

City of Montgomery  
City Council Work Session Minutes  
March 22, 2023

Present

Brian Riblet, City Manager  
Terry Donnellon, Law Director  
Tracy Henao, Asst. City Manager  
Maura Gray, Finance Director  
Kevin Chesar, Community Dev. Dir.  
Greg Vonden Benken, Asst. Police Chief  
Gary Heitkamp, Public Works 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 and 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 March 22, 2023 at 6:00 p.m. at City Hall with Mayor Margolis presiding.

**ROLL CALL**

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

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

**SPECIAL PRESENTATIONS**

Mr. Riblet introduced Ms. Maura Gray to City Council as the new Finance Director for the City. City Council welcomed Ms. Gray to the Montgomery family and wished her well in her new role.

Mrs. Naiman presented William and Patricia Matulewicz with a Certificate of Appreciation as the 2022 Winter Seasons of Beauty Winners. City Council thanked the Matulewicz's for their dedication in maintaining their beautiful home during the holiday season and year around.

Staff provided an update on the 2022-2026 Strategic Plan focusing on the progress of each goal from 2022 to current day as well as discussing what was to come throughout the 2023 year.

**LEGISLATION FOR CONSIDERATION THIS EVENING**

There was no legislation for consideration at the meeting.

**ESTABLISHING AN AGENDA FOR APRIL 5, 2023 BUSINESS SESSION**

**PENDING LEGISLATION**

There was no pending legislation.

**NEW LEGISLATION**

**A Resolution Advocating For The Restoration of The Local Government Fund To Pre-Recession Levels**

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Mayor Margolis assigned the legislation to Mr. Suer.

Mr. Donnellon explained that, if approved, this Resolution will formally endorse Council’s support to maintain the Local Government Fund as a part of the State Budget. The Local Government Fund provides valuable resources to many communities throughout the State of Ohio, and it has been cut in half over the last 10+ years causing a considerable budget strain for many small communities. Mr. Donnellon added that at this time the legislature is still debating this issue and did not anticipate a decision for several months. He stated that this legislation openly endorses City Council’s support for the Fund.

Mrs. Naiman asked if there were specific individuals at the State level who would champion the restoration of the local government fund.

Mr. Donnellon replied that he believes The Montrose Group on behalf of the Ohio Municipal League (OML), with OML leadership, is lobbying at the State level to reinstate the fund.

Vice Mayor Bissmeyer asked if our District 28 representatives were on board.

Mr. Donnellon replied that both Representative Miranda and Senator Blessing are on board of reinstating the fund.

Mr. Messer asked if there was a rough estimate of how much the city could receive if reinstated.

Mr. Riblet replied that we only receive around \$150,000 or less and that we have not included those funds in our budget revenues since its decline. He stated that it was imperative for smaller jurisdictions and that is why the City should support reinstating the fund.

**A Resolution Authorizing The City Manager To Accept The Opioid Settlement And Enter Into The Participation Agreement With Opioid Manufacturers Teva And Allergan And Pharmacies/Distributors CVS, Walgreens And Walmart**

Mayor Margolis assigned the legislation to Mr. Messer.

Mr. Donnellon explained that, if approved, this Resolution, like previous legislation, endorses the City’s support to settle litigation with various opioid manufacturers and pharmacies who have been sued across the United States. He explained that the City participates through One Ohio Negotiating Committee headed by the Ohio Attorney General. This legislation authorizes us to accept the Participation Agreement and execute an appropriate Settlement and Release to secure these funds for the benefit of the State and many of its local subdivisions.

Mr. Messer asked if there was an idea of how much could be received through this settlement.

Mr. Donnellon replied that it was hard to estimate due to the allocations of the settlement being divided by the State, Hamilton County and then the local government. He added that the payout would also be based on the size of the local government.

**An Ordinance Amending Chapter 156.02 of The Land Usage Code, Subdivision Regulations: Requirements For Subdivision Approval**

Mayor Margolis assigned the legislation to Vice Mayor Bissmeyer.

