

February 24, 2023

TO: Mayor and City Council Members
FROM: Brian K. Riblet, City Manager **BKR**
SUBJECT: City Council Business Session of Wednesday, March 1, 2023

As a reminder, City Council is scheduled to meet in Business Session on Wednesday, March 1, 2023 immediately following the conclusion of the CIC meeting scheduled for 5:45 p.m.

Montgomery Community Improvement Corporation-(CIC)

At 5:45 p.m., the Montgomery Community Improvement Corporation (CIC) and the CIC Board of Trustees to review the financial statements and 2022 revenue and expenditures for the CIC.

Business Session

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Special Presentation
5. Guest and Residents
6. Legislation for Consideration this Evening
 - a. A Resolution Establishing Compensation for The City Manager—The Government Affairs Committee of City Council has requested that the attached Resolution be presented to City Council. This Resolution will authorize an amendment to the current employment agreement with Mr. Brian Riblet as the City Manager of Montgomery. This Resolution is the result of the recent performance appraisal of the City Manager conducted by City Council. The Government Affairs Committee of City Council has recommended adoption of this Resolution.

Make a motion to add to the agenda

Voice Vote

Assign to a Council Member for Reading

Move to read the Resolution by title only

Voice Vote

Move passage of the Resolution

Roll Call Vote

Pending Legislation

There is no pending legislation

Since all following legislation has been made available to the public before this evening's meeting it is moved that Council accept the legislative Agenda and read all legislation by title only.

Voice Vote

New Legislation

- a. A Resolution Authorizing An Agreement With The Vintage Club Community Association, Inc. To Construct Roadway Improvements Within The Vintage Club Subdivision—(Mr. Cappel) Information has been previously supplied on this Resolution 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.

Since the February 15 Work Session, the Alternate Bids proposed by Barrett for the Vintage Club work have been reviewed and accepted by the Community Association. The updated Agreement with these final costs and with the designation of the Escrow Agent, Barron, Peck, Bennie & Schlemmer, is attached to the legislation for Council's review and approval at the March 1 Business Session.

Move for passage of the Resolution

Explain

Roll Call Vote

- 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—(Mr. Cappel) Information has been previously supplied on this Resolution requesting that City Council consider authorizing the City Manager to enter into an agreement with Barrett Paving Materials Inc. for the 2023 Street Resurfacing Program. Since the February 15 Work Session occurred, an updated Resolution has been prepared to reflect the increase of the contract amount to include Alternates 3-7 related to the Vintage Club repaving. The contract now includes the project Base Bid and Alternates #1 through #7 for funding in the amount of \$1,242,563.68 which is programmed in the Capital Improvement Program 410-261-5470. The amount of the recommendation includes \$59,169.43 in project contingency funding, which is an amount equal to 5.0% of the total of the Base Bid and Alternates #1 through #7.

Move for passage of the Resolution

Explain

Roll Call Vote

- 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—(Mr. Suer) Information has been previously supplied on this Resolution requesting that City Council consider the approval of this Resolution authorizing an 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.

Move for passage of the Resolution

Explain

Roll Call Vote

- 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—(Mrs. Naiman) Information has been previously supplied on this Resolution requesting that City Council consider the approval and authorize 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.

Move for passage of the Resolution

Explain

Roll Call Vote

- 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—(Mrs. Naiman) Information has been previously supplied on this Resolution requesting that City Council consider 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.

Move for passage of the Resolution

Explain

Roll Call Vote

7. Administration Report
8. Minutes-February 15, 2023 Work Session
9. Mayor's Court Report
10. Other Business
11. Executive Session
12. 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 COUNCIL BUSINESS SESSION AGENDA

10101 Montgomery Road • Montgomery, Ohio 45242
(513) 891-2424 • Fax (513) 891-2498

March 1, 2023

City Hall

Immediately following the Montgomery Community Improvement Corporation meeting at 5:45 p.m.

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Special Presentation
5. Guest and Residents
6. Legislation for Consideration for this Evening
 - a. A Resolution Establishing Compensation for The City Manager

Make a motion to add to the agenda

Voice Vote

Assign to a Council Member for Reading

Move to read the Resolution by title only

Voice Vote

Move passage of the Resolution

Roll Call Vote

Pending Legislation

There is no pending legislation

Since all following legislation has been made available to the public before this evening's meeting it is moved that Council accept the legislative Agenda and read all legislation by title only.

