

December 1, 2023

TO: Mayor and City Council Members

FROM: Brian K. Riblet, City Manager **BKR**

SUBJECT: City Council Business Session of Wednesday, December 6, 2023

As a reminder, City Council is scheduled to meet in Business Session on Wednesday, December 6, 2023 at 6:00 p.m. Prior to the Business Session that evening, City Council is scheduled to hold the City Council Swearing-In Ceremony and Organizational Meeting beginning at 5:15 p.m.

Swearing-In Ceremony and Organizational Meeting

At 5:15 p.m., the three incoming City Council Members Craig Margolis, Catherine Mills-Reynolds and Ken Suer will be sworn into their positions. Ohio Supreme Court Justice Patrick K. Fischer will conduct the swearing in oath.

Immediately after the swearing-in ceremony, and in accordance with the City's Charter, City Council will meet for the purpose of organization. At this time, it is anticipated that City Council will select the Mayor and Vice Mayor for the next Council term.

Please note that Terry Donnellon will open the swearing in ceremony and organizational meeting until such time as a new Mayor and Vice Mayor are selected.

A reception will follow the Swearing-In Ceremony and Organizational Meeting.

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

Pending Legislation

- a. An Ordinance to Make Appropriations for Current Expenses and Other Expenditures of the City of Montgomery, State of Ohio During the Fiscal Year Ending December 31, 2024—(Mr. Suer-3rd Reading) Information has been previously supplied on this Ordinance that, if approved, would establish the City's budget for fiscal year 2024. These documents were presented to and reviewed with City Council at the September 14 Budget Review meeting. As a result of these discussions, any changes to the budget will be forthcoming and will be presented prior to the final reading of the Ordinance at the December 6 Business Session.

Move to amend the Ordinance to reflect the amended budget detail

Voice Vote

Move for passage of the Ordinance as amended

Explain the Ordinance

Roll Call Vote

New 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.

- a. A Resolution Adopting a Five-Year Capital Improvement Program for The City of Montgomery—(Mr. Suer) Information has been previously supplied on this Resolution that, if approved, would adopt the City's proposed Five-Year Capital Improvement Program. This was reviewed by City Council as a companion piece to the proposed 2024 Operating and Capital Budget with Four Year Forecast and represents a comprehensive planning tool for capital investment in the community over the next five years.

Move for passage of the Resolution

Explain the Resolution

Voice Vote

- b. A Resolution Authorizing the City Manager to Enter into a Contract with Community Insurance Company d/b/a Anthem Blue Cross and Blue Shield to Provide Medical Insurance and Dental Insurance for Full-Time Employees—(Mr. Dobrozi) Information has been previously supplied on this Resolution that, if approved, would authorize the City Manager to enter into a contract with Community Insurance Company d/b/a Anthem Blue Cross and Blue Shield for both medical and dental insurance coverages for the City's full-time employees for the January 1, 2024 through December 31, 2024 benefit period. The Anthem proposal for medical insurance represents a 12.2% percent increase from the 2023 plan year remium and also requires bundling group dental insurance with Anthem. The Anthem dental insurance proposal for 2024 represents a 3.63 percent decrease from current premium rates. The Health Care Benefits Committee reviewed proposals from other carriers for medical and dental insurance and determined that these proposals were considerably different from the current plan design and/or were not competitively priced. With Humana leaving the group insurance market, our employee group having multiple significant health conditions, and inflationary pressures on the health care industry, the Committee determined that Anthem's proposal for medical_and dental insurance was the best overall option for the upcoming benefit year.

Move for passage of the Resolution

Explain the Resolution

Voice Vote

- c. A Resolution Establishing City Contributions for Health Care Benefits—(Mr. Dobrozi) Information has been previously supplied on this Resolution that, if approved, will establish the City's maximum contribution limits (caps) for a 12-month period beginning January 2024 for medical and dental insurance. The caps determine the amount of money the employees must contribute toward the cost of their health and dental insurance coverages. Typically, the City has increased these "caps" annually by six percent (6%) for medical insurance and three percent (3%) for dental insurance. It should be noted that the recommended caps for medical and dental insurances are already in place in AFSCME, FOP and IAFF collective bargaining agreements.

Move for passage of the Resolution

Explain the Resolution

Roll Call Vote

- d. A Resolution Authorizing the City Manager to Enter into a Contract with CT Associates, Inc. For Professional Services Related To General Engineering And Architectural Services For Calendar Year 2024—(Mr. Messer) Information has been previously supplied on this Resolution that, if approved, will authorize the City Manager to enter into a contract with CT Consultants, Inc. for professional engineering and architectural services for calendar year 2024. The City has contracted with CT Consultants to provide civil, traffic, structural, electrical and storm water engineering services. CT Consultants has provided a competitive fee structure for 2024 including slight hourly rate increases for engineering services. As was provided in previous years, CT Consultants has deleted the line item for billing of the "Principal" from the fee schedule. If for any reason the Principal Engineer provides engineering services during the contract year for development/design review or project design/review, that work would be billed at the hourly rate of a "Senior Manager". Funding for this professional services contract is included in the City's 2024 Operating Budget in both the Public Works and Community Development operating budgets.

Move for passage of the Resolution

Explain the Resolution

Voice Vote

- e. A Resolution Authorizing the City Manager to Contract With National Inspection Corporation For Professional Services To Serve As Building Official And To Provide Plan Review And Field Inspection Authority And Services For The City's Building Department For The Calendar Year 2024 —(Mr. Messer) Information has been previously supplied on this Resolution that, if approved, will authorize the City Manager to enter into a contract with National Inspection Corporation for professional services to serve as Building Official and to provide plan review and field inspection authority and services for the City's Building Department for the calendar year 2024. The City has contracted for approximately 20 years with National Inspection Corporation to provide plan review and field inspection authority and services for the City's building department and the City continues to be very satisfied with their ability to perform each of these duties.

Move for passage of the Resolution

Explain the Resolution

Voice Vote

- f. A Resolution Declaring A Moratorium On The Collection Of Building And Zoning Permit Fees For Solar Installations—(Vice Mayor Bissmeyer) Information has been previously supplied on this Resolution that, if approved, will declare a moratorium on the collection of building and zoning permit fees for solar installations. City Council approved Resolution 31 2021 waiving building and zoning fees for solar installations with a cap of \$1,000 for 2022 and 2023. Staff requests to renew this moratorium beginning on January 1, 2024 and ending on December 31, 2025. The waiver would be promoted as an incentive to our residents and businesses to adopt a more environmentally friendly source of power and to continue to promote Montgomery as a progressive community in the region and the State.

Move for passage of the Resolution

Explain the Resolution

Voice Vote

- g. A Resolution Accepting A Bid And Authorizing The City Manager To Enter Into A Contract With Rumpke Of Ohio, Inc. For Waste Collection Services within the City Of Montgomery For Calendar Years 2024, 2025, and 2026—(Mr. Dobrozsi) Information has been previously supplied on this Resolution that, if approved, would authorize the City Manager to enter into a contract with Rumpke for all current waste collection services for 2024 through 2026. A bid opening was held on November 2 with Rumpke being the only bidder. The results of the bid reflect an overall increase of 25% in 2024 and 6% increase for the subsequent years. Adjustments to increase the general fund budget for waste collection will be reflected in the 2024 Budget Appropriation Ordinance.

Move for passage of the Resolution

Explain the Resolution

Voice Vote

- h. An Ordinance Modifying the List of Conditions and Exceptions for the Vintage Club Planned Unit Development District and Rezoning a Portion of the District from a Multi-Family D-3 District to a Limited Business L-B District—(Vice Mayor Bissmeyer) Information has been previously supplied on this Resolution that, if approved, would authorize a zone change to a portion of the Vintage Club Planned Development from 'D-3' - Multi-family to 'LB' - Limited Business. The project was unanimously recommended for approval by the Planning Commission, and a motion made for approval at the November 1, Public Hearing by City Council. Staff would like to request that City Council consider adding this legislation to the Business Session agenda on December 7, holding the first reading and making a motion to suspend the second and third readings maintaining the 30-day referendum period.

Move to suspend the second and third readings

Roll Call Vote

Move for passage of the Ordinance

Voice Vote

Explain the Ordinance

Voice Vote

- i. An Ordinance Amending Chapter 44.1, Income Tax, To Comply With Mandates Required By The Ohio General Assembly—(Mr. Suer) Please see the attached memorandum from Finance Director Maura Gray requesting that City Council consider approving this Ordinance that would amend the Income Tax Ordinance to comply with changes made at the State level. An overview of the changes was discussed by the Law Director at the November 15 Work Session. To come into accordance with the State it is requested that the second and third readings of the Ordinance be suspended and passed as an emergency.

Move to suspend the second and third readings

Roll Call Vote

Move for passage of the Ordinance as an emergency

Voice Vote

Explain the Ordinance

Roll Call Vote

7. Administration Report
8. Minutes-November 15, 2023 Work Session Minutes
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, Administrative Coordinator

Department Heads
Terry Donnellon, Law Director

December 6, 2023

Swearing-In Ceremony and Organizational Meeting

At 5:15 p.m., the three incoming City Council Members Craig Margolis, Catherine Mills-Reynolda and Ken Suer will be sworn into their positions. Ohio Supreme Court Justice Patrick K. Fischer will conduct the swearing in oath.

Immediately after the swearing-in ceremony, and in accordance with the City's Charter, City Council will meet for the purpose of organization. At this time, it is anticipated that City Council will select the Mayor and Vice Mayor for the next Council term.

Please note that Terry Donnellon will open the swearing in ceremony and organizational meeting until such time as a new Mayor and Vice Mayor are selected.

A reception will follow the Swearing-In Ceremony and Organizational Meeting.

Business Session - 6:00 p.m.

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Special Presentations
5. Guest and Residents
6. Legislation for Consideration for this Evening

Pending Legislation

- a. An Ordinance to Make Appropriations for Current Expenses and Other Expenditures of the City of Montgomery, State of Ohio During the Fiscal Year Ending December 31, 2024—(Mr. Suer, 3rd Reading)

Move to amend the Ordinance to reflect the amended budget detail

Voice Vote

Move for passage of the Ordinance as amended

Explain the Ordinance

Roll Call Vote

New 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.

- a. A Resolution Adopting a Five-Year Capital Improvement Program for The City of Montgomery—(Mr. Suer)

Move to approve the Resolution

Roll call vote

- b. A Resolution Authorizing the City Manager to Enter into a Contract with Community Insurance Company d/b/a Anthem Blue Cross and Blue Shield to Provide Medical Insurance and Dental Insurance for Full-Time Employees—(Mr. Dobrozsi)

Move to approve the Resolution

Roll call vote

- c. A Resolution Establishing City Contributions for Health Care Benefits—(Mr. Dobrozsi)

Move to approve the Resolution

Roll call vote

- d. A Resolution Authorizing the City Manager to Enter into a Contract with CT Associates, Inc. For Professional Services Related To General Engineering And Architectural Services For Calendar Year 2024—(Mr. Messer)

Move for passage of the Resolution

Explain the Resolution

Voice Vote

- e. A Resolution Authorizing the City Manager to Contract With National Inspection Corporation For Professional Services To Serve As Building Official And To Provide Plan Review And Field Inspection Authority And Services For The City's Building Department For The Calendar Year 2024 —(Mr. Messer)

Move for passage of the Resolution

Explain the Resolution

Voice Vote

- f. A Resolution Declaring A Moratorium On The Collection Of Building And Zoning Permit Fees For Solar Installations—(Vice Mayor Bissmeyer)

Move for passage of the Resolution

Explain the Resolution

Voice Vote

- g. A Resolution Accepting A Bid And Authorizing The City Manager To Enter Into A Contract With Rumpke Of Ohio, Inc. For Waste Collection Services within the City Of Montgomery For Calendar Years 2024, 2025, and 2026—(Mr. Dobrozsi)

Move for passage of the Resolution

Explain the Resolution

Voice Vote

- h. An Ordinance Modifying the List of Conditions and Exceptions for the Vintage Club Planned Unit Development District and Rezoning a Portion of the District from a Multi-Family D-3 District to a Limited Business L-B District—(Vice Mayor Bissmeyer)

Move to suspend the second and third readings

Roll Call Vote

Move for passage of the Ordinance

Voice Vote

Explain the Ordinance

Voice Vote

- i. An Ordinance Amending Chapter 44.1, Income Tax, To Comply With Mandates Required By The Ohio General Assembly—(Mr. Suer)

Move to suspend the second and third readings

Roll Call Vote

Move for passage of the Ordinance as an emergency

Voice Vote

Explain the Ordinance

Roll Call Vote

7. Administration Report

8. Approval of Minutes –November 15, 2023 Work Session

9. Mayor's Court Report

10. Other Business

11. Executive Session

12. Adjournment

C: Connie Gaylor, Administrative Coordinator
Department Heads
Terry Donnellon, Law Director

ORDINANCE NO. _____, 2023

AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF MONTGOMERY, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2024

WHEREAS, Council previously did approve and submit to the Budget Commission a Budget for revenues and expenses for the fiscal year commencing January 1, 2024 and ending December 31, 2024; and

WHEREAS, the proposed Budget has been accepted and approved, and Council does desire to appropriate funds according to the Budget to meet current expenses and other expenditures for the 2024 fiscal year.

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


SECTION 1. Commencing January 1, 2024 and for the fiscal year ending December 31, 2024, in order to provide for the current expenses and other expenditures of the City, the sums detailed on the attached Budget schedule are hereby appropriated as if such schedule is fully set forth herein.

SECTION 2. This Ordinance shall be in full force and effect from and after the earliest period allowed by law.

