

City of Montgomery
City Council Work Session Minutes
May 24, 2023

Present

City Council Members Present

Brian Riblet, City Manager
Terry Donnellon, Law Director
Kevin Chesar, Community Dev. Dir.
John Crowell, Police Chief
Maura Gray, Finance Director
Gary Heitkamp, Public Works Director
Matthew Vanderhorst, Community and Information Serv. Dir.
Paul Wright, Fire Chief
Amy Frederick, Communications and Engagement Coord.
Connie Gaylor, Clerk of Council

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 May 24, 2023 at 6:33 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. Mr. Messer seconded. City Council unanimously agreed.

Vice Mayor Bissmeyer stated that she would need to leave at 7:00 p.m. to attend her son's graduation.

SPECIAL PRESENTATIONS

Mayor Margolis presented Terry Horan with a proclamation honoring his 50th Anniversary at Horan as well as his partnership with the City for over two decades.

City Council thanked Mr. Horan for his community involvement and many charitable efforts.

Mr. Riblet thanked Mr. Horan for his friendship and mentorship along with being a wonderful example of leadership.

LEGISLATION FOR CONSIDERATION THIS EVENING

There was no legislation for consideration at the meeting.

ESTABLISHING AN AGENDA FOR JUNE 7, 2023 BUSINESS SESSION

PENDING LEGISLATION

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

Mayor Margolis explained that this would be the third reading of this legislation and asked if there were any updates.

Mr. Chesar responded there were none.

NEW LEGISLATION

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

58 Mayor Margolis assigned the legislation to Mr. Suer.

59
60 Ms. Gray explained that, if approved, this Ordinance will amend the appropriations for current expenditures for
61 2023 in the amount of \$886,300.00. This includes \$600,000 for a new eight-inch water main on Delray Drive of
62 which \$544,969.65 will be reimbursed by Greater Cincinnati Water Works upon completion of the project. The
63 amendment will also include an increase of \$41,000 to the Vintage Club North TIF Fund 332 for the amount of
64 property taxes paid. The exemption for these taxes has been filed and a refund is expected within 12- 18 months.
65 Ms. Gray also explained that there will be an increase of \$101,000 to the Fire Department Fund 223 for an increase
66 in the cost of the Quint Fire vehicle of \$41,000. In addition, there is a chase vehicle due to be delivered in 2023 at
67 an approximate cost of \$60,000.

68
69 Mr. Messer asked if the increase regarding the water main project was anticipated or did this project come about
70 this year.

71
72 Mr. Heitkamp explained that the resurfacing of Delray Drive was budgeted. However, after coordinating with
73 Greater Cincinnati Water Works (GCWW) it was determined that the water main needed to be replaced as it was
74 over 50 years old. He stated that we are contracting the work, but GCWW will be reimbursing 100% of the water
75 main portion.

76
77 Mr. Messer asked if the residents would be without service.

78
79 Mr. Heitkamp replied there may be a short disruption of service when the water is switched to the new lines, but it
80 may be only several hours.

81
82 **A Resolution Authorizing the City Manager to Enter into an Agreement with KT Holden Construction for**
83 **the Delray Drive Watermain and Resurfacing Project**

84
85 Mayor Margolis assigned the legislation to Mr. Cappel.

86
87 Mr. Heitkamp explained that, if approved, this Resolution will authorize the City Manager to enter into a
88 contract with KT Holden Construction to construct the Delray Drive Watermain Replacement and Resurfacing
89 Project in the amount of \$744,300.00, which is the total of the Base Bid plus a 10% Contingency.

90
91 The water main replacement will be paid for by GCWW in the amount of \$544,969.65, which will be
92 reimbursed to the City (85% at the beginning of construction and 15% at the conclusion of construction). After
93 the watermain work is complete, the entire roadway within the watermain replacement limits will be
94 resurfaced. The resurfacing portion of the project will be paid for by the City in the amount of \$131,651.40,
95 which will be funded through account 410.261.5470.

96
97 Vice Mayor Bissmeyer exited the meeting at 7:00 p.m.

98
99 Mayor Margolis asked what role GCWW will have in the project.

100
101 Mr. Heitkamp replied that they will provide oversight and inspection of the watermain replacement portion of
102 the project.