Voice Vote

New Legislation

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

Move for passage of the Resolution

Explain

Roll Call Vote

- 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—(Mr. Cappel)

Move for passage of the Resolution

Explain

Roll Call Vote

- 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—(Mr. Suer)

Move for passage of the Resolution

Explain

Roll Call Vote

- 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—(Mrs. Naiman)

Move for passage of the Resolution

Explain

Roll Call Vote

- 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—(Mrs. Naiman)

Move for passage of the Resolution

Explain

Roll Call Vote

7. Administration Report

8. Approval of Minutes - February 15, 2023 Work Session

9. Mayor's Court Report

10. Other Business

11. Executive Session

12. Adjournment

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

RESOLUTION NO. , 2023

A RESOLUTION ESTABLISHING COMPENSATION FOR THE CITY MANAGER

WHEREAS, Council, by authority of Article IV, Section 4.01 of the City Charter, is charged with the responsibility for appointment and compensation of the City Manager; and

WHEREAS, Council has completed its annual performance review of the City Manager, and in conjunction with that performance review has recommended an increase in compensation.

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

SECTION 1. Commencing March 1, 2023, salary compensation for the City Manager shall be fixed at One Hundred Eighty Seven Thousand Nine Hundred Seventy Six and 25/100 Dollars (\$187,976.25) per year. If necessary to accommodate the schedule for payroll, the City Manager shall be paid a lump sum during the next effective pay period for the change in compensation effective March 1. Additional compensation shall continue to be paid to the City Manager in the amount of Six Thousand Dollars (\$6,000.00) per year, payable in monthly installments, representing reimbursement to him for costs incurred for use of his personal automobile for City business.

SECTION 2. Effective the first pay period following approval of this Resolution, additional compensation payable to the City Manager shall include a lump sum payable in the amount of Seven Thousand Five Hundred Dollars (\$7,500.00) per year to the OML457 Deferred Compensation Plan, or other Deferred Compensation Plan in which

the City Manager may be entitled to participate through his employment with the City of Montgomery. This deferred compensation shall be paid in a lump sum in each future year with the first full pay period in March.

SECTION 3. Consistent with the adjustments made in 2021, the cap for accrued vacation for the City Manager shall be established at Four Hundred Eighty (480) hours.

SECTION 4. All other provisions of the Employment Agreement executed between the City Manager and the City of Montgomery with his hire in January 2018 and as amended for increased Severance Compensation shall remain in full force and effect.

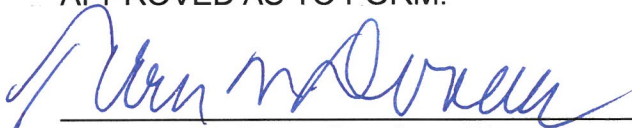
SECTION 5. This Resolution shall take effect at the earliest opportunity allowed by law.

PASSED: _____

ATTEST _____
Connie M. Gaylor, Clerk of Council

Craig D. Margolis, Mayor

APPROVED AS TO FORM:



Terrence M. Donnellon, Law Director

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 21, 2023

Since our last meeting when we forwarded to the Agenda a Resolution Authorizing an Agreement with the Vintage Club Subdivision for Roadway Improvements the Alternate Bids proposed by Barrett for the Vintage Club work have been reviewed and accepted by the Community Association.

The updated Agreement with these final costs and with the designation of the Escrow Agent, Barron, Peck, Bennie & Schlemmer, is attached to the legislation for Council's review and approval at the March 1 Business Session. A companion piece will be the updated Resolution approving a contract with Barrett Paving Materials, Inc. for the 2023 Street Resurfacing Program which includes these new costs.

Respectfully submitted,



Terrence M. Donnellon,
Law Director

TMD/ld

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.

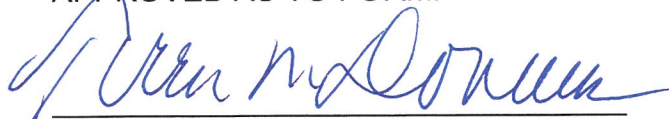
SECTION 3. This Resolution shall be in full force and effect from and after its passage.

