

September 15, 2023

TO: Mayor and City Council Members
FROM: Brian K. Riblet, City Manager *BKR*
SUBJECT: City Council Work Session of Wednesday, September 20, 2023

As a reminder, City Council is scheduled to meet in Work Session on Wednesday, September 20, 2023 at 6:00 p.m.

Work Session

1. Call to Order
2. Roll Call
3. Special Presentation
 - a. Beth Sullebarger will be presented with a Certificate of Appreciation in recognition of her years serving as a consultant to the Landmarks Commission
4. Guest and Residents
5. Legislation for Consideration this Evening
6. Establishing an Agenda for October 4, 2023 Business Session

Pending Legislation

There is no pending legislation

New Legislation

- a. A Resolution Accepting the Amounts and Rates as Determined by The Budget Commission and Authorizing the Necessary Tax Levies and Certifying Them to The County Auditor- Please find attached correspondence from Finance Director Maura Gray requesting that City Council adopt this Resolution accepting the rates and amounts determined by the Hamilton County Budget Commission. As a State of Ohio taxing authority and pursuant to the Ohio Revised Code, the City is required to adopt an annual tax budget. City Council adopted the Tax Budget on July 5, 2023, and then submitted it to the Hamilton County Auditor for review by that office and the Hamilton County Budget Commission. Those reviews did not generate any questions and the proposed

Tax Budget was accepted by the Budget Commission and Auditor. City Council is requested to act to accept the Budget Commission's rates and amounts, which would result in the estimated collections as specified in the City's 2024 Tax Budget. This action will then permit the Budget Commission to collect property taxes at the rates established for the upcoming year.

Add this Resolution to the October 4, 2023 Business Session agenda, assign it to a City Council member for reading, and consider adoption of the Resolution that evening.

- b. 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 - Please find attached correspondence from Finance Director Maura Gray requesting that City Council adopt this Ordinance that establishes 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 to City Council in the packet for the October 4, Business Session.

Add this Ordinance to the October 4, 2023 Business Session agenda, assign to a Council Member for first reading. The second reading will be held at the November 1, 2023 Business Session. The third reading of the Ordinance will be held at the December 6, 2023 Business Session with adoption of the Ordinance requested at that meeting.

7. Administration Report

8. Law Director Report

9. City Council Member Reports

- a. Mr. Cappel
- b. Vice Mayor Bissmeyer
- c. Mr. Dobrozsi
- d. Mrs. Naiman
- e. Mr. Suer
- f. Mr. Messer
- g. Mayor Margolis

10. Approval of Minutes- September 6, 2023 Business Session

11. Mayors Court Report

12. Other Business

13. Executive Session

14. Adjournment

Should you have any questions or concerns regarding this information, please do not hesitate to contact me.

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



CITY COUNCIL WORK SESSION AGENDA
10101 Montgomery Road • Montgomery, Ohio 45242
(513) 891-2424 • Fax (513) 891-2498

September 20, 2023
City Hall
6:00 p.m.

1. Call to Order
2. Roll Call
3. Special Presentation
 - a. Beth Sullebarger will be presented with a Certificate of Appreciation in recognition of her years serving as a consultant to the Landmarks Commission
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C: Connie Gaylor, Executive Assistant/Clerk of Council
Department Heads,
Terry Donnellon, Law Director



Certificate of Appreciation
to
Beth Sullebarger

WHEREAS, Beth Sullebarger has made tremendous contributions of time and talent to the City of Montgomery by advising the Landmarks Commission for 14 years, fulfilling the role of Historical Consultant; and,

WHEREAS, Beth has faithfully and professionally provided expert knowledge of historical building techniques and design which allowed her to offer practical advice to improve the quality of architecture and design in Historic Montgomery and the Old Montgomery Gateway District,

WHEREAS, Beth's grammatical expertise made her invaluable during the text amendment process and the go-to editor of minutes to ensure the City has a precise and accurate record of Commission meetings; and,

WHEREAS, Beth has nobly worked to preserve history while ensuring new development is compatible with Historic Montgomery and her contributions have extensively contributed to making the City of Montgomery the special community that it is.

NOW THEREFORE, BE IT CERTIFIED by the City Council of the City of Montgomery, Ohio, all members concurring:

SECTION 1. On behalf of all citizens of the City of Montgomery, the City Council wishes to thank **Beth Sullebarger** for her valued service as a specialist and an adviser for the Landmarks Commission throughout the years. The citizens of Montgomery shall benefit now and hereafter from her efforts.

