

February 10, 2023

TO: Mayor and City Council Members  
FROM: Brian K. Riblet, City Manager *BKR*  
SUBJECT: City Council Work Session of Wednesday, February 15, 2023

As a reminder, City Council is scheduled to meet in Work Session on Wednesday, February 15, 2023 at 6:00 p.m.

Work Session

1. Call to Order
2. Roll Call
3. Special Presentation
  - a. Jim Matre will be presented with a Certificate of Appreciation for his service on the Planning Commission
  - b. Lisa Lorenz will be formally introduced to City Council as the newest member of the Public Works/Recreation Department
  - c. Representatives from the Montgomery Farmers Market will present an update on the Montgomery Farmers Market to City Council
4. Guest and Residents
5. Legislation for Consideration this Evening
6. Establishing an Agenda for March 1, 2023 Business Session

Pending Legislation

There is no pending legislation

## New Legislation

- a. A Resolution Authorizing An Agreement With The Vintage Club Community Association, Inc. To Construct Roadway Improvements Within The Vintage Club Subdivision—Please see attached correspondence from Terry Donnellon, Law Director requesting that City Council consider the approval of this Resolution authorizing a contract with Vintage Club Community Association. This is an Agreement negotiated by the City with the Vintage Club Community Association, Inc. to oversee re-construction of a portion of their private streets consistent with the City standards for public streets. The same Contractor will complete the work, but only if the Association accepts the bids, authorizes the contract, and funds the entire cost of such improvements in advance of the City's contract with its own Contractor.

*Add this Resolution to the March 1, 2023 Business Session agenda, assign it to a City Council member for reading, and consider adoption of the Resolution that evening.*

- b. A Resolution Accepting A Bid And Authorizing The City Manager To Enter Into A Contract With Barrett Paving Materials, Inc. For The 2023 Street Resurfacing Program—Please see attached correspondence from Gary Heitkamp, Public Works Director requesting that City Council consider the approval of this Resolution authorizing the City Manager to enter into an agreement with Barrett Paving Materials Inc. for the 2023 Street Resurfacing Program. It is requested that this project Base Bid and Alternates #1 and #2 be approved for funding in the amount of \$989,930.00 which is programmed in the Capital Improvement Program 410-261-5470. The amount of the recommendation includes \$47,139.25 in project contingency funding, which is an amount equal to 5.0% of the total of the Base Bid and Alternates #1 and #2 amount.

*Add this Resolution to the March 1, 2023 Business Session agenda, assign it to a City Council member for reading, and consider adoption of the Resolution that evening.*

- c. A Resolution Authorizing The City Manager To Enter Into A Contract With M.A. Design Services For Professional Landscape Design Services For The Ronald Reagan Highway And Montgomery Road Roundabout—Please see attached correspondence from Brian Riblet requesting that City Council consider the approval of this Resolution authorizing agreement with MA Design to provide professional services for the Ronald Reagan Highway and Montgomery Road Roundabout Improvements. If approved, this agreement would be for an amount not to exceed \$205,000 with MA Design to complete design, engineering, construction drawings, and opinion of construction costs for the project. In anticipation of this project, funding has been included in the 480,000 Downtown Improvement operating and capital budgets for both 2023 and 2024.

*Add this Resolution to the March 1, 2023 Business Session agenda, assign it to a City Council member for reading, and consider adoption of the Resolution that evening.*



- d. A Resolution Authorizing The City Manager To Enter Into A Contract With Landscape Structures, Inc. For The Purchase Of Playground Equipment For Swaim Park—Please see attached correspondence from Gary Heitkamp, Public Works Director requesting that City Council consider the approval of this Resolution authorizing the City Manager to enter into an agreement with Landscape Structures for the purchase of playground equipment through Ohio State bid purchasing contract (Index#STS640, Contract #8000841) for Swaim Park. The replacement of the equipment is necessary to provide safe playgrounds for the community. The project includes replacement of various play structures located in the playground. The legislation amount requested is \$117,810.00 and would be funded through the 410-303-5470 account.

*Add this Resolution to the March 1, 2023 Business Session agenda, assign it to a City Council member for reading, and consider adoption of the Resolution that evening.*

- e. A Resolution Authorizing The City Manager To Enter Into A Contract With Playcore Wisconsin Inc. D/B/A Gametime Through Omnia Partners For The Purchase Of Playground Equipment—Please see attached correspondence from Gary Heitkamp, Public Works Director requesting that City Council consider the approval of this Resolution authorizing the City Manager to enter into an agreement with Gametime through the Omnia Partners cooperative purchasing agreement for the replacement and installation of playground equipment in Swaim Park. The funding amount requested is \$103,711.67 and would be funded through the 410-303-5470 account.

*Add this Resolution to the March 1, 2023 Business Session agenda, assign it to a City Council member for reading, and consider adoption of the Resolution that evening.*

7. Administration Report
8. Law Director Report
9. City Council Member Reports
  - a. Mr. Cappel
  - b. Vice Mayor Bissmeyer
  - c. Mr. Dobrozsi
  - d. Mrs. Naiman
  - e. Mr. Suer
  - f. Mr. Messer
  - g. Mayor Margolis

10. Approval of Minutes- February 1, 2023 Business Session

11. Mayors Court Report

12. Other Business

13. Executive Session

14. Adjournment

Should you have any questions or concerns regarding this information, please do not hesitate to contact me.

C: Connie Gaylor, Executive Assistant/Clerk of Council  
Department Heads  
Terry Donnellon, Law Director





February 15, 2023  
City Hall  
6:00 p.m.

1. Call to Order
2. Roll Call
3. Special Presentation
  - a. Jim Matre will be presented with a Certificate of Appreciation for his service on the Planning Commission
  - b. Lisa Lorenz will be formally introduced to City Council as the newest member of the Public Works/Recreation Department
  - c. Representatives from the Montgomery Farmers Market will present an update on the Montgomery Farmers Market to City Council
4. Guests and Residents
5. Legislation for Consideration This Evening
6. Establishing an Agenda for the March 1, 2023 Business Session

Pending Legislation

There is no pending legislation

New Legislation

- a. A Resolution Authorizing An Agreement With The Vintage Club Community Association, Inc. To Construct Roadway Improvements Within The Vintage Club Subdivision

*Add this Resolution to the March 1, 2023 Business Session agenda, assign it to a City Council member for reading, and consider adoption of the Resolution that evening.*

- b. A Resolution Accepting A Bid And Authorizing The City Manager To Enter Into A Contract With Barrett Paving Materials, Inc. For The 2023 Street Resurfacing Program

*Add this Resolution to the March 1, 2023 Business Session agenda, assign it to a City Council member for reading, and consider adoption of the Resolution that evening.*

- c. A Resolution Authorizing The City Manager To Enter Into A Contract With M.A. Design Services For Professional Landscape Design Services For The Ronald Reagan Highway And Montgomery Road Roundabout

*Add this Resolution to the March 1, 2023 Business Session agenda, assign it to a City Council member for reading, and consider adoption of the Resolution that evening.*

- d. A Resolution Authorizing The City Manager To Enter Into A Contract With Landscape Structures, Inc. For The Purchase Of Playground Equipment For Swaim Park

*Add this Resolution to the March 1, 2023 Business Session agenda, assign it to a City Council member for reading, and consider adoption of the Resolution that evening.*

- e. A Resolution Authorizing The City Manager To Enter Into A Contract With Playcore Wisconsin Inc. D/B/A Gametime Through Omnia Partners For The Purchase Of Playground Equipment

*Add this Resolution to the March 1, 2023 Business Session agenda, assign it to a City Council member for reading, and consider adoption of the Resolution that evening.*

7. Administration Report

8. Law Director Report

9. City Council Member Reports

- a. Mr. Cappel
- b. Vice Mayor Bissmeyer
- c. Mr. Dobrozsi
- d. Mrs. Naiman
- e. Mr. Suer
- f. Mr. Messer
- g. Mayor Margolis

10. Approval of Minutes-February 1, 2023 Business Session

11. Mayors Court Report

12. Other Business

13. Executive Session

14. Adjournment

Should you have any questions or concerns regarding this information, please do not hesitate to contact me.

C: Connie Gaylor, Executive Assistant/Clerk of Council  
Department Heads, Terry Donnellon, Law Director



CITY OF

# MONTGOMERY

A CHARMING PAST. A GLOWING FUTURE.