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 ("Vintage Club Subdivision" or "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 Subdivision, including Vintage Walk, Traditions Turn, Gaslight Lane, and Vintage Club Drive, were platted, engineered and constructed; and

WHEREAS, the Developer of the 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 Street Resurfacing Program to allow the City through its contractor to repair and repave certain improved streets within the 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, the City has developed bid specifications and publicly bid its 2023 Street Resurfacing Program which included Alternate Bids for a portion of the Subdivision streets requested by the Association, which bid specifications including the Alternate Bids are attached hereto as **Schedule 1**; and

WHEREAS, the engineering specifications for such repair work to the Subdivision streets, as prepared by the City consistent with the City's standards for public improvements, have been reviewed and accepted by the Association; and

WHEREAS, based upon these combined specifications, the City has competitively bid the 2023 Street Resurfacing Program including the Alternate Bids, and the City has received a bid from Barrett Paving Materials, Inc., which the City has determined to be the lowest and best pricing for the 2023 Street Resurfacing Program; and

WHEREAS, the cost for the Alternate Bids for the Vintage Club Subdivision work are:

Alternate Bid 3	\$68,055.00
Alternate Bid 4	\$40,258.00

Alternate Bid 5	\$67,063.50
Alternate Bid 6	\$47,235.00
Alternate Bid 7	\$17,992.00; and

WHEREAS, the Association has reviewed the Alternate Bids and has requested the City contract with Barrett Paving Materials, Inc. to accept Alternate Bids 3 through 7 at a total cost of Two Hundred Forty Thousand Six Hundred Three and 50/100 Dollars (\$240,603.50), and to award and manage a contract for such work; 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 Subdivision; 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 Subdivision 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 depicted in the **Schedule 1** attached hereto and identified as Alternate Bids 3 through 7 consistent with the cost proposed by Barrett Paving Materials, Inc. 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. The Alternate Bids have been received and authorized by the Association embedded within the City's 2023 Street Resurfacing Program contract with Barrett Paving Materials, Inc. Within Five (5) days of the review and acceptance of this Agreement, the Association shall deposit with Barron, Peck, Bennie & Schlemmer Co. LPA as Escrow Agent the total cost of such approved improvements plus a Contingency of Five percent (5%) totaling Two Hundred Fifty Two Thousand Six Hundred Thirty Three and 68/100 Dollars (\$252,633.68), to assure prompt payment for the work as completed. 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. The cost of the Escrow Agent's services shall be deducted from the escrow funds consistent with the terms of a separate Escrow Agreement accepted by both Montgomery and the Association.

3. 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 Orders apply to work within the Association streets, the Association shall be bound by such Change Order. In the event any Change Order modifies the scope of the work of Alternate Bids 3 through 7 and increases the contract costs for construction of any or all of the Alternate Bids, before the City accepts such Change Order the City shall notify a representative of the Vintage Club to approve such Change Order, which approval shall not be unreasonably withheld, and which approval shall be given in a timely manner so as not to disrupt construction services. 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 and the costs of the Escrow Agent for such escrow funds, 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. Any monies remaining at the end of construction and at the end of the escrow services shall be refunded to the Association.

4. The Association hereby grants an irrevocable license to the City, its Contractor, Barrett Paving Materials, Inc., and its subcontractors, 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 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.

5. 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 rests solely with the City, which discretion the City has exercised to award such contract to Barrett Paving Materials, Inc. 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.

6. 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.

7. 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.

8. 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. c/o Douglas C. Hinger 4000 Executive Park Drive, Suite 250 Cincinnati, Ohio 45241
With a copy to:	Amy S. Ferguson, Esquire Cuni, Ferguson & LeVay Co. LPA 10655 Springfield Pike Cincinnati, Ohio 45215

9. 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: _____
Douglas C. Hinger

Its: _____

Date: _____

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

By: _____
Brian K. Riblet

Its: City Manager

Date: _____

APPROVED AS TO FORM:

Terrence M. Donnellon
Director of Law

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 \$1,242,563.68 received from Barrett Paving Materials, Inc. for the 2023 Street Resurfacing Program, including Alternates 1 through 7, 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 Alternate Bids 1 through 7 and a contingency of approximately \$59,169.43 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.