LA Bissmeyer
Lee Ann Bissmeyer, Councilmember

Mike Cappel
Mike Cappel, Councilmember
CHRIS DOBROZSI
Chris Dobrozsi, Councilmember

Craig Margolis
Craig Margolis, Councilmember

Ron Messer
Ron Messer, Councilmember
Sasha Naiman
Sasha Naiman, Councilmember

Ken Suer
Ken Suer, Councilmember

September 15, 2023

To: Brian Riblet, City Manager
From: Maura Gray, Finance Director *mg*
Subject: Resolution Accepting the Amounts and Rates

Request

It is necessary for City Council to consider a resolution accepting the amounts and rates as determined by the Hamilton County Budget Commission.

Financial Impact

Resolution authorizes the necessary tax levies to be collected for budget year 2024 to the County Auditor.

Background

In accordance with ORC section 5704.34, each taxing authority must pass a resolution to accept and authorize the necessary tax levies and to certify the levies to the County Auditor. The preliminary amounts are from the 2024 tax budget and are estimates of the amounts the City will receive in property taxes:

	Millage	2024 County Estimate
General Fund	4.50	\$3,280,140
Fire/EMS	11.55	\$5,514,925

Staff Recommendation

A copy of the Resolution from the Hamilton County Budget Commission has not been received by the City but it is anticipated that they will be available for the October Business Session of City Council. In anticipation of receiving authorization of the funds from Hamilton County, it is recommended that the City Council consider a Resolution that will accept the amounts and rates as determined by the Hamilton County Budget Commission at its September Work Session for the purpose of placing it on the October Business Session for approval that evening.

RESOLUTION NO. _____, 2023

A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE HAMILTON COUNTY BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR

WHEREAS, this Council, in accordance with the provisions of law, has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1, 2024; and

WHEREAS, the Budget Commission of Hamilton County, Ohio, has certified its action thereon to the Montgomery City Council together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Council, and what part is within the ten-mill tax limitation and what part of the levied taxes is outside the internal ten-mill limitation.

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

SECTION 1. The rates, as determined by the Budget Commission in its certification, as set forth on the attached Schedule A, are hereby accepted.

SECTION 2. There is hereby levied on the City of Montgomery's tax duplicate the rate of each tax necessary to be levied without and within the ten-mill limitation, as detailed on attached Schedule A, which Schedule A is adopted by reference as if fully restated herein.

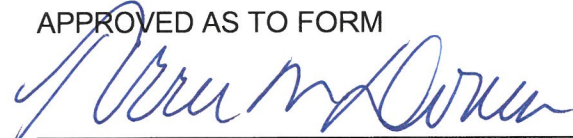
SECTION 3. This Resolution shall be in full force and effect from and after its passage.

PASSED _____

ATTEST _____
Connie M. Gaylor, Clerk of Council

Craig D. Margolis, Mayor

APPROVED AS TO FORM



Terrence M. Donnellon, Law Director



County of Hamilton

BRIGID KELLY
AUDITOR

COUNTY ADMINISTRATION BUILDING
138 EAST COURT STREET
CINCINNATI, OHIO 45202

August 11, 2023

Maura Gray, Finance Director
City of Montgomery
10101 Montgomery Road
Cincinnati, Ohio 45242

Dear Ms. Gray:

The tax rates and estimated revenue shown below will be presented to the Budget Commission for approval on September 19, 2023.

The estimates have been prepared using approximately 97% of the current duplicate for real property, and a conservative increase for new construction. Due to a pending petition for reassessment filed by Duke Energy Ohio, approximately 92% of the current duplicate for public utility was used. Included in the estimates are all state reimbursements for the non-business and owner occupancy credits, as well as the homestead exemption. Worksheets showing these calculations are enclosed for your reference.

Please review the tax rates and estimated revenues. If you have any questions, please contact Robin Sinclair at (513) 946-4118, by September 11, 2023.

<u>FUND</u>	<u>TAX LEVY</u>	<u>2024 ESTIMATED REVENUE</u>
General	4.50	\$3,280,140
Fire/EMS	11.55	5,514,925

Sincerely,

A handwritten signature in blue ink, appearing to read "Brigid Kelly".