PASSED: _____

ATTEST: _____
Connie M. Gaylor, Clerk of Council

Craig D. Margolis, Mayor

APPROVED AS TO FORM:


Terrence M. Donnellon, Law Director

Attachment to 2024 Appropriation Ordinance

General Fund		
101 Police Department	Personnel	3,893,563
	Nonpersonnel	369,600
	Total	\$4,263,163
106 Disaster Services	Personnel	0
	Nonpersonnel	9,300
	Total	\$9,300
201 Public Health and Welfare	Personnel	59,500
	Nonpersonnel	0
	Total	\$59,500
301 Recreation	Personnel	284,952
	Nonpersonnel	127,000
	Total	\$411,952
303 City Parks	Personnel	364,763
	Nonpersonnel	402,000
	Total	\$766,763
317 Swaim and Terwilliger Lodges	Personnel	0
	Nonpersonnel	69,800
	Total	\$69,800
321 Special Events	Personnel	0
	Nonpersonnel	136,500
	Total	\$136,500
405 Landmarks Commission	Personnel	0
	Nonpersonnel	19,250
	Total	\$19,250
406 City Beautiful	Personnel	0
	Nonpersonnel	178,028
	Total	\$178,028
407 Development	Personnel	465,637
	Nonpersonnel	620,800
	Total	\$1,086,437
408 Planning Commission	Personnel	0
	Nonpersonnel	106,900
	Total	\$106,900
409 Historical Building Operations	Personnel	0
	Nonpersonnel	51,025
	Total	\$51,025
701 City Administration	Personnel	763,577
	Nonpersonnel	35,900
	Total	\$799,477
702 Finance Department	Personnel	605,037
	Nonpersonnel	543,700
	Total	\$1,148,737
703 Legal Administration	Personnel	0
	Nonpersonnel	240,500
	Total	\$240,500

705 City Council	Personnel	10,836
	Nonpersonnel	14,500
	Total	\$25,336
707 Mayor's Court	Personnel	38,007
	Nonpersonnel	75,500
	Total	\$113,507
708 Civil Service Commission	Personnel	0
	Nonpersonnel	5,150
	Total	\$5,150
709 Public Works Administration	Personnel	648,395
	Nonpersonnel	273,900
	Total	\$922,295
712 Community and Information Services	Personnel	432,775
	Nonpersonnel	248,950
	Total	\$681,725
715 General Government	Personnel	10,000
	Nonpersonnel	2,755,850
	Total	\$2,765,850
Total General Fund	Personnel	7,577,042
	Nonpersonnel	6,284,153
	Total	13,861,195
(Total Includes General Fund Transfers/Cash Advances Out)		536,550

Special Revenue Funds

219 Community Oriented Policing Solutions	Personnel	162,393
	Nonpersonnel	3,650
	Total	\$166,043
223 Fire Department	Personnel	4,275,531
	Nonpersonnel	1,235,970
	Total	\$5,511,501
261 Street Maintenance and Repair	Personnel	822,666
	Nonpersonnel	411,496
	Total	\$1,234,162
209 Memorial Fund	Personnel	0
	Nonpersonnel	6,500
	Total	\$6,500
210 Parks & Recreation	Personnel	0
	Nonpersonnel	500
	Total	\$500
214 OneOhio Fund	Personnel	0
	Nonpersonnel	500
	Total	\$500
215 Law Enforcement	Personnel	0
	Nonpersonnel	104,500
	Total	\$104,500
216 Drug Enforcement	Personnel	0
	Nonpersonnel	400
	Total	\$400

217 DUI Enforcement and Education	Personnel	0
	Nonpersonnel	1,000
	Total	\$1,000
218 Mayor's Court Technology Fund	Personnel	0
	Nonpersonnel	11,125
	Total	\$11,125
220 Law Enforcement Assistance Fund	Personnel	0
	Nonpersonnel	1,000
	Total	\$1,000
227 Environmental Impact Area I	Personnel	0
	Nonpersonnel	8,000
	Total	\$8,000
228 Environmental Impact Area II	Personnel	0
	Nonpersonnel	160,150
	Total	\$160,150
229 Environmental Impact Area III	Personnel	0
	Nonpersonnel	10,000
	Total	\$10,000
230 Environmental Impact Area IV	Personnel	0
	Nonpersonnel	5,000
	Total	\$5,000
265 State Highway Fund	Personnel	0
	Nonpersonnel	41,500
	Total	\$41,500
266 Permissive MVL Fund	Personnel	0
	Nonpersonnel	78,000
	Total	\$78,000
275 Municipal Pool	Personnel	0
	Nonpersonnel	317,653
	Total	\$317,653
485 Arts and Amenities	Personnel	0
	Nonpersonnel	99,250
	Total	\$99,250
Total Special Revenue Funds	Personnel	5,260,590
	Nonpersonnel	2,496,194
	Total	7,756,784

Debt Service Funds

324 General Bond Retirement	Personnel	0
	Nonpersonnel	855,200
	Total	\$855,200
329 Montgomery Quarter TIF Fund	Personnel	0
	Nonpersonnel	966,893
	Total	\$966,893
331 Vintage Club TIF Fund	Personnel	0
	Nonpersonnel	2,421,636
	Total	\$2,421,636
332 Vintage Club North TIF Fund	Personnel	0
	Nonpersonnel	626,557

	Total	\$626,557
Total Debt Service Funds	Personnel	0
	Nonpersonnel	4,870,286
	Total	4,870,286

Capital Projects Funds

410 Capital Improvements	Personnel	0
	Nonpersonnel	6,266,990
	Total	\$6,266,990
460 Heritage District Fund (Urban Redevelopment)	Personnel	0
	Nonpersonnel	39,000
	Total	\$39,000
461 Triangle Equivalent TIF Fund	Personnel	0
	Nonpersonnel	178,100
	Total	\$178,100
463 Vintage Club Capital Construction Fund	Personnel	0
	Nonpersonnel	300,000
	Total	\$300,000
464 Montgomery Quarter Construction Fund	Personnel	0
	Nonpersonnel	95,000
	Total	\$95,000
480 Downtown Improvements	Personnel	0
	Nonpersonnel	2,400,550
	Total	\$2,400,550
Total Capital Projects Funds	Personnel	0
	Nonpersonnel	9,279,640
	Total	9,279,640

Fiduciary Funds

875 Compensated Absence	Personnel	50,000
	Nonpersonnel	0
	Total	\$50,000
546 Trust Reimbursements	Personnel	0
	Nonpersonnel	100,000
	Total	\$100,000
601 State Fees	Personnel	0
	Nonpersonnel	17,000
	Total	\$17,000
836 Historical Trust Fund	Personnel	0
	Nonpersonnel	10,000
	Total	\$10,000
840 Cemetery Expendable Trust	Personnel	0
	Nonpersonnel	111,850
	Total	\$111,850
890 Unclaimed Moneys Fund	Personnel	0
	Nonpersonnel	700
	Total	\$700
Total Fiduciary Funds	Personnel	50,000
	Nonpersonnel	239,550

Total

289,550

Total All Funds

Personnel

12,887,632

Nonpersonnel

23,169,823

Total

36,057,455

RESOLUTION NO. _____, 2023

A RESOLUTION ADOPTING A FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM FOR THE CITY OF MONTGOMERY

WHEREAS, the City Manager has recommended, and this Council has considered, a Five-Year Capital Improvement Program (CIP) for the years 2024 through 2028; and

WHEREAS, the CIP should be approved by City Council so that projects may be planned and implemented.

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

SECTION 1. The Council hereby adopts the Five-Year Capital Improvement Program for the years 2024 through 2028.

SECTION 2. The City Manager is hereby authorized and directed to implement the Five-Year Capital Improvement Program and to report on its progress from time to time to the Council.

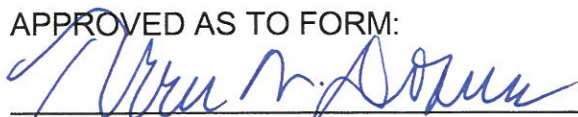
SECTION 3. This Resolution shall be in full force and effect from and after its passage.

PASSED: _____

ATTEST: _____
Connie M. Gaylor, Clerk of Council

Craig D. Margolis, Mayor

APPROVED AS TO FORM:



Terrence M. Donnellan, Law Director

**A RESOLUTION AUTHORIZING THE CITY MANAGER
TO ENTER INTO A CONTRACT WITH COMMUNITY INSURANCE COMPANY D/B/A ANTHEM
BLUE CROSS AND BLUE SHIELD TO PROVIDE MEDICAL INSURANCE AND DENTAL
INSURANCE FOR FULL-TIME EMPLOYEES**

WHEREAS, the City of Montgomery provides medical insurance benefits and dental insurance benefits to its full-time employees; and

WHEREAS, the City has requested and reviewed proposals for medical and dental insurance benefits and determined that the proposal submitted by Community Insurance Company d/b/a Anthem Blue Cross and Blue Shield is the best proposal for City employees in terms of quality, price, service and adaptability.

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

SECTION 1. The City Manager is hereby authorized to enter into a contract with Community Insurance Company d/b/a Anthem Blue Cross and Blue Shield to provide medical insurance benefits and dental insurance benefits for all full-time employees for twelve months commencing January 1, 2024 through December 31, 2024, subject to any separate requirements from any Collective Bargaining Agreement between the City and any employee group during the term of this benefit contract.

SECTION 2. The City Manager is hereby authorized to pay Community Insurance Company d/b/a Anthem Blue Cross and Blue Shield according to the rates set forth in the schedules submitted by Anthem attached hereto as Exhibits "A" and "B" and incorporated herein by reference.


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



HORAN Associates, Inc.
 City of Montgomery
 Report as of 23 October 2023

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Exhibit "A"

Plan Group Benefit Comparison Report - 7/1/24 - 12/31/24
 This is a brief, illustrative summary of the benefits and rates. This is not intended to be a complete comparison of contract provisions. Refer to the contract/certificate for exact benefit details. While every effort has been made to ensure the accuracy of the rates, final rates are subject to change and are based on final contract and underwriting approval.
 * = Additional details available

Medical Plan Group	Current Renewal	Proposed Anthem	Proposed Anthem Alt Opt 1
	1,123,302 ⁹⁰ Total Premium	1,260,798 ³⁶ Total Premium +12.2%	1,193,811 ⁴⁸ Total Premium +6.3%
Medical Plan Design	Humana OH 100/70 EHDHP 16 NPOS Opt 13 NPOS	Anthem Blue Access PPO HSA Option E3	Anthem PPO HSA Opt 5 OH-LG-RX Blue Access
Deductible	Single In 3,000 Embedded 0%	Single In / Out 3,200 / 9,600 Embedded 0% / 30%	Single In / Out 3,200 / 9,600 Embedded 20% / 50%
Employee Coinsurance	Family In 6,000 Embedded 0%	Family In / Out 6,400 / 19,200 Embedded 0% / 30%	Family In / Out 6,400 / 19,200 Embedded 20% / 50%
Out-of-Pocket Max	\$ 3,000	\$ 4,000 / 12,000	\$ 5,000 / 12,000
Medical Services	In Network	Out Of Network Copays	In Network Out Of Network Copays
Primary Care	\$ - Deductible, then 0% coinsuran...	\$ 0 Deductible, then 0% coinsuran...--	\$ - Deductible, then 20%
Specialty Care	\$ - Deductible, then 0% coinsuran...	\$ 0 Deductible, then 0% coinsuran...--	\$ - Deductible, then 20%
Urgent Care	\$ - Deductible, then 0% coinsuran...	\$ 0 Deductible, then 0% coinsuran...--	\$ - Deductible, then 20%
Emergency	\$ - Deductible, then 0% coinsuran...	\$ 0 Deductible, then 0% coinsuran...--	\$ - Deductible, then 20%
In-Patient Hospital	\$ - Deductible, then 0% coinsuran...	\$ 0 Deductible, then 0% coinsuran...--	\$ - Deductible, then 20%
Out-Patient Hospital	\$ - Deductible, then 0% coinsuran...	\$ 0 Deductible, then 0% coinsuran...--	\$ - Deductible, then 20%
In-Patient Physician	\$ - Deductible, then 0% coinsuran...	\$ - Deductible, then 0% coinsuran...--	\$ - Deductible, then 20%
Out-Patient Physician	\$ - Deductible, then 0% coinsuran...	\$ - Deductible, then 0% coinsuran...--	\$ - Deductible, then 20%
Tele-Medicine			
Diagnostic Test	\$ - Deductible, then 0% coinsuran...	\$ - Deductible, then 0% coinsuran...--	\$ - Deductible, then 20%
Lab Test	\$ - Deductible, then 0% coinsuran...	\$ - Deductible, then 0% coinsuran...--	\$ - Deductible, then 20%
Imaging	\$ - Deductible, then 0% coinsuran...	\$ - Deductible, then 0% coinsuran...--	\$ - Deductible, then 20%
Rx	Integrated with Medical	Integrated with Medical	Integrated with Medical
Deductible	Single \$ - Family --	Single \$ - Family --	Single \$ - Family --
Out-of-Pocket Max	\$ -	\$ -	\$ -
Tiers 1/2/3/4/5/6	--	\$10/ \$40/ \$70/ 25%* \$25/ \$100/ \$175/ 25%*	20%/ 20%/ 20%/ 20% --/ --/ --/ --
Mail Order	--		
Notes		Medical and Rx deductible integrated. Rx copays after deductible.	Rx coinsurance after deductible.
Enrollment			
Employee Only	21 Premium \$ 530 ⁹⁵	21 Premium \$ 594 ⁹⁴	21 Premium \$ 563 ³³
Employee + Spouse	10 \$ 1,166 ¹³	10 \$ 1,308 ⁸⁷	10 \$ 1,239 ³³
Employee + Children	8 \$ 1,007 ¹²	8 \$ 1,130 ³⁹	8 \$ 1,070 ³³
Family	37 \$ 1,696 ¹⁹	37 \$ 1,903 ⁸¹	37 \$ 1,802 ⁹⁶
Monthly/Annual Prem	76 \$ 93,609 ⁹⁵ / 1,123,302 ⁹⁰	76 \$ 105,065 ⁵³ / 1,260,798 ³⁶ +12.2%	76 \$ 99,484 ²⁹ / 1,193,811 ⁴⁸ +6.3%