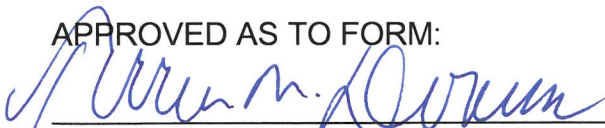
SECTION 3. This Resolution shall be in full force and effect from and after its passage.

PASSED: _____

ATTEST: _____
Connie M. Gaylor, Clerk of Council

Craig D. Margolis, Mayor

APPROVED AS TO FORM:



Terrence M. Donnellon, Law Director

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.

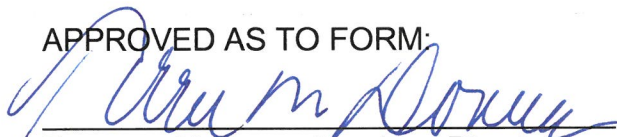
SECTION 3. This Resolution shall be in full force and effect from and after its passage.

PASSED: _____

ATTEST: _____
Connie M. Gaylor, Clerk of Council

Craig D. Margolis, Mayor

APPROVED AS TO FORM:



Terrence M. Donnellan, Law Director

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

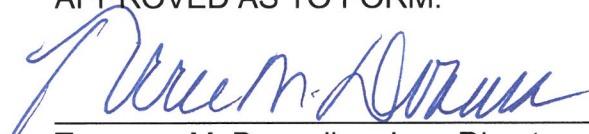
its passage.

PASSED: _____

ATTEST: _____
Connie M. Gaylor, Clerk of Council

Craig D. Margolis, Mayor

APPROVED AS TO FORM:



Terrence M. Donnellon, Law Director



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:
City of Montgomery Dan Miller 10101 Montgomery Road Montgomery, OH 45242 United States

Ship To
Swaim Park 7650 Cooper Rd Montgomery, OH 45242

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: _____

Subtotal	\$117,810.00
Sales Tax (0.0%)	\$0.00
Total	\$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 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.

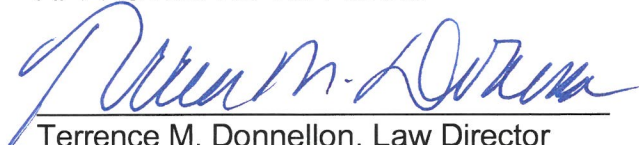
SECTION 4. This Resolution shall be in full force and effect from and after its passage.

PASSED: _____

ATTEST: _____
Connie M. Gaylor, Clerk of Council

Craig D. Margolis, Mayor

APPROVED AS TO FORM:



Terrence M. Donnellon, Law Director



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			Sub Total	\$125,056.02
			Discount	(\$24,435.31)
			Freight	\$3,090.96
			Total	\$103,711.67



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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.



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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.



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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

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 Work Session Minutes
February 15, 2023

Present

Brian Riblet, City Manager
Terry Donnellon, Law Director
Chris Bigham, Interim Finance Director
Kevin Chesar, Community Dev. Dir.
John Crowell, Police Chief
Mike Rogers, Asst. Public Works Director
Julie Machon, Parks & Recreation Director
Paul Wright, Fire Chief
Matthew Vanderhorst, Community and Information Serv. Dir.
Amy Frederick, Communications and Engagement Coord.
Connie Gaylor, Clerk of Council
Wendy Grethel, Customer Service & Volunteer Specialist

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 February 15, 2023 at 5:30 p.m. at City Hall with Mayor Margolis presiding.

ROLL CALL

Mayor Margolis asked for a motion to dispense with roll call as all council members were present. Mr. Cappel made the motion to dispense with roll call. Mr. Dobrozsi seconded. City Council unanimously agreed.

EXECUTIVE SESSION

Mayor Margolis asked for a motion to go into Executive Session to consider confidential information of an applicant for economic development assistance. Mr. Cappel made a motion to consider confidential information of an applicant for economic development assistance. Vice Mayor Bissmeyer seconded.

The roll was called and showed the following vote:

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

Council adjourned into Executive Session at 5:31 p.m.

Council reconvened into Public Session at 6:07 p.m.