BRIGID KELLY, AUDITOR
HAMILTON COUNTY, OHIO

BK/kc

EFFECTIVE DATE	RES/AG	EFFECTIVE RATE	OTHER	FULL RATE	PUPP	TANG PP	TAX CALCULATION TOTAL			
							OTHER	PUPP	TANG PP	TOTAL
	537,800,000		89,000,000		11,800,000	0	638,600,000			
10000	1,613,400	3.000000	267,000	3.00	35,400	0	1,915,800	0	0	1,915,800
10000	806,700	1.500000	133,500	1.50	17,700	0	957,900	0	0	957,900
10000	0	0.000000	0	0.00	0	0	0	0	0	0
10000	0	0.000000	0	0.00	0	0	0	0	0	0
10000	0	0.000000	0	0.00	0	0	0	0	0	0
10000	0	0.000000	0	0.00	0	0	0	0	0	0
10000	0	0.000000	0	0.00	0	0	0	0	0	0
10000	0	0.000000	0	0.00	0	0	0	0	0	0
10000	0	0.000000	0	0.00	0	0	0	0	0	0
10000	806,700	1.500000	133,500	1.50	17,700	0	957,900	0	0	957,900
00000	2,420,100	4.500000	400,500	4.500000	53,100	0	2,873,700	0	0	2,873,700

EFFECTIVE DATE	RES/AG	EFFECTIVE RATE	OTHER	FULL RATE	PUPP	TANG PP	TOTAL			
							OTHER	PUPP	TANG PP	TOTAL
	542,800,000		89,200,000		11,800,000	0	643,800,000			
	623,470,000		93,650,000				728,920,000			
00000	1,870,410	3.000000	280,950	3.00	35,400	0	2,186,760	0	0	2,186,760
00000	935,205	1.500000	140,475	1.50	17,700	0	1,093,380	0	0	1,093,380
00000	0	0.000000	0	0.00	0	0	0	0	0	0
00000	0	0.000000	0	0.00	0	0	0	0	0	0
00000	0	0.000000	0	0.00	0	0	0	0	0	0
00000	0	0.000000	0	0.00	0	0	0	0	0	0
00000	0	0.000000	0	0.00	0	0	0	0	0	0
00000	0	0.000000	0	0.00	0	0	0	0	0	0
00000	0	0.000000	0	0.00	0	0	0	0	0	0
00000	935,205	1.500000	140,475	1.50	17,700	0	1,093,380	0	0	1,093,380
00000	0	0.000000	0	0.00	0	0	0	0	0	0
00000	2,805,615	4.500000	421,425	4.500000	53,100	0	3,280,140	0	0	3,280,140

ANAL	TOTAL
0	2,186,760
0	1,093,380
0	3,280,140
	373,147
0	0
0	2,906,993
0	373,147
0	3,280,140
RAISAL	0.15
IND	0.05

REVENUE

Income Tax	8,484,000
Other local Taxes	0
Estate Tax	0
Cigarette Tax	152
Liquor Tax	21,210
LGF-State	52,520
	0
Grants	2,000
Interest Income	650,000
Special Assessments	0
Bldg & Construction Permits	250,000
Charges for Services	374,440
Fines, Licenses & Permits	76,025
Miscellaneous	75,550
Transfers In	500
Advances	0
TOTAL REVENUE	9,986,397
BEGINNING CASH BALANCE	16,756,409
TOTAL RESOURCES	26,742,806

TOTAL RESOURCES	26,742,806
TOTAL EXPENDITURES	13,396,487
LGF - County	189,555
Financial Institutions	0
LGF - Revenue Assistance	0
Library & LGF Revenue Asst	0
REQUIRED TAX LEVY	13,535,874
Real Estate - 0111	2,906,993
Personal Property - 0113	0
TPP Reimbursement - 0141	0
Rollback & Homestead - 0142	373,147
PUPP - Reimbursement - 0143	0
TOTAL TAX LEVY	3,280,140

E AG	RES/AG	EFFECTIVE RATE OTHER	OTHER	FULL RATE	PUPP	TANG PP	TOTAL	TOTAL		
	542,800,000 623,470,000		89,200,000 93,650,000		11,800,000	0	643,800,000 728,920,000			
00000	1,870,410	3.000000	280,950	3.00	35,400	0	2,186,760	0	0	2,186,760
00000	935,205	1.500000	140,475	1.50	17,700	0	1,093,380	0	0	1,093,380
00000	0	0.000000	0	0.00	0	0	0	0	0	0
00000	0	0.000000	0	0.00	0	0	0	0	0	0
00000	0	0.000000	0	0.00	0	0	0	0	0	0
00000	0	0.000000	0	0.00	0	0	0	0	0	0
00000	0	0.000000	0	0.00	0	0	0	0	0	0
00000	0	0.000000	0	0.00	0	0	0	0	0	0
00000	935,205	1.500000	140,475	1.50	17,700	0	1,093,380	0	0	1,093,380
00000	0	0.000000	0	0.00	0	0	0	0	0	0
00000	2,805,615	4.500000	421,425	4.500000	53,100	0	3,280,140	0	0	3,280,140