## Certificate of Appreciation to James Matre

WHEREAS, **James (Jim) Matre** generously shared his time and talents with the City of Montgomery by serving on the Planning Commission for sixteen years, fulfilling the role of Vice-Chair for multiple years; and,

WHEREAS, **Jim** has provided leadership and institutional knowledge to the Planning Commission, served as a mentor to new members and consistently had the best interest of the City in mind while working diligently to uphold the spirit and intent of the Zoning Code; and,

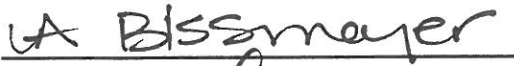
WHEREAS, **Jim** has served in guiding large city capstone projects such as the Vintage Club and Montgomery Quarter that will benefit the community for years to come; and,

WHEREAS, **Jim** has enlightened the Planning Commission and community with his ability to see all sides from a regulatory, legal, and community perspective to propose fair and civic-minded development solutions; and,

WHEREAS, **Jim** has selflessly worked to make the City of Montgomery a better community, is the exemplar of a dedicated volunteer and his contributions have extensively contributed to making the City of Montgomery the special community that it is.

NOW THEREFORE, BE IT CERTIFIED by the City Council of the City of Montgomery, Ohio, all members concurring:


SECTION 1. On behalf of all citizens of the City of Montgomery, the City Council wishes to thank **Jim Matre** for his valued service as a member of the Montgomery Planning Commission and dedicated volunteerism throughout the years. The citizens of Montgomery shall benefit now and hereafter from his efforts.

  
\_\_\_\_\_  
Lee Ann Bissmeyer, Councilmember


  
\_\_\_\_\_  
Mike Cappel, Councilmember

**CHRIS DOBROZSI**

\_\_\_\_\_  
Chris Dobrozsi, Councilmember

  
\_\_\_\_\_  
Craig Margolis, Councilmember

  
\_\_\_\_\_  
Ron Messer, Councilmember

  
\_\_\_\_\_  
Sasha Naiman, Councilmember



\_\_\_\_\_  
Ken Suer, Councilmember



TO: Mayor Craig D. Margolis  
Members of City Council

FROM: Terrence M. Donnellon

RE: Agreement to Construct Roadway  
Improvements within the  
Vintage Club Subdivision

DATE: February 9, 2023

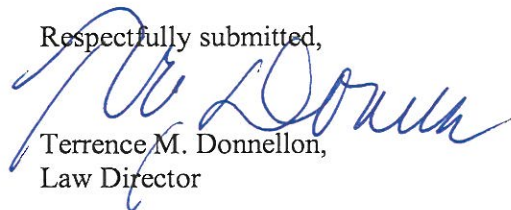
---

The Vintage Club Community Association, Inc. has approached the City to Piggy-Back upon the City's road improvement contract to repair and repave certain streets within the Vintage Club Subdivision solely at the cost of the Association. The City Administration has negotiated an Agreement to complete these repairs, which Agreement includes the licensed authorization to enter upon these private streets contingent upon the Association reviewing and accepting Bid Alternatives and funding the entire cost of construction with an Escrow Agent in advance of contracting. In a companion piece of legislation, the City is approving a contract for the 2023 Street Resurfacing Program.

This legislation will be added to the Business Session March 1, 2023. Between now and that date, the parties will select an Escrow Agent to receive and hold the funds from the Vintage Club Community Association, Inc. and to award the contract consistent with their review and their prior approval so that the City may oversee such construction in the community.

This Cooperative Agreement is a benefit to the City to assure that the roadways are constructed to engineering standards similar to the engineering standards for City owned streets, and it assures appropriate continuing access and continuing use of those streets while passing the cost directly to the Association, similar to a special assessment. The unique aspect of this Agreement is the entire cost of such construction will be funded in advance with an Escrow Agent from which the City will be able to draw the funds as necessary for the approved work. The Agreement will also include a 5% Contingency for the Bid Alternatives the Vintage Club Association may accept. If between now and March 1 they decline all or any portion of the Alternate Bids, the final legislation will be appropriately adjusted.

Respectfully submitted,



Terrence M. Donnellon,  
Law Director

TMD/lld  
Enclosures

cc: Brian Riblet, City Manager  
Connie Gaylor, Executive Assistant  
Department Heads  
File

RESOLUTION NO. \_\_\_\_\_, 2023

**A RESOLUTION AUTHORIZING AN AGREEMENT WITH THE VINTAGE CLUB  
COMMUNITY ASSOCIATION, INC. TO CONSTRUCT ROADWAY  
IMPROVEMENTS WITHIN THE VINTAGE CLUB SUBDIVISION**

**WHEREAS**, the Vintage Club Subdivision is a private subdivision of streets, open spaces, and privately held lots situated within the City and connected to the public street grid within the City; and

**WHEREAS**, the Vintage Club Community Association, Inc., an Ohio non-profit corporation, is the titled owner of the various streets within the Vintage Club Subdivision, and the Association has requested through its Board of Trustees to Piggy-Back upon the City's 2023 contract for street repairs to allow the City to serve as Contractor to repair and repave certain improved streets within the Vintage Club Subdivision at the sole cost of the Association; and

**WHEREAS**, the City has negotiated the attached Agreement to Construct Roadway Improvements within the Vintage Club Subdivision and to designate an Escrow Agent to receive the cost of such construction work in total in advance, and the Administration has recommended accepting such Agreement in conjunction with accepting Bid Alternates in the City's contract for the 2023 Street Resurfacing Program; and

**WHEREAS**, the Board of Trustees of the Association has approved the Agreement, and has reviewed and approved the Bid Alternates and designated the appropriate Escrow Agent to hold such funds to be paid in advance of commencing construction.

**NOW THEREFORE, BE IT RESOLVED** by the Council of the City of Montgomery, Hamilton County, Ohio, that:

**SECTION 1.** The City Manager, for and on behalf of the City as Contractor overseeing the 2023 Street Resurfacing Program, is authorized to enter into the attached Agreement to Construct Roadway Improvements within the Vintage Club Subdivision. Consistent with the terms of the Agreement, the City Manager is authorized to accept the Bid Alternatives preapproved by the Association and to finalize the Escrow Agreement with the Association to fund the total cost of such improvements in advance of commencing the construction work.

**SECTION 2.** The City Manager is authorized to execute such additional documentation as may be necessary to implement the street repairs and to oversee the contract for repairs of these Association subdivision streets.

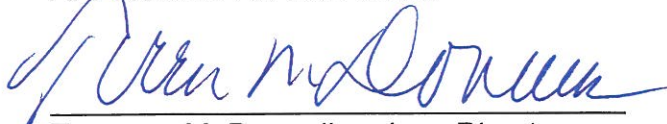
**SECTION 3.** This Resolution shall be in full force and effect from and after its passage.

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
Connie M. Gaylor, Clerk of Council

\_\_\_\_\_  
Craig D. Margolis, Mayor

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Terrence M. Donnellon, Law Director



**AGREEMENT TO CONSTRUCT ROADWAY IMPROVEMENTS  
WITHIN THE VINTAGE CLUB SUBDIVISION**

WHEREAS, the Vintage Club Subdivision is a private subdivision of streets, open spaces, and privately held lots situated within the City of Montgomery, Ohio ("City") and connected to the public street grid within the City; and

WHEREAS, the Vintage Club Subdivision community was developed in approximately 2008 when the access streets within the Vintage Club Subdivision, including Vintage Walk, Traditions Turn, Gaslight Lane, and Vintage Club Drive, were platted, engineered and constructed; and

WHEREAS, the Developer of Vintage Club Subdivision elected not to dedicate such streets as public streets, but such streets were engineered, designed and constructed to support vehicular traffic not only for property owners and their invitees, but for public services including public safety services; and

WHEREAS, the City annually contracts on a rotating basis to repair public roadways within the City through a process of public bidding; and

WHEREAS, The Vintage Club Community Association, Inc., an Ohio non-profit corporation ("Association"), is the titled owner of the various streets within the Vintage Club Subdivision, and the Association has requested through its Board of Trustees to Piggy-Back upon the City's 2023 Contract for Street Repairs to allow the City through its Contractor to repair and repave certain improved streets within the Vintage Club Subdivision owned by the Association so that the repaired streets are properly constructed and improved to assure safe travel and public safety access to properties within the Subdivision; and

WHEREAS, in accordance with Chapter 727 of the Ohio Revised Code, the City has a right to assess the cost of street and curb improvements performed by the City against properties benefited by such work; and

WHEREAS, the Association has asked the City to serve as its Contractor and to consider this to be an assessment for the benefit of the property owners within the Association; and

WHEREAS, the Association does not want to impose liability upon the City nor to borrow against the City's credit, but consistent with the process for assessments, the Association agrees to facilitate the immediate payment of such improvements upon acceptance of the City's bid and construction of the Vintage Club street improvements.