SPECIAL PRESENTATIONS

Vice Mayor Bissmeyer presented Jim Matre with a Certificate of Appreciation for his service on the Planning Commission. City Council and Staff expressed their gratitude to Mr. Matre for his commitment to the community for the past 16 years.

Julie Machon, Parks and Recreation Director introduced Lisa Lorenz to City Council as the newest member of the Public Works/Recreation Department.

Jeff Gardner with the Montgomery Farmers Market presented an update on the Montgomery Farmers Market to City Council on the 2022 season and the upcoming 2023 season.

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City Council Work Session Minutes

February 15, 2023

Page 2

55 **LEGISLATION FOR CONSIDERATION THIS EVENING**

56

57 There was no legislation for consideration at the meeting.

58

59 **ESTABLISHING AN AGENDA FOR MARCH 1, 2023 BUSINESS SESSION**

60

61 **PENDING LEGISLATION**

62

63 There was no pending legislation.

64

65 **NEW LEGISLATION**

66

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

69

70 Mayor Margolis assigned the legislation to Mr. Cappel.

71

72 Mr. Donnellon explained that, if approved, this Resolution will authorize the City Manager to enter into an
73 agreement with the Vintage Club Community Association Inc. for roadway improvements within the Vintage Club
74 Association. Mr. Donnellon explained that The Vintage Club Community Association, Inc. has approached the
75 City to piggy-back upon the City's road improvement contract to repair and repave certain streets within the Vintage
76 Club Subdivision solely at the cost of the Association. The City Administration has negotiated an Agreement to
77 complete these repairs, which Agreement includes the licensed authorization to enter upon these private streets
78 contingent upon the Association reviewing and accepting Bid Alternatives and funding the entire cost of
79 construction with an Escrow Agent in advance of contracting. In a companion piece of legislation, the City is
80 approving a contract for the 2023 Street Resurfacing Program.

81

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

90

91 Mr. Messer asked if there was any liability on the City's part for the roadway improvements.

92

93 Mr. Donnellon replied there would not be. He added that the Vintage Club Community representatives have
94 reviewed the engineer specifications and the site has been inspected. He stated that this agreement was to allow the
95 association to participate in our bid for budgetary purposes.

96

97 Mr. Messer asked if this would set a precedence of other developments.

98

99 Mr. Riblet responded that he did not feel it would as this subdivision is unique in that the streets are not dedicated
100 streets and are treated differently than other city streets. He added that CT Consultants performed a complete review.

101

102 Mrs. Naiman asked if the City would be fronting the funds to pave their streets.

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City Council Work Session Minutes

February 15, 2023

Page 3

103

104 Mr. Donnellon responded that the Association would review and accept the bid alternatives and fund the entire cost
105 of construction with an Escrow Agent in advance of contracting.

106

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

109

110 Mayor Margolis assigned the legislation to Mr. Cappel.

111

112 Mr. Rogers explained that, if approved, this Resolution would authorize the City Manager to enter into an agreement
113 with Barrett Paving Materials Inc., for the 2023 Street Resurfacing Program. It is requested that this project Base
114 Bid and Alternates #1 and #2 be approved for funding in the amount of \$989,930.00 which is programmed in the
115 Capital Improvement Program 410-261-5470. The amount of the recommendation includes \$47,139.25 in project
116 contingency funding, which is an amount equal to 5.0% of the total of the Base Bid and Alternates #1 and #2
117 amount. This project includes 2.34 centerline miles.

118

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

122

123 Mayor Margolis assigned the legislation to Mr. Suer.

124

125 Mr. Riblet explained that, if approved, this legislation would authorize an agreement with MA Design to provide
126 professional services for the Ronald Reagan Highway and Montgomery Road Roundabout Improvements. This
127 agreement would be for an amount not to exceed \$205,000 with MA Design to complete design, engineering,
128 construction drawings, and opinion of construction costs for the project. In anticipation of this project, funding has
129 been included in the 480.000.5470 Downtown Improvement operating and capital budgets for both 2023 and 2024.