FINAL	TOTAL
0	2,186,760
0	1,093,380
0	3,280,140
	373,147
	0
0	2,906,993
0	373,147
0	3,280,140
UNSALES	0.15
VD	0.05

REVENUE

Income Tax	8,484,000
Other local Taxes	0
Estate Tax	0
Cigarette Tax	157
Liquor Tax	21,210
LGF-State	52,520
Grants	0
Interest Income	2,000
Special Assessments	650,000
Bldg & Construction Permits	0
Charges for Services	250,000
Fines, Licenses & Permits	374,440
Miscellaneous	76,025
Transfers In	75,550
Advances	500
TOTAL REVENUE	9,986,397
BEGINNING CASH BALANCE	16,756,409
TOTAL RESOURCES	26,742,806

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TOTAL EXPENDITURES	13,396,487
LGF - County	189,555
Financial Institutions	0
LGF - Revenue Assistance	0
Library & LGF Revenue Asst	0
REQUIRED TAX LEVY	13,535,874
Real Estate - 0111	2,906,993
Personal Property - 0113	0
TPP Reimbursement - 0141	0
Rollback & Homestead - 0142	373,147
PUPP - Reimbursement - 0143	0
TOTAL TAX LEVY	3,280,140

September 14, 2023

To: Brian Riblet, City Manager

From: Maura Gray, Finance Director 

Subject: 2024 Annual Operating and Capital Budget

Introduction

It is necessary for City Council to consider passage of the annual Appropriation Ordinance for 2024.

Financial Impact

Total City expenditures, which include the departmental budgets, debt service, and transfers as contained in the 2024 Operating and Capital Budget, are \$34,467,753.

Background

The Annual Operating Budget is prepared and submitted annually to the Montgomery City Council in accordance with Article IV, Section 4.02 (3) of the Montgomery City Charter.

The budget is the primary fiscal planning tool for moving the City forward toward accomplishing its mission-Providing superior services and engaging with you to enhance our community. It also provides the resources to support the City's goal of becoming a higher performing organization.

Briefly, this budget accomplishes three key objectives:

- Continues stewardship of City resources in a prudent manner while delivering superior services.
- Follows priorities from the 2024 strategic plan for new initiatives.
- Provides additional resources for the City's capital assets including technology improvements, street infrastructure, and park maintenance.

Staff Recommendation

It is recommended that City Council authorize and direct the preparation of legislation adopting the 2024 Annual Operating and Capital Budget.

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:

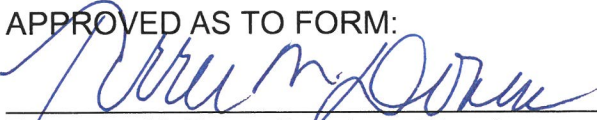
SECTION 1. Commencing January 1, 2024 and for the fiscal year ending December 31, 2024, in order to provide for the current expenses and other expenditures of the City, the sums detailed on the attached Budget schedule are hereby appropriated as if such schedule is fully set forth herein.

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. Donnelloh, Law Director

Attachment to 2024 Appropriation Ordinance

General Fund

101 Police Department	Personnel	3,885,028
	Nonpersonnel	369,600
	Total	\$4,254,628
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	284,064
	Nonpersonnel	127,000
	Total	\$411,064
303 City Parks	Personnel	363,825
	Nonpersonnel	402,000
	Total	\$765,825
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	464,088
	Nonpersonnel	620,800
	Total	\$1,084,888
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	762,462
	Nonpersonnel	35,900
	Total	\$798,362
702 Finance Department	Personnel	602,770
	Nonpersonnel	543,700
	Total	\$1,146,470
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	646,304
	Nonpersonnel	258,900
	Total	\$905,204
712 Community and Information Services	Personnel	431,672
	Nonpersonnel	248,950
	Total	\$680,622
715 General Government	Personnel	10,000
	Nonpersonnel	2,625,850
	Total	\$2,635,850
Total General Fund	Personnel	7,558,556
	Nonpersonnel	6,139,153
	Total	13,697,709
(Total Includes General Fund Transfers/Cash Advances Out)		536,550

