

March 1, 2024

TO: Mayor and City Council Members

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

SUBJECT: City Council Business Session of Wednesday, March 6, 2024

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

Business Session

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Special Presentation
 - a. Former Board Members Gary Blomberg, Kaye Gaffney and Janet Korach of the Montgomery Historical Preservation Association will be presented with a Certificate of Appreciation for their years of dedication to preserving the history of Montgomery and the operation of the Wilder-Swaim House
 - b. Chad Shaffer of Duke Energy will present a Foundation Grant to the City of Montgomery in support of the Mental Health Initiative
5. Guest and Residents
6. Legislation for Consideration this Evening
 - a. A Resolution Establishing Compensation for The City Manager—The Government Affairs Committee of City Council has requested that the attached Resolution be presented to City Council. This Resolution will authorize an amendment to the current employment agreement with Mr. Brian Riblet as the City Manager of Montgomery. This Resolution is the result of the recent performance appraisal of the City Manager conducted by City Council. The Government Affairs Committee of City Council has recommended adoption of this Resolution.

Make a motion to add to the agenda

Voice Vote

Assign to a Council Member for Reading

Move to read the Resolution by title only

Voice Vote

Move passage of the Resolution

Roll Call Vote

Pending Legislation

There is no pending 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.

Voice Vote

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—Information has been previously supplied on 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.

Move for passage of the Resolution

Explain

Roll Call Vote

- b. A Resolution Authorizing An Agreement With The Vintage Club Community Association, Inc. To Construct Roadway Improvements Within The Vintage Club Subdivision— Information has been previously supplied on this Resolution that, if approved, will authorize 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.

Move for passage of the Resolution

Explain

Roll Call Vote

7. Administration Report
8. Minutes- February 21, 2024 Work Session
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, Executive Assistant/Clerk of Council
Department Heads
Terry Donnellon, Law Director



CITY COUNCIL BUSINESS SESSION AGENDA

10101 Montgomery Road • Montgomery, Ohio 45242
(513) 891-2424 • Fax (513) 891-2498

March 6, 2023
City Hall
6:00 p.m.

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Special Presentation
 - a. Former Board Members Gary Blomberg, Kaye Gaffney and Janet Korach of the Montgomery Historical Preservation Association will be presented with a Certificate of Appreciation for their years of dedication to preserving the history of Montgomery and the operation of the Wilder Swaim Museum
 - b. Chad Shaffer of Duke Energy will present a Foundation Grant to the City of Montgomery in support of the Mental Health Initiative
5. Guest and Residents
6. Legislation for Consideration for this Evening
 - a. A Resolution Establishing Compensation for The City Manager
Make a motion to add to the agenda
Voice Vote
Assign to a Council Member for Reading
Move to read the Resolution by title only
Voice Vote
Move passage of the Resolution
Roll Call Vote

Pending Legislation

There is no pending 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.

Voice Vote

New Legislation

- a. A Resolution Accepting A Bid And Authorizing The City Manager To Enter Into A Contract With John R. Jurgensen Company Inc. For The 2024 Street Resurfacing Program—(Mr. Margolis)

Move for passage of the Resolution

Explain

Roll Call Vote

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

Move for passage of the Resolution

Explain

Roll Call Vote

7. Administration Report

8. Approval of Minutes - February 21, 2024 Work Session

9. Mayor's Court Report

10. Other Business

11. Executive Session

12. Adjournment

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



CITY OF

MONTGOMERY

A CHARMING PAST. A GLOWING FUTURE.