NOW THEREFORE, with these premises in mind, the City of Montgomery, Ohio, an Ohio municipal corporation, and The Vintage Club Community Association, Inc., an Ohio non-profit corporation, hereby agree as follows:

1. The Association hereby contracts with the City to provide construction services to the Association to repair and repave certain streets within the Vintage Club Subdivision, including all or portions of Vintage Walk, Traditions Turn, Gaslight Lane, and Vintage Club Drive, as a Piggy-Back on the City's bid to repair and repave certain public streets within the City. The engineering specifications for such repair work shall be established by the City consistent with the City's standards for public improvements. The Bid Specifications developed by the City are attached hereto as **Exhibit A-1** imbedded in the City of Montgomery 2023 Resurfacing Program Project Details, and **Exhibit A-2**, the Specifications and Contract Documents for the 2023 Street Resurfacing Project. The Association has reviewed the Bid Specifications prepared by the City and its engineering staff, or has had the opportunity through its own engineer to review such Bid Specifications, which are hereby accepted by the Association. Based upon these combined Specifications, the City will competitively bid, as required by statute, the cost of such improvements, and as noted within the Bid Specifications the design and engineered improvements for Vintage Walk, Traditions Turn, Gaslight Lane, and Vintage Club Drive shall be listed as Alternate Bids in the bidding process to allow the City and the Association, as appropriate, to review, budget and accept such Alternate Bids. The City may reject all bids if they are not within the engineer's estimates, and if rejected the City shall not be obligated to proceed with the Alternate Bid work for the Association. If the Alternate Bids have been accepted with approval of the Association, and the contract awarded as provided herein, the City shall oversee construction and inspection of such construction as a part of the 2023 Street Resurfacing Project. The City shall be responsible to review and accept such work consistent with the Bid Specifications on behalf of both the City and the Association.

2. Once the City has received an acceptable bid for the 2023 Resurfacing Program Project as determined by the City, the City shall notify the Association of the bid received, and the Association in advance of the bid being accepted may review the Alternate Bids to determine that it has properly budgeted for such approved improvements and has readily available funds to deposit to the Escrow Agent as provided herein. The Association shall have Five (5) business days to review and accept such Alternate Bids. Once the Alternate Bids have been received and authorized by the Association, and a contract is awarded, the Association shall deposit with \_\_\_\_\_ as Escrow Agent the total cost of such approved improvements plus a Contingency of Five percent (5%) of the total cost to assure prompt payment for the work as completed. The City, as necessary, may issue such Change Orders as needed to bring construction into compliance with the Bid Specification standards. The City in its sole discretion may accept such Change Orders and to the extent such Change Order applies to work within the Association streets, the Association shall be bound by such Change Order. To the extent the escrow funds are insufficient to pay the cost of the contract and any Change Orders awarded as a part of the contract, the Association shall immediately pay such funds to the Escrow Agent upon notice from the City to the Association so that all funds are readily available to be drawn by the City during and at the close of the construction. Monies shall be drawn by the City from such Escrow Agent

upon notice to the Association consistent with the City's schedule of payments as required under the Bid Specifications.

3. The Association hereby grants an irrevocable license to the City, its Bidders and Contractor, to enter into the Vintage Club Subdivision and to enter upon the streets and common areas held by The Vintage Club Community Association, Inc. for the purposes of evaluating and ultimately performing such construction work. Consistent with the terms of the Bid Specifications, the City and/or its Contractor shall restore any damage to property surrounding the work area caused by performance of the work herein. As a part of this license, the City and its Contractor may store equipment and supplies upon the Association's property during the term of the construction. Consistent with the terms of the Bid Specifications, the City and the Contractor shall keep the Association streets open to traffic throughout the construction process. Any closures necessary shall be limited in time and scope, and the Contractor and/or the City shall provide notice to the Association in advance of such closures to minimize any disruption to access to the private properties within the Subdivision.

4. The Association hereby acknowledges that by Piggy-Backing upon the City's contract, the City is required to publicly award such bid to the lowest and best Contractor, and the discretion to award such bid to the lowest and best Contractor shall rest solely with the City. Further, the Association acknowledges that as part of a City funded contract, all work in conjunction with the construction must be paid at Prevailing Wage rates which may increase the actual cost of construction. The Association acknowledges that work upon its streets may not be exempted from Prevailing Wage since it is part of the City's contract.

5. The Association hereby warrants and represents to the City that it has authority to enter into this Agreement and all action has been taken consistent with the terms and conditions of the Homeowner's Association, its Declarations and Covenants, to enable its authorized officers to accept this Agreement and to bind the Association thereto. The Association, at the request of the City, shall provide a copy of the Board Resolution or other enabling documents to evidence such authority. Further, the Association warrants that it has either secured its own engineer to review and establish its Bid Specifications for this work and/or it accepts the bid and engineering specifications established by the City and waives any claim against the City acting in reliance upon these Bid Specifications.

6. Any dispute between the parties concerning this Agreement or the performance of this Agreement, and any claim against the City and/or Contractor as a result of the performance of this Agreement, shall be governed by the Dispute Resolution mechanisms set forth within the City's Agreement with the Contractor.

7. Any notices required by this Agreement or under the separate Construction Agreement must be in writing and will be deemed sufficiently given if actually received or if hand-delivered or sent by recognized, overnight delivery service or by certified mail, postage prepaid and return receipt requested, addressed to the other party at the address



set forth in this Agreement or any addendum to or counterpart of this Agreement, or to such other address as the recipient has previously notified the sender of in writing. All notices will be deemed received upon actual receipt, unless sent by certified mail, in which event such notice will be deemed to have been received when the return receipt is signed or refused. The parties, by notice given hereunder, may designate any further or different addresses to which subsequent notices, certificates, requests or other communications must be sent. The present addresses of the parties follow:

As to the City: City of Montgomery, Ohio  
10101 Montgomery Road  
Montgomery, Ohio 45242  
Attn: City Manager  
Currently: Brian K. Riblet

With a copy to the Director of Law: Currently: Terrence M. Donnellon  
Donnellon, Donnellon & Miller  
9079 Montgomery Road  
Cincinnati, Ohio 45242

As to the Vintage Club Community Association, Inc.: Vintage Club Community Association, Inc.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

With a copy to:

8. This Agreement shall be interpreted and enforced consistent with the laws of the State of Ohio. As noted herein, the undersigned represent and warrant that they have full authority to execute this Agreement for and on behalf of their principals.

**The Vintage Club Community Association, Inc.,  
an Ohio non-profit corporation**

By: \_\_\_\_\_

Its: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Date: \_\_\_\_\_

**The City of Montgomery, Ohio,  
an Ohio municipal corporation**


By: \_\_\_\_\_  
Brian K. Riblet

Its: City Manager

Date: \_\_\_\_\_

February 9, 2023

TO: Brian Riblet, City Manager

FROM: Gary Heitkamp, Public Works Director 

SUBJECT: 2023 Street Resurfacing Program Legislative Request

**Request**

It is necessary for City Council to adopt a Resolution authorizing the City Manager to enter into Contract with Barrett Paving Materials, Inc. to complete the 2023 Street Resurfacing Program

**Financial Impact**

The 2023 Street Resurfacing Program is programmed in the 2023 Capital Improvement Program 410-261-5470 account in the amount of \$1, 200,000, of which \$200,000 is allotted for fire hydrant replacements associated with the streets being resurfaced and for resurfacing Delray Drive once GCWW is complete with the water main replacement between Cooper Road and #9800 Delray Drive. Thus, with the remaining \$1,000,000, it is requested that this project Base Bid and Alternates #1 and #2 be approved for funding in the amount of \$989,930.00. Alternates #3 through #7 are private streets located within the Vintage Club Subdivision, which are being funded by the Vintage Club Homeowner’s Association.

**Background**

Each year, the City enters into Contract to have various streets repaired and resurfaced as part of the Capital Improvement Program. The 2023 Street Resurfacing Program includes work to resurface the following streets:

<u>Street</u>	<u>From</u>	<u>To</u>	<u>CL Miles</u>
Southwind Drive	Pfeiffer Road	south terminus	0.233
Westwind Drive	west terminus	east terminus	0.266
Trailwind Drive	Southwind Drive	east terminus	0.171
Windpoint Place	Trailwind Drive	north terminus	0.042
Windzag Lane	Zig Zag Road	Baywind Drive	0.072

Baywind Drive	Windzag Lane	Trailwind Drive	0.247
Treeheights Court	Trailwind Drive	east terminus	0.107
Delray Drive	#9800 Delray Drive	Castleford Lane	0.184
Delray Drive*	Cooper Road	#9800 Delray Drive	0.400
Castleford Lane	Delray Drive	east terminus	0.247
Zig Zag Road (Alt Bid #1)	west corporation limit	I-71 bridge	0.262
Windhaven Ct (Alt Bid #2)	Shadowhill Way	west terminus	0.111

Total - 2.34 centerline miles

Roads within Vintage Club Subdivision (below):

Private Street	From	To	CL Miles
Vintage Walk (Alt Bid #3)	E. Kemper Road	Gate	0.177
Vintage Walk (Alt Bid #4)	Gate	Vintage Club Drive	0.107
Vintage Walk & Traditions Turn (Alt #5)	Vintage Club Drive	#35-#37 Traditions Turn	0.196
Traditions Turn & Gaslight Lane (Alt #6)	#35-#37 Traditions Turn	Vintage Club Drive	0.142
Vintage Club Dr (Alt Bid #7)	Gaslight Lane	Vintage Walk	0.054