Special Revenue Funds

219 Community Oriented Policing Solutions	Personnel	162,011
	Nonpersonnel	3,650
	Total	\$165,661
223 Fire Department	Personnel	4,262,724
	Nonpersonnel	1,085,970
	Total	\$5,348,694
261 Street Maintenance and Repair	Personnel	819,639
	Nonpersonnel	411,496
	Total	\$1,231,135
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	5,244,374
	Nonpersonnel	2,346,194
	Total	7,590,568

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	5,016,990
	Total	\$5,016,990
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	8,029,640
	Total	8,029,640

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
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	229,550
	Total	279,550

Total All Funds

Personnel	12,852,930
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Nonpersonnel

21,614,823

Total

34,467,753

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 Business Session Minutes
September 6, 2023

Present

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

City Council Members Present

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

City Council Convened its Business Session for September 6, 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,

PENDING LEGISLATION

There was no pending legislation.

Mr. Cappel stated that 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. Vice Mayor Bissmeyer seconded. City Council unanimously agreed.

SPECIAL LEGISLATION

Mrs. Naiman presented Fred and Melinda Barbi with a Certificate of Appreciation as the Beautification and Tree Commission's 2023 Summer Seasons of Beauty Winners.

Mayor Margolis presented Katie Harper, Executive Director of the National Alliance on Mental Illness (NAMI) of Southwest Ohio with a Proclamation recognizing September as Suicide Prevention Month.

NEW LEGISLATION

Mr. Cappel stated that 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. Vice Mayor Bissmeyer seconded. City Council unanimously agreed.

A Resolution Accepting A Bid And Authorizing The City Manager To Enter Into A Contract With Kramer & Feldman, Inc. For The Montgomery Annex Building Improvements

Mr. Cappel moved for passage of the Resolution. Vice Mayor Bissmeyer seconded.

Mr. Cappel explained that information has been previously supplied on this Resolution that, if passed, will authorize the City Manager to enter into Contract with Kramer & Feldman Incorporated to complete the Montgomery Annex Building Improvements. The Montgomery Annex Building Improvements is programmed in

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55 the 2023 Capital Improvement Program 410.303.5470 (City Parks) account in the amount of \$90,000.00. It is
56 requested that this project be approved for funding in the amount of \$69,950.

57
58 Mr. Cappel asked if there were any updates. Mr. Heitkamp replied there were none.

59
60 The roll was called and showed the following vote:

61
62 AYE: Cappel, Bissmeyer, Dobrozsi, Margolis, Naiman, Suer, Messer (7)
63 NAY: (0)

64
65 **An Ordinance Enacting And Adopting the 2023 Recodification To The Code Of Ordinances and Declaring**
66 **An Emergency**

67
68 Vice Mayor Bissmeyer moved for suspension of the rules requiring three readings of the Ordinance.

69
70 The roll was called and showed the following vote:

71
72 AYE: Bissmeyer, Dobrozsi, Margolis, Naiman, Suer, Messer, Cappel (7)
73 NAY: (0)

74
75 Vice Mayor Bissmeyer explained that information has been previously supplied on this Ordinance that, if
76 approved, will update the Montgomery Code of Ordinances to reflect changes which have been made over the past
77 two years. Principal among these changes is the update to the Land Usage Code. The Recodification also updates
78 the Code for changes under State law concerning Traffic and Criminal matters. Council is asked to pass the
79 Ordinance as an emergency so that the new Code can be implemented immediately.

80
81 Vice Mayor Bissmeyer moved for passage of the Ordinance. Mr. Cappel seconded.

82
83 Vice Mayor asked if there were any updates. Mr. Donnellon replied there were none.

84
85 The roll was called and showed the following vote:

86
87 AYE: Dobrozsi, Margolis, Naiman, Suer, Messer, Cappel, Bissmeyer (7)
88 NAY: (0)

89
90 Mr. Dobrozsi explained that he would recuse himself from the vote and discussion of the next four pieces of
91 legislation. He explained that although he has no ownership interest in Neyer Properties, Inc. nor any in the
92 limited liability companies in partnership to develop the Montgomery Quarter, he will continue to recuse himself
93 from discussion and abstain from voting upon legislation related to the Montgomery Quarter project. Mr.
94 Dobrozsi exited the dais.

95
96 **A Resolution Approving A Construction Agreement With Brandicorp, LLC For The Stage 2 Montgomery**
97 **Quarter Public Improvements**

98
99 Mr. Cappel moved passage of the Resolution. Vice Mayor Bissmeyer seconded.

