

February 16, 2024

TO: Mayor and City Council Members  
FROM: Brian K. Riblet, City Manager *BKR*  
SUBJECT: City Council Work Session of Wednesday, February 21, 2024

As a reminder, City Council is scheduled to meet in Work Session on Wednesday, February 21, 2024 at 6:00 p.m.

Work Session

1. Call to Order
2. Roll Call
3. Special Presentation
  - a. Patrick and Ruth Richter will be presented with a Certificate of Appreciation as the 2023 Winter Seasons of Beauty Winners
4. Guest and Residents
5. Legislation for Consideration this Evening
6. Establishing an Agenda for March 6, 2024 Business Session

Pending Legislation

There is no pending legislation

New Legislation

- a. A Resolution Accepting A Bid And Authorizing The City Manager To Enter Into A Contract With John R. Jurgensen Company For The 2024 Street Resurfacing Program—Please see attached correspondence from Gary Heitkamp, Public Works Director requesting that City Council consider the approval of this Resolution that, if approved, will authorize the agreement for the 2024 Street Resurfacing Program. It is requested that the project Base Bid and Alternates #1 and #2 be approved for funding in the amount of \$1,862,500.00. In addition, it is requested that Alternate #9, which is the resurfacing of the Weller Park parking lot, be approved for funding

in the amount of \$103,800.00 which is programmed in the City Parks Capital Projects budget.

*Add this Resolution to the March 6, 2024 Business Session agenda, assign it to a City Council member for reading, and consider adoption of the Resolution that evening.*

- b. A Resolution Authorizing An Agreement With The Vintage Club Community Association, Inc. To Construct Roadway Improvements Within The Vintage Club Subdivision—Please see attached correspondence from Terry Donnellon, Law Director requesting that City Council consider the approval of this Resolution authorizing a contract with Vintage Club Community Association. This is an Agreement negotiated by the City with the Vintage Club Community Association, Inc. to oversee re-construction of a portion of their private streets consistent with the City standards for public streets.

*Add this Resolution to the March 6, 2024 Business Session agenda, assign it to a City Council member for reading, and consider adoption of the Resolution that evening.*

7. Administration Report

8. Law Director Report

9. City Council Member Reports

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

10. Approval of Minutes- February 7, 2024 Business Session

11. Other Business

## 11. Other Business

- a. Liquor Permit— Please see the attached memo from Police Chief John Crowell regarding the request from the State of Ohio Liquor Control Board for the reissuance of an existing license for Toast & Berry Restaurant located at 9856 Montgomery Road, Suite 200. The request is due to a change in stock ownership

*Make a Motion to have or not have a hearing regarding this request*

*Voice Vote*

## 12. Executive Session

## 13. 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

February 21, 2024  
City Hall  
6:00 p.m.

1. Call to Order
2. Roll Call
3. Special Presentation
  - a. Patrick and Ruth Richter will be presented with a Certificate of Appreciation as the 2023 Winter Seasons of Beauty Winners
4. Guests and Residents
5. Legislation for Consideration This Evening
6. Establishing an Agenda for the March 6, 2024 Business Session

**Pending Legislation**

There is no pending legislation

**New Legislation**

- a. A Resolution Accepting A Bid And Authorizing The City Manager To Enter Into A Contract With Barrett Paving Materials, Inc. For The 2023 Street Resurfacing Program

*Add this Resolution to the March 6, 2024 Business Session agenda, assign it to a City Council member for reading, and consider adoption of the Resolution that evening.*

- b. A Resolution Authorizing An Agreement With The Vintage Club Community Association, Inc. To Construct Roadway Improvements Within The Vintage Club Subdivision

*Add this Resolution to the March 6, 2024 Business Session agenda, assign it to a City Council member for reading, and consider adoption of the Resolution that evening.*

7. Administration Report
8. Law Director Report
9. City Council Member Reports
  - a. Mrs. Bissmeyer
  - b. Mrs. Mills-Reynolds



- c. Mr. Dobrozsi
- d. Mrs. Naiman
- e. Mr. Suer
- f. Mr. Margolis
- g. Mayor Messer

10. Approval of Minutes-February 7, 2024 Business Session

11. Other Business

- a. Liquor Permit— Please see the attached memo from Police Chief John Crowell regarding the request from the State of Ohio Liquor Control Board for the reissuance of an existing license for Toast & Berry Restaurant located at 9856 Montgomery Road, Suite 200. The request is due to a change in stock ownership.

*Make a Motion to have or not have a hearing regarding this request*

*Voice Vote*

12. Executive Session

13. 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



CITY OF

# MONTGOMERY

## Certificate of Appreciation

to

**Patrick and Ruth Richter**

8732 Tanagerwoods Drive

**WHEREAS**, the Montgomery Beautification and Tree Commission selected the home of **Patrick and Ruth Richter**, as the 2023 Winter Seasons of Beauty Award Winner as their home was beautifully and tastefully decorated this past November, December, and January; and,

**WHEREAS**, the **Richter** home stunned during the winter and holiday seasons with a unique color scheme and an abundance of greenery and lighting. Flower boxes under the upper windows and large urns flanking the front door displayed beautiful evergreens, glimmering ornaments, ribbon, and dried plants bursting with colors of red, green, gold, and orange; and,

**WHEREAS**, a beautiful wreath on the front door was complemented by wreaths hung above each flowerbox, and a lamppost decorated in corresponding colors. At night, the home was perfectly lit with miniature white bulbs running across the lower roofline and bookended by two trees on the left and right of the home in similar lighting; and,

**WHEREAS**, the Seasons of Beauty award recognizes homes and businesses in Montgomery with special front yards, window boxes, and planters that peak during certain seasons as well as those homes and businesses with decorative features that celebrate the "season" or holiday; and,

**WHEREAS**, **Patrick and Ruth Richter** have contributed to the beautification of Montgomery through the landscaping of their property, thereby visually enhancing the City for all its citizens.