130

131 Mr. Dobrozsi asked if the bid could be broken into sections to adhere to budgetary processes.

132

133 Mr. Riblet replied that he was correct in that funds have been budgeted in the 2023 and 2024 budgets to provide
134 flexibility in timelines of design and construction phases. Mr. Riblet added that we won't know specific costs until
135 we receive 100% of construction drawings and estimates.

136

137 Vice Mayor Bissmeyer inquired about the timeline of the project.

138

139 Mr. Riblet responded that, if approved, the estimated two to three months to receive final design and estimates with
140 the anticipation to bid out in late summer and begin construction in late fall.

141

142 Mr. Cappel asked if the construction of this project would affect the installation and completion of Cameron Lane
143 as far as infill and construction.

144

145 Mr. Riblet responded that this project should have no effect on that process.

146

147 Mrs. Naiman asked if the \$205,000 fee was comparable to industry standards.

148

149 Mr. Riblet replied that design costs are typically 10% of construction costs.

150

151 Mr. Suer stated that this project has been researched and thoroughly vetted by staff and Council and he advised to
152 continue moving ahead with the project.

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City Council Work Session Minutes

February 15, 2023

Page 4

153

154 Mr. Messer stated that he felt moving ahead was the right thing to do with this project. He stated that he liked the
155 flexibility of budgeting the costs over the years to allow for flexibility of funding.

156

157 Mayor Margolis stated that this project addresses the aesthetics of the gateways into the city that has been a focus
158 of the strategic plan for several years now.

159

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

162

163 Mayor Margolis assigned the legislation to Mrs. Naiman.

164

165 Ms. Machon explained that, if approved, this Resolution would authorize the City Manager to enter into contract
166 with Landscape Structures for the purchase of playground equipment through Ohio State bid purchasing contract
167 (Index#STS640, Contract #8000841). Replacement and installation of playground equipment was programmed in
168 the 2022 Capital Improvement Program and was carried over for use in 2023. The legislation amount requested is
169 \$117,810.00 and would be funded through the 410-303-5470 account. Ms. Machon explained that the playground
170 equipment has exceeded its lifespan and needs replacement. She explained that the equipment purchased is split
171 between two vendors to obtain the desired pieces at the best pricing.

172

173 **A Resolution Authorizing The City Manager To Enter Into A Contract With Playcore Wisconsin Inc. D/B/A**
174 **GameTime Through Omnia Partners For The Purchase Of Playground Equipment**

175

176 Mayor Margolis assigned the legislation to Mrs. Naiman.

177

178 Ms. Machon continued her presentation of the proposed playground equipment from GameTime in the amount of
179 \$103,711.67. The purchase would be funded through the 410-303-5470 account through the Omnia Partners
180 cooperative purchasing agreement (City membership identification number 4026217).

181

182 Ms. Machon presented drawings of the proposed playground pieces to City Council.

183

184 Vice Mayor Bissmeyer asked if the old equipment was being donated.

185

186 Mr. Riblet responded that the Village of Higginsport in Brown County Ohio has reached out in interest of accepting
187 the old equipment and transporting to their village for reconstruction.

188

189 **ADMINISTRATION REPORT**

190

191 Mr. Riblet reported the following items:

192

193 • The next City Council Business Session is scheduled for Wednesday, March 1 immediately following a
194 CIC meeting scheduled at 5:45 p.m. Mr. Cappel made a motion to commence with the Business Session
195 immediately following the CIC meeting. Vice Mayor Bissmeyer seconded. City Council unanimously
196 agreed.

197

198 • The Law and Safety, Financial Planning and Planning, Zoning and Landmarks Committees have cancelled
199 their meetings for March.

200

201 • Mr. Riblet stated that he would provide an update on the Committee meetings scheduled for Monday, March
202 13 at the March 1 Business Session.

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City Council Work Session Minutes

February 15, 2023

Page 5

203

204

- A contract with The Gertz Company was signed for our annual fire hydrant replacement program in an amount of \$37,637.00 to replace 14 identified fire hydrants within the city. Work is anticipated to begin in the coming weeks.

206

207

208

- This year's Tree City USA event will be held on Thursday, April 20 at the Fairfield Community Arts Center. This is typically a 11:00 a.m. to 1:00 p.m. luncheon and awards ceremony. If you would like to attend, please let Mike Rogers know and he will be happy to get you registered.

