

City of Montgomery  
City Council Business Session Minutes  
June 7, 2023

Present

Brian Riblet, City Manager  
Terry Donnellon, Law Director  
Kevin Chesar, Community Dev. Director  
Maura Gray, Finance Director  
Gary Heitkamp, Public Works Director  
Matthew Vanderhorst, Community and Information Services Dir.  
Greg Vonden Benken, Asst. Police Chief  
Paul Wright, Fire Chief  
Amy Frederick, Community Engagement Coordinator  
Connie Gaylor, Clerk of Council

City Council Members Present

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

City Council Members Absent

Sasha Naiman

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City Council Convened its Business Session for June 7, 2023 at 6:33 p.m. at City Hall with Mayor Margolis presiding.

**ROLL CALL**

Mayor Margolis asked for a roll call.

The roll was called with Mrs. Naiman being absent.

Mr. Cappel made a motion to excuse Mrs. Naiman's absence as she was out of town. Vice Mayor Bissmeyer seconded. City Council unanimously agreed.

**SPECIAL PRESENTATIONS**

Vice Mayor Bissmeyer presented Vineet and Preeti Kshirsagar with a Certificate of Appreciation as the 2023 Spring Seasons of Beauty Winners.

City Council thanked the Kshirsagar family for their care and maintenance of their home earning them the recognition of being a Season of Beauty Winner by the Beautification and Tree Commission.

Mayor Margolis presented Sycamore High School student, Eugene Harney, with a proclamation recognizing his State Championship title win in wrestling.

City Council praised Eugene Harney for his hard work as an athlete and student and wished him well in his senior year as a Sycamore Aviator.

**PENDING LEGISLATION**

Mayor Margolis explained that since the following 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.

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

Vice Mayor Bissmeyer read the title and moved for passage of the Ordinance. Mr. Cappel seconded.

Vice Mayor Bissmeyer explained that information has been previously supplied on this legislation that, if approved, would authorize a series of text amendments to Chapter 156.02 Subdivision Regulations: Requirements for Subdivision Approval, to become consistent with the Hamilton County Engineers Office.

59  
60 Vice Mayor Bissmeyer asked if there were any updates.

61  
62 Mr. Chesar replied there were none.

63  
64 The roll was called and showed the following vote:

65  
66 AYE: Cappel, Bissmeyer, Dobrozsi, Margolis, Suer, Messer (6)  
67 NAY: (0)  
68 ABSENT: Naiman (1)

69  
70 **NEW LEGISLATION**

71  
72 **An Ordinance To Amend Appropriations For Current Expenses And Other Expenditures Of The City Of**  
73 **Montgomery, State Of Ohio, During The Fiscal Year Ending December 31, 2023**

74  
75 Mr. Suer read the title and moved for suspension of the second and third readings. Mr. Cappel seconded.

76  
77 The roll was called and showed the following vote:

78  
79 AYE: Bissmeyer, Dobrozsi, Margolis, Suer, Messer, Cappel (6)  
80 NAY: (0)  
81 ABSENT: Naiman (1)

82  
83 Mr. Suer explained that information has been previously supplied on this Ordinance that, if passed, will amend the  
84 appropriations for current expenditures for 2023 in the amount of \$886,300.00. This includes \$600,000 for a new  
85 eight-inch water main on Delray Drive of which \$544,969.65 will be reimbursed by Greater Cincinnati Water  
86 Works upon completion of the project as well as an increase of \$41,000 to the Vintage Club North TIF Fund 332  
87 for the amount of property taxes paid. The exemption for these taxes has been filed and a refund is expected within  
88 12-18 months. Additionally, an increase of \$101,000 to the Fire Department Fund 223 due to an increase if the  
89 Quint Fire vehicle of \$41,000 and a chase vehicle due to be delivered in 2023 at an approximate cost of \$60,000.

90  
91 Mr. Suer asked if there were any updates.

92  
93 Ms. Gray replied there were none.

94  
95 The roll was called and showed the following vote:

96  
97 AYE: Dobrozsi, Margolis, Suer, Messer, Cappel, Bissmeyer (6)  
98 NAY: (0)  
99 ABSENT: Naiman (1)

100  
101 **A Resolution Authorizing the City Manager to Enter into an Agreement with KT Holden Construction for**  
102 **the Delray Drive Watermain and Resurfacing Project**

103  
104 Mr. Cappel read the title and moved for passage of the Resolution. Mr. Messer seconded.