Certificate of Appreciation

to

Montgomery Historical Preservation Association

WHEREAS, **Montgomery Historical Preservation Association (MHPA)** was established in 1978 to protect the City's historic buildings and collect and share materials that document the community's history; and,

WHEREAS, **MHPA** played an integral role in the establishment of the Montgomery Heritage District and Landmark legislation to preserve and protect the City's vibrant history; and,

WHEREAS, **MHPA** successfully led efforts to preserve and lovingly care for the Wilder-Swaim House, Universalist Church and the Pioneer Section of Hopewell Cemetery; and,

WHEREAS, **MHPA** significantly enriched the lives of present and future generations by sharing the stories of our community through events, engaging social media posts, tours of the Wilder-Swaim House and the creation of the History of Montgomery, Ohio book; and,

WHEREAS, **MHPA** created the Landmark Ornament Project highlighting a featured Landmark each year through informative articles for the Montgomery Bulletin; and,

WHEREAS, **MHPA** selflessly worked to preserve and foster appreciations of the City's vibrant history, to safeguard the Landmark buildings and historical artifacts as well as answer endless requests for information; and,

WHEREAS, the commitment, determination, and hard work of **MHPA** serves as a shining example of civic responsibility and community stewardship.

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

SECTION 1. The Council hereby expresses its sincere appreciation to **Montgomery Historical Preservation Association** and its' members for their valued service to the community. Through selfless dedication, countless hours, and careful attention to the preservation of the City's history, **MHPA** has ensured the continued vitality of our historical heritage, and we benefit now and hereafter from their efforts.

LA Bissmeyer

Lee Ann Bissmeyer, Councilmember

Craig Margolis

Craig Margolis, Councilmember

Catherine Mills-Reynolds

Catherine Mills-Reynolds, Councilmember

CHRIS DOBROZSI

Chris Dobrozi, Councilmember

Ron Messer

Ron Messer, Councilmember

Sasha Naiman

Sasha Naiman, Councilmember

Ken Suer

Ken Suer, Councilmember

RESOLUTION NO. , 2024

A RESOLUTION ESTABLISHING COMPENSATION FOR THE CITY MANAGER

WHEREAS, Council, by authority of Article IV, Section 4.01 of the City Charter, is charged with the responsibility for appointment and compensation of the City Manager; and

WHEREAS, Council has completed its annual performance review of the City Manager, and in conjunction with that performance review has recommended an increase in compensation.

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

SECTION 1. Commencing March 1, 2024, salary compensation for the City Manager shall be fixed at One Hundred Ninety-Seven Thousand Three Hundred Seventy-Five Dollars (\$197,375.00) per year. If necessary to accommodate the schedule for payroll, the City Manager shall be paid a lump sum during the next effective pay period for the change in compensation effective March 1. Additional compensation shall continue to be paid to the City Manager in the amount of Six Thousand Dollars (\$6,000.00) per year, payable in monthly installments, representing reimbursement to him for costs incurred for use of his personal automobile for City business.

SECTION 2. Effective the first pay period following approval of this Resolution, additional compensation payable to the City Manager shall include a lump sum payable in the amount of Twelve Thousand Five Hundred Dollars (\$12,500.00) per year to the OML457 Deferred Compensation Plan, or other Deferred Compensation Plan in which

the City Manager may be entitled to participate through his employment with the City of Montgomery. This deferred compensation shall be paid in a lump sum in each future year with the first full pay period in March.

SECTION 3. Consistent with the adjustments made in 2021, the cap for accrued vacation for the City Manager shall be established at Five Hundred Twenty (520) hours.

SECTION 4. All other provisions of the Employment Agreement executed between the City Manager and the City of Montgomery with his hire in January 2018 and as amended for increased Severance Compensation shall remain in full force and effect.

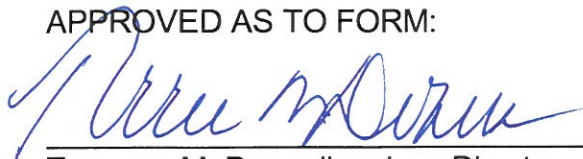
SECTION 5. This Resolution shall take effect at the earliest opportunity allowed by law.

PASSED: _____

ATTEST _____
Connie M. Gaylor, Clerk of Council

Ronald G. Messer, Mayor

APPROVED AS TO FORM:



Terrence M. Donnellon, Law Director

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.