209

210

211

212

- There will be a Hamilton County Municipal League meeting on Saturday, March 18 from 9:00 to 11:00 a.m. at the Sharonville Fire Department. An agenda is not available at this time. Please let Ms. Gaylor know if you would like to attend this event.

213

214

215

216

- The Development Team would like to extend an invitation to City Council and Senior Staff for a hard-hat tour of the apartments on Friday, May 5 from 3:00 to 4:00 p.m. Based on your feedback and availability this potentially could be adjusted.

217

218

219

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

221

222

LAW DIRECTOR REPORT

223

224

Mr. Donnellon reported that he was working on multiple contracts regarding a security camera system with Turnkey Technologies as well as continued development in the Vintage Club. He will also be attending an Ohio Municipal League Board meeting in Columbus on February 17, 2023.

225

226

227

228

CITY COUNCIL REPORTS

229

230

Mr. Cappel

231

232

Mr. Cappel reported that cardboard recycling would be held on Saturday, February 18.

233

234

Mr. Cappel also reported that at the February 14, 2023 Environmental Advisory Commission (EAC) an election of officers was held. He stated that Greg Brodrick remains as the Chair, Alice Aguilar as the Vice-Chair and Elaine Cohen as the secretary.

235

236

237

238

Vice Mayor Bissmeyer

239

240

Vice Mayor Bissmeyer reported that at the Planning, Zoning and Landmarks Committee meeting held on February 6, staff presented a proposal for a Community Comprehensive Plan Request for Proposal (RFP). The Committee advised staff to proceed with the RFP process.

241

242

243

244

Mr. Dobrozsi

245

246

Mr. Dobrozsi reported that the Improv at the Uni event would be held on Thursday, February 16.

247

248

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City Council Work Session Minutes

February 15, 2023

Page 6

249

250 **Mrs. Naiman**

251

252 Mrs. Naiman reported that the Beautification and Tree Commission met and held their election of officers. All
253 officers remained the same with Aaron Kellenberger as Chair, Darla Hall as Vice Chair and Jane Hohn as secretary.

254

255 Mrs. Naiman attended a Sycamore Schools Advisory Council meeting.

256

257 Mrs. Naiman made a motion to appoint Mike Hawkins to the Diversity and Inclusion Commission for a term ending
258 on January 31, 2024. Mr. Cappel seconded. City Council unanimously agreed.

259

260 **Mr. Suer**

261

262 No report.

263

264 **Mr. Messer**

265

266 Mr. Messer reported that a Civil Service Commission meeting was held with election of officers. He reported that
267 the officers remained the same with Benny Miles as Chair, Fred Kleiser as Vice Chair and Mike Hawkins as
268 Secretary.

269

270 **Mayor Margolis**

271

272 Mayor Margolis reported that he met with two young residents who were working to earn a badge as Webelo through
273 their Cub Scout group.

274

275 **MINUTES**

276

277 Mr. Cappel moved to accept the February 1, 2023 Business Session minutes as written. Mr. Messer seconded. City
278 Council unanimously agreed.

279

280 **MAYORS COURT**

281

282 Mayor Margolis stated that there was a Mayor Court Report for the month of January, 2023 and asked for a motion
283 to accept and disburse the funds. Mr. Cappel made a motion to accept and disburse the January 2023 Mayor Court
284 collections in the amount of \$4,470.00. Vice Mayor Bissmeyer seconded. City Council unanimously agreed.

285

286 **OTHER BUSINESS**

287

288 There was no other business.

289

290 **EXECUTIVE SESSION**

291

292 Mayor Margolis asked for a motion to go into Executive Session to consider the appointment, employment and
293 compensation of a public employee or official. Mr. Cappel made a motion to consider the appointment, employment
294 and compensation of a public employee or official. Vice Mayor Bissmeyer seconded.

295

296 The roll was called and showed the following vote:

297

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

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 Work Session Minutes

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299 NAY: (0)

300

301 Council adjourned into Executive Session at 7:38 p.m.

302

303 Council reconvened into Public Session at 9:04 p.m.

304

305 **ADJOURNMENT**

306

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

309

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

311

312 City Council adjourned at 9:05 p.m.

313

314

315

316

Connie Gaylor, Clerk of Council