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

**SECTION 1.** The Council of the City of Montgomery, Ohio recognizes this extraordinary effort and contribution to our City and calls upon all residents and officials of this community to honor **Patrick and Ruth Richter** for their efforts.

Lee Ann Bissmeyer  
Lee Ann Bissmeyer, Councilmember

Craig Margolis  
Craig Margolis, Councilmember

Catherine Mills-Reynolds  
Catherine Mills-Reynolds, Councilmember

CHRIS DOBROZSI  
Chris Dobrozsi, Councilmember


Ron Messer  
Ron Messer, Councilmember

Sasha Naiman  
Sasha Naiman, Councilmember

Ken Suer  
Ken Suer, Councilmember

February 14, 2024

TO: Brian Riblet, City Manager

FROM: Gary Heitkamp, Public Works Director 

SUBJECT: 2024 Street Resurfacing Program Legislative Request

**Request**

It is necessary for City Council to adopt a Resolution authorizing the City Manager to enter into Contract with John R. Jurgensen Company to complete the 2024 Street Resurfacing Program

**Financial Impact**

The 2024 Street Resurfacing Program is programmed in the Street Maintenance and Repair Capital Projects budget (account 410-261-5470) in the amount of \$2,400,000 (which is a combination of the 2024 and 2025 Annual Resurfacing programs), of which \$200,000 is allotted for fire hydrant replacements being completed under a separate contract. It is requested that this project Base Bid and Alternates #1 and #2 be approved for funding in the amount of \$1,862,500.00. In addition, it is requested that Alternate #9, which is the resurfacing of the Weller Park parking lot, be approved for funding in the amount of \$103,800.00 which is programmed in the City Parks Capital Projects budget (account 410-303-5470). Alternates #3 through #8 are private streets located within the Vintage Club Subdivision, which are being funded by the Vintage Club Homeowner’s Association.

**Background**

Each year, the City enters into Contract to have various streets repaired and resurfaced as part of the Capital Improvement Program. The 2024 Street Resurfacing Program includes work to resurface the following streets:

<u>Street</u>	<u>From</u>	<u>To</u>	<u>CL Miles</u>
Shadowhill Way	Windhaven Court	Lakewater Drive	0.217
Lakewater Drive	west terminus	east terminus	0.144
Valleystream Drive	Lakewater Drive	Cornell Road	0.076
Deerfield Road	Montgomery Road	Hartford Hill Lane	0.705
Kenilworth Lane	Deerfield Road	east terminus	0.121

Huntersknoll Court	Deerfield Road	east terminus	0.199
Ivygate Lane	Deerfield Road	west terminus	0.300
Schoolhouse Lane	Montgomery Road	west terminus	0.335
Old Farm Court	Schoolhouse Lane	north terminus	0.044
Old Town Court	Schoolhouse Lane	north terminus	0.039
Tollgate Lane	Schoolhouse Lane	Knollbrook Terrace	0.616
Shelldale Way	Tollgate Lane	west terminus	0.342
Jolain Drive	Tollgate Lane	Knollbrook Terrace	0.301
Knollbrook Terrace	Tollgate Lane	north terminus	0.307
Remington Road	Montgomery Road	#7965 Remington Road	0.136
Cooper Road	Montgomery Road	Main Street	0.038
Main Street (1-Lane width)	Cooper Road	#9526 Main Street	0.189
Hartford Hill Ln (Alt #1)	Deerfield Road	west terminus	0.294
Hartfield Place (Alt #2)	Montgomery Road	west terminus	0.204
Weller Park parking lot (Alt #9)	NA	NA	NA

**Total - 4.61 centerline miles**

**Roads within Vintage Club Subdivision (below):**

Private Street	From	To
Candlewood Circle (Alt Bid #3)	Vintage Club Dr	Vintage Club Dr
Vintage Club Drive (Alt Bid #4)	West Cameo Ct	Gas Light Ln
Courtyard Crossing (Alt Bid #5)	Vintage Club Dr	#114 Village Gate Ln
Village Gate Lane & East Cameo Ct (Alt Bid #6)	#114 Village Gate Ln	Vintage Club Dr
Village Gate Lane & West Cameo Ct (Alt Bid #7)	East Cameo Ct	Vintage Club Dr
Traditions Turn (Alt Bid #8)	Gas Light Ln	east terminus

The project was publicly advertised, and a bid opening was held on Tuesday, February 13<sup>th</sup> at 3:00 PM. A total of three (3) bids were received for this project. The lowest and best bid received was provided by John R. Jurgensen Company. A complete bid summary of the three (3) companies that submitted a bid is attached, summarized as follows:

CONTRACTOR	BASE BID	ALT #1	ALT #2
John R. Jurgensen Company	\$1,643,236.25	\$80,470.00	\$50,064.00
Barrett Paving Materials, Inc.	\$1,657,645.20	\$82,930.30	\$51,634.00
J. K. Meurer Corporation	\$1,774,327.85	\$86,693.50	\$55,069.00
<i>Engineer's Estimate</i>	<i>\$2,102,671.75</i>	<i>\$107,192.50</i>	<i>\$66,925.00</i>



Roads within Vintage Club Subdivision (below):

CONTRACTOR	ALT#3	ALT#4	ALT#5
John R. Jurgensen Company	\$23,440.00	\$48,230.00	\$22,802.00
Barrett Paving Materials, Inc.	\$23,865.80	\$49,755.80	\$23,486.80
J. K. Meurer Corporation	\$27,106.00	\$55,126.00	\$27,073.00
<i>Engineer's Estimate</i>	<i>\$32,075.00</i>	<i>\$66,235.00</i>	<i>\$31,735.00</i>

CONTRACTOR	ALT#6	ALT#7	ALT#8
John R. Jurgensen Company	\$31,404.00	\$21,596.00	\$23,266.00
Barrett Paving Materials, Inc.	\$32,504.80	\$22,064.20	\$23,662.50
J. K. Meurer Corporation	\$36,885.00	\$25,320.00	\$26,863.50
<i>Engineer's Estimate</i>	<i>\$43,275.00</i>	<i>\$29,425.00</i>	<i>\$31,315.00</i>

Weller Park parking lot (below):

CONTRACTOR	ALT#9
John R. Jurgensen Company	\$98,855.00
Barrett Paving Materials, Inc.	\$109,720.00
J. K. Meurer Corporation	\$116,330.00
<i>Engineer's Estimate</i>	<i>\$151,670.00</i>

Recommendation

Staff has reviewed the bids received and determined that the bid received from John R. Jurgensen Co. is the lowest and best bid for the 2024 Street Resurfacing Program.