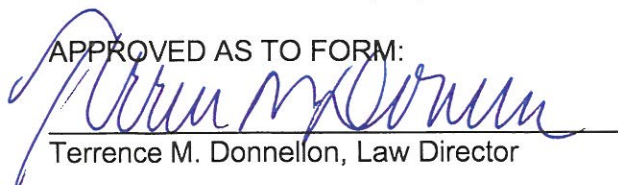
SECTION 3. This Resolution shall be in full force and effect from and after its passage.

PASSED: _____

ATTEST: _____
Connie M. Gaylor, Clerk of Council

Ronald G. Messer, Mayor

APPROVED AS TO FORM:



Terrence M. Donnellon, Law Director

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.

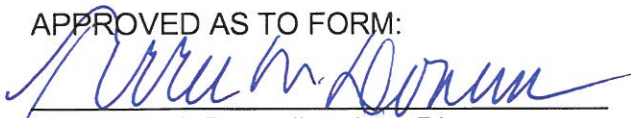
SECTION 2. The City Manager is authorized to execute such additional documentation as may be necessary to implement the street repairs and to oversee the contract for repairs of these Association subdivision streets.

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. Donnellon, 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

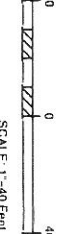
Date: _____



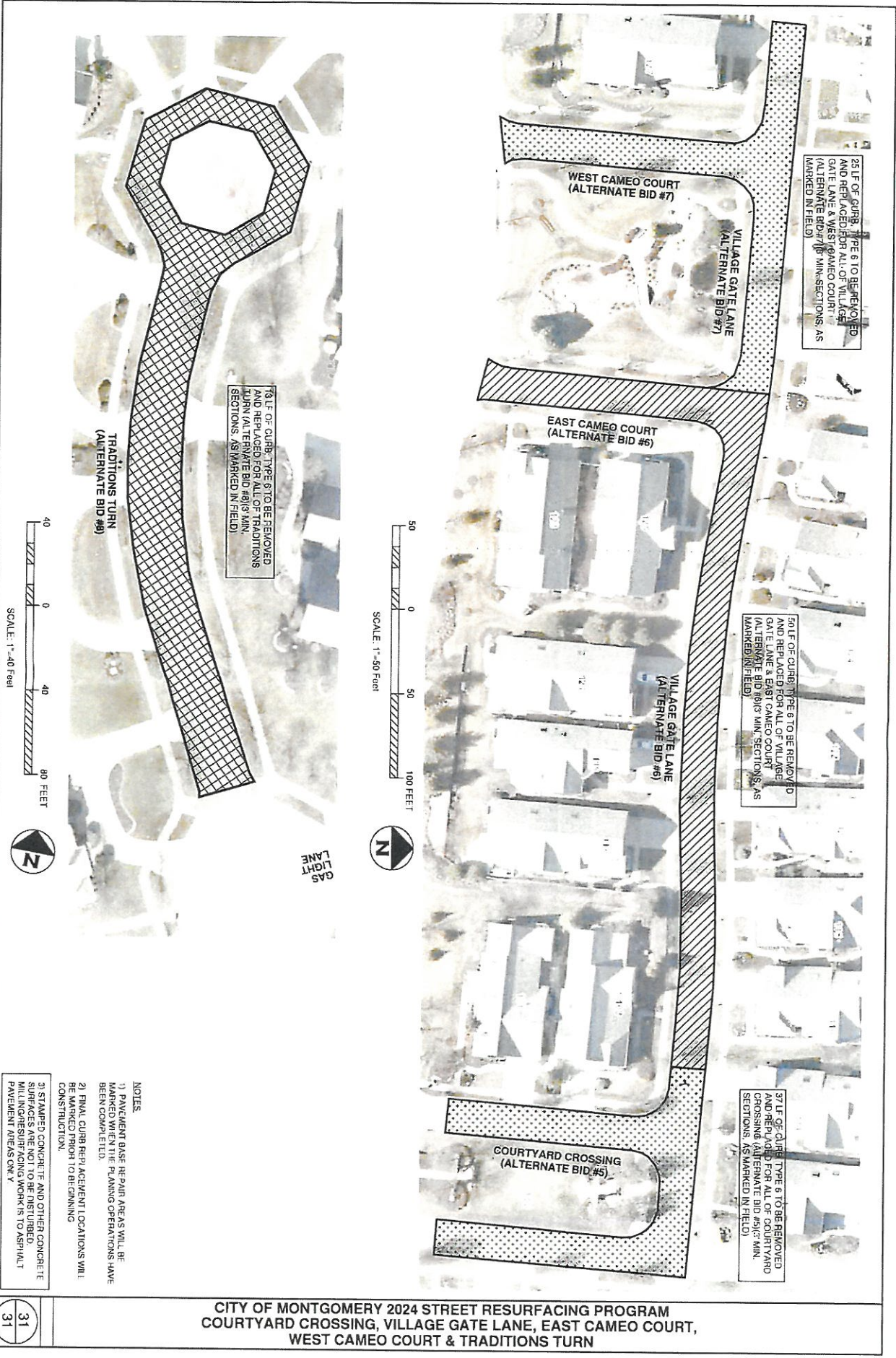
15' LF OF CURB, TYPE 6 TO BE REMOVED AND REPLACED FOR ALL OF CANDLEWOOD CIRCLE (ALTERNATE BID #3) (MIN. SECTIONS, AS MARKED IN FIELD)