Mr. Chesar explained that, if approved, this Ordinance will authorize a series of text amendments to Chapter 156.02 Subdivision Regulations: Requirements for Subdivision Approval, to become consistent with the Hamilton County

110 Engineers Office. He stated that minor updates to the Subdivision Regulations are proposed to modernize the  
111 regulations for consistency with Hamilton County Engineers Office as well as correcting minor reference links.  
112 Community Development and Public Works Staff have cooperatively worked to review and proposed legislative  
113 changes.  
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115 **An Ordinance Amending Chapter 157 of The Land Usage Code, Floodplain Management Regulations And**  
116 **Flood Damage Prevention, And Declaring An Emergency**  
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118 Mayor Margolis assigned the legislation to Vice Mayor Bissmeyer.  
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120 Mr. Chesar explained that, if approved, this Ordinance will authorize a series of text amendments to Chapter 157  
121 Flood Damage Protection. He added that the Federal Emergency Management Agency (FEMA) has issued a Letter  
122 of Final Determination to the city that contains revised Flood Insurance Study and Flood Insurance Rate Maps that  
123 will become effective on June 7, 2023. He explained that this means that all National Flood Insurance Program  
124 (NFIP) participating communities affected by the revised mapping in Hamilton County will be required to update  
125 their locally adopted floodplain management regulations, so they are effective by this date. As such, the City of  
126 Montgomery is required to update locally adopted floodplain ordinance/resolution to be fully compliant with NFIP  
127 minimum criteria. The updated maps and associated language changes periodically occur with the last text update  
128 in 2004 and map updates in approximately 2010.  
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130 Mr. Messer asked when the last time was that the City had to utilize the flood insurance rate maps.  
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132 Mr. Heitkamp replied that occasionally staff will refer back to the maps when a property has a FEMA flood plain  
133 identification on it. He stated that was pretty rare. He explained that by updating the maps and adopting the text  
134 amendments that those properties located within a flood plain could obtain insurance through a federally backed  
135 program.  
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137 Ms. Henao added that years ago Ohio National were required to get permission for the installation of a generator  
138 due to the location and elevation of the floodway.  
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140 Mr. Cappel stated that since it was a national standard, effectively council would have no choice but to pass it.  
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142 Mr. Chesar replied that Mr. Cappel was correct and if the City did not comply then residents would not be able to  
143 obtain flood plain insurance.  
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145 **ADMINISTRATION REPORT**  
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147 Mr. Riblet reported the following items:  
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- 149 • The next City Council Business Session is scheduled for Wednesday, April 5 at 6:00 p.m.
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- 151 • The Financial Planning Committee will meet on Monday, April 3 at 4:30 p.m. The Law and Safety and  
152 Planning, Zoning and Landmarks Committees have cancelled their meetings for April.
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- 154 • The Committee meetings for Monday, April 10 will be confirmed at the April 5 meeting.
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- 156 • Thank you to City Staff and City Council who worked to make MCLA the great success it was this year.
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- 158 • Barrett Paving has resumed construction of the Pfeiffer / Deerfield Roundabout project and are making  
159 quick work on the northeast corner of the intersection by removing existing pavement, excavating soft sub-  
160 surface material, and installing roadway base (geogrid, geofabric, and gravel).

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- Public Works staff continues to replace existing street name signs with ones implementing the City’s new logo, including the installation of new internally illuminated street name signs on the traffic signal mast arms at the Pfeiffer / Storybook and Cooper / Delray intersections. A process is being set up to sell old signs to residents.

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- A Zoom meeting with Braver Angels was held including Council members Naiman and Messer to review and plan for the April 20 “Managing Difficult Conversations” workshop. Mr. Messer added that both he and Vice Mayor Bissmeyer had been accepted into the FBI Academy and would not be available on April 20. He explained they had just informed that day. Mr. Riblet replied he would look into the availability of another day with the Braver Angels facilitator and let Council know.

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- This past Sunday, an advertisement seeking Request for Qualifications (RFQ) for a Construction Manager at Risk (CMAR) for Stage II of the Montgomery Quarter Project was run. Mr. Riblet asked for a motion to support the following as the selection committee: Law Director Terry Donnellon, Assistant City Manager Tracy Henao, Public Works Director Gary Heitkamp and himself. Mr. Cappel made a motion of support of the selection committee as defined by Mr. Riblet. Mr. Messer seconded. City Council unanimously agreed.