105  
106 Mr. Cappel explained that information has been previously supplied on this Resolution that, if approved, will  
107 authorize the City Manager to enter into a contract with KT Holden Construction to construct the Delray Drive  
108 Watermain Replacement and Resurfacing Project in the amount of \$744,300.00, which is the total of the Base Bid  
109 plus a 10% Contingency. The water main replacement will be paid for by GCWW in the amount of \$544,969.65,  
110 which will be reimbursed to the City (85% at the beginning of construction and 15% at the conclusion of  
111 construction). After the watermain work is complete, the entire roadway within the watermain replacement limits

112 will be resurfaced. The resurfacing portion of the project will be paid for by the City in the amount of  
113 \$131,651.40, which will be funded through account 410.261.5470.

114  
115 Mr. Cappel asked if there were any updates.

116  
117 Mr. Heitkamp replied there were none.

118  
119 The roll was called and showed the following vote:

120  
121 AYE: Margolis, Suer, Messer, Cappel, Bissmeyer, Dobrozsi (6)  
122 NAY: (0)  
123 ABSENT: Naiman (1)

124  
125 **A Resolution Authorizing The City Manager To Enter Into A Contract With YARD Group, LLC For**  
126 **Professional Planning Services For The Comprehensive Community Plan**

127  
128 Vice Mayor Bissmeyer read the title and moved for passage of the Resolution. Mr. Cappel seconded.

129  
130 Vice Mayor Bissmeyer explained that information has been previously supplied on this Resolution that, if  
131 approved, will authorize the City Manager to enter into a contract with YARD Group LLC to assist with the  
132 Community Comprehensive Plan update.

133  
134 Vice Mayor Bissmeyer asked if there were any updates.

135  
136 Mr. Chesar replied there were none.

137  
138 The roll was called and showed the following vote:

139  
140 AYE: Suer, Messer, Cappel, Bissmeyer, Dobrozsi, Margolis (6)  
141 NAY: (0)  
142 ABSENT: Naiman (1)

143  
144 Mr. Dobrozsi explained that he would recuse himself from the vote and discussion on the next two pieces of  
145 legislation. He explained that although he has no ownership interest in Neyer Properties, Inc. nor any in the  
146 limited liability companies in partnership to develop the Montgomery Quarter, he will continue to recuse himself  
147 from discussion and abstain from voting upon legislation related to the Montgomery Quarter project. Mr.  
148 Dobrozsi exited the dais.

149  
150 **An Ordinance Approving And Authorizing The Release Of A Portion Of The Roosa Street Right Of Way**  
151 **Dedicated To The City By The Montgomery Community Improvement Corporation Subject To Certain**  
152 **Terms And Conditions**

153  
154 Mr. Cappel read the title and moved suspension of the second and third readings. Vice Mayor Bissmeyer  
155 seconded.

156  
157 The roll was called and showed the following vote:

158  
159 AYE: Messer, Cappel, Bissmeyer, Margolis, Suer (5)  
160 NAY: (0)  
161 ABSENT: Naiman (1)  
162 ABSTAIN: Dobrozsi (1)

163  
164 Mr. Cappel moved passage of the Ordinance. Vice Mayor Bissmeyer seconded.

165  
166 Mr. Cappel explained that information has been previously supplied on this Ordinance that, if approved, will  
167 approve the transfer of a certain portion of the Roosa Street right-of-way to allow for the expansion of Building 1-  
168 A. The right-of-way has been dedicated to the City and this additional parcel is necessary to improve the  
169 development of Building 1-A with anticipated restaurant tenants.

170  
171 Mr. Cappel asked if there were any updates.

172  
173 Mr. Riblet replied there were none.

174  
175 The roll was called and showed the following vote:

176  
177 AYE: Cappel, Bissmeyer, Margolis, Suer, Messer (5)  
178 NAY: (0)  
179 ABSENT: Naiman (1)  
180 ABSTAIN: Dobrozsi (1)

181  
182 **An Ordinance Amending Tax Incentive Agreement With The Board Of Education Of The Sycamore**  
183 **Community School District For The Montgomery Quarter Project**

184  
185 Mr. Suer read the title and moved suspension of the second and third readings. Mr. Cappel seconded.

186  
187 The roll was called and showed the following vote:

188  
189 AYE: Bissmeyer, Margolis, Suer, Messer, Cappel (5)  
190 NAY: (0)  
191 ABSENT: Naiman (1)  
192 ABSTAIN: Dobrozsi (1)

193  
194 Mr. Suer explained that information has been previously supplied on this Ordinance that, if approved, would  
195 amend a prior Tax Incentive Agreement with the Sycamore School District. This amendment would once again  
196 modify Section 7 simply to provide flexibility on types and quantities of residential units to accommodate the build  
197 out of Phase II of the Montgomery Quarter Project. All other components of the agreement will remain  
198 unchanged.

199  
200 Mr. Suer asked if there were any updates.