The project was publicly advertised, and a bid opening was held on Thursday, February 9<sup>th</sup> at 10:00 AM. A total of four (4) bids were received for this project. The lowest and best bid received was provided by Barrett Paving Materials, Inc. A complete bid summary of the four (4) companies that submitted a bid is attached, summarized as follows:

CONTRACTOR	BASE BID	ALT #1	ALT #2
Barrett Paving Materials, Inc.	\$797,625.50	\$88,576.00	\$56,589.25
J. K. Meurer Corporation	\$803,585.00	\$101,100.00	\$71,109.00
Rack & Ballauer Excavating Co.	\$965,957.40	\$101,640.50	\$86,164.05
John R. Jurgensen Co.	\$1,023,411.06	\$94,384.02	\$103,146.93
<i>Engineer's Estimate</i>	<i>\$916,163.00</i>	<i>\$101,440.00</i>	<i>\$64,664.00</i>

Roads within Vintage Club Subdivision (below):

CONTRACTOR	ALT#3	ALT#4	ALT#5
Barrett Paving Materials, Inc.	\$68,055.00	\$40,258.00	\$67,063.50
J. K. Meurer Corporation	\$70,734.00	\$40,344.00	\$70,008.00
Rack & Ballauer Excavating Co.	\$75,189.00	\$46,276.20	\$75,821.40
John R. Jurgensen Co.	\$81,334.00	\$51,298.00	\$80,621.00
<i>Engineer's Estimate</i>	<i>\$79,010.00</i>	<i>\$47,412.50</i>	<i>\$75,515.00</i>



<u>CONTRACTOR</u>	<u>ALT#6</u>	<u>ALT#7</u>
Barrett Paving Materials, Inc.	\$47,235.00	\$17,992.00
J. K. Meurer Corporation	\$49,192.00	\$18,116.00
Rack & Ballauer Excavating Co.	\$51,610.00	\$19,408.80
John R. Jurgensen Co.	\$55,797.00	\$19,337.00
<i>Engineer's Estimate</i>	<i>\$54,100.00</i>	<i>\$21,210.00</i>

Recommendation

Staff has reviewed the bids received and determined that the bid received from Barrett Paving Materials, Inc. is the lowest and best bid for the 2023 Street Resurfacing Program.

It is recommended that City Council adopt legislation to authorize City Manager Brian Riblet to enter into a Contract with Barrett Paving Materials, Inc. to complete the project on the 2.34 centerline miles of streets listed above (Base Bid and Alternates #1 and #2). The amount of the recommendation includes \$47,139.25 in project contingency funding, which is an amount equal to 5.0% of the total of the Base Bid and Alternates #1 and #2 amount.

Alternates #3 through #7, which consists of privately owned and maintained streets within the Vintage Club Subdivision, will be determined by the Vintage Club Subdivision Homeowner's Association over the course of the next several weeks. Their decision as to which alternate bids they would like to proceed with will be provided in an update at the March 1, 2023 Council Business Session.

If there are any questions or if additional information is required, please do not hesitate to contact me.

Attachment - bid tabulation



RESOLUTION NO. \_\_\_\_\_, 2023

**A RESOLUTION ACCEPTING A BID AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH BARRETT PAVING MATERIALS, INC. FOR THE 2023 STREET RESURFACING PROGRAM**

**WHEREAS**, the City has advertised for bids for the 2023 Street Resurfacing Program, and the City has received a bid from Barrett Paving Materials, Inc. which the Administration has determined to be the lowest and best bid and has recommended acceptance.

**NOW THEREFORE, BE IT RESOLVED**, by the Council of the City of Montgomery, Hamilton County, Ohio, that:

**SECTION 1.** The bid of \$989,930.00 received from Barrett Paving Materials, Inc. for the 2023 Street Resurfacing Program, including Alternates 1 and 2, is hereby determined to be the lowest and best bid received in response to an advertisement for the same.

**SECTION 2.** The bid with appropriate Alternates 1 and 2 and a contingency of approximately \$47,139.25 is hereby accepted, and the City Manager is authorized and directed to enter into a contract in accordance with the terms described in the specifications.

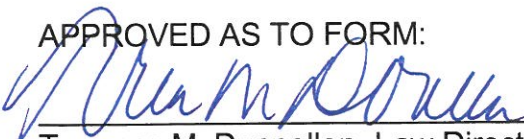
**SECTION 3.** This Resolution shall be in full force and effect from and after its passage.

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
Connie M. Gaylor, Clerk of Council

\_\_\_\_\_  
Craig D. Margolis, Mayor

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Terrence M. Donnellon, Law Director



February 10, 2023

TO: Mayor and City Council Members

FROM: Brian K. Riblet, City Manager 

SUBJECT: Request to Authorize Professional Services for the Ronald Reagan Highway and Montgomery Road Roundabout Improvements

### Request

It is necessary for City Council to consider a Resolution authorizing the City Manager to enter into an agreement with MA Design to provide professional services for the Ronald Reagan Highway and Montgomery Road Roundabout Improvements.

### Financial Impact

If approved, this agreement would be for an amount not to exceed \$205,000 with MA Design to complete design, engineering, construction drawings, and opinion of construction costs for the Ronald Reagan Highway and Montgomery Road Roundabout Improvements.

In anticipation of this project, funding has been included in the 480,000 Downtown Improvement operating and capital budgets for both 2023 and 2024.

### Background

Per Resolution #3, 2022 the City contracted with Human Nature who included sub-contractors MA Design, and Strand Associates to deliver initial concept drawings for the roundabout and the corridor from Montgomery Road to I-71.

The first meeting to review the design concepts prepared by the Human Nature team was held on Tuesday, February 1. The group gravitated towards an overall design that featured a tower component in the center of the roundabout and capped with our signature lamp on top. The concepts also included landscaping in and around the roundabout and west on the Ronald Reagan corridor to I-71.

The second meeting of the year was held on March 3, 2022, to further talk through the desired concepts and to provide additional feedback to the Human Nature team. We also prepped for an "Open House" to solicit feedback from our constituents regarding the project.

An "Open House" was conducted on April 28, 2022, at Terwilliger Lodge with approximately twenty-five people in attendance review the project concepts and to

provide feedback. We received very positive input on the design and concepts, one individual encouraging the planting of as many native plantings as we could.

Our internal team of Council members Dobrozsi and Suer, staff members Tracy Henao, Gary Heitkamp, Mike Rogers and myself then began thoroughly reviewing updated plans prepared by the Human Nature team and we came back together as a group on September 8, 2022.

Over the past several months, negotiations with MA Design have occurred for design, engineering, construction drawings, and an opinion of construction costs for the Ronald Reagan Highway and Montgomery Road Roundabout Improvements.

### Recommendation

Staff recommends City Council approve a request authorizing the City Manager to enter into an agreement with MA Design for an amount not to exceed \$205,000 to complete design, engineering, construction drawings, and opinion of construction costs for the Ronald Reagan Highway and Montgomery Road Roundabout Improvements.

RESOLUTION NO , 2023

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO  
A CONTRACT WITH MA DESIGN SERVICES FOR PROFESSIONAL  
LANDSCAPE DESIGN SERVICES FOR THE RONALD REAGAN HIGHWAY  
AND MONTGOMERY ROAD ROUNDABOUT**

**WHEREAS**, Section 9.03 of Article IX of the Charter of the City of Montgomery, Ohio, provides the method under which the City Manager shall make certain purchases and enter into contracts on behalf of the City; and

**WHEREAS**, it is appropriate to provide contract authority for professional services that are generally not subject to competitive bidding but will exceed a total of Fifty Thousand Dollars (\$50,000) in a calendar year; and

**WHEREAS**, the Administration requested Letters of Interest from landscape design firms which may be interested in assisting the City in designing certain landscape improvements in and around the Ronald Reagan Highway and Montgomery Road Roundabout; and

**WHEREAS**, multiple firms submitted responses which were reviewed by an Advisory Committee with the Administration, which included the City Staff and interested City volunteers; and

**WHEREAS**, MA Design Services submitted a Letter of Interest which was reviewed and recommended for approval by the Advisory Committee; and

**WHEREAS**, it is the desire of the Council of the City of Montgomery to enter into a contract with MA Design Services to perform landscape design services for the City in conjunction with the Ronald Reagan Highway and Montgomery Road Roundabout.



**NOW THEREFORE, BE IT RESOLVED** by the Council of the City of Montgomery, Hamilton County, Ohio, that:

**SECTION 1.** The City Manager is hereby authorized to enter into a contract with MA Design Services to assist the City in designing certain landscape improvements in and around the Ronald Reagan Highway and Montgomery Road Roundabout, according to the schedule submitted by MA Design Services, attached hereto as Exhibit A and incorporated herein by reference.