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- On Monday, the City received four submissions from interested firms to conduct a Community Comprehensive Plan process. Mr. Riblet explained that as staff finalizes the steering committee to work through the process, he would like to include three council members. He stated that he would need a final decision by the end of the week. Mr. Suer, Mr. Dobrozsi and Vice Mayor Bissmeyer expressed interest in being on the committee.

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- It is the time of the year for the Boards and Commission Chair updates with Council. There are now 11 updates to be scheduled at 15 minute intervals, in order to fit all updates in would Council prefer to schedule these prior to Council meetings or to have the reports to be submitted electronically as we did during the pandemic. If meeting in person, how would Council like to schedule the meetings in order to accommodate all updates. Council expressed that they would like to meet in person and discussed the variation of times to begin the updates and the Council meeting according to the availability of Council members. A decision will be confirmed at the next council meeting.

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Human Resources

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- Firefighter/Paramedic Trevor Myers started on Tuesday, March 21. Prior to joining us, Trevor worked part-time at Springfield Township.
- Firefighter/Paramedic Dan Thatcher starts on Friday, March 24. Dan comes to us from the City of Norwood where he worked for 11 years.

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Events

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

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- As a reminder, the Development Team has extended 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.

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- You all may have seen your Save the Date email from Amy Fredericks today for the MQ Celebration scheduled for Friday, May 19 at the MQ site. This event will run from 6:00 to 9:30 pm and will

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212 celebrate the accomplishments of many years of work between the City and the Development Team.  
213 Please mark your calendars to attend this special event.  
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215 Mr. Riblet requested an Executive Session for matters related to potential or imminent court action and to consider  
216 confidential information of an applicant for economic development assistance.  
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218 **CITY COUNCIL REPORTS**

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220 **Mr. Cappel**

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222 Mr. Cappel reported that at the Public Works Committee meeting staff provided an update on the Huntersknoll  
223 Water Management project. He stated that an updated design and cost estimate came in at a much higher cost than  
224 anticipated so the Committee supported deferring the project to 2024.  
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226 Mr. Cappel reported that cardboard recycling was held on March 18 and was much better due to the switch to a  
227 locking recycling dumpster to prevent contaminated items being comingled into the dumpster.  
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229 **Vice Mayor Bissmeyer**

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231 Vice Mayor Bissmeyer reported that the Planning Commission met and approved the three applications that were  
232 presented to them: an Attached Single Family application, Sycamore Schools and Bethesda North for a new entrance  
233 to the emergency room building.  
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235 **Mr. Dobrozsi**

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237 Mr. Dobrozsi reported that the at the Government Affairs Committee meeting the following items were discussed:

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- 239 • Police and Public Works items were declared surplus;
  - 240 • Hopewell Cemetery Expansion was discussed, and approval was given to pursue a scope and fee agreement  
241 with KZF Designs to obtain updated information regarding estimated construction costs, renderings and  
242 estimated return on investment;
  - 243 • The Service to the Community Grant was discussed and awards will go to Montgomery Farmers Market,  
244 You to the Rescue and the Jose Cerda Foundation.

245 Mr. Dobrozsi reported that at the Arts Commission meeting the following items were discussed:

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- 247 • Photo Contest will be held on April 2;
  - 248 • A Cultural Arts Survey is being conducted and will close at the end of April;
  - 249 • The Commission discussed a new event incorporating a restaurant tour.

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251 Mr. Dobrozsi reported the Sister Cities Commission discussed the following items:

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- 253 • Soiree En Blanc is scheduled for June 3 and will be held at the Montgomery Quarter;
  - 254 • Bastille Day planning.

255 Mr. Dobrozsi attended a Children's Hospital Donor Event in which Shane DiGiovanni was recognized as a  
256 "Superstar Employee." He reported that sadly Shane is battling cancer at this time.  
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258 **Mrs. Naiman**

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260 Mrs. Naiman reported that at the Parks and Recreation Commission the following topics were discussed:

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- 262 • Park connectivity and increased attendance;
  - 263 • Next Movie in the Park;
  - Pickleball.