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

105
106 Mayor Margolis assigned the legislation to Vice Mayor Bissmeyer.

107
108 Mr. Chesar explained that, if approved, this Resolution would authorize the City Manager to enter into a
109 contract with YARD Group LLC to assist with the Community Comprehensive Plan update. He explained

110 that in March of 2022 staff issued a Request for Proposal (RFP) with parameters to update the plan. A group
111 of representatives from the City Council, Planning Commission and staff interviewed four interested firms.
112 He added that while all firms were qualified, Yard & Company was selected as the best firm to be able to
113 provide visionary services while grounding our future goals in implementable and achievable ideas. The
114 overall process is expected to take 12-18 months to allow time for ample public involvement, creation of a
115 draft plan, and ultimately approval. The desire is to start the public engagement this summer with many of
116 our planned city activities. The Yard & Company proposed fee is \$149,570 and is within the anticipated
117 budget.

118
119 Mr. Messer asked if Council would get updated regularly on the process of the plan.

120
121 Mr. Chesar replied yes, they would. He stated there will be progress reports given throughout the 12-18
122 month time frame.

123
124 Mr. Riblet added that as Mr. Suer, Vice Mayor Bissmeyer and Mr. Dobrozi were all on the steering
125 committee for the RFP and plan development and that they would also be able to provide updates.

126
127 Mayor Margolis asked Mr. Chesar why it was important to have a comprehensive plan.

128
129 Mr. Chesar replied that a community comprehensive plan gives the basis for zoning code regulations, and it
130 uses a long-range vision to guide elected and appointed official's decision making regarding future
131 development based on goals and objectives derived from the community. The industry standard is to update
132 the plan every 5-10 years and our current plan is approximately 16 years old (2007). Many of the previous
133 goals have been achieved, have changed or the market has transformed since the last plan.

134
135 **An Ordinance Approving And Authorizing The Release Of A Portion Of The Roosa Street Right Of**
136 **Way Dedicated To The City By The Montgomery Community Improvement Corporation Subject To**
137 **Certain Terms And Conditions**

138
139 Mayor Margolis assigned the legislation to Mr. Cappel.

140
141 Mr. Donnellon explained that, if approved, this Ordinance would approve the release of 724 square feet of
142 right of way on Roosa Street to allow for the expansion of the building constructed in the Montgomery
143 Quarter Project on Lot I-A. Mr. Donnellon stated that as anticipated the additional space acquired will
144 facilitate the development of a restaurant in the southwest corner of the building to balance the project and to
145 meet various Code requirements, it is necessary to carve out a portion of the Roosa Street right-of-way as a
146 separate parcel and allow that parcel to be transferred to the Development Team.

147
148 The Montgomery Community Improvement Corporation is the City's development agency and currently is
149 the titled owner for the street right-of-way in Stage I of the project. The right-of-way has been dedicated as
150 public right-of-way and once it is accepted by the City it will be retitled to the City. Since the property has
151 been dedicated to the City for right-of-way, this Ordinance authorizes the transfer by The MCIC and vacates
152 the City's designation of right-of-way across the 724 square foot parcel. As a condition of the approved
153 transfer, the developer must execute a Covenant to meet our Zoning Code requirements requiring that the
154 parcel always be transferred or owned in conjunction with Lot I-A and may not be separately sold or
155 transferred. The other option is to consolidate the two parcels which can have complications for the Tax
156 Increment Financing for the project. The last step for this Ordinance is to authorize a Temporary Construction
157 Easement across that portion of the dedicated right-of-way where the streetscape has been developed so that
158 if any portion of the streetscape is disturbed during construction the Development Team must restore it. There

159 will be a similar corporate Resolution passed by The Montgomery Community in the Montgomery Quarter
160 Project on Lot I-A.

161

162 Mr. Messer asked if the MCIC would have a separate meeting.

163

164 Mr. Donnellon replied yes, that if approved, a subsequent MCIC meeting would be held to contract with the
165 developer and then sell the parcel to them.