100
101 Mr. Cappel explained that information has been previously supplied on this Resolution that, if approved, will
102 approve an Agreement with Brandicorp, LLC as the Construction Manager at Risk (CMAR) for public
103 improvements within Stage II of the Montgomery Quarter project.

104

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105 Mr. Cappel asked if there were any updates.

106

107 Mr. Donnellon replied that since the last meeting, all terms of the agreement have been finalized. He summarized
108 that included in the Stage 2 Construction is \$2.5M to extend Cameron Lane from the roundabout to the
109 development which also includes sidewalks and utility connections. He stated that also included is “activity alley”
110 which will connect to the plaza that runs behind Montgomery Road. He added that contingencies are built in and
111 would carry forward any unused amount to be split between the City and the Developers in a 75/25% split.

112

113 Mr. Messer asked for clarification of what “gingerbread” meant in Stage 1.

114

115 Mr. Donnellon explained that would include items like brick pavers, baskets, granite trimmed planters. He stated
116 those items would be determined in the future and are only included as a place marker in Sequence 1 at this time.

117

118 Mrs. Naiman stated that she would still like to see more green space included in the next phase. She stated that the
119 residents would appreciate more green space.

120

121 The roll was called and showed the following vote:

122

123 AYE: Naiman, Suer, Messer, Cappel, Bissmeyer, Margolis (6)

124 NAY: (0)

125 RECUSAL: Dobrozsi (1)

126

127 **An Ordinance Authorizing A Third Amendment To A Development Agreement By And Between The City**
128 **Of Montgomery, Ohio, The Montgomery Community Improvement Corporation, And Gateway Partners**
129 **Montgomery, LLC And Declaring An Emergency**

130

131 Mr. Cappel moved for suspension of the rules requiring three readings of the Ordinance. Mr. Messer seconded.

132

133 The roll was called and showed the following vote:

134

135 AYE: Suer, Messer, Cappel, Bissmeyer, Margolis, Naiman (6)

136 NAY: (0)

137 RECUSAL: Dobrozsi (1)

138

139 Mr. Cappel explained that information has been previously supplied on this Ordinance that, if approved, will
140 authorize a Third Amendment to the Development Agreement to continue the development of the Montgomery
141 Quarter Project. The Development Team is ready to proceed with Stage 2 and the modified Agreement will better
142 outline Public Site Improvements, the cost allocation of Public Site Improvements, and the updated mix of uses in
143 the development. The Ordinance is proposed as an emergency to take advantage of market pricing for the
144 anticipated Public Site Improvements.

145

146 Mr. Cappel asked if there were any updates.

147

148 Mr. Donnellon replied that with this third amendment it caps the number of rental units to 239, an increase from
149 191 units. He stated that the purchase prices and sequence fee were defined in Exhibit 1 and that Stage 1
150 projections of values are lower as compared to today’s values which would create an excess to use towards public
151 improvements or bonds.

152

153 Mr. Cappel moved to pass the Ordinance as an emergency.

154

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155 The roll was called and showed the following vote:

156
157 AYE: Messer, Cappel, Bissmeyer, Margolis, Naiman, Suer (6)
158 NAY: (0)
159 RECUSAL: Dobrozi (1)
160

161 **A Resolution Approving A Joint Agreement With The Board Of County Commissioners, Hamilton County,**
162 **Ohio To Accept And Administer A Community Revitalization Grant**

163
164 Mr. Suer moved for passage of the Resolution. Mr. Cappel seconded.
165

166 Mr. Suer explained that Information has been previously supplied on this Resolution that, if approved, will allow
167 the City of Montgomery to receive \$500,000 of funding through the Hamilton County Community Revitalization
168 Grant program to assist with public infrastructure components within Stage II of the Montgomery Quarter project.
169 The grant is a reimbursable grant, and it is anticipated work associated to allow us to submit for reimbursement
170 will be completed in late 2023 or early 2024.
171

172 Mr. Suer asked if there were any updates.
173

174 Ms. Henao replied there were none.
175

176 The roll was called and showed the following vote:

177
178 AYE: Cappel, Bissmeyer, Margolis, Naiman, Suer, Messer (6)
179 NAY: (0)
180 RECUSAL: Dobrozi (1)
181

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

184
185 Mr. Suer moved for suspension of the rules requiring three readings. Mr. Cappel seconded.
186