It is recommended that City Council adopt legislation to authorize City Manager Brian Riblet to enter into a Contract with John R. Jurgensen to complete the project on the 4.61 centerline miles of streets listed above (Base Bid and Alternates #1 and #2) and the Weller Park parking lot (Alternate #9). The amount of the recommendation includes \$93,674.75 in project contingency funding, which is an amount equal to 5.0% of the total of the Base Bid and Alternates #1, #2, and #9 amount.

Alternates #3 through #8, which consists of privately owned and maintained streets within the Vintage Club Subdivision, will be determined by the Vintage Club Subdivision Homeowner's Association over the course of the next several weeks. Their decision as to which alternate bids they would like to proceed with will be provided in an update at the March 6<sup>th</sup> Council Business Session.

If there are any questions or if additional information is required, please do not hesitate to contact me.

RESOLUTION NO. \_\_\_\_\_, 2024

**A RESOLUTION ACCEPTING A BID AND AUTHORIZING THE CITY MANAGER TO  
ENTER INTO A CONTRACT WITH JOHN R. JURGENSEN COMPANY  
FOR THE 2024 STREET RESURFACING PROGRAM**

**WHEREAS**, the City has advertised for bids for the 2024 Street Resurfacing Program, and the City has received a bid from the John R. Jurgensen Company which the Administration has determined to be the lowest and best bid ("Bid") and has recommended acceptance.

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

**SECTION 1.** The Bid of \$2,042,363.25 received from the John R. Jurgensen Company for the 2024 Street Resurfacing Program, including Alternates 1 through 9, is hereby determined to be the lowest and best bid received in response to an advertisement for the same.

**SECTION 2.** The Bid of \$2,042,363.25 with appropriate Alternate Bids 1 through 9 and a contingency of approximately \$102,120.00 is hereby accepted, a portion of which under separate Agreement will be paid by the Vintage Club Community Association, Inc. The City Manager is authorized and directed to enter into a contract in this amount in accordance with the terms described in the specifications.

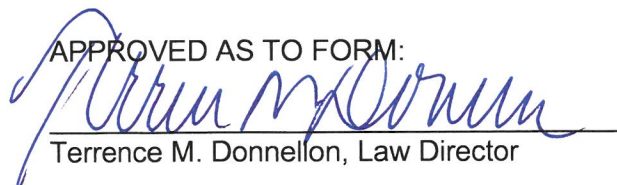
**SECTION 3.** This Resolution shall be in full force and effect from and after its passage.

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
Connie M. Gaylor, Clerk of Council

\_\_\_\_\_  
Ronald G. Messer, Mayor

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Terrence M. Donnellon, Law Director

TO: Mayor Ron Messer  
Members of City Council

FROM: Terrence M. Donnellon

RE: Agreement to Construct Roadway  
Improvements within the  
Vintage Club Subdivision

DATE: February 16, 2024

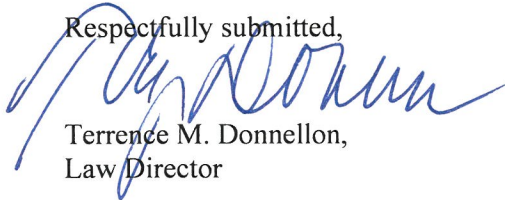
---

The Vintage Club Community Association, Inc. has approached the City to once again Piggy-Back upon the City's road improvement contract to be able to repair and repave certain streets within the Vintage Club Subdivision solely at the cost of the Association. The City Administration has negotiated an Agreement to complete these repairs, which Agreement includes the licensed authorization to enter upon these private streets contingent upon the Association reviewing and accepting Bid Alternatives and funding the entire cost of construction with an Escrow Agent in advance of contracting. In a companion piece of legislation, the City is approving a contract for the 2024 Street Resurfacing Program.

This legislation will be added to the Business Session March 6, 2024. Between now and that date, the parties will select an Escrow Agent to receive and hold the funds from the Vintage Club Community Association, Inc.

This Cooperative Agreement is a benefit to the City to assure that the roadways are constructed to engineering standards similar to the engineering standards for City owned streets, and it assures appropriate continuing access and continuing use of those streets while passing the cost directly to the Association, similar to a special assessment. The unique aspect of this Agreement is the entire cost of such construction will be funded in advance with an Escrow Agent from which the City will be able to draw the funds as necessary for the approved work. The Agreement calls for a payment of \$179,300, which includes a 5% Contingency for the Bid Alternatives the Vintage Club Association has accepted.