166

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

169

170 Mayor Margolis assigned the legislation to Mr. Suer.

171

172 Mr. Riblet explained that, if approved, this Ordinance would once again modify Section 7 simply to provide
173 flexibility on types and quantities of residential units to accommodate the build out of Phase II of the
174 Montgomery Quarter Project. All other components of the agreement will remain unchanged. Staff have met
175 on several occasions with Sycamore School Administration on this matter. The Board of Education did
176 review at their May 17 meeting. The proposed amended agreement will be included on the agenda of the
177 Board of Education meeting scheduled for June 7 and be voted on that evening. Staff also recommends that
178 the first reading be held at the June 7 City Council Business Session and that the second and third readings
179 be suspended with passage of the Ordinance that evening to align with the proposed passage by the Board of
180 Education for the Sycamore School District.

181

182 Mr. Messer asked what financial impact this would have on the schools.

183

184 Mr. Riblet replied that building values are now higher than when the original compensation agreement was
185 executed and as the units come online the school will begin to see higher compensation from them. He stated
186 that overall, the school will be compensated at a significantly higher amount, which is a win-win for them
187 and the City.

188

189 **A Resolution Authorizing the City Manager to Contract with Frost Brown Todd, LLC to Provide**
190 **Special Counsel Services**

191

192 Mayor Margolis assigned the legislation to Mr. Dobrozsi.

193

194 Mr. Riblet explained that, if approved, this Resolution would approve a contract with Frost Brown Todd,
195 LLC to provide special legal services for labor negotiations/labor relations/human resource functions. The
196 work of Frost Brown Todd, LLC has been invaluable in labor negotiations/relations efforts, and it is important
197 that the City maintain this relationship as the City continues it labor and employee relations into the future.

198

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

202

203 Mayor Margolis assigned the legislation to Mr. Suer.

204

205 Ms. Gray explained that, if approved, this Ordinance would authorize the City Manager to enter into an
206 agreement with RITA to provide tax collections for the City of Montgomery effective October 1, 2023. She
207 explained that discussions with RITA began well over a year ago and staff have been diligent in researching
208 all aspects of a proposed transition to RITA. On June 6, 2022, the Financial Planning Committee met, and

209 RITA provided a presentation and feedback was obtained by the Committee. Following that meeting a
210 subsequent meeting was held on October 3, 2022, with the Financial Planning Committee, at which time the
211 Committee unanimously authorized staff to engage in a formal proposal from RITA for a transition. Staff
212 have since engaged with RITA staff to develop a proposed transition plan that would have minimal impact
213 on the residents of Montgomery. Ms. Gray explained that current staff member, Laura Braun, would remain
214 in the Tax Department to serve the community who still desire to have face-to-face service here at City Hall.
215 She stated that by passing the legislation at the June 7 meeting it will allow time for appropriate data
216 migration, the execution of an agreement, and time to proactively communicate with our businesses and
217 residents regarding the transition to ensure a positive customer service experience.

218
219 Mr. Messer asked what the financial impact would be in contracting with RITA.

220
221 Ms. Gray explained that RITA's fees are 3% of collections with a reconciliation of fees and a refund for
222 savings in May of the following collection year. Based on information received from RITA and various
223 municipalities, the cost of RITA services ranges from 1.4% to 2.5% of collections. The proposed cost of
224 RITA is similar to the current budget, with the budget neutral rate of 1.9%. In other words, if RITA charges
225 the City 1.9% or less, there is no additional expense for the service. She added that the primary focus should
226 be on customer service.

227
228 Mr. Suer stated that RITA should be seen as a quasi-governmental body. He explained that the Financial
229 Planning Committee went through a lot of discussion before agreeing to direct staff to request a proposal
230 from RITA. He explained that RITA represents about 50% of the jurisdictions in Ohio. He stated that he
231 felt we would gain efficiency in tasks that are very time consuming for staff that RITA will handle. He stated
232 that RITA also has access to taxpayer records that we do not that will allow for more streamlined tax filing.
233 He stated that if this contract does not prove to work out as anticipated, we are not locked into their services
234 forever and can go back to handling all tax services in house.

235
236 Mr. Riblet added that a big driver in the discussion to go to RITA was the lack of qualified applicants in past
237 hiring processes. He stated that if we were to receive complaints, we can look at other avenues.