**SECTION 2.** The City Manager is hereby authorized to pay MA Design Services according to the rates set forth in said schedule within the anticipated project scope not to exceed \$205,000.

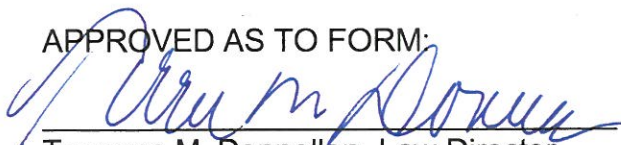
**SECTION 3.** This Resolution shall be in full force and effect from and after its passage.

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
Connie M. Gaylor, Clerk of Council

\_\_\_\_\_  
Craig D. Margolis, Mayor

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Terrence M. Donnellan, Law Director

February 8, 2023

TO: Brian Riblet, City Manager

FROM: Gary Heitkamp, Public Works Director  
Julie Machon, Recreation Director  
Dan Miller, Public Works Supervisor 

SUBJECT: Legislation Request for Purchase of playground equipment from  
Landscape Structures

**Request**

It is necessary for City Council to adopt a Resolution authorizing the City Manager to enter into contract with Landscape Structures for the purchase of playground equipment through Ohio state bid purchasing contract (Index#STS640, Contract #8000841).

**Financial Impact**

Replacement and installation of playground equipment was programmed in the 2022 Capital Improvement Program and was carried over for use in 2023. The reason the work was not completed in 2022 was due to Staff submitting a NatureWorks grant application to the Ohio Department of Natural Resources, the results of which were not known until October, 2022. Unfortunately, our grant application was unsuccessful.

The legislation amount requested is \$117,810.00 and would be funded through the 410-303-5470 account.

**Background**

Staff planned and implemented a Playground Open House in Spring 2022 to show designs and gather public input for proposed upgrades to the Swaim Park playground. The project was also featured on the front cover of the March 2022 Bulletin promoting the project and the open house. Parks and Recreation Commission Members were also presented with the project information, and the feedback was very positive, several of which also attended the open house.

Staff completes thorough playground inspections each spring and fall for all of the City's parks. Due to the wear, age, and poor condition of the Swaim Park playground

equipment, replacement of the equipment is necessary to provide safe playgrounds for children to enjoy.

The project includes replacement of two play structures located in the front part of the playground. For this location, Staff proposes the "SmartLoft Structure," which is designed for children between the ages of 2 to 5 years old. The structure has over 20 interactive elements.

Another structure to be installed is the "We Go Round", which is a merry-go-round that is also ADA accessible, including those in a wheelchair.

The existing tire swing will be replaced with the "Oodle Swing", which is also an ADA accessible feature. Those in a wheelchair can transfer onto the swing and enjoy with others.

The "Cozy Dome" is a new feature that will be added, providing a fun space for kids to climb or hide out and can also provide an area inside for kids that need to take a break from stimulation.

Currently, the Swaim Playground has one, very popular sand digger toy. The new design includes a second "sand digger" on an "elevated sand table" which are both accessible features. A couple of "fossils" are to be included in the sand for that popular area for fun and exploration.

### Recommendation

Staff recommends that City Council authorize the City Manager to enter into a contract with Landscape Structures in the amount of \$117,810.00 for the purchase of playground equipment through the Ohio state bid purchasing contract (Index#STS640, Contract #8000841).

If there are any questions or if additional information is required, please do not hesitate to contact me.

Attachment - Landscape Structures Quote





Please make check payable to:  
**Landscape Structures, Inc**  
 SDS 12-0395, PO Box 86  
 Minneapolis, MN 55486-0395 USA

# Proposal

Date	Proposal #
2/7/2023	23-327

Bill To:
<b>City of Montgomery</b> <b>Dan Miller</b> <b>10101 Montgomery Road</b> <b>Montgomery, OH 45242</b> <b>United States</b>

Ship To
<b>Swaim Park</b> <b>7650 Cooper Rd</b> <b>Montgomery, OH 45242</b>

Customer Contact	Customer Phone	Customer Fax	Terms	P.O. No.	Rep
			Net 30 w/ PO		TO

Item	Description	Qty	Weight	Price	Total
233079	Smart Play Loft & Market Cafe	1		37,880.00	37,880.00
123832B	SuperScoop, Wheelchair-Accessible, Direct Bury	1		1,130.00	1,130.00
248819A	We-Go-Round	1		33,845.00	33,845.00
168099A	Cozy Dome	1		5,140.00	5,140.00
136233A	Independent Elevated Sand Table	1		3,455.00	3,455.00
170792A	Sea Shells Fossil Dig	1		765.00	765.00
173592A	Oodle Swing	1		6,360.00	6,360.00
Freight	Freight			6,045.00	6,045.00
Ohio State C...	Ohio State Contract, INDEX# STS640, CONTRACT# 8000841			-4,690.00	-4,690.00
Installation	Installation of above equipment			27,880.00	27,880.00

Proposal Good For 30 Days  
 Shipping Time: 10 weeks  
 Ship Via: Common Carrier  
 Please call 24 hours prior to delivery: \_\_\_\_\_

<b>Subtotal</b>	\$117,810.00
<b>Sales Tax (0.0%)</b>	\$0.00
<b>Total</b>	\$117,810.00

Customer signature below constitutes a purchase order.



RESOLUTION NO. \_\_\_\_\_, 2023

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A  
CONTRACT WITH LANDSCAPE STRUCTURES, INC. FOR THE  
PURCHASE OF PLAYGROUND EQUIPMENT FOR SWAIM PARK**

**WHEREAS**, the City is required by statute to solicit competitive bids for goods or services which will exceed a contract price of Fifty Thousand Dollars (\$50,000); and

**WHEREAS**, state law recognizes certain exceptions to the requirement of competitive bidding including purchases made through the State of Ohio's Cooperative Purchasing Program; and

**WHEREAS**, the City of Montgomery is a participant in the State of Ohio's Cooperative Purchasing Program; and

**WHEREAS**, the Public Works Department desires to purchase updated playground equipment for Swaim Park through the Ohio Cooperative Purchasing Program and has determined that such goods are available through Landscape Structures, Inc. is a better purchase option than competitive bidding.

**NOW THEREFORE, BE IT RESOLVED** by the Council of the City of Montgomery, Hamilton County, Ohio, that:

**SECTION 1.** The City Manager is hereby authorized to purchase various playground equipment, as more specifically detailed on Exhibit A attached hereto, in an amount not to exceed One Hundred Seventeen Thousand Eight Hundred Ten Dollars (\$117,810) from Landscape Structures, Inc. Council finds that such purchase shall be completed through the Ohio Cooperative Purchasing Program as allowable by State law without separate competitive bidding.

**SECTION 2.** This Resolution shall be in full force and effect from and after

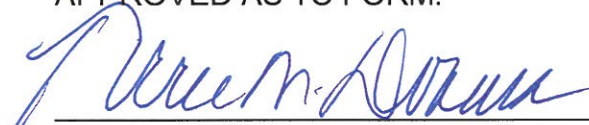
its passage.

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
Connie M. Gaylor, Clerk of Council


\_\_\_\_\_  
Craig D. Margolis, Mayor

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Terrence M. Donnellon, Law Director

February 8, 2023

TO: Brian Riblet, City Manager

FROM: Gary Heitkamp, Public Works Director  
Julie Machon, Recreation Director  
Dan Miller, Public Works Supervisor 

SUBJECT: Legislation Request for Purchase of playground equipment from GameTime

**Request**

It is necessary for City Council to adopt a Resolution authorizing the City Manager to enter into contract with GameTime for the purchase of playground equipment through the Omnia Partners cooperative purchasing agreement.

**Financial Impact**

Replacement and installation of playground equipment is programmed in the 2023 Capital Improvement Program. The legislation amount requested is \$103,711.67 and would be funded through the 410-303-5470 account.

**Background**

Staff completes thorough playground inspections each spring and fall for all of the City's parks. Due to the age, wear, and poor condition of the Swaim Park playground equipment, replacement of the equipment is necessary to provide safe playgrounds for children to enjoy.

One of the features of the playground being replaced is the swing structure. The new swing structure will include an ADA swing allowing children with disabilities to participate. Also, due to the popularity of the playground, additional seating around the playground will be added. Currently, there are only two benches, and this project will add an additional three benches. A play structure, called the "PowerScape Play Structure", will be a new feature and is designed to connect to the existing play structure. This will provide an additional fun feature for children between the ages of 5 to 12 years old. The quote also shows 'engineered wood fiber' to be added, which is mulch surfacing that will help cushion falls and impacts keeping children safe.

## Recommendation

Staff recommends that City Council authorize the City Manager to enter into a contract with GameTime in the amount of \$103,711.67 for the purchase of playground equipment through the Omnia Partners cooperative purchasing agreement (City membership identification number 4026217).