City of Montgomery
Dental Plan Analysis - Fully Insured
January 1, 2024

XXXXXX

Monthly Rates	Count	Current		Americas		Paramount		Superior Dental Care		Anthem		Delta Dental	
		Humana	Count	Americas	Count	Paramount	Count	Superior Dental Care	Count	Anthem	Count	Delta Dental	
Employee Only	23	\$33.50	\$32.00	\$31.74	\$29.22	\$29.22	\$32.28	\$33.54	\$32.28	\$33.54	\$33.54	\$33.54	
Employee + Spouse	12	\$64.64	\$64.64	\$59.67	\$58.42	\$58.42	\$64.56	\$63.38	\$64.56	\$63.38	\$63.38	\$63.38	
Employee + Child(ren)	8	\$69.99	\$64.64	\$59.67	\$58.42	\$58.42	\$64.56	\$63.38	\$64.56	\$63.38	\$63.38	\$63.38	
Family	38	\$126.41	\$117.20	\$114.88	\$110.24	\$110.24	\$121.82	\$115.17	\$121.82	\$115.17	\$115.17	\$115.17	
Combined Est. Monthly Premium		\$6,913.68	\$6,482.40	\$6,281.26	\$6,029.58	\$6,029.58	\$6,662.80	\$6,415.48	\$6,662.80	\$6,415.48	\$6,415.48	\$6,415.48	
Annual Premium		\$82,963.56	\$77,788.80	\$75,375.12	\$72,354.96	\$72,354.96	\$79,953.60	\$76,985.76	\$79,953.60	\$76,985.76	\$76,985.76	\$76,985.76	
Percentage Change from Current		N/A	-6.24%	-9.15%	-12.79%	-12.79%	-3.63%	-7.21%	-3.63%	-7.21%	-7.21%	-7.21%	
Annual Dollar Change from Current		N/A	-\$5,177.76	-\$7,591.44	-\$10,611.60	-\$10,611.60	-\$3,012.86	-\$5,989.80	-\$3,012.86	-\$5,989.80	-\$5,989.80	-\$5,989.80	
Rate Guarantee		IN-NETWORK	IN-NETWORK	IN-NETWORK	IN-NETWORK	IN-NETWORK	IN-NETWORK	IN-NETWORK	IN-NETWORK	IN-NETWORK	IN-NETWORK	IN-NETWORK	
Waiting Period	1 Year	1 Year	2 Years	2 Years	2 Years	2 Years	2 Years	2 Years	2 Years	2 Years	2 Years	2 Years	
Contributing Level	No	No	No	No	No	No	No	No	No	No	No	No	
Waiting Period	None	None	None	None	None	None	None	None	None	None	None	None	
Plan Highlights / Family Deductible		\$25,275 Calendar Year \$2,000	\$35,575* Calendar Year \$2,000	\$35,575 Policy Year \$2,000	\$35,575 Policy Year \$2,000	\$35,575 Policy Year \$2,000	\$25,575 Calendar Year \$2,000	\$25,575 Calendar Year \$2,000	\$25,575 Calendar Year \$2,000	\$25,575 Calendar Year \$2,000	\$25,575 Calendar Year \$2,000	\$25,575 Calendar Year \$2,000	
Annual Maximum Benefit		100% covered	100% covered	100% covered	100% covered	100% covered	100% covered	100% covered	100% covered	100% covered	100% covered	100% covered	
Dependent Age Limit		26	26	26	26	26	26	26	26	26	26	26	
Diagnostic & Preventive		100% covered	100% covered	100% covered	100% covered	100% covered	100% covered	100% covered	100% covered	100% covered	100% covered	100% covered	
Exams		100% covered	100% covered	100% covered	100% covered	100% covered	100% covered	100% covered	100% covered	100% covered	100% covered	100% covered	
Cleanings		100% covered	100% covered	100% covered	100% covered	100% covered	100% covered	100% covered	100% covered	100% covered	100% covered	100% covered	
X-Rays		100% covered	100% covered	100% covered	100% covered	100% covered	100% covered	100% covered	100% covered	100% covered	100% covered	100% covered	
Regular Restorative Services		Deductible, then 10%	Deductible, then 10%	Deductible, then 10%	Deductible, then 10%	Deductible, then 10%	Deductible, then 10%	Deductible, then 10%	Deductible, then 10%	Deductible, then 10%	Deductible, then 10%	Deductible, then 10%	
Emergency Pain Treatment		Deductible, then 10%	Deductible, then 10%	Deductible, then 10%	Deductible, then 10%	Deductible, then 10%	Deductible, then 10%	Deductible, then 10%	Deductible, then 10%	Deductible, then 10%	Deductible, then 10%	Deductible, then 10%	
Fillings, Sealants, Crowns		Deductible, then 10%	Deductible, then 10%	Deductible, then 10%	Deductible, then 10%	Deductible, then 10%	Deductible, then 10%	Deductible, then 10%	Deductible, then 10%	Deductible, then 10%	Deductible, then 10%	Deductible, then 10%	
Periodontics (Gum Disease)		Deductible, then 10%	Deductible, then 10%	Deductible, then 10%	Deductible, then 10%	Deductible, then 10%	Deductible, then 10%	Deductible, then 10%	Deductible, then 10%	Deductible, then 10%	Deductible, then 10%	Deductible, then 10%	
Endodontics (Root Canal)		Deductible, then 10%	Deductible, then 10%	Deductible, then 10%	Deductible, then 10%	Deductible, then 10%	Deductible, then 10%	Deductible, then 10%	Deductible, then 10%	Deductible, then 10%	Deductible, then 10%	Deductible, then 10%	
Simple Extractions		Deductible, then 10%	Deductible, then 10%	Deductible, then 10%	Deductible, then 10%	Deductible, then 10%	Deductible, then 10%	Deductible, then 10%	Deductible, then 10%	Deductible, then 10%	Deductible, then 10%	Deductible, then 10%	
Major Services		Not covered	Deductible, then 40%	Deductible, then 40%	Deductible, then 40%	Deductible, then 40%	Deductible, then 40%	Deductible, then 40%	Deductible, then 40%	Deductible, then 40%	Deductible, then 40%	Deductible, then 40%	
Crowns, Inlays, Onlays		Not covered	Deductible, then 40%	Deductible, then 40%	Deductible, then 40%	Deductible, then 40%	Deductible, then 40%	Deductible, then 40%	Deductible, then 40%	Deductible, then 40%	Deductible, then 40%	Deductible, then 40%	
Bridges and Dentures		Deductible, then 40%	Deductible, then 40%	Deductible, then 40%	Deductible, then 40%	Deductible, then 40%	Deductible, then 40%	Deductible, then 40%	Deductible, then 40%	Deductible, then 40%	Deductible, then 40%	Deductible, then 40%	
Repairs and Adjustments		Deductible, then 40%	Deductible, then 40%	Deductible, then 40%	Deductible, then 40%	Deductible, then 40%	Deductible, then 40%	Deductible, then 40%	Deductible, then 40%	Deductible, then 40%	Deductible, then 40%	Deductible, then 40%	
Orthodontics		Not covered	Deductible, then 40%	Deductible, then 40%	Deductible, then 40%	Deductible, then 40%	Deductible, then 40%	Deductible, then 40%	Deductible, then 40%	Deductible, then 40%	Deductible, then 40%	Deductible, then 40%	
Lifetime Maximum		\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	
Age Limitation		18	19	18	18	18	18	18	18	18	18	19	
Commission		Standard	10%	Standard	Standard	Standard	Standard	Standard	Standard	Standard	Standard	6.25%	

NOTES:

*Lifetime Deductible for no additional total Lifetime Deductible is a one-time, per-person deductible, with no family maximum. Each member pays the deductible each year at the age of the member. This deductible is not paid each year or per-visit. This deductible coverage is in effect as long as the member stays with the same employer.

Maximum Carryover: If at least 1 Covered Service is paid in a calendar year & the total benefit paid does not exceed \$1000 in that calendar year, \$250 will be added to the next calendar year coverage max. This amount will be applied to the next calendar year to the next, but will not exceed \$200. If no Covered Services are paid during a calendar year, all accumulated carryover

RESOLUTION NO. _____, 2023

**A RESOLUTION ESTABLISHING CITY CONTRIBUTIONS
FOR HEALTHCARE BENEFITS**

WHEREAS, Section 34.01 (C) of the Code of Ordinances sets forth the procedure for Council to establish healthcare insurance costs and benefits for City employees; and

WHEREAS, by Resolution No. 28, 2023 passed August 2, 2023 Council did approve contributions to be made to employees' health savings accounts and health reimbursement accounts for the employer sponsored high deductible health plan ("HDHP"); and

WHEREAS, Council must establish the contribution limits for both medical and dental insurances.

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

SECTION 1. The following contribution limits are established for the cost of medical and dental plans for the twelve-month period beginning January 1, 2024, subject to any separate requirements from any Collective Bargaining Agreement between the City and any employee group:

Medical Benefit
City Contribution Limit Per Month – Family Plan
\$1,767.24 effective January 1, 2024

Medical Benefit
City Contribution Limit Per Month – Single Plan
\$642.24 effective January 1, 2024

Medical Benefit
City Contribution Limit Per Month – Employee and Spouse Plan
\$1,283.90 effective January 1, 2024

Medical Benefit
City Contribution Limit Per Month – Employee and Child(ren) Plan
\$1,283.90 effective January 1, 2024

Dental Insurance
City Contribution Limit Per Month – All Plans
\$208.32 effective January 1, 2024

If the cost to provide such insurance coverage exceeds the contribution limits established by City Council, fifty percent (50%) of the cost in excess of such contribution limit shall be paid by the City and fifty percent (50%) of the cost in excess of the contribution limit shall be paid by the employee. Insurance cost payments to be paid by the employee shall be made by payroll deduction.

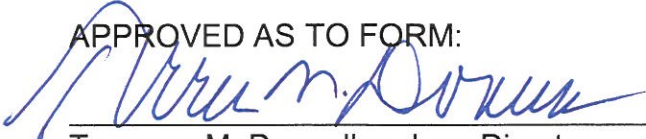
SECTION 2. This Resolution shall take effect the earliest opportunity as allowable by law.

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 CT CONSULTANTS, INC. FOR PROFESSIONAL SERVICES
RELATED TO GENERAL ENGINEERING AND ARCHITECTURAL SERVICES
FOR CALENDAR YEAR 2024**

WHEREAS, Section 9.03 of Article IX of the Charter of the City of Montgomery, Ohio, provides the method by 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 \$75,000 in a calendar year; and

WHEREAS, it is the desire of the Council of the City of Montgomery to enter into a contract with CT Consultants, Inc. for calendar year 2024 to perform general engineering and architectural services for the City.

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 CT Consultants, Inc. for professional services to be provided to the City of Montgomery for calendar year 2024 according to the schedule submitted by CT Consultants, Inc., attached hereto as Exhibit "A" and incorporated herein by reference.

SECTION 2. The City Manager is hereby authorized to pay CT Consultants, Inc. according to the rates set forth in said schedule.

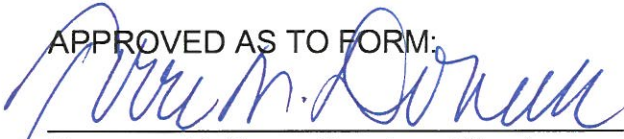
SECTION 3. This Resolution shall be in full force and effect from and after its passage.

PASSED: _____

ATTEST: _____
Connie Gaylor, Clerk of Council

Craig D. Margolis, Mayor

APPROVED AS TO FORM:



Terrence M. Donnellon, Law Director



CITY OF MONTGOMERY
2024 HOURLY FEE SCHEDULE

Principal Engineer	\$ 237.75/hr
Senior Engineer/Architect	\$191.75/hr
Project Engineer/Architect	\$167.00/hr
Engineer 2/Architect 2	\$140.25/hr
Engineer 1/Architect 1	\$125.50/hr
Designer 3	\$122.25/hr
Designer 2	\$103.00/hr
Engineer Intern	\$64.00/hr
Survey Crew	\$175.00/hr
Construction Rep 3	105.75/hr
Technical Support	65.25/hr

Expenses at Cost Plus 10%

CT CONSULTANTS, INC.

2024 MONTGOMERY FEE SCHEDULE

RESOLUTION NO , 2023

A RESOLUTION AUTHORIZING THE CITY MANAGER TO CONTRACT WITH NATIONAL INSPECTION CORPORATION FOR PROFESSIONAL SERVICES TO SERVE AS BUILDING OFFICIAL AND TO PROVIDE PLAN REVIEW AND FIELD INSPECTION AUTHORITY AND SERVICES FOR THE CITY'S BUILDING DEPARTMENT FOR THE CALENDAR YEAR 2024

WHEREAS, Section 9.03 of Article IX of the Charter of the City of Montgomery, Ohio, provides the method by 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 \$75,000 in a calendar year; and

WHEREAS, it is the desire of the Council of the City of Montgomery to renew the City's contract with National Inspection Corporation for calendar year 2024 to perform general building official and inspection services for the City.

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 contract with National Inspection Corporation for professional services to be provided to the City of Montgomery for calendar year 2024 according to the attached Agreement submitted by National Inspection Corporation attached hereto as Exhibit "A" and incorporated herein by reference.

SECTION 2. The City Manager is hereby authorized to pay National Inspection Corporation according to the rates set forth in said Agreement.

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

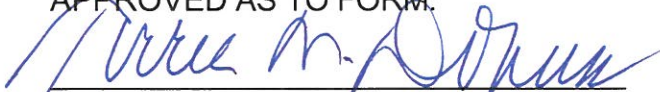
its passage.

PASSED: _____

ATTEST: _____
Connie Gaylor, Clerk of Council

Craig D. Margolis, Mayor

APPROVED AS TO FORM:



Terrence M. Donnellon, Law Director

AGREEMENT

THE CITY OF MONTGOMERY, OHIO, An Ohio municipal corporation, 10101 Montgomery Road, Montgomery Ohio 45242 ("Montgomery" or "City"), and NATIONAL INSPECTION CORPORATION, an Ohio corporation, 311 Regency Ridge, Dayton, Ohio 45459, ("NIC"), hereby enter into this Agreement upon the terms and conditions as set forth herein.

WHEREAS, the Montgomery Building Department has been certified by the State Of Ohio Board of Building Standards to exercise enforcement authority, accept and approve plans and specifications, and make inspections pursuant to sections 3781.10 and 3791.04 of the Ohio Revised Code; and

WHEREAS, Ohio law authorizes the City to contract with a third party to provide plan review and field inspection authority and services for the City's Building Department; and

WHEREAS, Montgomery and NIC desire to enter into a contract for NIC to review and approve construction documents, provide building, heating, ventilation, air conditioning, electrical, and site inspection services to Montgomery, to exercise enforcement authority for plan review and inspections as set forth in this Agreement, to provide enforcement authority through NIC's Certified Inspectors to assure compliance with the adopted Building Code of Montgomery and to provide Building Official and Plan Review services to the City of Montgomery; and

WHEREAS, the services to be performed by NIC are of a technical, non-competitive and professional nature, and the appropriate authority to execute this Agreement with NIC has been granted by the Council of the City of Montgomery;

NOW, THEREFORE, Montgomery and NIC agree as follows:

1. Montgomery and NIC agree that NIC shall exercise enforcement authority for inspections and approval of plans and specifications, issue plan and specification approval and make field inspections on behalf of Montgomery for enforcement of state and local building codes, including the Ohio Building Code

and Ohio Residential Building Code, and such other regulations as Montgomery may adopt related to building construction (individually and collectively "Code"). NIC shall designate a person within NIC to serve as the Certified Building Official for the City. Such authority conveyed to NIC by this Agreement shall be no more than the authority conveyed to Montgomery, Ohio by its building codes and by state law. The extension of this authority to NIC shall not authorize NIC to waive any requirements of the zoning or building codes on behalf of the City.

2. Inspections shall be performed on a daily basis during regular business hours, except for inspections that must be performed during hours of darkness or during commercial "shut-down" conditions. Plan review shall be completed within a reasonable period of time from receipt of such plans by the Montgomery Building Department. For 1, 2, and 3 family dwellings, such review shall typically be completed within two business days of receipt, and for all other plan reviews such review typically shall be completed within three to ten business days of receipt. Plans are to be submitted to Montgomery's office at its address as written above.

3. NIC agrees that inspectors will be available by telephone for citizen and contractor queries between 8:00am and 5:00pm, Monday through Friday with the exception of legal holidays. All NIC inspectors will maintain state certification as required by law. Plan review shall be performed by a Certified plans Examiner for all plans submitted for a permit under the requirements of the Ohio Building Code (OBC).

4. Montgomery has established a statutory permit fee schedule, as enumerated in the ordinances of Montgomery. A true copy of said ordinance is appended hereto as Exhibit "A" and incorporated by reference herein. Montgomery reserves the right to amend the fee schedule from time to time. Any such change which significantly impacts the compensation to be paid to NIC under the terms of this Agreement shall authorize NIC to terminate this Agreement upon sixty (60) days advanced written notice to the City.

In accordance with the schedule of fees adopted by Montgomery, commencing January 1, 2013 Montgomery shall pay NIC for services rendered ninety percent (90%) of all fees received by Montgomery pursuant to such ordinance. The fees received by Montgomery for which NIC shall receive

compensation do not include any penalty fees or penalties assessed by Montgomery for Code enforcement. Net fees shall be the amount of the gross fees paid to the City, less such administrative fees as are required to be paid to the Ohio Board of Building Standards. Collection of permit fees shall be the sole responsibility of Montgomery. NIC shall invoice Montgomery monthly itemizing the project reviewed and fees due. Any other fees required to be collected with the building permit such as water, sewer or environmental impact fees shall be collected by Montgomery and shall not be considered as a part of the net fee structure upon which NIC shall be compensated.

5. NIC shall indemnify, defend and hold harmless Montgomery, its officers, directors, agents and employees from and against any and all loss, liability, claim for personal injury, wrongful death or property loss, damages, and expenses including attorney's fees and litigation expenses resulting from the negligence of NIC, its agents or employees in connection with NIC's services and obligations provided for under this Agreement except to the extent such loss was caused by or resulted from the negligence of Montgomery. This obligation will survive the termination or expiration of this Agreement. To the extent permitted under any policy of liability insurance issued to the City or in accordance with the rules and regulations of any self insurance pool to which the City may belong, NIC shall be entitled to full participation with Montgomery in defense of any such claim. NIC further shall be required to carry a policy of general liability insurance and errors and omissions coverage with limits not less than \$1,000,000.00 per occurrence and \$1,000,000.00 aggregate. The City of Montgomery shall be named as an Additional Insured under such liability policy with the following language included in such Certificate of Coverage:

THE FOLLOWING ARE Additional Insureds: the City of Montgomery, Ohio, its elected and appointed officials, all employees, agents, volunteers, all boards, commissions and board members, including employees, agents and volunteers of such boards and commissions. Coverage shall be primary to the Additional insureds and not contributing with any other insurance or similar protection available to the Additional Insureds whether other available coverage is primary, contributing, or excess

Upon a request of Montgomery, NIC shall provide to Montgomery certificates evidencing said insurance coverages, as well as a certificate evidencing worker's compensation coverage.