238
239 **ADMINISTRATION REPORT**

240
241 Mr. Riblet reported the following items:

- 242
- 243 • The next City Council Business Session is scheduled for Wednesday, June 7 at 6:30 p.m. As a reminder,
244 Boards and Commissions Chair Updates will be held prior to the meeting beginning at 5:30.
- 245
- 246 • A CIC meeting is requested immediately following the June 7 Business Session contingent on the approval
247 of an Ordinance Approving and Authorizing the Release of A Portion of the Roosa Street Right of Way
248 Dedicated to the City by The Montgomery Community Improvement Corporation Subject to Certain Terms
249 and Conditions. City Council approved the meeting based upon the approval of the Ordinance.
- 250
- 251 • The Financial Planning and Planning, Zoning and Landmarks Committees are scheduled to meet on
252 Monday, June 5 at 4:30 and 5:30 p.m. respectively. The Law and Safety Committee has cancelled their
253 meeting for the month of June.
- 254
- 255 • The Committee meetings for Monday, June 12 will be confirmed at the June 7 Business Session meeting.
- 256 • Planning Commission approved the Revised General Development Plan for Montgomery Quarter Phase 2
257 on Monday, May 23, 2023. The Commission also recommended approval of an equivalency regarding

258 residential density. Staff is requesting a Public Hearing to consider the equivalency request to be held at
259 5:45 pm on July 5, 2023 prior to the Business Session. If Council is so inclined, they could make a motion
260 to go directly into the Business Session at the conclusion of the Public Hearing.

261
262 Mr. Cappel made a motion to commence with the Business Session immediately after the conclusion of the
263 Public Hearing. Mayor Margolis seconded. City Council unanimously agreed.

- 264
- 265 • In celebration of May being Historic Preservation Month, Tracy Henao hosted two walking tours of
266 Historic Montgomery for Staff this week and will hold another tour for the general public on Friday
267 morning at 10 a.m.
 - 268
 - 269 • On Friday June 2, Montgomery Police and Fire Departments will be taking part in a joint exercise with
270 Blue Ash Police and Fire Departments in the soon to be demolished Sycamore Junior High building on
271 Cooper Road. The exercise will involve police, fire, teachers, janitorial staff, school administrators and
272 various role players to simulate an active shooter situation.
 - 273
 - 274 • As part of the City's 2023 Paver Crosswalk Repair Program, The Gertz Company will be working to replace
275 the entire crosswalk near European Café & Montgomery Inn. The work will start on Tuesday morning, May
276 30 and take approximately two weeks to complete. To replace this crosswalk the southbound lanes will be
277 channeled into one lane and brought onto the northbound side of Montgomery Rd. Once the southbound
278 side of the crosswalk has been replaced, they will repeat the process and northbound traffic will be
279 channeled into one lane onto the southbound side of Montgomery Rd. Traffic both northbound and
280 southbound will be always maintained during construction. There will be no on street parking from the
281 Main Street/Montgomery Road split going north as well as from Remington Road going south. The
282 crosswalk will be closed during construction. The crosswalks at Cooper Road and Remington Road will
283 remain open. Businesses will be notified of the project leading up to and during construction.

284
285 Human Resources

- 286
- 287 • The first round of interviews for Patrol Officers has been completed and the hiring committee has
288 recommended four candidates move forward to be interviewed by Chief Crowell and myself. Those have
289 been scheduled for Thursday, June 22.

290
291 Events

292
293 In honor of National Public Works Week, a luncheon will be held at the Public Works facility beginning at 11:00
294 a.m. Council is invited to join us in honoring the hard work our public works staff performs all year long.

295
296 The Montgomery Pool will open on Saturday, May 27. We look forward to another successful season.

297
298 The Big Rig Gig will be held on Thursday, June 1 at the Montgomery Square Shopping Center. The event will run
299 from 11:00am to 1:00pm

300
301 HCML Membership Meeting : Date: Saturday June 17, 2023

- 302
- 303 • Time: 9:00am-11am
 - 304 • Place: Summit Park Community Room (located next to Brown Dog Café, Continental breakfast
305 will be served)
 - 306 • Address: 4335 Glendale Milford Rd, Blue Ash, OH 45242
 - 307 • Speakers: Our local Ohio Representatives and Senators with Legislative updates

308
309

310 **LAW DIRECTOR REPORT**

311
312 Mr. Donnellon reported on a neighboring community that recently settled a one million dollar lawsuit with a
313 resident over their Sign Code. He stated that the facts in that case have prompted another look at the City's sign
314 code to make sure we are clear in all language to prevent a similar situation happening here in the city.