264 Mrs. Naiman reported that at the Parks and Recreation Committee meeting a decision was made to restrict the hours  
265 at Dulle and Swaim tennis/pickleball courts from 8:00 a.m. to 7:00 p.m. She added that staff will be looking into  
266 installing locking gates and noise reduction acoustical walls. She stated there would be ongoing conversations for  
267 the future of pickleball courts.  
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269 Mrs. Naiman reported that at the last Diversity and Inclusion Commission meeting there was a presentation by Lucy  
270 Del Gadio on the use of pronouns.  
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272 Mrs. Naiman reported the Beautification and Tree Commission discussed the following topics:

- 273 • Summer Garden Tour with an artist at each home sketching the home and then displaying the art  
274 somewhere in Montgomery;
- 275 • B & T Talks-creating a structure for sponsorship of the talks.  
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277 Mrs. Naiman stated the Zoom meeting with Braver Angels was very informative and she felt that the City is ahead  
278 of other communities by having these communications.  
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280 **Mr. Suer**

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282 Mr. Suer provided feedback on the Braver Angels presentation to the MCLA class and felt they did not provide  
283 tools that the students could use. He stated that he would like to make sure there are practical applications such as  
284 take aways moving forward. He hoped the upcoming meeting would provide that.  
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286 Mr. Suer stated that he felt as staff revived this year's MCLA class after a two year break, they did a tremendous  
287 job.  
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289 **Mr. Messer**

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291 Mr. Messer stated that he also felt MCLA was an excellent program this year.  
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293 Mr. Messer added that he felt the Braver Angels Zoom meeting was effective and he took away from the meeting  
294 that the training would entail "How to listen more effectively" and "How to ensure you are being heard" as focus  
295 points.  
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297 **Mayor Margolis**

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299 Mayor Margolis stated that residents see the cost of living in Montgomery when they see their property tax bills.  
300 However, when they participate in MCLA, they see the value.  
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302 Mr. Margolis reported on the ODNR Tree Academy graduation held at Terwilliger Lodge.  
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304 **MINUTES**

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306 Mr. Cappel moved to accept the March 1, 2023 Business Session minutes as written. Vice Mayor Bissmeyer  
307 seconded. City Council unanimously agreed.  
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309 **MAYORS COURT REPORT**

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311 Mayor Margolis asked for a motion to disburse Mayors Court revenue for the month of February in the amount of  
312 \$8,145.  
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314 Mr. Cappel made a motion to disburse the Mayors Court revenue for the month of February in the amount of \$8,145.  
315 Vice Mayor Bissmeyer seconded. City Council unanimously agreed.

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**OTHER BUSINESS**

Mr. Riblet reminded Council of the out of service ambulance that was kept for purposes of being a mobile information vehicle. He presented a concept picture of the ambulance with vinyl wrapping that featured the City lamppost image included in the graphics to obtain feedback of the concept. He explained that staff took the vehicle to a custom food truck vendor to get a quote and was pleased to receive a quote for \$12,000 for the conversion of the ambulance into a mobile unit that will have a refrigerator and freezer inside, a 3' concession style window, cabinetry and the custom graphic wrap on the exterior. He stated that \$20,000 was budgeted for the conversion which would also leave funds for a sound/speaker system and other modifications. Mr. Riblet stated the vehicle was on course to be done by the end of May or beginning of June once the design was confirmed.

Mr. Riblet stated that a survey with staff was being conducted to submit four names that would then go out as a survey to the community to choose from. He stated this would be a wonderful engagement tool for the community.

**EXECUTIVE SESSION**

Mayor Margolis asked for a motion to go into Executive Session for matters related to potential or imminent court action and to consider confidential information of an applicant for economic development assistance. Mr. Cappel made a motion to adjourn into Executive Session for matters related to potential or imminent court action and 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)

Mayor Margolis stated there would be no further items discussed nor votes taken when Public Session was reconvened.

Council adjourned into Executive Session at 7:58 p.m.

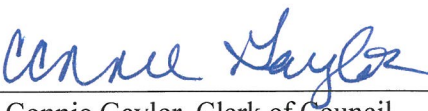
Council reconvened into Public Session at 9:03 p.m.

**ADJOURNMENT**

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

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

City Council adjourned at 9:03 p.m.

  
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Connie Gaylor, Clerk of Council