If there are any questions or if additional information is required, please do not hesitate to contact me.

Attachment - GameTime Quote (1 page)





P.O. Box 208 Harrison, OH 45030  
 Toll Free 800-762-7936  
 Fax 330-821-4505  
 www.dwarec.com  
 info@dwarec.com

01/28/2023  
 Quote #  
 100201-01-09

## Swaim Park - GameTime Playground Equipment - 1.28.2023

Montgomery Parks & Recreation  
 Attn: Julie Machon  
 7315 Cornell Road  
 Montgomery, OH 45242  
 Phone: 513-337-8317  
 jmachon@ci.montgomery.oh.us

Project # 100201  
 Job # 100201-01  
 Ship to Zip 45242

Quantity	Part #	Description	Unit Price	Amount
1	RDU	GameTime - PowerScape Playstructure (GMONSWAIM-3.10.22-DM)- Ages 5 - 12; Aluminum Uprights	\$78,470.00	\$78,470.00
1	RDU	GameTime - 3 Bay PrimeTime ADA Swing Bay - - (1) Expression Swing Tot Seat Package - (1) Expression Swing Adaptive Seat Package - (4) Belt Seat Packages	\$10,140.00	\$10,140.00
1	RDU	GameTime - (3) - 6' P/S Bench W/Back Inground with Extensions	\$3,325.02	\$3,325.02
1	EWf-12	GT-Impax - (198 CY) of Engineered Wood Fiber at a 12" Compacted Depth	\$5,506.00	\$5,506.00
1	RDU	GameTime - Installation of Playground Equipment, Benches, & EWf Surfacing - by Certified GameTime Installers	\$27,615.00	\$27,615.00
Contract: OMNIA #2017001134			<b>Sub Total</b>	\$125,056.02
			<b>Discount</b>	(\$24,435.31)
			<b>Freight</b>	\$3,090.96
			<b>Total</b>	<b>\$103,711.67</b>



P.O. Box 208 Harrison, OH 45030  
 Toll Free 800-762-7936  
 Fax 330-821-4505  
 www.dwarec.com  
 info@dwarec.com

01/28/2023  
 Quote #  
 100201-01-09

## Swaim Park - GameTime Playground Equipment - 1.28.2023

**Remit Payment to:**

GameTime  
 P.O. Box 680121  
 Fort Payne, AL 35968

**Taxes:**

All applicable taxes will be added at time of invoicing unless otherwise included or a tax-exempt certificate is provided. If sales tax exempt, you must provide a copy of certificate to be considered exempt.

**Prices:**

FOB Factory.

**Orders:**

All orders shall be in writing by purchase order, contract, or similar document made out to PlayCore Wisconsin Inc., dba GameTime. Standard GameTime equipment orders over \$100,000 may require a deposit of 25% at the time of order and an additional 25% at or before order ships. Standard orders with equipment, installation and surfacing are requested to be split billed. Equipment, Taxes & Freight as noted above. Installation and Surfacing billed as completed and Due Upon Receipt.

**Terms:**

Cash With Order Discount (CWO): Orders for GameTime equipment paid in full at time of order via check, Electronic Funds Transfer (ACH or wire) are eligible for a three percent (3%) cash with order discount.

Payment via credit card: If you elect to pay by credit card, GameTime charges a 2.50% processing fee that is assessed on the amount of your payment. This fee is shown as a separate line item and included in the total amount charged to your credit card. You have the option to pay by check, ACH or Wire without any additional fees.

Credit terms are Net 30 days, subject to approval by the GameTime Credit Manager. A completed credit application must be submitted and approved prior to the order being received. Please allow at minimum 2 days for the credit review process. GameTime may also require:

- Completed Project Information Sheet (if applicable)
- Copies of Payment and Performance Bonds (if applicable)

A 1.5% per month finance charge will be imposed on all past due invoices.

Retainage not accepted.

Orders under \$5,000 require payment with order.

Due to the current COVID-19 crisis, shipping times might be extended beyond what is noted.

**Due to volatility of fuel prices, freight charges may change at time of delivery.**

**Payment terms:** Payment in full, net 30 days subject to credit approval. A 1.5% per month finance charge will be imposed on all past due accounts. Equipment will be invoiced separately from other services and shall be payable in advance of those services and project completion.

**Force Majeure:** No Party to this Agreement shall be responsible for any delays, price increases, or failure to perform any obligation under this Agreement due to acts of God, outbreaks, epidemic/pandemic or the spreading of disease or contagion strikes or other disturbance, including, without limitation, war, insurrection, embargoes, governmental restrictions, acts of governments or governmental authorities, and any other cause beyond the control of such party. During an event of force majeure, the Parties' duty to perform obligations shall be suspended.



P.O. Box 208 Harrison, OH 45030  
Toll Free 800-762-7936  
Fax 330-821-4505  
www.dwarec.com  
info@dwarec.com

01/28/2023  
Quote #  
100201-01-09

## Swaim Park - GameTime Playground Equipment - 1.28.2023

**OMNIA Partners Contract Number: 2017001134**

To order: Please complete the acceptance portion of this quotation and provide color selections, purchase order copy and other key information requested.

**This quote does not include any state or local sales taxes. Sales tax will be added to the order if required, unless otherwise noted.**

Acceptance of this proposal indicates your agreement to the terms and conditions stated herein.

**Omnia Partners Purchase Orders** must be made out to:

GameTime  
c/o DWA Recreation, Inc.  
P.O. Box 208  
Harrison, OH 45030

**Once equipment is ordered, the owner assumes that the equipment is being installed according to the ASTM standards for layout and design. Additionally, the owner shall check to make sure that all appropriate fall zones are current and compliant. In the event that the owner has to return the equipment, both inbound and outbound freight will be charged along with a 25% restocking fee.**  
**GameTime Shipping Time:** Current shipping time for GameTime is approximately 13 - 15 weeks. Please allow an additional 7-10 days for transit.

Short Ship Claims: Purchaser has 14 days from receipt of equipment to file a short ship report in writing to our office. Company reserves right to not honor claims made after this time.

**GTImpax Engineered Wood Fiber Delivery Time:** Typical lead time for delivery is minimum 2 - 3 weeks. Delivery is based on a single delivery to one location per truck, additional drops not included unless specifically noted above. Please confirm current delivery time when placing order.

Note: Delayed shipping permitted up to 4 months, at which time surfacing needs to be delivered or paid in full.

Bulk material ships via semi-truck/trailer with a live floor system in trailer which allows driver to deposit EWF directly onto a specific area provided proper access is available. Driver has final say whether the site has proper access. Site restoration is not included and will be the responsibility of the owner/owner's representative.

### **Extended Lead Times Expected**

Please be advised this Quote contains product(s) which may require extended lead times. Lead times may vary depending on the products selected.  
**Shipping Time:** Estimated Ship time is 10-12 weeks for certain items on this quote. Please verify current lead time when placing order. Allow 7-10 days for actual transit time.

Short Ship Claims: Purchaser has 14 days from receipt of equipment to file a short ship report in writing to our office. Company reserves right to not honor claims made after this time.

### **Installation Terms:**

- The above pricing is based on installation over natural earth and does not include any site work including excavation or drainage, unless otherwise noted on this quote.
- This pricing does not include receiving and storage of the equipment prior to installation.
- Any existing wood chips, asphalt, or playground equipment, in the area where the new structure will be located, must be removed by the owner unless otherwise noted on this quote.
- The play area site would need to be level prior to installation.
- An area will need to be provided for the disposal of excess dirt created when augering holes. Spoils to be left on site unless otherwise noted.
- Access to a dumpster will need to be provided for the disposal of packaging materials and old equipment (if applicable).
- The above pricing is based on non-prevailing wage rates unless otherwise noted.

Please note, you are required by Ohio law to contact "Ohio Utilities Protection Service" at 1-800-362-2764 before any excavation or installation takes place. Because their questions will relate to the location of the site, we ask you to please contact them personally. This should be done within a two week period but not less than four days prior to installation, as they will need 48 hours to mark off the site.