Respectfully submitted,



Terrence M. Donnellon,  
Law Director

TMD/lld  
Enclosures

cc: Brian Riblet, City Manager  
Connie Gaylor, Executive Assistant  
Department Heads  
File

RESOLUTION NO. \_\_\_\_\_, 2024

**A RESOLUTION AUTHORIZING AN AGREEMENT WITH THE VINTAGE CLUB  
COMMUNITY ASSOCIATION, INC. TO CONSTRUCT ROADWAY  
IMPROVEMENTS WITHIN THE VINTAGE CLUB SUBDIVISION**

**WHEREAS**, the Vintage Club Subdivision is a private subdivision of streets, open spaces, and privately held lots situated within the City and connected to the public street grid within the City; and

**WHEREAS**, the Vintage Club Community Association, Inc., an Ohio non-profit corporation, is the titled owner of the various streets within the Vintage Club Subdivision, and the Association has requested through its Board of Trustees to Piggy-Back upon the City's 2024 Street Resurfacing Program to allow the City to serve as Contractor to repair and repave certain improved streets within the Vintage Club Subdivision at the sole cost of the Association; and

**WHEREAS**, the City has publicly bid the 2024 Street Resurfacing Program including Bid Alternates which include repairs and resurfacing to portions of the Vintage Club Subdivision, and the City has determined that the John R. Jurgensen Company's bid is the lowest and best bid for such 2024 Street Resurfacing Program; and

**WHEREAS**, the City has negotiated the attached Agreement to Construct Roadway Improvements within the Vintage Club Subdivision ("Agreement") and to designate an Escrow Agent to receive the total cost of such construction work in advance of the construction work; and

**WHEREAS**, the Administration has recommended accepting such Agreement in conjunction with accepting Bid Alternates in the City's contract for the 2024 Street Resurfacing Program; and

**WHEREAS**, the Board of Trustees of the Association has approved the



Agreement, has reviewed and approved the Bid Alternates 3 through 8 of the John R. Jurgensen Bid, which includes portions of streets within the Vintage Club Subdivision, and the Board of Trustees has designated an appropriate Escrow Agent to hold such funds to be paid in advance of commencing construction.

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

**SECTION 1.** The City Manager, for and on behalf of the City as Contractor overseeing the 2024 Street Resurfacing Program, is authorized to enter into the attached Agreement to Construct Roadway Improvements within the Vintage Club Subdivision consistent with the terms of the Agreement. The City Manager is authorized to accept the Bid Alternates 3 through 8 preapproved by the Association as a part of the Construction Agreement with the John R. Jurgensen Company for the 2024 Street Resurfacing Program. Further, the City Manager is authorized to finalize the Escrow Agreement with the Association to fund the total cost of such improvements in advance of commencing the construction work.

**SECTION 2.** The City Manager is authorized to execute such additional documentation as may be necessary to implement the street repairs and to oversee the contract for repairs of these Association subdivision streets.


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

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
Connie M. Gaylor, Clerk of Council

\_\_\_\_\_  
Ronald G. Messer, Mayor

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Terrence M. Donnellan, Law Director

**AGREEMENT TO CONSTRUCT ROADWAY IMPROVEMENTS  
WITHIN THE VINTAGE CLUB SUBDIVISION**

WHEREAS, the Vintage Club Subdivision is a private subdivision of streets, open spaces, and privately held lots situated within the City of Montgomery, Ohio ("City") and connected to the public street grid within the City; and

WHEREAS, the Vintage Club Subdivision community was developed in approximately 2008 when the access streets within the Vintage Club Subdivision were platted, engineered and constructed; and

WHEREAS, the Developer of Vintage Club Subdivision elected not to dedicate such streets as public streets, but such streets were engineered, designed and constructed to support vehicular traffic not only for property owners and their invitees, but for public services including public safety services; and

WHEREAS, the City annually contracts on a rotating basis to repair public roadways within the City through a process of public bidding; and

WHEREAS, The Vintage Club Community Association, Inc., an Ohio non-profit corporation ("Association"), is the titled owner of the various streets within the Vintage Club Subdivision, and the Association has requested through its Board of Trustees to Piggy-Back upon the City's 2024 Street Resurfacing Program contract with the John R. Jurgensen Company to allow the City through its Contractor to repair and repave certain improved streets within the Vintage Club Subdivision owned by the Association so that the repaired streets are properly constructed and improved to assure safe travel and public safety access to properties within the Subdivision; and

WHEREAS, in accordance with Chapter 727 of the Ohio Revised Code, the City has a right to assess the cost of street and curb improvements performed by the City against properties benefited by such work; and

WHEREAS, the Association has asked the City to serve as its Contractor and to consider this to be an assessment for the benefit of the property owners within the Association; and

WHEREAS, the Association does not want to impose liability upon the City nor to borrow against the City's credit, but consistent with the process for assessments, the Association agrees to facilitate the immediate payment of such improvements upon acceptance of the City's bid and construction of the Vintage Club street improvements.

NOW THEREFORE, with these premises in mind, the City of Montgomery, Ohio, an Ohio municipal corporation, and The Vintage Club Community Association, Inc., an Ohio non-profit corporation, hereby agree as follows:

1. The Association hereby contracts with the City to provide construction services to the Association to repair and repave certain streets within the Vintage Club Subdivision ("Street Repair Work"), including the following:

- A. Candlewood Circle
- B. A portion of Vintage Club Drive at or near West Cameo Court to Gas Light Lane
- C. A portion of Courtyard Crossing
- D. East Cameo Court and a portion of Village Gate Lane
- E. West Cameo Court and a portion of Village Gate Lane
- F. Traditions Turn

These street portions to be repaired and resurfaced are depicted upon **Exhibit A-1** and **Exhibit A-2** attached.

2. The engineering specifications for such Street Repair Work have been established by the City consistent with the City's standards for public improvements for such street resurfacing and repairs. The Association has reviewed the Bid Specifications prepared by the City and its engineering staff, or has had the opportunity through its own engineer to review such Bid Specifications, which Bid Specifications are hereby accepted by the Association. Based upon these Bid Specifications, the City has competitively bid the cost of such improvements. The Street Repair Work for the Vintage Club Subdivision has been identified as Bid Alternates 3 through 8 in the City's 2024 Street Resurfacing Project, and the City independently has determined that the bid received from the John R. Jurgensen Company in the total amount of One Hundred Seventy-Nine Thousand Three Hundred Dollars (\$179,300.00), which includes an appropriate contingency, is the lowest and best bid for such Street Repair Work. The City may award such resurfacing contract and shall oversee construction and inspection of such construction as a part of the 2024 Street Resurfacing Project. The City shall be responsible to review and accept such work consistent with the Bid Specifications on behalf of both the City and the Association.

