaluation process was
217 discussed. He stated that it was a recommendation to contract with Management Partners to conduct the process.
218

219 Mr. Dobrozi requested an Executive Session to be scheduled on February 16 at 6:00 p.m. for matters related to the
220 employment of a public official. Vice Mayor Bissmeyer made a motion to commence with the Work Session at the
221 completion of the Executive Session. Mr. Cappel seconded. City Council unanimously agreed.
222

223 Mr. Dobrozi made a motion for an Executive Session to be scheduled on March 2 at 5:30 p.m. for matters related
224 to the employment of a public official. Mr. Cappel seconded. City Council unanimously agreed.
225

226 Mr. Dobrozi reported that at the Sister Cities Commission they discussed a new event featuring a French themed
227 dinner to be held in May.
228

229 **Mrs. Naiman**

230
231 Mrs. Naiman made a motion to reappoint Shannon Powers and Travis Everly to the Beautification and Tree
232 Commission with terms ending on January 31, 2025. She explained that the reappointments have not been discussed
233 at the Committee level so they would need a second. Mr. Cappel seconded. City Council unanimously agreed.
234

235 Mrs. Naiman made a motion to reappoint Jorge Tameron to the Parks and Recreation Commission with a term
236 ending on January 31, 2025. She explained that the reappointments have not been discussed at the Committee level
237 so they would need a second. Mr. Messer seconded. City Council unanimously agreed,
238

239 Mrs. Naiman moved to appoint the following members to the Diversity and Inclusion Commission that was
240 established at the December 1, 2021 Business Session. She stated that this is a recommendation of the Government
241 Affairs Committee and would not need a second.
242

243	Steve Coppel	for a term ending on January 31, 2024
244	Priya Viswalingham	for a term ending on January 31, 2024
245	Juan Molina	for a term ending on January 31, 2024
246	Lydell Carter	for a term ending on January 31, 2024
247	Chip Harrod	for a term ending on January 31, 2025
248	Umama Alam	for a term ending on January 31, 2025
249	Benny Miles	for a term ending on January 31, 2025

250
251 City Council unanimously agreed on the appointments.
252

253 Mrs. Naiman reported that she attended a Sycamore Advisory Committee meeting at Mapledale Elementary. She
254 stated they spoke about masking precautions and the “Always an Aviator” campaign.
255

256 Mrs. Naiman reported that at the Beautification and Tree Commission they discussed the following topics:

- 257 • Holiday Decor Takedown
- 258 • B & T Talk Series-with a Bee Talk scheduled for 4/27
- 259 • 2022 Garden Tour

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262 **Mr. Suer**

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264 Mr. Suer made a motion to reappoint Jane Garfield to the Landmarks Commission with a term ending on January
265 31, 2025. He explained that the reappointments have not been discussed at the Committee level so they would need
266 a second. Mr. Cappel seconded. City Council unanimously agreed.

267

268 **Mr. Messer**

269

270 Mr. Messer made a motion to reappoint Fred Kleiser to the Civil Service Commission with a term ending on January
271 31, 2025. He explained that the reappointments have not been discussed at the Committee level so they would need
272 a second. Mr. Cappel seconded. City Council unanimously agreed.

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274 Mr. Messer stated that he would be on vacation during the week of the May 4 Business Session.

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276 **Mayor Margolis**

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278 Mayor Margolis reported that he would be out of town from January 27 through January 30 and asked Vice Mayor
279 Bissmeyer to be acting Mayor during that time.

280

281 **MINUTES**

282

283 Mr. Cappel moved to accept the January 5, 2022 Business Session minutes as written. Vice Mayor Bissmeyer
284 seconded. City Council unanimously agreed.

285

286 **OTHER BUSINESS**

287

288 **Liquor Control Board Request for a Hearing-Taglio Bar & Pizzeria**-Police Chief Crowell explained that a request
289 from the Ohio Division of Liquor Control was received asking that City Council to confirm their desire for a hearing
290 on the requested transfer of a TRES D1, D2 and D3 Liquor License from Taglio Bar and Pizzeria at 9321
291 Montgomery Road. The application for this license was presented at the December 15, 2021 Work Session and
292 approved by Council. He added that he has no objection to the issuance of the liquor license and would not
293 recommend a hearing.

294

295 Mr. Cappel made a motion to not request a hearing with the Board of Liquor Control on this request. Vice Mayor
296 Bissmeyer seconded. City Council unanimously agreed.

297

298 **Liquor Control Board Request for a Hearing-Board & Brush Studios**- Police Chief Crowell explained that a request
299 from the Ohio Division of Liquor Control was received asking City Council to confirm their desire for a hearing
300 on the requested transfer of a license due to the transfer of ownership from Newsom Studios Ohio, LLC to BTB
301 Enterprises, LLC at 7831 Cooper Road. He added that he has no objection to the issuance of the liquor license and
302 would not recommend a hearing.

303

304 Mr. Cappel made a motion to not request a hearing with the Board of Liquor Control on this request. Vice Mayor
305 Bissmeyer seconded. City Council unanimously agreed.

306

307 **ADJOURNMENT**

308


309 Mayor Margolis asked if there was any further business to discuss in Public Session. There being none he asked for
310 a motion to adjourn.

311

312 Mr. Cappel moved to adjourn. Vice Mayor Bissmeyer seconded. City Council unanimously agreed.

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314 City Council adjourned at 8:14 p.m.
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Connie Gaylor, Clerk of Council