201  
202 Mr. Riblet stated there were no updates to the Ordinance and added that the Sycamore School Board held a  
203 meeting earlier in the day and approved the amendment of the agreement.

204  
205 The roll was called and showed the following vote:

206  
207 AYE: Margolis, Suer, Messer, Cappel, Bissmeyer (5)  
208 NAY: (0)  
209 ABSENT: Naiman (1)  
210 ABSTAIN: Dobrozsi (1)

211  
212 Mr. Dobrozsi rejoined council on the dais.

213  
214 **A Resolution Authorizing the City Manager to Contract with Frost Brown Todd, LLC to Provide Special**  
215 **Counsel Services**

216  
217 Mr. Dobrozsi read the title and moved passage of the Resolution. Mr. Cappel seconded.

218

219 Mr. Dobrozsi explained that information has been previously supplied on this Resolution that, if approved, will  
220 authorize the City Manager to enter into a contract with Frost Brown Todd, LLC to provide special legal services  
221 for labor negotiations/labor relations/human resource functions. The work of Frost Brown Todd, LLC has been  
222 invaluable in labor negotiations/relations efforts, and it is important that the City maintain this relationship as the  
223 City continues it labor and employee relations into the future.

224

225 Mr. Dobrozsi asked if there were any updates.

226

227 Mr. Riblet replied there were none.

228

229 The roll was called and showed the following vote:

230

231 AYE: Suer, Messer, Cappel, Bissmeyer, Dobrozsi, Margolis (6)

232 NAY: (0)

233 ABSENT: Naiman (1)

234

235 **An Ordinance Authorizing And Directing The City Manager To Execute A Contract With A Regional**  
236 **Council Of Governments For The Purpose Of Administration And Collection Of Municipal Income Tax In**  
237 **The City Of Montgomery, Ohio and Declaring an Emergency**

238

239 Mr. Suer read the title and moved suspension of the second and third readings.

240

241 The roll was called and showed the following vote:

242

243 AYE: Messer, Cappel, Bissmeyer, Dobrozsi, Margolis, Suer (6)

244 NAY: (0)

245 ABSENT: Naiman (1)

246

247 Mr. Suer moved for passage of the Ordinance as an Emergency.

248

249 Mr. Suer explained that information has been previously supplied on this Ordinance that, if approved, will  
250 authorize the City Manager to enter into an agreement with RITA to provide tax collections for the City of  
251 Montgomery effective October 1, 2023. It is requested that the second and third readings be suspended, and the  
252 legislation be passed as an emergency to allow time for the appropriate data migration, execution of contract  
253 documents and to proactively communicate with our businesses and residents regarding the transition to ensure a  
254 positive customer service experience.

255

256 Mr. Suer asked if there were any updates.

257

258 Ms. Gray replied there were none.

259

260 The roll was called and showed the following vote:

261

262 AYE: Cappel, Bissmeyer, Dobrozsi, Margolis, Suer, Messer (6)

263 NAY: (0)

264 ABSENT: Naiman (1)

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266 **ADMINISTRATION REPORT**

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268 Mr. Riblet reported the following items:

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- 270
- City Council Work Session is scheduled for Wednesday, June 21.

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- Prior to the meeting the final Boards and Commissions Chair Updates will be held at 5:30 and 5:45 p.m., respectively.
- In preparation of the 2024 Tax Budget submission to Hamilton County, staff would like to request a Public Hearing prior to the June 21 Work Session beginning at 6:00 p.m.

Mr. Cappel made a motion to commence with the Work Session immediately following the Public Hearing. Vice Mayor Bissmeyer seconded. City Council unanimously agreed.

- The Parks and Recreation and Government Affairs Committees are scheduled to meet on Monday, June 19 at 4:00 p.m. and 5:00 p.m., respectively. The Public Works Committee has cancelled their meeting for the month of June. Mr. Messer reported that he would be out of town and would not be able to be at the Government Affairs meeting.
- This evening several Staff members are attending a Top Workplace Celebration hosted by the Cincinnati Enquirer at the Cincinnati Museum Center at Union Terminal for 2023 TWP Winners. We are excited to have been awarded this honor for the 5<sup>th</sup> year.
- Staff are once again showing their support for Operation Give Back by participating in a School Supply Drive. A teaser was sent out in the Thursday Update last week and we are kicking collections up a notch by having a competition between the departments on the highest collection. The department with the highest collection will be awarded a pizza lunch.

A separate email with a flyer and a QR Code was sent out today. If City Council would like to participate, please bring your items to City Hall or donate through the QR Code on the flyer. Please have all donations turned in by Friday, July 7.