3. The Association hereby agrees to deposit with \_\_\_\_\_ as Escrow Agent the cost of such Street Repair Work in the total amount of One Hundred Seventy-Nine Thousand Three Hundred Dollars (\$179,300.00), which includes a contingency of Five percent (5%), to assure prompt payment for the work as completed. The City, as necessary, may issue such Change Orders as needed to bring construction into compliance with the Bid Specification standards. The City in its sole discretion may accept such Change Orders and to the extent such Change Order applies to work within the Association streets, the Association shall be bound by such Change Order. To the extent the escrow funds are insufficient to pay the cost of the contract and any Change Orders awarded as a part of the contract, the Association shall immediately pay such

funds to the Escrow Agent upon notice from the City to the Association so that all funds are readily available to be drawn by the City during and at the close of the construction. Monies shall be drawn by the City from such Escrow Agent upon notice to the Association consistent with the City's schedule of payments as required under the Bid Specifications.

4. The Association hereby grants an irrevocable license to the City, its Bidders and Contractor, to enter into the Vintage Club Subdivision and to enter upon the streets and common areas held by The Vintage Club Community Association, Inc. for the purposes of evaluating and ultimately performing such Street Repair Work. Consistent with the terms of the Bid Specifications, the City and/or its Contractor shall restore any damage to property surrounding the work area caused by the performance of the Street Repair Work. As a part of this license, the City and its Contractor may store equipment and supplies upon the Association's property during the term of the construction. Consistent with the terms of the Bid Specifications, the City and the Contractor shall keep the Association streets open to traffic throughout the construction process. Any closures necessary shall be limited in time and scope, and the Contractor and/or the City shall provide notice to the Association in advance of such closures to minimize any disruption to access to the private properties within the Subdivision.

5. The Association hereby acknowledges that the City is required to publicly bid such Street Repair Work and to award a contract to the lowest and best Contractor. The discretion to award such bid to the lowest and best Contractor rests solely with the City. Further, the Association acknowledges that as part of a City funded contract, all work in conjunction with the construction must be paid at Prevailing Wage rates which may increase the actual cost of construction. The Association acknowledges that work upon its streets may not be exempted from Prevailing Wage since it is part of the City's contract.

6. The Association hereby warrants and represents to the City that it has authority to enter into this Agreement and all action has been taken consistent with the terms and conditions of the Homeowner's Association, its Declarations and Covenants, to enable its authorized officers to accept this Agreement and to bind the Association thereto. The Association, at the request of the City, shall provide a copy of the Board Resolution or other enabling documents to evidence such authority. Further, the Association warrants that it has either secured its own engineer to review and establish its Bid Specifications for this work and/or it accepts the bid and engineering specifications established by the City and waives any claim against the City acting in reliance upon these Bid Specifications.

7. Any dispute between the parties concerning this Agreement or the performance of this Agreement, and any claim against the City and/or Contractor as a result of the performance of this Agreement, shall be governed by the Dispute Resolution mechanisms set forth within the City's Agreement with the Contractor.

8. Any notices required by this Agreement or under the separate Construction Agreement must be in writing and will be deemed sufficiently given if actually received or



if hand-delivered or sent by recognized, overnight delivery service or by certified mail, postage prepaid and return receipt requested, addressed to the other party at the address set forth in this Agreement or any addendum to or counterpart of this Agreement, or to such other address as the recipient has previously notified the sender of in writing. All notices will be deemed received upon actual receipt, unless sent by certified mail, in which event such notice will be deemed to have been received when the return receipt is signed or refused. The parties, by notice given hereunder, may designate any further or different addresses to which subsequent notices, certificates, requests or other communications must be sent. The present addresses of the parties follow:

As to the City:	City of Montgomery, Ohio 10101 Montgomery Road Montgomery, Ohio 45242 Attn: City Manager Currently: Brian K. Riblet
With a copy to the Director of Law:	Currently: Terrence M. Donnellon Donnellon, Donnellon & Miller 9079 Montgomery Road Cincinnati, Ohio 45242
As to the Vintage Club Community Association, Inc.:	Vintage Club Community Association, Inc. _____ _____
With a copy to:	_____ _____ _____

9. This Agreement shall be interpreted and enforced consistent with the laws of the State of Ohio. As noted herein, the undersigned represent and warrant that they have full authority to execute this Agreement for and on behalf of their principals.

**The Vintage Club Community Association, Inc.,  
an Ohio non-profit corporation**

By: \_\_\_\_\_

Its: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Date: \_\_\_\_\_

**The City of Montgomery, Ohio,  
an Ohio municipal corporation**

By: \_\_\_\_\_  
Brian K. Riblet

Its: City Manager

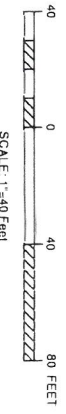
Date: \_\_\_\_\_



15'-1" OF CURB, TYPE 6 TO BE REMOVED AND REPLACED FOR ALL OF CANDLEWOOD CIRCLE (ALTERNATE BID #3) (#1/8" MIN. SECTIONS, AS MARKED IN FIELD)