P.O. Box 208 Harrison, OH 45030  
 Toll Free 800-762-7936  
 Fax 330-821-4505  
 www.dwarec.com  
 info@dwarec.com

01/28/2023  
 Quote #  
 100201-01-09

## Swaim Park - GameTime Playground Equipment - 1.28.2023

### GameTime Standard Colors

- Accent/Basic/Metal Colors: Yellow, Butterscotch, Orange, Red, Burgundy, Royal Purple, Periwinkle, Blue, Sky Blue, Sea Mist, Azure, Ocean, Spring Green, Chartreuse, Ice Mint, Ice Butter, Sage, Green, Dark Green, Bronze, Brown, Beige, Champagne, Vanilla, White, Metallic, Starlight Black, Black
- Deck Colors: Gray, Blue, Brown, Chocolate
- Plastic Colors: Yellow, Orange, Red, Burgundy, Royal Purple, Periwinkle, Blue, Sky Blue, Azure, Spring Green, Chartreuse, Green, Brown, Beige, Champagne
- HDPE Colors: Yellow, Orange, Red, Burgundy, Purple, Blue, Sky Blue, Spring Green, Green, Brown, Beige, Dolphin Gray, Black
- 2 Color HDPE: Yellow/Black, Orange/White, Red/White, Burgundy/White, Purple/White, Blue/White, Sky Blue/White, Azure/White, Spring Green/White, Green/White, Brown/White, Beige/Green, White/Black, Gray/Black, Black/White
- Special Rock: Sandstone, Deep Granite
- Wallcano Handholds: Red, Green, Blue, Beige
- Site Recycled Plastic Lumber: Gray, Tudor, Sand
- VistaRope Standard: Black, Natural, Brown, Green, Yellow, Sky Blue, Red
- VistaRope Custom: Green/Brown, Sky Blue/Yellow, Red/Sky Blue, Red/Black

You may view Additional Color options and pre-designed play palettes on <https://www.gametime.com/resources/colors-and-color-palettes>

### Acceptance of Colors from 3D Rendering

Please initial here if ordering colors from 3D Rendering: \_\_\_\_\_

### **Order Information:**

Bill To: _____	Ship To: _____
Contact: _____	Contact: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____
Tel: _____	Tel: _____
Fax: _____	Cell Phone: _____
eMail: _____	Fax: _____
eMail: _____	

Project/Site Location: \_\_\_\_\_

Contact: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Tel: \_\_\_\_\_

Fax: \_\_\_\_\_

eMail: \_\_\_\_\_

Coordinates or Description of Location: \_\_\_\_\_

\_\_\_\_\_





P.O. Box 208 Harrison, OH 45030  
Toll Free 800-762-7936  
Fax 330-821-4505  
www.dwarec.com  
info@dwarec.com

01/28/2023  
Quote #  
100201-01-09

## Swaim Park - GameTime Playground Equipment - 1.28.2023

**Acceptance of quotation:**

Accepted By (printed): \_\_\_\_\_

Date: \_\_\_\_\_

Title: \_\_\_\_\_

P.O. No: \_\_\_\_\_

Telephone: \_\_\_\_\_

Fax: \_\_\_\_\_

Purchase Amount: **\$103,711.67**

SALES TAX EXEMPTION CERTIFICATE #: \_\_\_\_\_ (PLEASE PROVIDE A COPY OF CERTIFICATE)

\_\_\_\_\_  
Customer Signature

Quote prepared by: Grant Greiwe

Sales Representative: Grant Greiwe

RESOLUTION NO. \_\_\_\_\_, 2023

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH PLAYCORE WISCONSIN INC. D/B/A GAMETIME THROUGH OMNIA PARTNERS FOR THE PURCHASE OF PLAYGROUND EQUIPMENT**

**WHEREAS**, the Administration has determined that it is necessary to replace certain playground equipment within Swaim Park for which the Public Works Department has appropriately budgeted; and

**WHEREAS**, the purchase of goods or services in excess of Fifty Thousand Dollars (\$50,000) requires City Council approval and competitive bidding unless an exception to competitive bidding is recognized; and

**WHEREAS**, R.C. § 9.48 permits the City as a participant in a Joint Purchasing Program operated by or through a national or state Association of Political Subdivisions to purchase equipment without separate competitive bidding; and

**WHEREAS**, the City of Montgomery has an active account with Omnia Partners, a national cooperative purchasing association of Local Governments, which has partnered with GameTime to facilitate the cooperative procurement of playground equipment; and

**WHEREAS**, the Administration has determined that separate bids for the purchase of playground equipment likely would exceed the price available through Omnia Partners and GameTime, and likely result in an unreasonable delay for the delivery and installation of this equipment.

**NOW THEREFORE, BE IT RESOLVED** by the Council of the City of Montgomery, Hamilton County, Ohio, that:

**SECTION 1.** The City Manager is authorized to reaffirm the City's Cooperative Purchasing Agreement with Omnia Partners which updates the current participation relationship dating to January 15, 2011. A copy of the Master Intergovernmental Cooperative Purchasing Agreement is attached hereto as Exhibit A.

**SECTION 2.** The City Manager is authorized to acquire through Omnia Partners, and specifically PlayCore Wisconsin Inc. d/b/a GameTime, its cooperative procurement supplier, playground equipment for the installation at Swaim Park, as more fully detailed on Exhibit B attached hereto, at a total purchase price of One Hundred Three Thousand Seven Hundred Eleven and 67/100 Dollars (\$103,711.67).

**SECTION 3.** The City Manager further is authorized to advance funds as necessary to secure any prepayment discounts and to execute such additional documentation as may be required to complete this purchase.

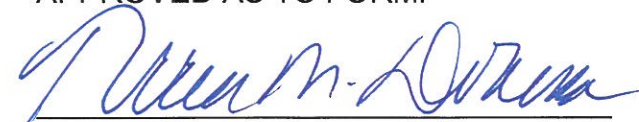
**SECTION 4.** This Resolution shall be in full force and effect from and after its passage.

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
Connie M. Gaylor, Clerk of Council

\_\_\_\_\_  
Craig D. Margolis, Mayor

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Terrence M. Donnellon, Law Director

*These minutes are a draft of the proposed minutes from the City Council meeting. They do not represent the official record of proceedings until formally adopted by the City Council. Formal adoption is noted by signature of the Clerk within the minutes.*

City of Montgomery  
City Council Business Session Minutes  
January 4, 2023

Present

Brian Riblet, City Manager  
Terry Donnellon, Law Director  
Tracy Henao, Asst. City Manager  
Chris Bigham, Interim Finance Director  
Kevin Chesar, Community Dev. Director  
John Crowell, Police Chief  
Gary Heitkamp, Public Works Director  
Paul Wright, Fire Chief  
Matthew Vanderhorst, Community and Information Services Dir.  
Amy Frederick, Community Engagement Coordinator  
Connie Gaylor, Clerk of Council

City Council Members Present

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

Council Members Absent

Chris Dobrozsi

---

City Council its Business Session for February 1, 2023 at 5:48 p.m. at City Hall with Mayor Margolis presiding.

**ROLL CALL**

Mayor Margolis asked for a roll call.

The roll was called and showed everyone present except for Council Member Dobrozsi. Mayor Margolis asked for a motion to excuse Council Member Dobrozsi from the meeting.

Mr. Cappel made a motion to excuse Council Member Dobrozsi's absence. Vice Mayor Bissmeyer seconded. City Council unanimously agreed.

Mayor Margolis explained that since all legislation has been made available to the public before this evening's meeting, he asked for a motion to accept the legislative Agenda and read all legislation by title only.

Mr. Cappel made a motion to accept the legislative Agenda and read all legislation by title only. Vice Mayor Bissmeyer seconded. City Council unanimously agreed.

**NEW LEGISLATION**

**A Resolution Authorizing The City Manager To Enter Into An Agreement With Equitable Financial Life Insurance Company To Provide Financial Advisory Services To City Employees**

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

Mr. Suer explained that information has been previously supplied on this Resolution that, if approved, would authorize a contract with Equitable Financial Life Insurance Company to provide an additional opportunity for employees to discuss various financial options that are available. There is no financial commitment and/or liability required from the City of Montgomery, and we can opt out at any time. The program will be completely voluntary for employees who wish to interact with representatives from Equitable Financial Life Insurance Company.

Mr. Suer asked if there were any updates.

Mr. Riblet replied there were none.

The roll was called and showed the following vote:



*These minutes are a draft of the proposed minutes from the City Council meeting. They do not represent the official record of proceedings until formally adopted by the City Council. Formal adoption is noted by signature of the Clerk within the minutes.*

City Council Business Session Minutes  
February 1, 2023  
Page 2

55 AYE: Cappel, Bissmeyer, Margolis, Naiman, Suer, Messer (6)  
56 NAY: (0)  
57 ABSENT: Dobrozsi (1)  
58

59 **A Resolution Authorizing The City Manager To Contract With Donald J. Schonhardt & Associates, Inc.**  
60 **For Professional Management Consulting Services**  
61

62 Mr. Suer read the title and moved for passage of the Resolution. Mr. Cappel seconded.  
63

64 Mr. Suer explained that information has been previously supplied on this Resolution that, if approved, would  
65 authorize a contract with Donald J. Schonhardt & Associates for technical accounting and management oversight  
66 in the preparation of the 2022, 2023 and 2024 Annual Comprehensive Financial Report.  
67

68 Mr. Suer asked if there were any updates.  
69

70 Mr. Bigham replied there were none.  
71

72 The roll was called and showed the following vote:  
73

74 AYE: Bissmeyer, Margolis, Naiman, Suer, Messer, Cappel (6)  
75 NAY: (0)  
76 ABSENT: Dobrozsi (1)  
77

78 **A Resolution Authorizing The City Manager To Enter Into A Contract With Ela Holding Corporation,**  
79 **D/B/A Turnkey Technology, For A Security Camera System**  
80