187 The roll was called and showed the following vote:

188
189 AYE: Bissmeyer, Margolis, Naiman, Suer, Messer, Cappel (6)
190 NAY: (0)
191 RECUSAL: Dobrozi (1)
192

193 Mr. Suer explained that information has been previously supplied on this Ordinance that, if approved, will increase
194 the Appropriation in the General Fund (101) in the amount of \$2.5 million, transfer of cash from the General Fund
195 (101) to the Montgomery Quarter Construction Fund (464) in the amount of \$2.5 million and increase the
196 Appropriation in the Montgomery Quarter Construction Fund (464) in the amount of \$2.5 million. These funds
197 will facilitate the Montgomery Quarter Stage II project and will ensure the project can commence on schedule and
198 provide additional access to Phase One of the project.
199

200 Mr. Suer asked if there were any updates.
201

202 Ms. Gray replied there were none.
203

204 The roll was called and showed the following vote:

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205
206 AYE: Margolis, Naiman, Suer, Messer, Cappel, Bissmeyer (6)
207 NAY: (0)
208 RECUSAL: Dobrozsi (1)
209

210 Mr. Dobrozsi rejoined Council on the dais.
211

212 **ADMINISTRATION REPORT**
213

214 Ms. Henao reported the following items:
215

- 216 • A Council Work Session is scheduled for September 20, 2023 at 6:00 p.m.
217
- 218 • Ms. Henao explained there are no agenda items for the September 11, 2023 Committee meetings and
219 asked Council to cancel the Parks and Recreation, Government Affairs and Public Works Committee
220 meetings for the month of September. Council unanimously agreed.
221
- 222 • On Labor Day, 247 dogs attended the K9 Kerplunk dog swim which is a record. Legacy Builders
223 group sponsored the event. It was a fun way to end the pool season.
224
- 225 • This past Tuesday, Cooper Road east of Main Street was closed to through traffic, remaining open for
226 local traffic so residents can access their homes. This temporary thru-traffic closure is to provide
227 space for Rack & Ballauer to construct the Indian Hill watermain replacement project. The water
228 main replacement is expected to take 4-6 weeks.
229

230 **Human Resources**
231

- 232 • Raul Takeute (from Springfield Township FD) is scheduled to start September 7 and Jeffrey Wurtz
233 (from Colerain Township FD) is scheduled to start September 19. One other candidate is working
234 through final post-offer screening steps. With these two hires, due to a combination of resignations
235 and retirements we will have two open firefighter/paramedic positions yet to fill. Another
236 examination process will be scheduled after candidates from the current eligible list have been hired.
237

238 **Events**
239

- 240 • The City is partnering with the Montgomery Ohio Chamber of Commerce to host Vegas in the Village
241 this Thursday evening from 5 p.m. to 9 p.m. A total of 39 businesses in Historic Montgomery and
242 Montgomery Quarter are participating in the event. Participants will begin the evening at The
243 Remington Room before visiting different businesses throughout the evening, eventually ending at
244 Montgomery Quarter Park for music, a performance from an Elvis Impersonator and a raffle drawing.
245
- 246 • The Night Sky Star Party is this Friday, September 8 at Pioneer Park. It is presented by the Parks and
247 Recreation Commission in conjunction with the Cincinnati Observatory. The children's program will
248 take place from 8:00 to 9:00 p.m. followed by the adults only program from 9:00 to 10:00 p.m.
249

250 **APPROVAL OF MINUTES**
251

252 Mr. Cappel moved to approve the August 23 2023 Work Session minutes as written. Vice Mayor Bissmeyer
253 seconded. City Council unanimously agreed.

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MAYOR'S COURT REPORT

Mayor Margolis stated that the August Mayors Court will be presented on the September 20, 2023 Work Session agenda.

OTHER BUSINESS

Liquor License Permit Request—Police Chief Crowell explained to City Council that the attached request from the State of Ohio Liquor Control Board was received to issue a D5J license for FTBHG LLC dba Kitchen Social at 9340 Montgomery Road, Ste 102. He explained that as this would be a new restaurant at the Montgomery Quarter, he had no reason to recommend a request for a hearing with the State of Ohio Liquor Control Board.

Vice Mayor Bissmeyer made a motion to not request a hearing regarding this permit. Mr. Cappel seconded. City Council unanimously agreed.

Mayor Margolis asked if there was any other business to discuss in Public Session.

There was none.

ADJOURNMENT

Mr. Cappel made a motion to adjourn the meeting. Vice Mayor Bissmeyer. City Council adjourned at 6:53 p.m.