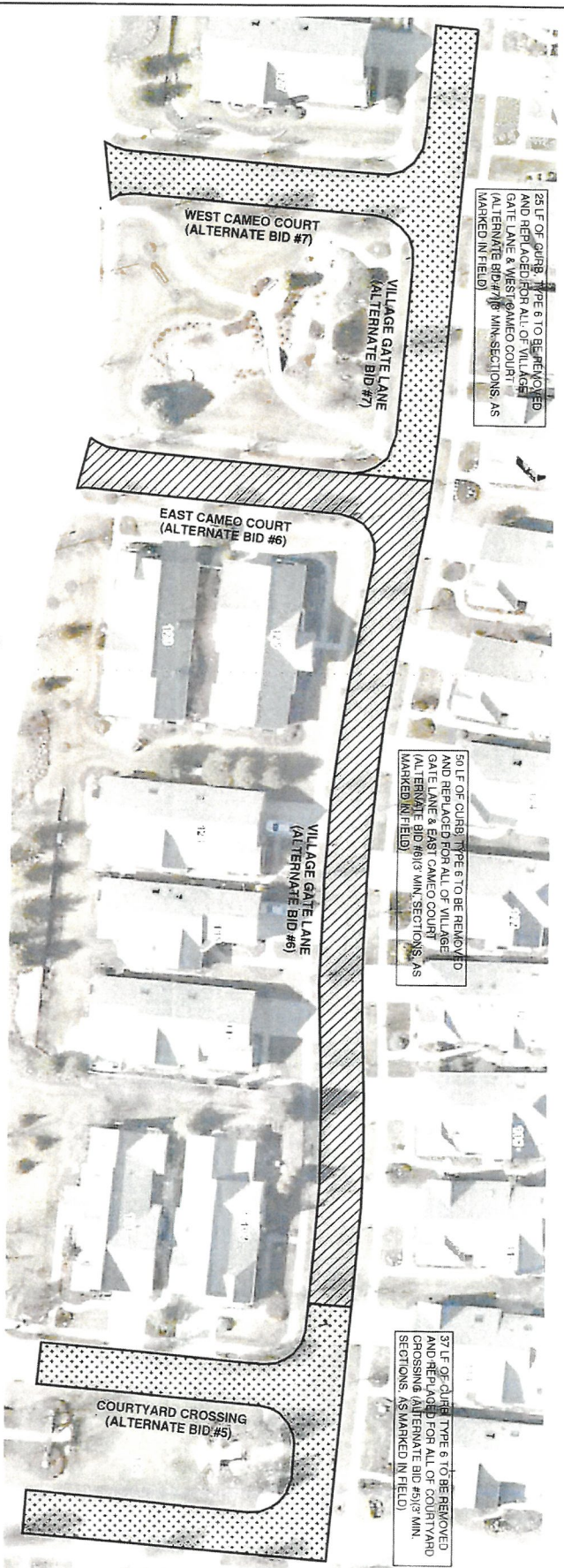
37'-1" OF CURB, TYPE 6 TO BE REMOVED AND REPLACED FOR ALL OF VINTAGE CLUB DRIVE (ALTERNATE BID #4) (#1/8" MIN. SECTIONS, AS MARKED IN FIELD)

- NOTES:
- 1) PAVEMENT BASE REPAIR AREAS WILL BE MARKED WHEN THE PLANING OPERATIONS HAVE BEEN COMPLETED.
  - 2) FINAL CURB HEIGHT LOCATIONS WILL BE MARKED PRIOR TO BEGINNING CONSTRUCTION.
  - 3) STAMPED CONCRETE AND OTHER CONCRETE SURFACES ARE NOT TO BE DISTURBED. MILLING/RESURFACING WORK IS TO ASPHALT PAVEMENT AREAS ONLY.



CITY OF MONTGOMERY 2024 STREET RESURFACING PROGRAM  
CANDLEWOOD CIRCLE & VINTAGE CLUB DRIVE





25 LF OF CURB, TYPE 6 TO BE REMOVED AND REPLACED FOR ALL OF VILLAGE GATE LANE & WEST GAMED COURT (ALTERNATE BID #7) (MIN. SECTIONS, AS MARKED IN FIELD)

50 LF OF CURB, TYPE 6 TO BE REMOVED AND REPLACED FOR ALL OF VILLAGE GATE LANE & EAST GAMED COURT (ALTERNATE BID #6) (MIN. SECTIONS, AS MARKED IN FIELD)

37 LF OF CURB, TYPE 6 TO BE REMOVED AND REPLACED FOR ALL OF COURTYARD CROSSING (ALTERNATE BID #5) (MIN. SECTIONS, AS MARKED IN FIELD)

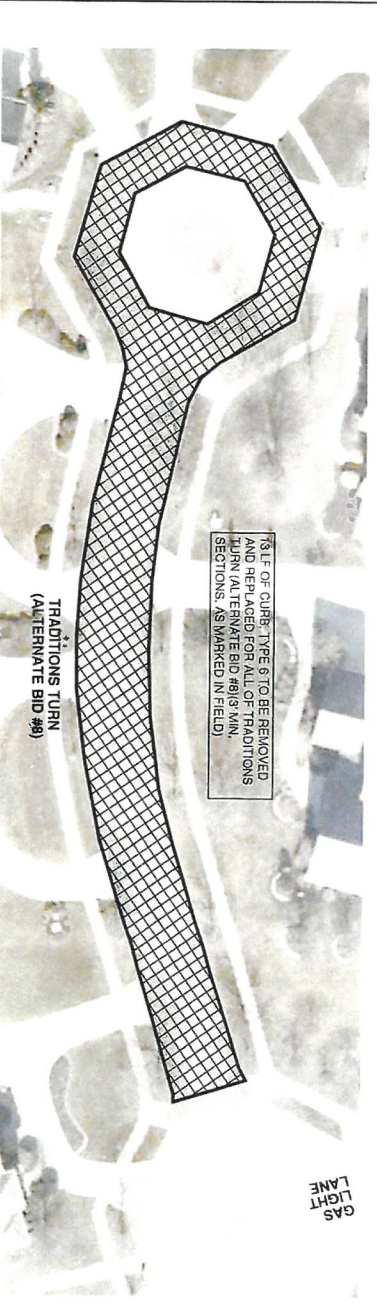
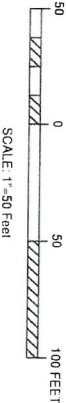
WEST GAMED COURT (ALTERNATE BID #7)