- The City received a letter from Montgomery, New York as an invitation to participate in General Montgomery Day on Saturday, September 9. If anyone has an interest in going, please let Ms. Gaylor know right away as rooms go very quickly at the local and surrounding hotels.
- Staff are beginning the work of compiling their 2024 budgets in anticipation of scheduled department budget meetings from July 10-July 31. The Council Budget Review meeting is scheduled for Thursday, September 14 here in Council Chambers. As in the past, dinner will be served at 5:00 with the budget review beginning at 5:30 pm.
- Barrett Paving will be transitioning to “Phase 5” construction of the Pfeiffer and Deerfield Roundabout project on Monday, June 12. At that time, the intersection will begin functioning as a roundabout, and Deerfield Road south of the intersection will be re-opened.
- Deeper Roots Coffee is coming to Montgomery Quarter. They currently have locations in Oakley, OTR, Downtown and Colerain. They emphasize partnering with local growers and long-lasting relationships.

Events

- The first Pool Luau of the season will be held on Friday, June 9. Starting at 6:00 p.m. . There will be a steel drum band. There will be games and prizes, a juggling show, free snow cones, a pizza special, and a movie “Mitchell’s vs. the Machines” at dusk. The event is free to members and is \$5 for nonmembers. Legacy Builders Group is a sponsor of the event.

- 322           • A Hamilton County Addictions Recovery Coalition meeting. The meeting is being held on Friday,  
323           June 23 from 11:00 am.-12:00 p.m. at the Hamilton County Coroner's Office. If you would like to  
324           attend, please let Ms. Gaylor know.

325  
326           As a reminder of some upcoming events to add to your calendar:

- 327  
328           • Friday, July 28- Council Pizza Luncheon at Terwilliger Lodge (11:00 a.m.-1:30 p.m.)  
329           • Friday, August 18-Top Workplace Picnic at Montgomery Park (11:00 – 2:00 p.m.)

330  
331           Mr. Riblet requested an Executive Session to consider information of an applicant for economic development  
332           assistance.

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334           Mr. Messer stated that he would be out the week of June 19 and would also miss the June 21 Work Session.

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336           **APPROVAL OF MINUTES**

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338           Mayor Margolis asked for a motion to approve the May 24, 2023 Work Session minutes.

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340           Mr. Cappel moved to approve the minutes as written. Vice Mayor Bissmeyer seconded. City Council unanimously  
341           agreed.

342  
343           **MAYOR'S COURT REPORT**

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345           Mayor Margolis asked for a motion to disburse the Mayors Court collections for the month of May in the amount  
346           of \$7,749.

347  
348           Mr. Cappel made a motion to disburse the Mayors Court collections for the month of May in the amount of  
349           \$7,749. Vice Mayor Bissmeyer seconded. City Council unanimously agreed.

350  
351           **OTHER BUSINESS**

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353           Mayor Margolis stated he would be out of town from Sunday, June 11 through Tuesday, June 13 and that Vice  
354           Mayor Bissmeyer will be acting Mayor during that time.

355  
356           Vice Mayor Bissmeyer explained that the Planning, Zoning and Landmarks Committee met on June 5 and  
357           conducted interviews for the vacancy on the Planning Commission. She reported that Andy Juengling, Alex  
358           Schneider and Ray Baker were interviewed and stated that all three were good candidates. Vice Mayor Bissmeyer  
359           stated that the Committee recommends Andy Juengling to fill the vacancy on the Planning Commission. She made  
360           a motion to appoint Andy Juengling to the Planning Commission with a term ending on January 31 2027. Mr.  
361           Cappel seconded. City Council unanimously agreed.

362  
363           Mayor Margolis requested to go into recess in order to hold a Montgomery Community Improvement Corporation  
364           (CIC) meeting. He explained that the Council meeting will be reconvened at the end of the CIC meeting.

365  
366           Mr. Cappel made a motion to recess the Council meeting. Vice Mayor Bissmeyer seconded. City Council  
367           unanimously agreed. Council went into recess at 7:25 p.m.

368  
369           City Council reconvened at 7:29 p.m.

370  
371           **EXECUTIVE SESSION**

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373           Mayor Margolis stated that Mr. Riblet had requested an Executive Session to consider information of an applicant  
374           for economic development assistance. He asked for a motion to adjourn into Executive Session.



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

The roll was called and showed the following vote:

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

Council adjourned into Executive Session at 7:30 p.m.

Council reconvened in Public Session at 8:42 p.m.

**ADJOURNMENT**

Mayor Margolis asked if there was any other business to discuss in Public Session. There being none, Mr. Messer made a motion to adjourn the meeting. Mr. Cappel seconded. City Council adjourned at 8:42 p.m.

  
\_\_\_\_\_  
Connie Gaylor, Clerk of Council