6. In addition to the general services outlined above, NIC agrees to furnish the following specific services to Montgomery:

a. Provide at its expense a toll free telephone number at its offices and make same available to the city of Montgomery, its general public, and all persons or entities having business with Montgomery which would be covered by this Agreement.

b. Upon request, advise applicants on Code requirements, but shall not perform design services for the completion of inadequate applications.

c. Perform job inspections of all work described on the application and plans, including the installation of equipment. Such service shall be provided promptly in the order received or scheduled without regard to type or extent of work, but within normal scheduling.

d. Prepare permits and certificates of approval when the installed work complies with all applicable regulations, ordinances, and statutes.

e. Except in those cases where NIC is called upon to assist the City in defense of any claim asserted by a third party against the City arising from any act or omission by NIC, upon request of the Montgomery Law Director, make itself reasonably available for and shall testify in any judicial proceeding or any formal or informal dispute resolution proceeding involving issues arising from the performance of the services herein described. After the first appearance on a specific case, NIC shall be paid \$100.00 per hour for the time any of its employees or principals shall take to fulfill the requirement as set forth in this section.

f. Provide utility companies with certificates of approval when necessary for the release of new services.

g. Provide emergency inspections as necessary at the request of other Montgomery Departments for which NIC shall be entitled to charge Montgomery \$75.00 per hour, port to port.

7. All documents, including applications, plan review, job progress reports and inspection reports shall remain the property of Montgomery.

8. This Agreement shall be effective January 1, 2024. This Agreement shall be renewable for continuing one-year terms unless terminated by either party with written notice directed to the other party sixty (60) days in advance of such renewal date. Either party may terminate this Agreement without cause with sixty (60) days notice to the other party after the first anniversary of this Agreement. While this agreement is in effect and for one year after termination, Montgomery will not offer employment to, nor solicit any employment applications from employees, former employees or contractors of NIC who provided service to Montgomery under this or a predecessor Agreement.

9. All notices to be given by or to either party to this Agreement shall be sent U.S. Mail, Certified, return receipt requested to the address as is noted above or as it is duly noticed by either party. All such notices shall be effective as of the date received.

10. This Agreement shall be construed under and in accordance with the laws of the State of Ohio, and all obligations to the parties created under this Agreement are performable in Hamilton County, Ohio.

11. This Agreement shall be binding and insure to the benefit of the parties of this Agreement and their respective heirs, executors, administrators, legal representatives, successors and assigns as permitted by this Agreement.

12. If one or more of the provisions contained in this Agreement is held by a Court of competent jurisdiction to be invalid, illegal, or unenforceable in any respect, that invalidity, illegality or unenforceability shall not affect any other provision. This Agreement shall be construed as if the invalid, illegal, or unenforceable provision had never been contained in it.

13. This Agreement constitutes the sole and only agreement of the parties and supersedes any prior understandings or written or oral agreements between the parties respecting the subject matter of this Agreement.

14. This Agreement may not be assigned by either party without express written consent of the other party, which consent may not be unreasonably withheld.

CITY OF MONTGOMERY, OHIO

Date: _____

By: _____

Brian Riblet

Its: City Manager

**NATIONAL INSPECTION
CORPORATION**

Date: _____

By: _____

Andrew McKenzie

Its: President

APPROVED AS TO FORM:

Terrence M. Donnellon
Law Director for City of Montgomery

RESOLUTION NO. , 2023

A RESOLUTION DECLARING A MORATORIUM ON THE COLLECTION OF BUILDING AND ZONING PERMIT FEES FOR SOLAR INSTALLATIONS

WHEREAS, Chapter 152.04 of the Code of Ordinances of Montgomery requires the payment of building and zoning fees prior to the issuance of a building and zoning permit; and

WHEREAS, the City wants to promote the use of solar technology to provide hot water and electricity from a renewable, non-polluting source; and

WHEREAS, the City recognizes that the initial investment costs to install solar technology, while much lower than in the past, are still expensive compared to natural gas and other traditional sources; and

WHEREAS, staff has recommended that the City waive the building and zoning permit fees for a period of time to reduce the cost and provide incentives for residents and businesses to invest in a solar installation; and

WHEREAS, waiving these fees for a limited period of time will not impact the General Budget nor curtail services within the City, but it may help provide the stimulus to improve energy conservation and positively impact the quality of life in Montgomery; and

WHEREAS, Council did previously enact a moratorium on a portion of the building permit fees until December 31, 2023, and to continue to encourage development of solar alternatives, Council does desire to renew this moratorium through December 31, 2025.

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

SECTION 1. Building and zoning permit fees that are typically payable in order to receive the proper permits to install a solar hot water heating system or solar photovoltaic electricity system shall be suspended up to a maximum of \$1,000.00 per project for a period of twenty-four (24) months commencing January 1, 2024 and ending December 31, 2025.

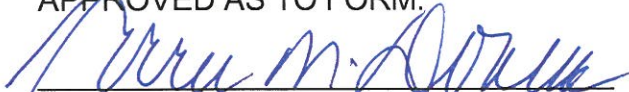
SECTION 2. This Resolution shall be in full force and effect from and after its passage.

PASSED: _____

ATTEST: _____
Connie M. Gaylor, Clerk of Council

Craig D. Margolis, Mayor

APPROVED AS TO FORM:



Terrence M. Donnellon, Law Director

RESOLUTION NO. _____, 2023

A RESOLUTION ACCEPTING A BID AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH RUMPKE OF OHIO, INC. FOR WASTE COLLECTION AND RELATED SERVICES WITHIN THE CITY OF MONTGOMERY FOR CALENDAR YEARS 2024, 2025 AND 2026

WHEREAS, the City advertised for bids with various bid options and bid alternatives for curbside waste collection, collection of bulk items, curbside recycling, seasonal yard waste and seasonal holiday and greenery collection; and

WHEREAS, the City has received one bid for such services from Rumpke of Ohio, Inc., which in part is responsive to the bid, presents the best options for the City to continue to provide these services without interruption, and which can be properly managed within the City's budget; and

WHEREAS, the Administration, having reviewed the bid options and bid alternatives, is recommending to City Council that Council enter into a contract for calendar year 2024, and at this time to take advantage of potential future savings to avoid significant increases in these services, by accepting the bid options for calendar years 2025 and 2026, and separately reject the bid options proposed for extended yard waste collection and holiday tree collection and instead contract for these services as an Addendum to the contract as needed and as budgeted year to year during the contract term; and

WHEREAS, after reviewing the proposals, Council agrees that further competitive bidding likely would not realize any savings to the City, and with the need to continue these services uninterrupted it is best to accept the recommendations from the Administration and award the contract to Rumpke of Ohio, Inc.

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

SECTION 1. The following basic services be accepted and awarded by contract to Rumpke of Ohio, Inc. for calendar years 2024 and option years 2025 and 2026.

RUMPKE BID BY YEAR

	2024	2025	2026
SERVICE			
Trash Removal/ Collection	\$ 530,550.00	\$ 562,383.00	\$ 596,338.20
Curbside Recycling	\$ 212,220.00	\$ 224,953.20	\$ 238,535.28
Limited Yard Waste Collection	\$ 127,332.00	\$ 134,971.92	\$ 143,036.28
UNL. YW-5 WK	\$ 39,791.25	\$ 42,090.30	\$ 44,566.20

SECTION 2. On an as needed basis if supported by the budget, the City Manager is authorized to execute an Addendum to the contract for the following services:

RUMPKE BID BY YEAR

	2024	2025	2026
SERVICE			
Add'l 3 WK Collection of Yard Waste	\$ 15,916.50	\$ 15,916.50	\$ 15,916.50
Holiday Tree and Greenery Collection	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00

As these additional services are within the contractual authority of the City Manager, the City Manager is given discretion to award these Addendum to the contracts without the need for additional competitive bidding.

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

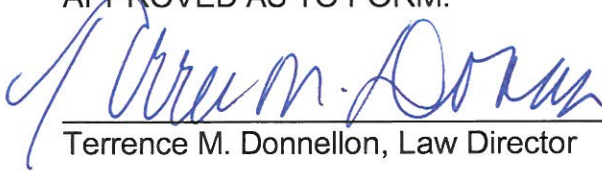
its passage.

PASSED: _____

ATTEST: _____
Connie M. Gaylor, Clerk of Council

Craig D. Margolis, Mayor

APPROVED AS TO FORM:



Terrence M. Donnellon, Law Director

ORDINANCE NO. , 2023

**AN ORDINANCE MODIFYING THE LIST OF CONDITIONS AND EXCEPTIONS
FOR THE VINTAGE CLUB PLANNED UNIT DEVELOPMENT DISTRICT
AND REZONING A PORTION OF THE DISTRICT FROM A MULTI-FAMILY D-3
DISTRICT TO A LIMITED BUSINESS L-B DISTRICT**

WHEREAS, by Ordinance No. 11, 2006, City Council did establish the Vintage Club Planned Unit Development District (“District”) to support the development of property fronting Montgomery Road and Kemper Road to be developed by Great Traditions Development Group for both Residential and Business District uses; and

WHEREAS, the Vintage Club Planned Unit Development has been modified throughout the past several years to better reflect the market necessities for development; and

WHEREAS, Great Traditions Development Group, now known as Traditions Development Group, has petitioned the City to further modify the Vintage Club Planned Unit Development District and to modify the underlying zoning upon Auditor’s Parcel Numbers 603-0A23-0218, 603-0A23-0219, 603-0A23-0230 and 603-0A23-0231 from the current D-3 Multi-Family District with a Planned Unit Development Overlay to the L-B Limited Business District with an updated Planned Unit Development Overlay to support the development of a proposed project to construct a 144 unit Mixed Use-Independent Living Facility upon these four parcels to be consolidated for a Final Development Plan; and

WHEREAS, the Planning Commission has held a series of public meetings, the result of which is the Planning Commission has unanimously recommended that a portion of the District be rezoned to a L-B Limited Business District and the Planned Unit

Development Overlay Statement of Conditions and Exceptions be modified; and

WHEREAS, Council held a public hearing on November 1, 2023 to review the Planning Commission's recommendations, and Council did unanimously accept the recommendations to advance these changes to appropriate legislation.

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

SECTION 1. The following four lots shall be rezoned from a D-3 Multi-Family District with a Planned Unit Development Overlay to an L-B Limited Business District with a Planned Unit Development Overlay. The lots and the current ownership are as follows:

Auditor's Parcel Number	Ownership
603-0A23-0218	City of Montgomery, Ohio as depicted on Schedule A attached
603-0A23-0219	City of Montgomery, Ohio as depicted on Schedule B attached
603-0A23-0230	Traditions VC K, LLC as depicted on Schedule C attached
603-0A23-0231	Traditions VC Developer, LLC as depicted on Schedule D attached

SECTION 2. The Planned Unit Development Overlay for the Vintage Club Development and specifically the updated Statement of Conditions and Exceptions detailed in **Schedule E** attached is hereby adopted as if fully rewritten herein.

SECTION 3. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.

SECTION 4. All sections, subsections, parts and provisions of this Ordinance are hereby declared to be independent sections, subsections, parts and provisions, and the holding of any section, subsection, part or provision to be

unconstitutional, void or ineffective for any reason shall not affect or render invalid any other section, subsection, part or provision of this Ordinance.


SECTION 5. This Ordinance shall take effect the earliest opportunity as allowable by law.

PASSED: _____

ATTEST: _____
Connie M. Gaylor, Clerk of Council

Craig D. Margolis, Mayor

APPROVED AS TO FORM:



Terrence M. Donnellon, Law Director

Property Report

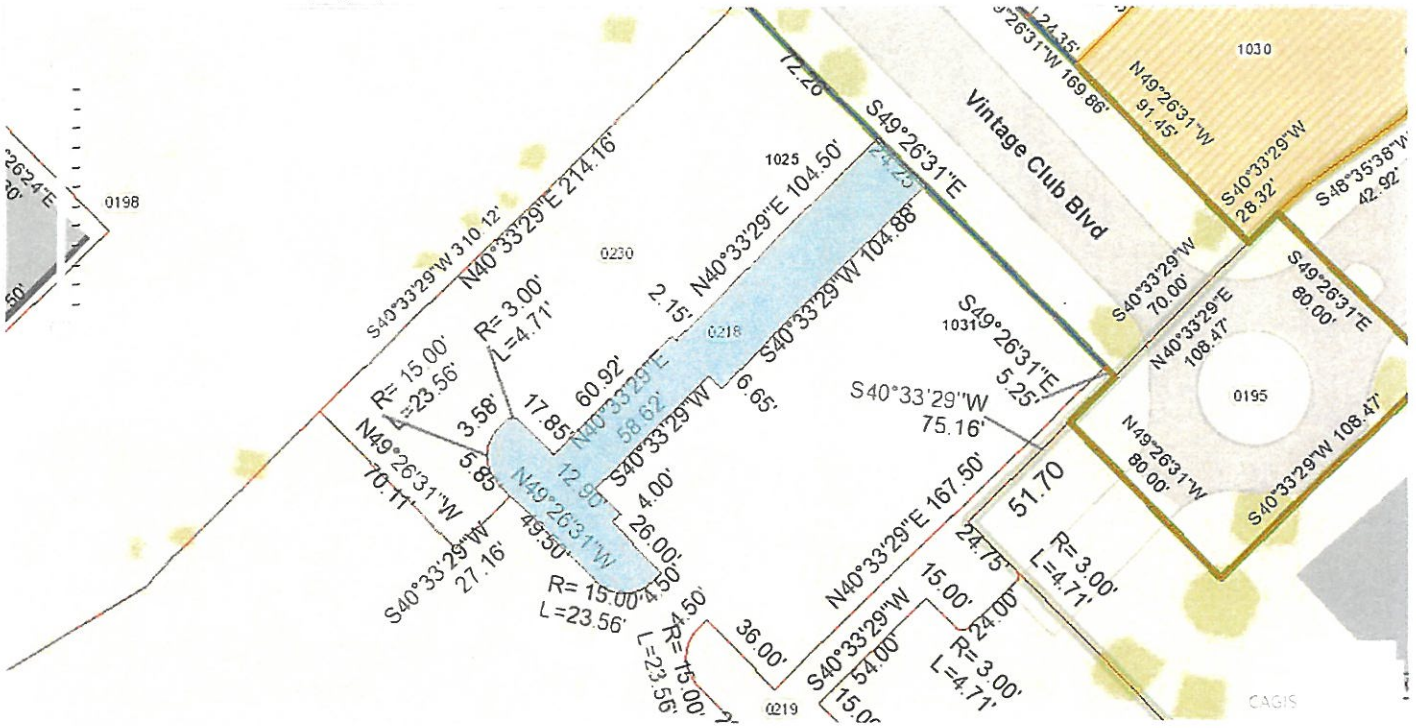
Parcel ID
603-0A23-0218-00

Address
VINTAGE CLUB BV

Index Order
Parcel Number

Tax Year
2022 Payable 2023

Property Map



SCHEDULE A

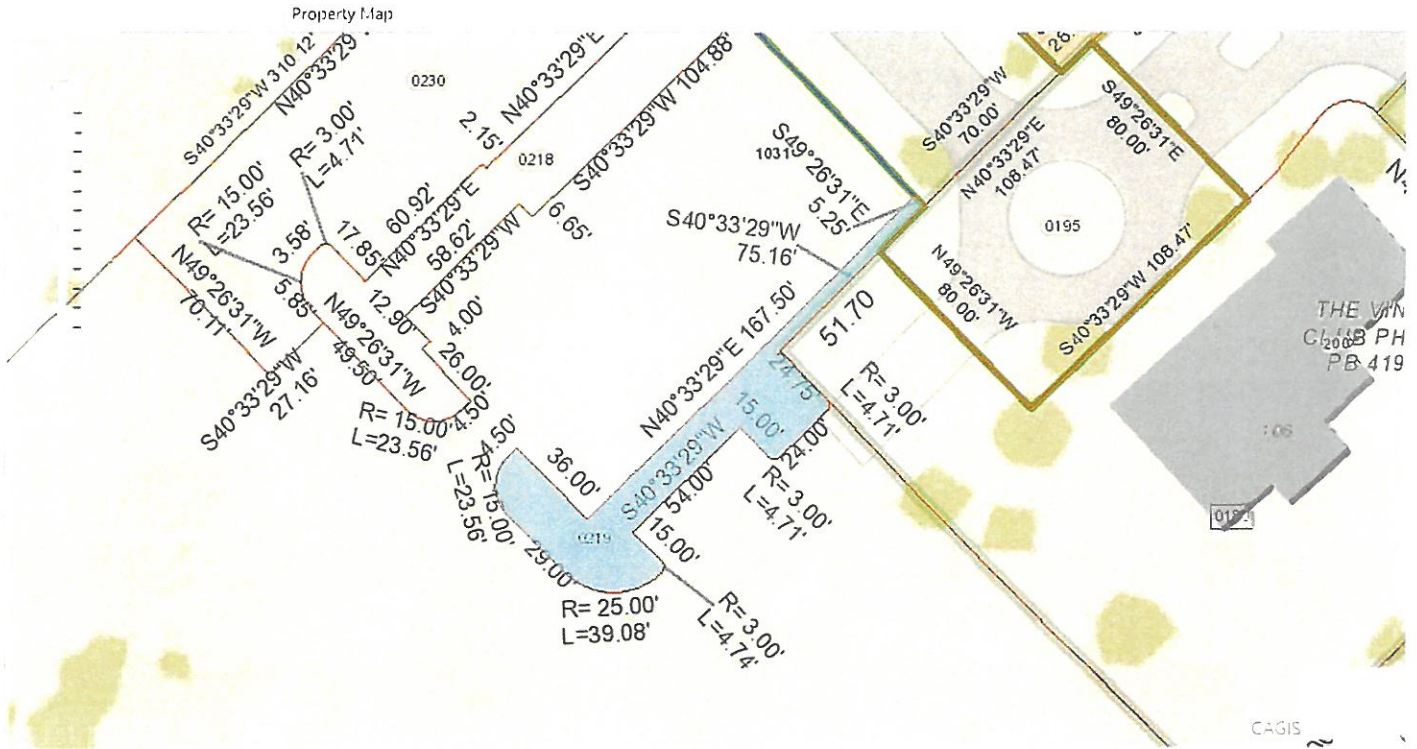
Property Address

Parcel ID
603-0A23-0219-00

Address
VINTAGE CLUB BV

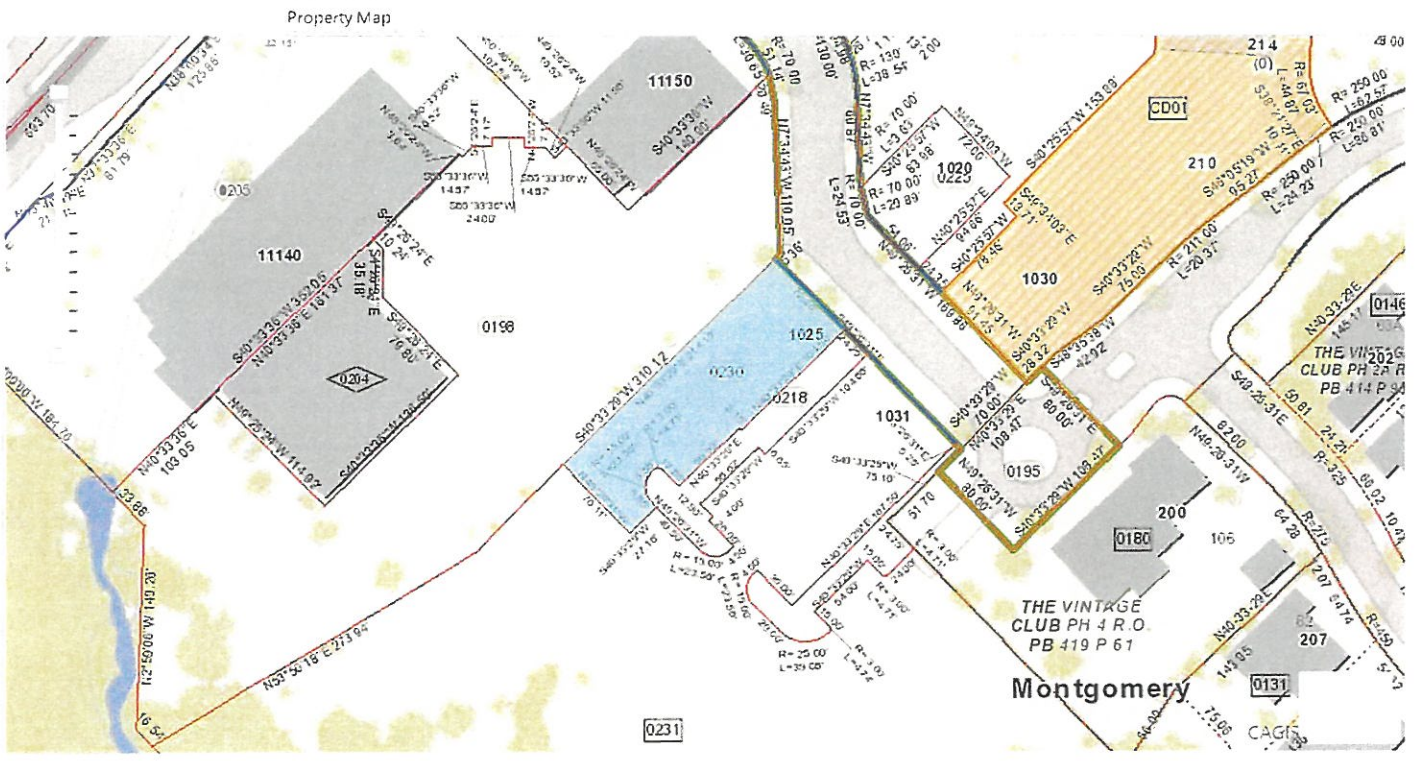
Index Order
Parcel Number

Tax Year
2022 Payable 2023



SCHEDULE B

Parcel ID	Address	Index Order	Tax Year
603-0A23-0230-00	VINTAGE CLUB 8V	Parcel Number	2022 Payable 2023



SCHEDULE C

Property Report

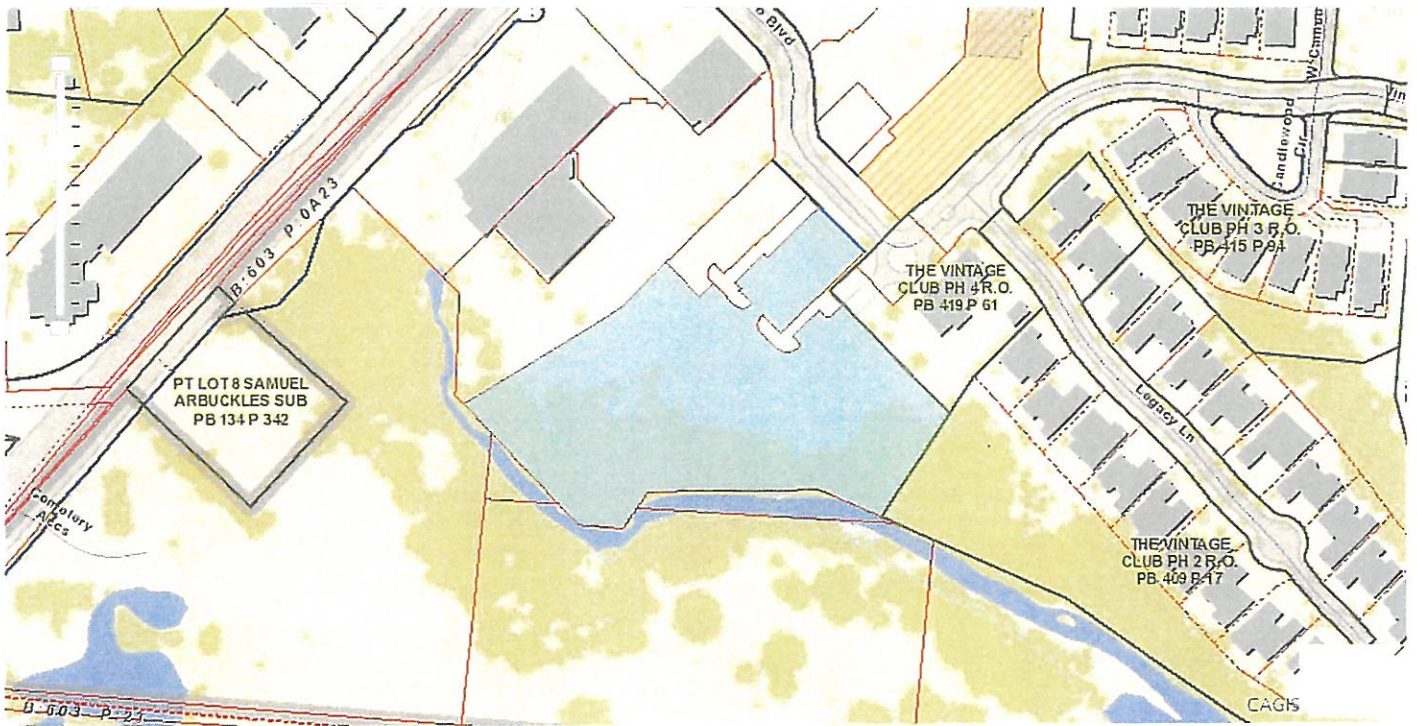
Parcel ID
603-0A23-0231-00

Address
VINTAGE CLUB BV

Index Order
Parcel Number

Tax Year
2022 Payable 2023

Property Map



SCHEDULE D

SCHEDULE E

VINTAGE CLUB OF MONTGOMERY STATEMENT OF CONDITIONS & EXCEPTIONS ESTABLISHED AS THE STANDARDS IN THE PLANNED UNIT DEVELOPMENT DISTRICT

As Adopted by Ordinance No. _____, 2023

General Conditions for the PUD

1. Streets shown on the general development plan will be private streets, with street widths of 25' from back of curb to back of curb along roads B,C,D; 22' along road F and the drives, and 22'-25' for road E. Streets will be built to City subdivision standards, with the exception of the street plazas. The main access drive from the commercial section to the connection with the Kemper Road access drive will have chair back curbs, or ODOT Type 6 vertical curb, all other curbs at discretion of applicant.
2. The width of linear open space reserved for walking paths will be a minimum of 15'. The path itself may be of mulch, wood chips, or limestone. The open space for the tree line that runs north to south through the east side of the property in the estate section will be 25' wide. There will be a physical delineation of the borders of the hiker/biker trails.
3. Street lights will be provided throughout the residential neighborhoods.
4. Street trees will be provided at intervals of 65' or less along all of the streets.
5. 5' wide sidewalks will be provided along Road B and the Kemper Road entry road. Four foot wide (minimum width) will be provided throughout the other residential neighborhoods.
6. The side of all the roads and drives which have fire hydrants will be marked as 'no parking, fire lane'.
7. The gates used to block Road B and Road C will meet the emergency access requirements specified by the Montgomery police and fire chiefs.
8. There will be 13.95262 acres of open space and 11,540 sq. ft. of bonus area open space as designated on the open space plan submitted by the development team.
9. The development team will provide an addition 4,100 square feet of open space in a later section of the development, subject to the final development plan of that section.

10. In addition to standard Hamilton County storm water management plans, the applicant will adhere to the following:
 - a. Will adhere to Ohio EPA post construction runoff guidelines as indicated in permit OHC000006;
 - b. Develop storm water pollution prevention plans as indicated in Ohio EPA permit;
 - c. Adhere to Section 404 of the Clean Water Act as administered by the Army Corps of Engineers;
 - d. Adhere to Section 401 of the Clean Water Act as administered by OEPA.
 - e. The development team will work with the City Engineer to determine the best management practices that will be used to address NPDES Phase II regulations, including the following methods which the applicant has indicated could be acceptable to them: fore bay in the central detention area, modifications of the detention basins to delay release and allow settling of pollutants in the basin, and various pretreatment options in the proposed greenspace areas. It is acknowledged that surface drainage from property to the north of the site would not be subject to any water quality bmp's.

11. As part of Phase I, the intersection of Road C and Kemper Road will be improved. A left turn lane, both eastbound and west bound, will be constructed. A cross walk will be provided on the east side of the intersection. A right turn lane onto Road C from east bound Kemper will be provided if it is determined to be necessary for the permanent long term safety and efficiency of Kemper Road travel by the City Engineer and the Public Works Director.

12. The Christ Hospital shall be considered an adjacent property owner for notification purposes.

13. The Christ Hospital shall be considered an adjacent property owner to entitle the Hospital to have standing to appeal or take other legal actions with regard to decisions of the Montgomery Planning Commission and City regarding modifications to the Plan or approval of Final Development Plans.

Residential 'A' Estate Section

The regulations for the 'A' zoning district will apply with the following conditions and variations:

1. Lots will be on private streets; therefore they will not be required to have frontage on a public right of way.
2. All of the lots abutting the Reserve will be at least 20,000 sq. ft.
3. All other lots will be a minimum of 16,000 sq. ft, except the lot at the end of the cul-de-sac of Road C (lot #22 on grading plan) which will be a minimum of 15,000 sq. ft.

4. Front yard setbacks are established at 30' from the 50' wide private right of way.
5. The side yard setback is established at 10'.
6. The rear yard setback for lots abutting the Reserve of Montgomery is 35'
7. The rear yard setback for lots abutting Weller Park or Good Shepherd is 30'
8. The rear yard setback for lots abutting internal green space is 30'.
9. Public pedestrian access will be maintained between Kemper Road and the path to Weller Park, with appropriate signage.
10. Accessory structures will maintain a 10' side and rear yard setback.
11. There will be no additional encroachments permitted in the side or front yards for attached structures.
12. Uncovered porches, terraces, decks, patios may encroach to within 10' from the rear property line.
13. Landscape plans for all the open space will be provided as part of the final development plan. A landscape buffer will be provided along the south edge of the storm water detention basin abutting the Reserve.
14. The additional requirements for panhandle lots will not apply.
15. The side yard setback for the portion of the driveway behind the front elevation of the dwelling unit and adjacent to the side-entry garage shall be 3'.
16. The portion of the driveway beyond 10' of the front elevation must be 5' from the side lot line and no driveway can exceed 12' in width, for any portion in front of that 10'.