VILLAGE GATE LANE (ALTERNATE BID #7)

EAST GAMED COURT (ALTERNATE BID #6)

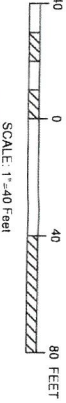
VILLAGE GATE LANE (ALTERNATE BID #6)

COURTYARD CROSSING (ALTERNATE BID #5)



13 LF OF CURB, TYPE 6 TO BE REMOVED AND REPLACED FOR ALL OF TRADITIONS TURN (ALTERNATE BID #8) (MIN. SECTIONS, AS MARKED IN FIELD)

TRADITIONS TURN (ALTERNATE BID #8)



GAS LIGHT LANE

- NOTES
- 1) PAVEMENT BASE REPAIR AREAS WILL BE MARKED WHEN THE PLANNING OPERATIONS HAVE BEEN COMPLETED.
  - 2) FINAL CURB REPLACEMENT LOCATIONS WILL BE MARKED PRIOR TO BEGINNING CONSTRUCTION.
  - 3) STAMPED CONCRETE AND OTHER CONCRETE FINISHES SHOULD BE ONSITE UNBED MULLEN SURFACE AND OPEN TO ASHPHALT PAVEMENT AREAS ONLY.

CITY OF MONTGOMERY 2024 STREET RESURFACING PROGRAM  
 COURTYARD CROSSING, VILLAGE GATE LANE, EAST GAMED COURT,  
 WEST GAMED COURT & TRADITIONS TURN

February 16, 2024

To: Connie Gaylor, Clerk of Council

From: John Crowell, Police Chief



Subject: Liquor Permit

---

I am in receipt of a notification from the Ohio Division of Liquor Control, for the transfer of stock of an existing liquor license for Avalon Restaurant Group LLC dba Toast & Berry Restaurant located at 9856 Montgomery Road, Ste 200.

This notice does not change the permit classes that the license covers. I am not aware of any information that would cause the City of Montgomery to object to the issuance of this permit or any need to request a hearing.

Should you have any questions, please do not hesitate to contact me.



**NOTICE TO LEGISLATIVE  
AUTHORITY**

**OHIO DIVISION OF LIQUOR CONTROL**  
6606 TUSSING ROAD, P.O. BOX 4005  
REYNOLDSBURG, OHIO 43068-9005  
(614)644-2360 FAX(614)644-3166

TO

<b>0332450</b> PERMIT NUMBER		<b>STCK</b> TYPE	<b>AVALON RESTAURANT GROUP LLC</b> <b>9856 MONTGOMERY RD STE 200 &amp; PATIO</b> <b>MONTGOMERY OH 45242</b>	
ISSUE DATE				
<b>04 06 2022</b>				
FILING DATE				
<b>D5 D6</b> PERMIT CLASSES				
<b>31</b> TAX DISTRICT		<b>264</b>	<b>A</b>	<b>F30813</b> RECEIPT NO.

FROM **02/07/2024**

PERMIT NUMBER		TYPE		
ISSUE DATE				
FILING DATE				
PERMIT CLASSES				
TAX DISTRICT		RECEIPT NO.		



MAILED **02/07/2024**

RESPONSES MUST BE POSTMARKED NO LATER THAN. **03/11/2024**

**IMPORTANT NOTICE**

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL  
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES **A STCK 0332450**

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT  
THE HEARING BE HELD  IN OUR COUNTY SEAT.  IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)-  Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

**CLERK OF MONTGOMERY CITY COUNCIL**  
**10101 MONTGOMERY RD**  
**MONTGOMERY OHIO 45242**

OK#33800 only for

Amnt \$ 100



Office Hours  
8:00 a.m. - 5:00 p.m.  
For Questions call  
(614) 644-3156

Ohio Department of Commerce - Division of Liquor Control  
6606 Tussing Road, Reynoldsburg, Ohio 43068-9005  
<http://www.com.ohio.gov/liqr>  
**APPLICATION FOR CHANGE OF LLC MEMBERSHIP INTERESTS**  
**PROCESSING FEE \$100.00**  
**CAUTION: ALLOW 10 TO 12 WEEKS FOR PROCESSING**

PERMIT HOLDER REQUESTS APPROVAL OF THE DIVISION OF LIQUOR CONTROL OF THE FOLLOWING:

Permit Holder Name: <b>Avalon Restaurant Group LLC</b>		Permit Premises Address: <b>9856 Montgomery Rd., Suite 200 &amp; Patio Montgomery, OH 45242</b>
Liquor Permit Number(s): <b>0332450</b>	Federal Tax ID Number: [REDACTED]	

Email Address: **s c o t t . s c h m i d t @ l o o k i n g g l a s s h o s p i t a l i t y . c o m**

Attorney's Name, Address and Telephone Number (if represented):  
**Matthew T. Cull, 207 N. Fourth St., Columbus, OH 43215, 614-469-1882**

Please be advised that any social security numbers provided to the Division of Liquor Control in this application may be released to the Ohio Department of Public Safety, the Ohio Department of Taxation, the Ohio Attorney General, or to any other state or local law enforcement agency if the agency requests the social security number to conduct an investigation, implement an enforcement action, or collect taxes.