Connie Gaylor, Clerk of Council

Monthly Distribution Journal

Montgomery Mayor's Court
 Disbursal of fines and court costs for August 2023

Page : 1
 Report Date : 09/13/2023
 Report Time : 08:23:09

Disbursal Category	Amount	
COSTS		
Computer Fund	\$390.00	
city-appearance	\$310.00	
Total to City:		\$700.00
V/C	\$306.00	
DRUG LAW ENFORCEMENT FUND	\$108.50	
INDIGENT DEFENSE SUPPORT FUND - COST	\$965.00	
Total to State:		\$1,379.50
INDIGENT DRIVERS ALC TREATMENT FUND-COST	\$46.50	
Total to Other:		\$46.50
Total Costs:		\$2,126.00
<hr/>		
FINES		
City Revenue From Fines	\$3,379.00	
Total to City:		\$3,379.00
Total Fines:		\$3,379.00
<hr/>		
FEES		
Capias Fee	\$300.00	
Tax Diversion Fee	\$1,400.00	
Total to City:		\$1,700.00
Total Fees:		\$1,700.00
<hr/>		
TOTALS		
Total to State:	\$1,379.50	
Total Fines to Other External Agencies:	\$0.00	
Total to Other Entities, including Restitution:	\$46.50	
Total Bonds Forfeited to City:	\$0.00	
Total to City including Misc. Receipts, Adjustments, & BA Fee:	\$5,779.00	
TOTAL TO BE DISBURSED:		\$7,205.00

END OF REPORT

Monthly Mayor's Court Report

Montgomery Mayor's Court
Cash Flow for August 2023

Page : 1
Report Date : 09/14/2023
Report Time : 12:33:54

	Current Period	Year-To-Date	Last Year-to-Date
City Revenue From:			
Court Costs			
Court Costs	\$310.00	\$2,017.00	\$1,635.00
Computer Fund	\$390.00	\$3,089.00	\$4,210.00
Fines			
Overpayment / Adjustment	\$0.00	\$0.00	\$5.00
City Revenue From Fines	\$3,379.00	\$29,029.00	\$39,530.00
Fees			
NSF FEES	\$0.00	\$0.00	\$15.00
EXPUNGEMENT FEES CITY	\$0.00	\$0.00	\$100.00
Capias Fee	\$300.00	\$2,975.00	\$3,600.00
Tax Diversion Fee	\$1,400.00	\$3,150.00	\$0.00
Miscellaneous/Other			
Miscellaneous/Other	\$0.00	\$925.00	\$645.00
Bond Forfeits			
Bond Forfeits	\$0.00	\$0.00	\$0.00
Miscellaneous/Other			
Bond Administration Fees	\$0.00	\$0.00	\$0.00
Total to City:	\$5,779.00	\$41,185.00	\$49,740.00
State Revenue From:			
Court Costs			
Court Costs	\$965.00	\$7,820.00	\$11,350.00
General Fund	\$0.00	\$0.00	\$15.00
V/C	\$306.00	\$2,574.00	\$3,690.00
DRUG LAW ENFORCEMENT FUND	\$108.50	\$924.00	\$1,372.00
Fines			
Fines	\$0.00	\$75.00	\$225.00
Seatbelt Driver	\$0.00	\$60.00	\$60.00
Fees			
BMV FEE	\$0.00	\$0.00	\$0.00
EXPUNGEMENT FEES STATE	\$0.00	\$0.00	\$150.00
Miscellaneous/Other			
Expungement Fee - State	\$0.00	\$0.00	\$30.00
Total to State:	\$1,379.50	\$11,453.00	\$16,892.00
Other Revenue From:			
Court Costs			
Court Costs	\$46.50	\$396.00	\$588.00
Area Fines			
Area Fines	\$0.00	\$25.00	\$75.00
Fees			
Fees	\$0.00	\$0.00	\$46.50

Monthly Mayor's Court Report

Montgomery Mayor's Court
Cash Flow for August 2023

Page : 2
Report Date : 09/14/2023
Report Time : 12:33:54

	Current Period	Year-To-Date	Last Year-to-Date
Restitution			
Restitution	\$0.00	\$165.00	\$587.00
Total to Other:	\$46.50	\$586.00	\$1,296.50
TOTAL REVENUE *	\$7,205.00	\$53,224.00	\$67,928.50
*Includes credit card receipts of	\$2,290.00	\$14,790.00	\$13,762.00

END OF REPORT