Residential D-3: Club Section

The regulations for the D-3 zoning district will apply, with the following conditions and variations:

1. The lots will be on private streets and will not be required to have frontage on a public right of way.
2. The front yard setback will be established at 20' from the private right of way.
3. The side yard setbacks will be set at seven feet.
4. The rear yard setbacks will be set at 20'

5. The open space surrounding the club lots will be left primarily as is. A plan for the walking paths will be provided with the final development plan, and will demonstrate connections between the lake, the clubhouse, and all of the residential components.
6. The cul-de-sac for the club homes will exceed the 800' standard of the subdivision regulations.
7. The private drive at the end of Road E will be a minimum of 22' wide, and have one side designated as "No parking, fire lane" posted.
8. Driveways shall maintain a 3' setback from the side property lines.
9. Decorative fences up to 3' in height and associated with a landscape trellis or arbor are allowed in the front yard. The trellis or arbor can be up to 8'-0" in height and no section of the fence may be longer than 18'-0". Any portion of fence which exceeds 2' in height shall be parallel to the street.
10. Paving, patios, and terraces, located in the rear yard may be placed up to the rear property line; however, this exception is not granted to Lot Numbers 72, 73, 74, and 75.

Residential D-3: Courtyard Section

The regulations for the D-3 zoning district will apply, with the following conditions and variations:

1. The lots will be on private streets and will not be required to have frontage on a public right of way.
2. The minimum lot size will be 6250 sq. ft.
3. The minimum lot width will be 50'
4. The front yard setback will be 25' from back of pavement.
5. The side yard setback will be 5'.
6. The rear yard setback will be 20'.
7. The access driveway at the end of Drive B will be a minimum of 22' wide.
8. Porches, trellis', bay windows (including foundation and not to exceed 7' in width), roof overhangs, decks, stairs, chimneys, and architectural features can extend to 3' into the side yard setback.
9. Fireplaces, with or without chimneys and a maximum of 7', TV/Entertainment Centers, associated with a Fireplace and a maximum width of 7', and bay windows

may extend 3' into one front yard on a corner lot and 3' into the rear-yard setback on any lot.

10. Decorative fences up to 3' in height and associated with a landscape trellis or arbor are allowed in the front yard. The trellis or arbor can be up to 8'-0" in height and no section of the fence may be longer than 12'-0". Any portion of fence which exceeds 2' in height shall be parallel to the street.
11. Impervious surface to be no more than 50% in the front-yard for a home with a courtyard entry garage. The number of lots where the impervious surface exceeds 40%, but is less than 50% may be no more than 15 of the approved 46 Courtyard homes.
12. Below grade window wells with guardrails can extend into the side yard setback up to 4' where there is a use easement.
13. Driveways shall maintain a three foot setback for the edge of the use easement.

Commercial LB:

The LB section will be treated as a mixed use project and treated as a permitted use. The requirements for the LB district shall apply, with the following variations and conditions:

1. Uses: All of the uses permitted in the LB district as of the date of the enactment of the PUD will be considered permitted uses. Bars and taverns will also be considered a permitted uses. Hotels/motel may be permitted by the Planning Commission as a permitted use.
2. Density: The final development plan is limited to a maximum of 285,000 sq. ft to be distributed between office, retail, and restaurant. There will be a mix of all three uses, consistent with the attached document dated 2/24/06, 'commercial square footage analysis' by the development team. A total of 144 independent living units are permitted. There is no restriction on the number of condominiums that will be permitted provided the height and parking regulations are met.
3. Building Heights: The height of buildings that front along Montgomery Road shall meet the standard three story or 45' height limitation. For buildings in the interior of the LB section that are north of Vintage Club Boulevard, a maximum of four stories or 52' shall be allowed. For buildings in the interior of the LB section that are south of Vintage Club Boulevard, a maximum of five stories or 57' shall be permitted. Height shall be defined as the average of the top of the parapet walls and/or the mean of the pitched roof structures to average grade along Vintage Club Boulevard with associated exceptions as specified in Section 150.0204 of the Planning and Zoning Code.
4. The parking requirements for the LB district will be flexible, and will be based on computations derived from Urban Land Institute methodology for mixed use,

shared use projects. The computations will be presented to the Planning Commission for review.

5. The following guidelines established for the Montgomery Road Corridor for the area from the Heritage District to Schoolhouse will apply:
 - a. Access and circulation requirements
 - b. Screening of loading areas
 - c. Pedestrian features
 - d. Building design in relation to scale and massing.
 - e. Architectural details for facades, entrances, windows and doors, and roof types
 - f. Building materials, with the exception that accent materials may compose up to 35% of the exterior wall surface of any individual elevation.
 - g. Colors
6. Perimeter parking lot and front yard landscaping for properties fronting Montgomery Road shall meet the standards established in the Zoning Code. All other landscaping shall be in compliance with the approved General Development Plan.
7. The front-yard setback for buildings fronting Montgomery Road shall be 25' measured from the Montgomery Road right-of-way.
8. The front-yard setback for buildings fronting Vintage Club Boulevard shall be no more than 20' from Vintage Club Boulevard with the exception of buildings C & L. The front-yard setback for building L fronting Vintage Club Boulevard shall be no more than 30'
9. The setbacks of the buildings in the LB section from the D-3 section is at the discretion of the applicant.
10. There shall be no front, side and rear yard setbacks for buildings within the Village Section other than the project perimeters as established in conditions 7 and 8.
11. The setback of the condominiums and/or offices from Harpers will be 25', with a minimum of 6' set aside for a landscape buffer along the frontage of the LB with Harpers.
12. There shall be no front, side or rear yard parking setbacks in the Village Section except from the project boundary line; however, properties fronting Montgomery Road are required to meet front yard parking setback as established in the Zoning Code.
13. Parking lot lighting shall be consistent with standards established with the Zoning Code.

14. One multi-tenant monument sign shall be permitted for the Village Section along Montgomery Road that shall not exceed 11.25' or 9' in width. Each tenant panel on the monument sign shall not exceed 11 square feet in area. The monument sign shall be located out the right-of-way and shall be a minimum of 20' from the back of curb.
15. Sandwich board signs shall be permitted for tenants in buildings C, K, L and J in compliance with Section 151.3012(H) of the Montgomery Zoning Code which specifies sandwich board regulations for the Old Montgomery District.
16. For buildings C, K, L and J the maximum area permitted for signs attached to the building for each tenant unit or space shall be 1.5 square feet per lineal foot of building frontage, up to a maximum of 60 square feet. In no case shall a single tenant have more than three signs on a single façade.
17. For building C, K, L and J one additional wall sign per frontage with a secondary customer entrance facing a side or rear parking area shall be permitted. Such signs shall not exceed 0.75 square feet per lineal foot of building frontage based on the length of the secondary building frontage, up to 30 square feet. Permitted sign area may be distributed on any building frontage provided that the maximum sign allowance for the building is not exceeded and no individual sign exceeds 60 square feet in size.
18. Window signs for Buildings C, K, L and J shall not exceed 10 square feet in area. Window signs shall not be counted towards the total sign allowance.
19. When windows are located above or below a projection sign, they shall be at least 6" from the lintel or other trim of the window above or below it. Staff would recommend a slight modification to read 'When windows are located above or below a projecting or wall sign, the sign shall be mounted at least 6" front the lintel or other trim of the window above or below it'.
20. A maximum of two art placemaking elements are permitted per building for buildings C, K, L and J provided that they do not include a commercial message or corporate logo. Such elements can be mounted on the building between 15' and 45' above grade and shall not exceed 60 square feet in area. Art placemaking elements may be externally illuminated; however, internal illumination is prohibited.
21. Multi-tenant vehicular directional signs shall not exceed 16 square feet in area or 5.5' in height. Business identification signs shall not be permitted on directional signs.
22. Pedestrian informational kiosks which provide a directory and map of businesses within the Village Section shall be permitted provided that they do not exceed 9' in

height or 8 square feet in size. Additional commercial messages shall not be permitted. A maximum of 3 pedestrian informational kiosks shall be permitted for the development.

23. All regulations in Section 151.3014 of the Zoning Code Design and Construction of Permanent Signs shall apply.

ORDINANCE NO. _____, 2023

AN ORDINANCE AMENDING CHAPTER 44.1, *INCOME TAX*, TO COMPLY WITH MANDATES REQUIRED BY THE OHIO GENERAL ASSEMBLY

WHEREAS, Article XVIII, Section 3 of the Ohio Constitution authorizes local municipal corporations to levy a tax on income of persons and businesses residing within, sited within, or working within City limits; and

WHEREAS, the Ohio General Assembly has mandated that each municipal corporation desiring to tax such income must enact certain provisions as mandated by the Ohio General Assembly or lose their taxing authority; and

WHEREAS, the 135th General Assembly has passed H.B. 33, which has been signed by Governor DeWine, mandating changes in the local Income Tax Codes providing exemption of certain income and limiting the enforcement ability of local jurisdictions; and

WHEREAS, administration of the local Tax Code has been sourced to the Regional Income Tax Authority (“RITA”) which has recommended specific changes in the Montgomery Income Tax Code to meet the mandates of H.B. 33.

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

SECTION 1. Section 44.1.03(11), ***Exempt Income***, is hereby amended to add the following exemption:

(O) For tax years 2024 and hereafter the income of individuals under Eighteen (18) years of age.

SECTION 2. Section 44.1.062, *Net Profit*, shall be amended under subsection (A) to read as follows:

Except as provided in divisions (B)(1) and (I) of this section, Net Profit from a business or profession conducted both within or without the boundaries of the municipality shall be considered as having a taxable situs in the municipality for purposes of municipal income taxation in the same proportion as the average ratio of the following:

The remainder of subsection (A) is hereby ratified and reaffirmed.

SECTION 3. Section 44.1.062(D), the following language shall be added:

For purposes of (A)(3) of this section ***and except as provided in division (I) of this section,*** reasonable receipts from sales and rentals made or services performed shall be situated to a municipal corporation as follows:

All other provisions of section (D) are hereby ratified and reaffirmed.

SECTION 4. There is hereby added a new section (I) to Section 44.1.062 reading as follows:

(I)(1) As used in this division:

(a) "Qualifying remote employee or owner" means an individual who is an employee of a taxpayer or who is a partner or member holding an ownership interest in a taxpayer that is treated as a partnership for federal income tax purposes, provided that the individual meets both of the following criteria:

(i) The taxpayer has assigned the individual to a qualifying reporting location.

(ii) The individual is permitted or required to perform services for the taxpayer at a qualifying remote work location.

(b) "Qualifying remote work location" means a permanent or temporary location at which an employee or owner chooses or is required to perform services for the taxpayer, other than a reporting location of the taxpayer or any other location owned or controlled by a customer or client of the taxpayer. "Qualifying remote work location" may include the residence of an employee or owner and may be located outside of a municipal corporation that imposes an income tax in accordance with this chapter. An employee or owner may have more than one qualifying remote work location during a taxable year.

(c) "Reporting location" means either of the following:

(i) A permanent or temporary place of doing business, such as an office, warehouse, storefront, construction site, or similar location, that is owned or controlled directly or indirectly by the taxpayer;

(ii) Any location in this state owned or controlled by a customer or client of the taxpayer, provided that the taxpayer is required to withhold taxes under Section 44.1.05 of this Chapter, on qualifying wages paid to an employee for the performance of personal services at that location.

(d) "Qualifying reporting location" means one of the following:

(i) The reporting location in this state at which an employee or owner performs services for the taxpayer on a regular or periodic basis during the taxable year;

(ii) If no reporting location exists in this state for an employee or owner under division (l)(1)(d)(i) of this section, the reporting location in this state at which the employee's or owner's supervisor regularly or periodically reports during the taxable year;

(iii) If no reporting location exists in this state for an employee or owner under division (l)(1)(d)(i) or (ii) of this section, the location that the taxpayer otherwise assigns as the employee's or owner's qualifying reporting location, provided the assignment is made in good faith and is recorded and maintained in the taxpayer's business records. A taxpayer may change the qualifying reporting location designated for an employee or owner under this division at any time.

(2) For tax years ending on or after December 31, 2023, a taxpayer may elect to apply the provisions of this division to the apportionment of its net profit from a business or profession. For taxpayers that make this election, the provisions of division (A) of this section apply to such apportionment except as otherwise provided in this division.

A taxpayer shall make the election allowed under this division in writing on or with the taxpayer's net profit return or, if applicable, a timely filed amended net profit return or a timely filed appeal of an assessment. The election applies to the taxable year for which that return or appeal is filed and for all subsequent taxable years, until the taxpayer revokes the election.

The taxpayer shall make the initial election with the tax administrator of each municipal corporation with which, after applying the

apportionment provisions authorized in this division, the taxpayer is required to file a net profit tax return for that taxable year. A taxpayer shall not be required to notify the tax administrator of a municipal corporation in which a qualifying remote employee's or owner's qualifying remote work location is located, unless the taxpayer is otherwise required to file a net profit return with that municipal corporation due to business operations that are unrelated to the employee's or owner's activity at the qualifying remote work location.

After the taxpayer makes the initial election, the election applies to every municipal corporation in which the taxpayer conducts business. The taxpayer shall not be required to file a net profit return with a municipal corporation solely because a qualifying remote employee's or owner's qualifying remote work location is located in such municipal corporation.

Nothing in this division prohibits a taxpayer from making a new election under this division after properly revoking a prior election.

(3) For the purpose of calculating the ratios described in division (A)(1) of this section, all of the following apply to a taxpayer that has made the election described in division (I)(2):

(a) For the purpose of division (A)(1) of this section, the average original cost of any tangible personal property used by a qualifying remote employee or owner at that individual's qualifying remote work location shall be situated to that individual's qualifying reporting location.

(b) For the purpose of division (A)(2) of this section, any wages, salaries, and other compensation paid during the taxable period to a

qualifying remote employee or owner for services performed at that individual's qualifying remote work location shall be situated to that individual's qualifying reporting location.

(c) For the purpose of division (A)(3) of this section, and notwithstanding division (D) of this section, any gross receipts of the business or profession from services performed during the taxable period by a qualifying remote employee or owner for services performed at that individual's qualifying remote work location shall be situated to that individual's qualifying reporting location.

(4) Nothing in this division prevents a taxpayer from requesting, or a tax administrator from requiring, that the taxpayer use, with respect to all or a portion of the income of the taxpayer, an alternative apportionment method as described in division (B)(1) of this section. However, a tax administrator shall not require an alternative apportionment method in such a manner that it would require a taxpayer to file a net profit return with a municipal corporation solely because a qualifying remote employee's or owner's qualifying remote work location is located in that municipal corporation.

(5) Except as otherwise provided in this division, nothing in this division is intended to affect the withholding of taxes on qualifying wages pursuant to Section 44.1.05 of this Chapter.

SECTION 5. Section 44.1.091, *Return and Payment of Taxes*, (A)(3) shall read as follows:

(3) An annual municipal income tax return shall be completed and filed by every taxpayer for each taxable year for which the taxpayer is subject to the tax whether or not a tax is due thereon.

SECTION 6. Section 44.1.094 shall be amended to add the following sentence to subsection (A):

For tax years ending on or after January 1, 2023, the extended due date in the municipality's income tax return for a taxpayer that is not an individual shall be the 15th day of the eleventh month after the last day of the taxable year to which the return relates.

In addition, Section 44.1.094 shall be amended to add the following subsections (F) and (G):

(F) If a taxpayer receives an extension for the filing of a municipal income tax return under Section 44.1.091(G)(2) or Section 44.1.094(A), (C), (D) or (E) of this section, the tax administrator shall not make any inquiry or send any notice to the taxpayer with regard to the return on or before the date the taxpayer files the return or on or before the extended due date to file the return, whichever occurs first.

If a Tax Administrator violates subsection (F) of this section, the municipal corporation shall reimburse the taxpayer for any reasonable costs incurred to respond to such inquiry or notice, up to \$150.

Subsection (F) of this section does not apply to an extension received under subsection (A) of this section if the tax administrator has actual knowledge that the taxpayer failed to file for a federal extension as required

to receive the extension under subsection (A) of this section or failed to file for an extension under subsection (C) of this section.