**PLEASE COMPLETE ALL AREAS OF SECTION A & B BELOW**

**Section A - PREVIOUS** List of managing members and all persons with a 5% or greater membership or voting interest in the LLC

NAME	SOCIAL SECURITY # OR FEDERAL TAX ID #	OFFICE HELD	INTEREST	BIRTHDATE
1) Todd Wilkins	[REDACTED]		<input checked="" type="checkbox"/> Managing Member <input type="checkbox"/> Voting interest _____ % <input type="checkbox"/> Membership interest <u>20</u> %	[REDACTED]
2) Scott Andersen	[REDACTED]		<input checked="" type="checkbox"/> Managing Member <input type="checkbox"/> Voting interest _____ % <input type="checkbox"/> Membership interest <u>20</u> %	[REDACTED]
3) Neil Hoynes	[REDACTED]		<input checked="" type="checkbox"/> Managing Member <input type="checkbox"/> Voting interest _____ % <input type="checkbox"/> Membership interest <u>20</u> %	[REDACTED]
4) Edward Biery	[REDACTED]	President	<input checked="" type="checkbox"/> Managing Member <input type="checkbox"/> Voting interest _____ % <input type="checkbox"/> Membership interest <u>40</u> %	[REDACTED]

**Section B - REVISED** List of managing members and all persons with a 5% or greater membership or voting interest in the LLC

NAME	OFFICE HELD	INTEREST
1) Todd Wilkins		<input type="checkbox"/> Managing Member <input type="checkbox"/> Voting interest _____ % <input checked="" type="checkbox"/> Membership interest <u>22.57</u> %
2) James Scott Andersen		<input type="checkbox"/> Managing Member <input type="checkbox"/> Voting interest _____ % <input checked="" type="checkbox"/> Membership interest <u>22.57</u> %
3) "Neil" Hoynes Cornelius Edward		<input type="checkbox"/> Managing Member <input type="checkbox"/> Voting interest _____ % <input checked="" type="checkbox"/> Membership interest <u>22.57</u> %
4) Looking Glass Hospitality Group LLC		<input checked="" type="checkbox"/> Managing Member <input type="checkbox"/> Voting interest _____ % <input checked="" type="checkbox"/> Membership interest <u>30.02</u> %

*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  
February 7, 2024

Present

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

City Council Members Present

Ron Messer, Mayor  
Sasha Naiman, Vice Mayor  
Lee Ann Bissmeyer  
Chris Dobrozsi  
Craig Margolis  
Catherine Mills-Reynolds  
Ken Suer

---

City Council convened in Council Chambers at 5:57 p.m. with Mayor Messer presiding.

**ROLL CALL**

Mayor Messer asked for a roll call.

All members were present except for Council Member Mills-Reynolds. Mrs. Bissmeyer made a motion to excuse Mrs. Mills-Reynolds. Mr. Margolis seconded. City Council unanimously agreed.

Council welcomed Boy Scout Troop 672 to the meeting. The Troop was there to observe in order to obtain a badge.

Mrs. Mills-Reynolds arrived at the meeting at 6:00 p.m.

**PENDING LEGISLATION**

There was no pending legislation

**NEW LEGISLATION**

There was no new legislation.

**ADMINISTRATION REPORT**

Mr. Riblet gave the following report:

- City Council Work Session is scheduled for February 21, 2024 at 6:00 p.m.
- The Parks and Recreation, Government Affairs and Public Works Committees have cancelled their meetings for February.
- A contract was signed in the amount of \$39,000 to Y2K Mowing to provide mowing services for Hopewell Cemetery through the 2024 mowing season. Additional mowing contracts will be forthcoming.
- MCLA Session #5- Sycamore Schools and the 21st Century Learner will be held at Sycamore Junior High School beginning at 5:45 p.m.

*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 Business Session Minutes

February 7, 2024

Page 2.

54 Mr. Riblet requested an Executive Session to consider the purchase of property for public purposes.

55

56 **MINUTES**

57

58 Mr. Margolis moved to approve the January 17, 2024 Public Hearing and Work Session minutes as written. Vice  
59 Mayor Naiman seconded. City Council unanimously agreed.

60

61 **MAYOR'S COURT REPORT**

62

63 Mayor Messer requested a motion to disburse the January Mayors Court collections in the amount of \$5,215.00

64

65 Mr. Margolis made the motion to disburse the January Mayors Court Collections in the amount of \$5,215. Vice  
66 Mayor Naiman seconded. City Council unanimously agreed.

67

68 **OTHER BUSINESS**

69

70 Liquor Permit- Chief Crowell explained that staff received notification from the Ohio Division of Liquor Control,  
71 for the transfer of stock of an existing liquor license to Taglio's Montgomery, LLC dba Taglio's Bar & Pizzeria  
72 located at 9321 Montgomery Road. He explained the notice does not change the permit classes that the license  
73 covers, and he was not aware of any information that would cause the City of Montgomery to object to the  
74 issuance of this permit or any need to request a hearing. He recommended that City Council make a motion not to  
75 request a hearing with the Liquor Control Board.

76

77 Mrs. Bissmeyer made a motion to not request a hearing on the change of the license. Vice Mayor Naiman  
78 seconded. City Council unanimously agreed.

79

80 **EXECUTIVE SESSION**

81

82 Mayor Messer asked for an Executive Session to consider the purchase of property for public purposes Mr.  
83 Margolis made a motion to adjourn into Executive Session to consider the purchase of property for public  
84 purposes. Vice Mayor Naiman seconded.

85

86 The roll was called and showed the following vote:

87

88 AYE: Cappel, Bissmeyer, Dobrozi, Margolis, Naiman, Suer, Messer (7)

89 NAY: (0)

90

91 Council adjourned into Executive Session at 6:05 p.m.

92

93 **ADJOURNMENT**

94

95 Council reconvened from Executive Session into Public Session at 6:25 p.m.

96

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

99

100 Mr. Margolis moved to adjourn. Vice Mayor Naiman seconded. City Council unanimously agreed.

101

102 City Council adjourned at 6:25 p.m.

103



*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 Business Session Minutes

February 7, 2024

Page 3.

104  
105  
106

---

Connie Gaylor, Clerk of Council

DRAFT