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

- NOTES:
- 1) PAVEMENT PATCH 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 AVOID ALL PAVED AREAS ONLY.



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

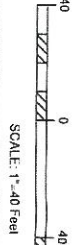
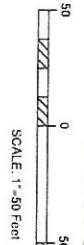


25 LF OF CURB, TYPE 6 TO BE REMOVED AND REPLACED FOR ALL OF VILLAGE GATE LANE & WEST CAMEO COURT (ALTERNATE BID #7) MIN. SECTIONS, AS MARKED IN FIELD.

50 LF OF CURB, TYPE 6 TO BE REMOVED AND REPLACED FOR ALL OF VILLAGE GATE LANE & EAST CAMEO 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.

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.



- 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) STAMPEDED CONCRETE AND OTHER CONCRETE SURFACES ARE NOT TO BE INTERRUPTED WITH SIGNING AND CONES TO ASH W/ PAVEMENT AREAS ONLY.

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

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
February 21, 2024

Present

Brian Riblet, City Manager
Terry Donnellon, Law Director
Tracy Henao, Asst. City Manager
Kevin Chesar, Community Dev. Dir.
John Crowell, Police Chief
Gary Heitkamp, Public Works Director
Matthew Vanderhorst, Community and Information Serv. Dir.
Paul Wright, Fire Chief
Connie Gaylor, Clerk of Council

City Council Members Present

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

City Council convened its Work Session for February 21, 2024 at 6:00 p.m. at City Hall with Mayor Messer presiding.

ROLL CALL

Mayor Messer asked for a motion to dispense of the roll call as all members were present.

Mr. Margolis made the motion to dispense with roll call. Vice Mayor Naiman seconded. City Council unanimously agreed.

LEGISLATION FOR CONSIDERATION THIS EVENING

There was no legislation for consideration at the meeting.

ESTABLISHING AN AGENDA FOR MARCH 6, 2024 BUSINESS SESSION

PENDING LEGISLATION

There was no pending legislation.

NEW LEGISLATION

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

Mayor Messer assigned the legislation to Mr. Margolis.

Mr. Heitkamp welcomed Sycamore High School students Palash Kapoor, Daniel Olowokure and Srikar Konda to the meeting and explained their involvement in the scholarship contest offered by Mr. Margolis.

Mr. Heitkamp explained that each year, the City enters into contract to have various streets repaired and resurfaced as part of the Capital Improvement Program. He explained that this year's contract includes streets marked for repaving for 2024 and 2025 due to the planned Brent Spence Bridge Project beginning in 2025. He explained that it is anticipated that labor and material costs will significantly increase due to the large bridge replacement project. He explained that a street resurfacing project would not be conducted in 2025.