(G) To the extent that any provision of subsections (A), (B), (C), (D), (E) of this section conflicts with any provision in Section 44.1.092, the provisions of Section 44.1.092 shall prevail.

SECTION 7. Section 44.1.10, *Penalty, Interest, Fees and Charges*, shall be amended at Paragraph (C)(4) to read as follows:

(a) For tax years ending on or before December 31, 2022, with respect to returns other than estimated income tax returns, the City may impose a penalty of \$25 for each failure to timely file each return, regardless of the liability shown thereon for each month, or any fraction thereof, during which the return remains unfiled regardless of the liability shown thereon. The penalty shall not exceed \$150 for each failure.

(b) For tax years ending on or after January 1, 2023, with respect to returns other than estimated income tax returns, the City may impose a penalty not exceeding \$25 for each failure to timely file each return, regardless of the liability shown thereon, except that the City shall abate or refund the penalty assessed on a taxpayer's first failure to timely file a return after the taxpayer files that return.

SECTION 8. Section 44.1.013, *Allocation of Funds*, is hereby amended to read as follows:

The funds collected under the provision of this Chapter shall be disbursed for the following purposes:

(a) **Twenty percent (20%) to the Capital Improvement Fund.**

(b) **Seventy Five percent (75%) to the General Fund for purposes of general municipal operations.**

(c) **Five percent (5%) to the General Bond Retirement Fund.**

SECTION 9. To the extent amended herein, Council does ratify and reaffirm the terms and provisions of Chapter 44.1 of the Code of Ordinances.

SECTION 10. All sections, subsections, parts and provisions of this Ordinance are hereby declared to be independent sections, subsections, parts and provisions, and the holding of any section, subsection, part or provision to be unconstitutional, void or ineffective for any reason shall not affect or render invalid any other section, subsection, part or provision of this Ordinance.

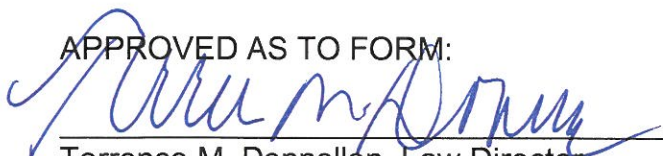
SECTION 11. This Ordinance is hereby declared to be an emergency measure necessary to preserve the public health, safety and welfare and shall take effect January 1, 2024 to continue the administration of the municipal income tax levied by the City of Montgomery.

PASSED: _____

ATTEST: _____
Connie M. Gaylor, Clerk of Council

Craig D. Margolis, Mayor

APPROVED AS TO FORM:



Terrence M. Donnellon, Law Director

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

City of Montgomery
City Council Work Session Minutes
November 15, 2023

Present

Brian Riblet, City Manager
Terry Donnellon, Law Director
Tracy Henao, Asst. City Manager
Kevin Chesar, Community Development Director
John Crowell, Police Chief
Maura Gray, Finance Director
Gary Heitkamp, Public Works Director
Paul Wright, Fire Chief
Matthew Vanderhorst, Community and Information Services Director
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
Sasha Naiman
Ken Suer

City Council convened its Work Session for November 15, 2023 at 6:00 p.m. at City Hall with Mayor Margolis presiding.

ROLL CALL

Mr. Cappel made a motion to dispense with roll call as all members were present. Vice Mayor Bissmeyer seconded. City Council unanimously agreed.

SPECIAL PRESENTATIONS

The Health Care Benefits Committee was in attendance to make a presentation to City Council on the recent quote process for group medical and dental insurance coverages.

Julie Prickett, Human Resource Manager, introduced the members of the Health Care Benefits Committee present. They were Mike Young (Fire Department), Tony Brothers (Public Works Department), T.J. Shreve (Police Department) and Maura Gray (Finance Department). Ms. Prickett also mentioned a special thanks to Jessica Tice of the Finance Department for her administrative support to the Committee. Also, in attendance was Amy Smith with Hub-Horan, the City's Health Care Broker.

Ms. Prickett explained the Committee has the responsibility to evaluate group insurance proposals and to make recommendations on the insurance renewal coverage options. She explained that the Committee believes this recommendation for the upcoming policy period offers the best combination of service and value for the City and the employees. She explained that earlier this year, Humana announced that it was leaving the group medical insurance market. In addition, the IRS announced that 2024 minimum deductibles for embedded high deductible health plans (HDHP's) would be increasing from \$3000/single and \$6000/family to \$3200/single and \$6400 family. These two announcements made it obvious that changes to both the carrier and the plan design would be unavoidable for 2024.

The City's loss ratio for the period from June 2022 through May 2023 was good at 74.02%; however, the loss ratio for the prior period from June 2021 through May 2022 was a concerning 110.48%. In addition, our group reported 13 significant conditions (cancers, pancreatitis, Crohn's, types I and II diabetes, and heart surgery) as well as 61 "cautionary" conditions. Based on this information, carriers made the following initial proposals: 22.1% increase from Aetna (closely matched current plan design); 29.3% increase from UnitedHealthcare (with higher than minimum deductibles and higher co-pays); 29.6% increase from Medical Mutual of Ohio (with higher than minimum deductibles); and four plan design options from Anthem.

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54 The HealthCare Benefits Committee considered two of Anthem’s options. The first Anthem option closely matched
55 current plan design (but with higher out of pocket maximums) and was quoted at a 16.9% increase. The second
56 Anthem option did not closely match current plan design (20% copays and higher out of pocket maximums) and
57 was quoted at a 10.7% increase over current premium costs.

58
59 Through negotiations with HUB-HORAN, Anthem countered with a 12.2% increase for the first option and a 6.3%
60 increase for the second option. Both of Anthem’s revised proposals required “bundling” Anthem’s group dental
61 and voluntary vision insurance plans with its group medical plan.

62
63 The Health Care Benefits Committee decided to recommend Anthem’s first plan option, which closely matches
64 current plan design and would represent a 12.2% increase over current premium costs. Anthem’s first plan option
65 meets the IRS 2024 mandated changes for High Deductible Health Plans (HDHP) with \$3,200/\$6,400 deductibles
66 (with prescriptions covered after meeting out of pocket maximums of \$4,000 single/\$8,000 family.) The
67 recommended plan would result in monthly premium costs of \$594.94 for Single coverage, \$1308.87 for
68 Employee/Spouse, \$1,130.39 for Employee/Child(ren), and \$1903.81 for Family coverage.

69
70 Historically, the annual percentage premium changes for medical insurance over the last fifteen years have ranged
71 from a decrease of 6.9% to an increase of 25% as the following shows:

72	Year	Percentage Increase	Provider
73			
74	2008	18%	Medical Mutual Ohio
75	2009	21%	Medical Mutual Ohio
76	2010	25%	Medical Mutual Ohio
77	2011	15%	United Health Care
78	2012	6%	Anthem BC/BS
79	2013	5%	Anthem BC/BS
80	2014	6.9% decrease	Humana
81	2015	5.0% decrease	Humana
82	2016	5.68%	Humana
83	2017	zero	Humana
84	2018	zero	Humana
85	2019	9.0%	Humana
86	2020	zero (15 months)	Humana
87	2021	14%	Humana
88	2022	6.0%	Humana
89	2023	12.2% (proposed)	Anthem

90
91 Ms. Prickett explained that factoring in the proposed 12.2% increase for the new contract period, the average annual
92 premium increase for the 16 contract periods would be 7.81%. Moving forward, the Health Care Benefits Committee
93 intends to research creative cost-saving approaches to help reduce rising health care cost trends. In addition, more
94 employee education regarding cost-effective strategies when utilizing health care benefits will be offered.

95
96 Ms. Prickett explained that with Anthem’s requirement to bundle group dental insurance with the group medical
97 insurance proposal, the Health Care Benefits Committee recommends Anthem for group dental insurance for the
98 upcoming contract period. She stated that it should be noted that Anthem’s group dental insurance plan matches the
99 current Humana group dental plan, and it represents a 3.63% decrease in annual premium costs. Ms. Prickett added
100 that the City currently contracts with Reliance Standard for group term life and AD&D insurance. Reliance Standard
101 has agreed to a rate hold (current rates have been in place for three years and represented a 35.8% decrease from
102 the prior carrier’s rates.) There is no need for a recommendation for legislative action for group life insurance at
103 this time.

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104

105 Mr. Cappel stated that he really likes the process of staff working together to quote out the insurance as he felt it
106 provides buy-in from staff.

107

108 Vice Mayor Bissmeyer thanked the Committee for their work on obtaining the quotes and making the
109 recommendation on behalf of staff.

110

111 Mr. Dobrozsi stated that he loved the employee input.

112

113 Mrs. Naiman thanked the Committee for their work and obtaining employee input. She stated that she is hearing of
114 the rise in health care costs across the board from others.

115

116 Mr. Suer explained that the employees do an excellent job, along with Horan, in soliciting the best possible package
117 that can be obtained. He stated that there are of course limitations on what staff can do. He stated he thought it was
118 great to begin thinking about cost saving measures as the cost would more than likely not go down.

119

120 Mr. Messer asked if this was a one year contract.

121

122 Ms. Prickett replied it was.

123

124 Mr. Messer asked why Humana left the commercial market.

125

126 Ms. Amy Smith of Horan explained that they are going into the Medicare market.

127

128 Mr. Messer stated that, as we are seeing, inflation is at 3.5% but hopes that it will begin to go down.

129

130 Mayor Margolis thanked the Committee for their process. He stated that it is unheard of with most entities and
131 companies to include their staff from all departments in a process such as this.

132

133 **GUESTS AND RESIDENTS**

134

135 **LEGISLATION FOR CONSIDERATION THIS EVENING**

136

137 There was no legislation for consideration at the meeting.

138

139 **ESTABLISHING AN AGENDA FOR DECEMBER 6, 2023 BUSINESS SESSION**

140

141 **PENDING LEGISLATION**

142

143 **An Ordinance to Make Appropriations for Current Expenses and Other Expenditures of the City of** 144 **Montgomery, State of Ohio During the Fiscal Year Ending December 31, 2024**

145

146 Mr. Suer stated that this would be the third reading of this Ordinance and asked if there were any updates.

147

148 Ms. Gray provided the following updates to the Appropriation Ordinance:

149

150 • An increase in health insurance costs exceeding the 10% proposed budget amount by \$34,702.

151

152 • The proposed Rumpke contract, if approved by City Council, exceeds the budgeted amount which will
153 result in an increase of \$130,000.

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- 154 • The Historical Trust Fund will be reestablished in 2024 with anticipated revenues of \$22,000 and a
155 placeholder of \$10,000 for expenditures.
- 156
- 157 • An additional \$15,000 to support oversight of events and services in the Montgomery Quarter.
- 158
- 159 • The proposed cost to update the Safety Center will require an appropriation adjustment of \$200,000. A
160 request for an additional \$150,000 in the Fire Fund and an additional \$50,000 in the Police Department
161 Capital Fund.
- 162
- 163 • The Brent Spence construction project has prompted a reassessment of the potential implications for the
164 availability and cost of road repairs. As a result, there is a recommendation to shift the estimated
165 appropriation for street repair for the year 2025 to the appropriation for 2024. This would lead to an increase
166 of \$1.2 million in the 2024 appropriations in the Street Repair Fund and elimination of \$1.2 million of
167 appropriations in 2025. This was discussed at a previous Financial Planning Committee meeting.
- 168

	Original	Proposed	Difference
170 101 General Fund	13,697,709.00	13,861,195.00	163,486.00
171 219 Community Oriented Policing	165,661.00	166,043.00	382.00
172 223 Fire	5,348,694.00	5,511,501.00	162,807.00
173 261 Street Maintenance and Repa	1,231,135.00	1,234,162.00	3,027.00
174 410 Ccapital Improvements	5,016,990.00	6,266,990.00	1,250,000.00
175 836 Historical Trust Fund	-	10,000.00	10,000.00

177 Total All Expenditures	34,467,753.00	36,057,455.00	1,589,702.00
-----------------------------------	----------------------	----------------------	---------------------

179 GF Healthcare Ins	18,486.00
180 Rumpke	130,000.00
181 GF Mont Quarter Events	15,000.00
182 Comm Oriented Policing Healthcare Ins	382.00
183 Fire Safety Center	150,000.00
184 Fire Healthcare Ins	12,807.00
185 Streets Healthcare Ins	3,027.00
186 2025 Paving	1,200,000.00
187 Police Safety Center	50,000.00
188 Historical Trust Expense	10,000.00
189	<u>1,589,702.00</u>

192 Mr. Cappel stated that he thought it was brilliant that staff projects the budget forward for five years. He stated that
193 this forecast enables to shift funds to different years to be able to save the City money.

195 Vice Mayor Bissmeyer thanked staff for being agile in the planning of projects to make recommendations that save
196 the City money and time.

198 Mr. Dobrozsi echoed what Mr. Cappel and Vice Mayor Bissmeyer had said.

200 Mrs. Naiman asked in the bigger picture how the increases, more directly the Street Resurfacing project changes,
201 would affect the budget and reserves.

202

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203 Ms. Gray replied that it would not be significant.

204

205 Mr. Suer stated that he appreciated that staff has the foresight to anticipate issues and to provide direct input on
206 what needs to be done.

207

208 Mr. Messer agreed that the Brent Spence Bridge project will affect local resurfacing projects.

209

210 Mr. Riblet explained that the update tonight would be reflected in the packet on December 6 as well as updated
211 budget pages.

212

213 Mayor Margolis thanked staff for their efforts in providing the update and anticipated the final budget documents
214 at the December 6 meeting.

215

216 **NEW LEGISLATION**

217

218 **A Resolution Adopting a Five-Year Capital Improvement Program for The City of Montgomery**

219

220 Mayor Margolis assigned the legislation to Mr. Suer.

221

222 Ms. Gray explained that the City's proposed Five-Year Capital Improvement Program was reviewed by City
223 Council as a companion piece to the proposed 2024 Operating and Capital Budget with Four Year Forecast and
224 represents a comprehensive planning tool for capital investment in the community over the next five years. She
225 explained that the aforementioned changes to the appropriation ordinance would be included in the capital budget
226 pages of the budget book.

227

228 **A Resolution Authorizing the City Manager to Enter into a Contract with Community Insurance 229 Company d/b/a Anthem Blue Cross and Blue Shield to Provide Medical Insurance and Dental 230 Insurance for Full-Time Employees**

231

232 Mayor Margolis assigned the legislation to Mr. Dobrozsi.

233

234 Mayor Margolis stated that as Ms. Prickett had just provided a presentation there is no need for further explanation.

235

236 **A Resolution Establishing City Contributions for Health Care Benefits**

237

238 Mayor Margolis assigned the legislation to Mr. Dobrozsi.

239

240 Ms. Prickett explained that, if approved, this Resolution will establish the City's maximum contribution limits
241 (caps) for a 12-month period beginning January 2024 for medical and dental insurance. The caps determine
242 the amount of money the employees must contribute toward the cost of their health and dental insurance
243 coverages. Typically, the City has increased these "caps" annually by six percent (6%) for medical insurance
244 and three percent (3%) for dental insurance. It should be noted that the recommended caps for medical and
245 dental insurances are already in place in AFSCME, FOP and IAFF collective bargaining agreements.

246

247 Mrs. Naiman asked if there would be vision insurance provided for staff.

248

249 Ms. Prickett explained that vision insurance is purely voluntary and paid for by the employees.

250

251 Mr. Messer asked what an employee would pay as far as their contributions to health and dental insurance.

252

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253 Ms. Prickett replied that for instance the City would pay \$1,767 for a family with Anthem then the \$19.03
254 monthly difference would be split between the City and the Employee.