81 Vice Mayor Bissmeyer read the title and moved for passage of the Resolution. Mr. Cappel seconded.  
82

83 Vice Mayor Bissmeyer explained that information has been previously supplied on this Resolution that, if  
84 approved, would authorize the City Manager to enter into a contract with Turnkey Technology for purchase and  
85 installation of a camera system throughout City buildings and other identified locations and a door access system  
86 at several City-owned buildings. If approved, the City would enter into a contract with Turnkey Technology for an  
87 amount of \$282,999.38. Funds for this project are included in the 2023 Budget in the "215" Law Enforcement  
88 Operating and Capital requests.  
89

90 Vice Mayor Bissmeyer asked if there were any updates.  
91

92 Mr. Riblet replied there were none.  
93

94 Mrs. Naiman inquired if there would be information provided to the public on the intended use of the cameras.  
95

96 Mr. Riblet stated that a article would be placed in the Montgomery Bulletin to explain that the addition of the  
97 cameras were for overall security efforts and were not intended to be intrusive or to infringe on the residents  
98 privacy.  
99

100 Vice Mayor Bissmeyer inquired on the date of installation.  
101

102 Mr. Riblet replied that if the legislation was passed, he would send the necessary documentation to approve the  
103 ordering of equipment and anticipates that it would be late spring before installation may begin.  
104

*These minutes are a draft of the proposed minutes from the City Council meeting. They do not represent the official record of proceedings until formally adopted by the City Council. Formal adoption is noted by signature of the Clerk within the minutes.*

City Council Business Session Minutes  
February 1, 2023  
Page 3

105 Mr. Suer stated that this contract was a great example of staff obtaining grant funding to offset the costs of these  
106 types of technology projects that may have had to wait until funding was available.  
107

108 The roll was called and showed the following vote:  
109

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

111 NAY: (0)

112 ABSENT: Dobrozsi (1)  
113

### 114 ADMINISTRATION REPORT

115  
116 Mr. Riblet reported the following items:  
117

- 118 • City Council Work Session is scheduled for Wednesday, February 15 at 6:00 p.m.
- 119
- 120 • As a reminder, the Financial Planning and Planning, Zoning and Landmarks Committees will meet on  
121 Monday, February 6 at 4:30 and 5:30 p.m., respectively. The Law & Safety Committee has cancelled  
122 their meeting for the month of February.  
123
- 124 • Mr. Riblet reported that there were no agenda items for the Parks & Recreation, Government Affairs  
125 and Public Works Committees for the month of February and requested to cancel those meetings.  
126
- 127 • Altafiber began installation of their Fiopitics communication product in the Swaim Fields Subdivision  
128 this past week. This involves the installation of new conduit across the frontage of residential lots on  
129 Monte Drive and all of its side streets, most of which is installed by boring (not open trench). The  
130 work is anticipated to be completed within a month.  
131
- 132 • The Fire Department will welcome new hire Eric Weiss on February 8. Two additional candidates  
133 have been extended conditional offers and are completing post-offer screening steps. Assuming the  
134 successful hiring of these candidates, there will be three remaining open firefighter/paramedic  
135 positions to fill.  
136
- 137 • The MCLA Session #3- Taxes, Tif's and Our Town will be held at Constellation Insurance on  
138 Thursday, February 2 beginning at 5:45 p.m.  
139

140 Mr. Riblet stated that prior to the February 15 Work Session he would like to request an Executive Session to be  
141 held at 5:30 p.m. to consider confidential information of an applicant for economic development assistance. He  
142 added that following the completion of the Work Session that evening he would request another Executive Session  
143 to consider the appointment, employment and compensation of a public employee or official.  
144

### 145 APPROVAL OF MINUTES

146  
147 Mayor Margolis asked for a motion to approve the January 18, 2023 Work Session minutes.  
148

149 Mr. Cappel moved to approve the minutes as written. Vice Mayor Bissmeyer seconded. City Council unanimously  
150 agreed.  
151  
152  
153

*These minutes are a draft of the proposed minutes from the City Council meeting. They do not represent the official record of proceedings until formally adopted by the City Council. Formal adoption is noted by signature of the Clerk within the minutes.*

City Council Business Session Minutes  
February 1, 2023  
Page 4

154 **MAYOR'S COURT REPORT**

155  
156 Mayor Margolis stated the Mayors Court Report for the month of January would be presented at the February 15  
157 Work Session.

158  
159 **OTHER BUSINESS**

160 Mayor Margolis reported on meetings he had attended as follows:

- 161  
162
- 163 • State of the County presentation by Alicia Reese
  - 164 • MCLA Session with Braver Angels
  - 165 • Ohio Public Works Commission Integrating Committee
  - 166 • Hamilton County Emergency Management Agency
  - 167 • First Suburbs Consortium-Upcoming
- 168

169 **ADJOURNMENT**

170  
171 Mayor Margolis asked if there was any other business to discuss. There being none, he asked for a motion to  
172 adjourn.

173 Mr. Cappel made a motion to adjourn. Mr. Messer seconded. City Council unanimously agreed.

174  
175  
176 City Council adjourned at 6:24 p.m.

177  
178  
179  
180

---

Connie Gaylor, Clerk of Council

## Monthly Distribution Journal

Montgomery Mayor's Court  
 Disbursal of fines and court costs for January 2023

Page : 1  
 Report Date : 02/08/2023  
 Report Time : 14:29:51

Disbursal Category	Amount
<b>COSTS</b>	
Computer Fund	\$290.00
city-appearance	\$119.00
<b>Total to City:</b>	<b>\$409.00</b>
V/C	\$261.00
DRUG LAW ENFORCEMENT FUND	\$94.50
INDIGENT DEFENSE SUPPORT FUND - COST	\$735.00
<b>Total to State:</b>	<b>\$1,090.50</b>
INDIGENT DRIVERS ALC TREATMENT FUND-COST	\$40.50
<b>Total to Other:</b>	<b>\$40.50</b>
<b>Total Costs:</b>	<b>\$1,540.00</b>
<b>FINES</b>	
City Revenue From Fines	\$2,930.00
<b>Total to City:</b>	<b>\$2,930.00</b>
<b>Total Fines:</b>	<b>\$2,930.00</b>
<b>TOTALS</b>	
<b>Total to State:</b>	<b>\$1,090.50</b>
<b>Total Fines to Other External Agencies:</b>	<b>\$0.00</b>
<b>Total to Other Entities, including Restitution:</b>	<b>\$40.50</b>
<b>Total Bonds Forfeited to City:</b>	<b>\$0.00</b>
<b>Total to City including Misc. Receipts, Adjustments, &amp; BA Fee:</b>	<b>\$3,339.00</b>
<b>TOTAL TO BE DISBURSED:</b>	<b>\$4,470.00</b>

END OF REPORT



## Monthly Mayor's Court Report

Montgomery Mayor's Court  
Cash Flow for January 2023

Page : 1  
Report Date : 02/08/2023  
Report Time : 14:30:26

	Current Period	Year-To-Date	Last Year-to-Date
<b>City Revenue From:</b>			
Court Costs			
Court Costs	\$119.00	\$119.00	\$140.00
Computer Fund	\$290.00	\$290.00	\$400.00
Fines			
City Revenue From Fines	\$2,930.00	\$2,930.00	\$3,840.00
Fees			
Capias Fee	\$0.00	\$0.00	\$500.00
Bond Forfeits			
Bond Forfeits	\$0.00	\$0.00	\$0.00
Miscellaneous/Other			
Bond Administration Fees	\$0.00	\$0.00	\$0.00
<b>Total to City:</b>	<b>\$3,339.00</b>	<b>\$3,339.00</b>	<b>\$4,880.00</b>
<b>State Revenue From:</b>			
Court Costs			
Court Costs	\$735.00	\$735.00	\$1,100.00
V/C	\$261.00	\$261.00	\$360.00
DRUG LAW ENFORCEMENT FUND	\$94.50	\$94.50	\$129.50
Fines			
Fines	\$0.00	\$0.00	\$75.00
<b>Total to State:</b>	<b>\$1,090.50</b>	<b>\$1,090.50</b>	<b>\$1,664.50</b>
<b>Other Revenue From:</b>			
Court Costs			
Court Costs	\$40.50	\$40.50	\$55.50
Area Fines			
Area Fines	\$0.00	\$0.00	\$25.00
<b>Total to Other:</b>	<b>\$40.50</b>	<b>\$40.50</b>	<b>\$80.50</b>
<b>TOTAL REVENUE *</b>	<b>\$4,470.00</b>	<b>\$4,470.00</b>	<b>\$6,625.00</b>
*Includes credit card receipts of	\$730.00	\$730.00	\$895.00

END OF REPORT