315
316 **CITY COUNCIL REPORTS**

317
318 **Mr. Cappel**

319
320 Mr. Cappel reported on the Montgomery Quarter celebration and how well it was planned and attended. He stated
321 it was so great to see the park full of families and people enjoying themselves.

322
323 Mr. Cappel reported that at the monthly cardboard recycling event held on May 20, shredding services were
324 included. He stated there were approximately 250 cars that came through the event and that 4 tons of paper were
325 collected and shredded.

326
327 Mr. Cappel reported that on May 18 a Backyard Composting seminar sponsored by the EAC was held and conducted
328 by Elise Roalef of Hamilton County R3Source. He stated this was a standing room only seminar and was very good.

329
330 **Mr. Dobrozsi**

331
332 Mr. Dobrozsi reported that at the Arts Commission meeting they discussed the following items:
333 • A Cultural Survey was done and received 200 responses. The Commission is currently compiling all the
334 responses to discuss at the next meeting.
335 • The new Restaurant Tour is still being researched and vetted for a future government affairs presentation.

336
337 Mr. Dobrozsi reported that along with Mr. Messer and Vice Mayor Bissmeyer they participated in Beautification
338 Day and planted the flowers in the bed in front of City Hall.

339
340 Mr. Dobrozsi stated that the grand opening of the MQ was something he has dreamed about since 1998 when the
341 City first purchased the car lots and property. He stated the event was phenomenal and so well planned.

342
343 **Mrs. Naiman**

344
345 Mrs. Naiman reported that she attended a Sycamore Advisory Committee meeting where the topic of vaping was
346 discussed. She stated she was not aware of the large number of students that vaped and how big of an issue it was
347 for the school to deal with it.

348
349 Mrs. Naiman reported that pickleball is an ongoing conversation and felt it would be prudent to have another Parks
350 & Recreation Committee meeting.

351
352 Mrs. Naiman stated that she too was so impressed by the MQ celebration and the number of families with children
353 there enjoying the park and the fountain.

354
355 **Mr. Suer**

356
357 Mr. Suer commented on the highly successful MQ celebration and felt that area would become even more the place
358 to be as the development continued to be completed.

359
360 Mr. Suer stated that Mr. Chesar did a good job in inviting the four companies to participate in the RFP for the
361 Community Comprehensive Plan. He stated that all four companies were good, but the steering committee was

362 tasked with identifying who would bring something different and good to the table. He stated the new plan would
363 detail a vision for upcoming years on land usage which was always evolving. He added that the council members
364 on the Committee could provide periodic updates to the full council as the process gets started and proceeds to its
365 completion. He added that the plan will include a number of public meetings that will allow the community to
366 participate in providing input.

367

368 **Mr. Messer**

369

370 Mr. Messer stated that the Law and Safety and Civil Service Committees did not meet in May. He stated that he
371 was unable to attend the MQ Celebration as he was returning from a vacation. He stated he was glad that it went
372 so well.

373

374 **Mayor Margolis**

375

376 Mayor Margolis expressed his gratitude to the staff who planned and worked the MQ event as well as the others
377 who attended in support of the milestone grand opening celebration.

378

379 Mayor Margolis reported he attended a Hamilton County Municipal League event at which time Mark Policinski
380 of OKI provided a presentation on ground transportation. He reported that in Phoenix they are currently testing
381 autonomous vehicles and that we need to have this on our radars for the future.

382

383 Mayor Margolis attended a presentation conducted by Officer Alexis Guilkey at Twin Lakes regarding scams. He
384 stated it was very well attended and well done by Officer Guilkey.

385

386 **MINUTES**

387

388 Mr. Cappel moved to accept the May 3, 2023 Business Session minutes as written. Mr. Messer seconded. City
389 Council unanimously agreed.

390

391

392 **OTHER BUSINESS**

393

394 There was no other business.

395

396 **ADJOURNMENT**

397

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

400

401 Mr. Cappel moved to adjourn. Mrs. Naiman seconded. City Council unanimously agreed.

402

403 City Council adjourned at 7:47 p.m.

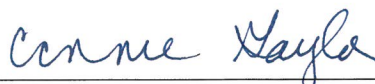
404

405

406

407

408



Connie Gaylor, Clerk of Council