255

256 **A Resolution Authorizing the City Manager to Enter into a Contract with CT Associates, Inc. For**
257 **Professional Services Related To General Engineering And Architectural Services For Calendar Year**
258 **2024**

259

260 Mayor Margolis assigned the legislation to Mr. Messer.

261

262 Mr. Heitkamp explained that this is an annual renewal for engineering and architectural services for the
263 calendar year 2024. He explained that the City has contracted with CT Consultants to provide civil, traffic,
264 structural, electrical and storm water engineering services. CT Consultants has provided a competitive fee
265 structure for 2024 including slight hourly rate increases for engineering services. As was provided in previous
266 years, CT Consultants has deleted the line item for billing of the "Principal" from the fee schedule. If for any
267 reason the Principal Engineer provides engineering services during the contract year for development/design
268 review or project design/review, that work would be billed at the hourly rate of a "Senior Manager." Funding
269 for this professional services contract is included in the City's 2024 Operating Budget in both the Public
270 Works and Community Development operating budgets.

271

272 Mr. Suer stated that it is valuable that CT offers a wide range of services and expertise.

273

274 Mayor Margolis stated their long standing relationship with the City and their expertise has saved the City
275 money.

276

277 **A Resolution Authorizing the City Manager to Contract With National Inspection Corporation For**
278 **Professional Services To Serve As Building Official And To Provide Plan Review And Field Inspection**
279 **Authority And Services For The City's Building Department For The Calendar Year 2024**

280

281 Mayor Margolis assigned the legislation to Mr. Messer.

282

283 Mr. Chesar explained that, if approved, this legislation will authorize the City Manager to enter into a contract
284 with National Inspection Corporation for professional services to serve as Building Official and to provide
285 plan review and field inspection authority and services for the City's Building Department for the calendar
286 year 2024. The City has contracted for approximately 20 years with National Inspection Corporation to
287 provide plan review and field inspection authority and services for the City's building department and the
288 City continues to be very satisfied with their ability to perform each of these duties.

289

290 **A Resolution Declaring A Moratorium On The Collection Of Building And Zoning Permit Fees For**
291 **Solar Installations**

292

293 Mayor Margolis assigned the legislation to Vice Mayor Bismeyer.

294

295 Mr. Chesar explained that, if approved, this Resolution would declare a moratorium on the collection of
296 building and zoning permit fees for solar installations. City Council approved Resolution 31 2021 waiving
297 building and zoning fees for solar installations with a cap of \$1,000 for 2022 and 2023. Staff requests to
298 renew this moratorium beginning on January 1, 2024 and ending on December 31, 2025. The waiver would
299 be promoted as an incentive to our residents and businesses to adopt a more environmentally friendly source
300 of power and to continue to promote Montgomery as a progressive community in the region and the State.

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301 Mr. Chesar explained that there have been 12 installations in the last 2 years and while that was not a large
302 number it did provide an added benefit to the homeowner to install solar systems.

303

304 **A Resolution Accepting A Bid And Authorizing The City Manager To Enter Into A Contract With**
305 **Rumpke Of Ohio, Inc. For Waste Collection Services within the City Of Montgomery For Calendar**
306 **Years 2024, 2025, and 2026**

307

308 Mayor Margolis assigned the legislation to Mr. Dobrozsi.

309

310 Mr. Riblet explained that, if approved, this Resolution would authorize a contract with Rumpke for all current
311 waste collection services for 2024 through 2026. A bid opening was held on November 2 with Rumpke
312 being the only bidder. The results of the bid reflect an overall increase of 25% in 2024 and 6% increase for
313 the subsequent years. Adjustments to increase the general fund budget for waste collection will be reflected
314 in the 2024 Budget Appropriation Ordinance.

315

316 Mr. Riblet added that as Rumpke was the only bidder, he proposed committing to a three-year contract in
317 consideration of lowering the extended unlimited yard waste and holiday greenery fees. Rumpke responded
318 indicating they would complete the additional 3-week fees for unlimited yard waste and only charge for 2
319 weeks and keep this price fixed for the proposed three-year term. In addition, Rumpke indicated they would
320 reduce the amount for holiday greenery to a fixed \$4,000 for the proposed three-year term. These savings
321 combined will result in savings of \$30,469.15 over the three-year term or a total of 3%. He stated that it is
322 important to note that from 2018 through 2022 the City's contract with Rumpke included 0% annual increases
323 and a 12% increase in 2023 which equates to an average annual increase of 2% for that six-year period.

324

325 Mr. Riblet stated that like the health care renewal legislation the cost for waste collection services will likely
326 continue to increase and that consideration will need to be given to other funding options for the next contract
327 period. He stated that staff would work to identify options but that it may be a consideration of looking for
328 buy-in from the residents.

329

330 Mr. Cappel stated that in his viewpoint waste collection is a public health initiative that makes Montgomery
331 attractive due to the level of services that are provided.

332

333 Vice Mayor Bissmeyer asked if the contract were treated as a subscription service that residents would be
334 responsible for, would that cost more.

335

336 Mr. Riblet explained that it would be more expensive as the service provider, in this case Rumpke, would
337 have to manage those subscriptions. He stated that charging a small flat fee to each resident would help to
338 offset the overall cost. He explained this could be added to their water bill.

339

340 Vice Mayor Bissmeyer stated that since the fees have been flat for the last five years, that this was not
341 unexpected.

342

343 Mr. Dobrozsi stated that this was an effect of inflation and that he supports providing the service that residents
344 expect.

345

346 Mrs. Naiman agreed with Mr. Dobrozsi's comments and supports continuing with the service that the
347 residents expect.

348

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349 Mr. Suer stated that he felt that Rumpke has a firm hold on business and what Montgomery residents expect.
350 He stated that overall, the system works well.

351
352 Mr. Messer stated that he felt like it was wise to go with a three year contract.

353
354 **An Ordinance Modifying the List of Conditions and Exceptions for the Vintage Club Planned Unit**
355 **Development District and Rezoning a Portion of the District from a Multi-Family D-3 District to a**
356 **Limited Business L-B District**

357
358 Mayor Margolis assigned the legislation to Vice Mayor Bissmeyer.

359
360 Mr. Chesar explained that, if approved, this legislation will approve a zone change to a portion of the Vintage
361 Club Planned Development from 'D-3' – Multi-family to 'LB' – Limited Business. The project was
362 unanimously recommended for approval by the Planning Commission, and a motion made for approval at
363 the November 1, Public Hearing by City Council. Staff would like to request that City Council consider
364 adding this legislation to the Business Session agenda on December 7, holding the first reading and making
365 a motion to suspend the second and third readings maintaining the 30-day referendum period.

366
367 Mr. Suer stated that with this final development at the Vintage Club he feels the City is in a good position in
368 completing the project.

369
370 Mr. Dobrozsi stated that he hoped the economy would allow the McNair project to be successful.

371
372 Vice Mayor Bissmeyer explained that while there have been concerns over the McNair project, she feels it
373 is crucial to the completion and that residents will be happy to see it done.

374
375 Mr. Cappel stated the hew as excited to see the entire project come to completion. He inquired if an
376 Entertainment District would be established to allow for liquor licenses.

377
378 Mr. Donnellon replied that a category could be added to the entertainment district to support licenses in the
379 Vintage Club businesses.

380
381 **ADMINISTRATION REPORT**

382
383 Mr. Riblet reported the following items:

- 384
- 385 • City Council Business Session is scheduled for December 6 at 6:00 p.m. Prior to that meeting City Council
386 is scheduled to hold the City Council Swearing-In Ceremony and Organizational Meetings on Wednesday,
387 December 6 at 5:15 p.m. There will be a short reception prior to the Business Session meeting.
 - 388
 - 389 • The Financial Planning Committee meeting was scheduled for Monday, December 11 at 4:30 p.m. The Law
390 and Safety and Planning, Zoning and Landmarks Committees meeting for the month of December is
391 cancelled.
 - 392
 - 393 • An update for the scheduling of the Parks and Recreation, Government Affairs and Public Works
394 Committees will be provided at the December 6 Business Session.
- 395

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- 396 • Congratulations to Catherine Mills-Reynolds for being elected to City Council and to Mr. Margolis and Mr.
397 Suer on being re-elected.
398
399 • 2024 OKI Board of Directors Nomination Forms due December 1, 2023. Mr. Cappel made a motion for
400 Mr. Dobrozsi to remain as the Council representative on the OKI Board of Directors for 2024. Mr. Messer
401 seconded. City Council unanimously agreed.

402 Human Resources

- 403 • Firefighter/Paramedic – Oral exams began today for five candidates. The Civil Service Commission will
404 meet on November 29 to certify the results and establish an eligible list.
405
406 • Patrol Officer – The first round of interviews is scheduled for next week. Nine candidates are participating
407 in the hiring process.
408
409 • Service Worker I – The first round of interviews with 10 candidates are being scheduled for the last week
410 in November.
411
412 • Front Desk position to replace Evelyn Dumont – Applications for this position were accepted through today.

413 Events

- 414 • Thanksgiving- City offices will be closed next Thursday and Friday in observance of the Thanksgiving
415 holiday.
416
417 • December 2- Holiday in the Village = Join us as we celebrate the holiday season! We kick the evening off
418 with our Holiday Tree Lighting at 5:00 p.m. at Neuilly Plaisance Fountain
419
420 • December 3- Kindel Memorial Holiday Concert- BAMSO will be held at Summit City Church (formerly
421 known as Montgomery Assy of God) begins at 7:00 p.m.

422 LAW DIRECTOR REPORT

423
424 Mr. Donnellon explained that at everyone's seat there was a draft copy of legislation for updates to the Income Tax
425 Ordinance that includes language mandated by the State regarding income tax collections. He stated that the changes
426 were needed to mirror the process and collections as conducted by RITA (Regional Income Tax Agency). He stated
427 that this legislation would need to be added to the December 6 Business Session agenda to be passed that evening.
428

429 Mayor Margolis assigned the legislation to Mr. Suer.

430
431 Ms. Gray provided a brief overview of the main changes which include:

- 432 • Minors under 18 are exempt from filing municipal income taxes effective for 2024 earnings.
433 • Net profit tax for remote work
434 • Late filing fees are capped at \$25.00
435 • Various language changes
436

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437 Mr. Donnellon explained that the Montgomery Historical Preservation Association met with its membership and
438 three main principals, Janet Korach, Kaye Gaffney and Gary Blomberg to dissolve their 501-3C and asked the City
439 to take over all the property within the organization. He explained that this would also include placing the title of
440 Universalist Church and the Wilder Swaim House in the Historical Trust. He explained that Council are the trustees
441 of that Trust, and he would need a motion to accept the property as a donation to the City. He explained that this
442 would also include all cash, a catalog of all property including historical documents and items. He stated that in the
443 agreement with MHPA the City has the option to retain, recycle or dispose of any items not deemed to be kept. He
444 explained that there is currently \$22,000 in their account and that they would use some of that for dissolution fees,
445 but the City will receive over \$20,000. He added that this money cannot be used for general fund expenses but will
446 be added to the Historical Trust Fund. He explained the process of categorizing the items from the MHPA then any
447 items to be disposed will need to come before Council on three separate dates before being disposed.
448

449 Mr. Cappel made a motion to accept all property from the MHPA in recognition of their dissolution. Vice Mayor
450 Bissmeyer seconded. City Council unanimously agreed.
451

452 CITY COUNCIL REPORTS

453 Mr. Cappel

454
455
456 Mr. Cappel reported that cardboard recycling would be held on Saturday, November 18 at Public Works from 10:00
457 to 1:00 p.m.
458

459 Mr. Cappel reported on items discussed at the Public Works Committee meeting held on November 14. He
460 explained that residents from the Terwilliger Run Subdivision were in attendance regarding No Parking signs added
461 along their road.
462

463 Mr. Cappel thanked City Council and staff for the reception recognizing his retirement from City Council. He
464 explained that while he believes in term limits that he will stay involved and may run again for Council in the future.
465 He shared his appreciation for the top notch operations at the City and the quality staff that work hard to provide
466 high level services to the Community. He thanked his fellow Council members for their collaboration and
467 mentorship over his last two terms.
468

469 Vice Mayor Bissmeyer

470
471 Vice Mayor Bissmeyer reported on the Hopewell Cemetery Veterans Grave Marking Ceremony that was very well
472 attended. She also participated in the Blue Ash Veterans Day Ceremony.
473

474 Mr. Dobrozsi

475
476 Mr. Dobrozsi thanked Mr. Cappel for handling the Public Works Committee meeting in such a professional manner.
477

478 Mr. Dobrozsi reported that at the last Government Affairs meeting, the Committee approved an Arts Commission
479 Food Tour event. He stated that it is expected to be held in April of 2024. The Service to Community Grant was
480 discussed and a recommendation to provide an annual stipend to the Montgomery Farmers Market in the amount of
481 \$2,500 was made. Staff will rework the guidelines to simplify them and to better market to applicants. Computer
482 equipment surplus was approved to be placed on Govdeals.com. A Mental Health Fair was approved in place of a
483 Community Leadership Forum in 2024.
484
485
486

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487 **Mrs. Naiman**

488

489 Mrs. Naiman reported that at the Parks and Recreation Committee meeting pickleball was discussed. She explained
490 that those in attendance included residents near Dulle and Swaim Parks and a representative of the pickleball players.
491 She explained that staff made a proposal to move all pickleball to Weller Park. She stated that in the 2024 budget
492 funding includes realigning the existing pickleball court to include three courts. She stated that staff identified grant
493 funding opportunity that if awarded would allow the installation of up to six courts and added parking. She stated
494 that this would also include the removal of pickleball from Dulle and Swaim Parks.

495

496 **Mr. Suer**

497

498 Mr. Suer reported on a meeting regarding the roundabout landscaping. He explained that final materials were
499 chosen and that next steps were to put the project out to bid in January. He stated that the timeline was to begin in
500 late Spring with construction during the Summer. The committee discussed managing traffic during the
501 construction process. He stated the focus would be on the roundabout and landscape in the downtown area while
502 the areas on Ronald Reagan and I-71 would be revisited.

503

504 **Mr. Messer**

505

506 Mr. Messer reported that the Civil Service Commission met to certify the process of two fire fighter/paramedics
507 and three police officers.

508

509 Mr. Messer stated how well the Hopewell Cemetery Veteran Marking Ceremony went and thanked Ms. Gaylor for
510 arranging this annual event.

511

512 Mr. Messer reported he also attended the Blue Ash Veterans Day Ceremony and that Secretary of State, Frank
513 LaRose, was the speaker.

514

515 **Mayor Margolis**

516

517 Mayor Margolis stated that he did not have a report as he had been out of town but thanked Mr. Cappel again for
518 his service on Council.

519

520 **MINUTES**

521

522 Mr. Cappel moved to accept the November 1 Public Hearing and Business Session minutes as written. Vice Mayor
523 Bissmeyer seconded. City Council unanimously agreed.

524

525 **OTHER BUSINESS**

526

527 There was no other business.

528

529 **EXECUTIVE SESSION**

530

531 Mayor Margolis asked for an Executive Session for matters related to the promotion, discipline, and compensation
532 of a public official. Mr. Cappel seconded.

533

534 The roll was called and showed the following vote:

535

536 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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537 NAY: (0)

538

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

540

541 **ADJOURNMENT**

542

543 Council reconvened from Executive Session into Public Session at 8:43 p.m.

544

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

547

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

549

550 City Council adjourned at 8:44 p.m.

551

552

553

554

555

Connie Gaylor, Clerk of Council