Mr. Heitkamp explained that 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

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

February 21, 2024

Page 2

55 being completed under a separate contract. It is requested that this project Base Bid and Alternates #1 and #2 be
56 approved for funding in the amount of \$1,862,500.00. In addition, it is requested that Alternate #9, which is the
57 resurfacing of the Weller Park parking lot, be approved for funding in the amount of \$103,800.00 which is
58 programmed in the City Parks Capital Projects budget (account 410-303-5470). Alternates #3 through #8 are
59 private streets located within the Vintage Club Subdivision, which are being funded by the Vintage Club
60 Homeowner's Association.

61
62 Mrs. Bissmeyer gave staff kudos for having the foresight of increased costs and combining the projects to save
63 significant funds for the city.

64
65 Mrs. Mills-Reynolds asked if repaving the streets initially marked for 2025 now, would it change the future
66 forecast for all the streets to be done in their normal cycle.

67
68 Mr. Heitkamp replied that he felt that one year of delaying the program would not create an issue as most streets
69 could be stretched a little longer in the repaving schedule if needed.

70
71 Mr. Dobrozi thanked staff for their great job creating the bid specifications for the larger number of streets
72 included for the city as well as those private streets included as alternates for the Vintage Club.

73
74 Vice Mayor Naiman stated that she felt the contract looked good and asked the process for notifying the property
75 owners.

76
77 Mr. Heitkamp replied that staff does a number of things. He explained that an article is placed in the Montgomery
78 Bulletin the month prior to the work beginning and a letter will be hand delivered by staff to all property addresses
79 included in the program.

80
81 Mr. Suer stated that in the past there have been some streets that have had to be totally rebuilt. He asked if we
82 knew of any that would be that same case.

83
84 Mr. Heitkamp replied that he did know of a few streets that have a concrete base and those are the streets that
85 typically can cause issues. He added that another factor is if curb has to be replaced on the streets.

86
87 Mrs. Mills-Reynolds asked of the curbs that had street numbers painted on them would have the numbers painted
88 on the new curb.

89
90 Mr. Heitkamp replied that he has not had that situation yet and would have to investigate how that would be
91 handled.

92
93 Mr. Suer asked Chief Wright how close we were to replacing all the fire hydrants in the City as this contract
94 normally includes the replacement of the hydrants on the streets to be repaved.

95
96 Chief Wright replied that normally 25 are replaced each year but we would not be done with the overall
97 replacement until 2035.

98
99 Mr. Suer stated that he anticipated we would receive questions about the repaving of Montgomery Road in the
100 Medical District. He asked if while we were waiting on ODOT to perform their work, do we have any plans to
101 do a short term patch.

102

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City Council Work Session Minutes

February 21, 2024

Page 3

103 Mr. Heitkamp explained that patching is something that is done continually by staff. He explained that the project
104 is programmed to begin in 2025 by ODOT. He explained that a scoping meeting is scheduled in April with ODOT
105 and the plans for the project will be prepared this year. He added that goal of ODOT was to bid in the Summer of
106 2025 and to begin in the Fall of 2025.

107
108 Mr. Margolis thanked Mr. Heitkamp for working with the Sycamore High School students who were participating
109 in a scholarship contest and walking them through the entire Street Resurfacing program process. Mr. Margolis
110 asked the students in attendance to provide their thoughts of the process. The students all expressed their thanks
111 for Mr. Margolis offering the opportunity and shared their thoughts about the process and how much they learned.

112
113 Mr. Riblet thanked City Council for agreeing to combine the funding for two years of the repaving project. He
114 complimented Mr. Heitkamp and his team as it was a tremendous amount of work. He explained that when the
115 bulletin article goes out, he suggested including information on the status of Montgomery Road to that article to
116 inform residents.

117
118 Mike Cappel, 9253 Village Green- Mr. Cappel stated that it is anticipated that the Bridge construction will extend
119 into 2026. He asked if the street resurfacing program for 2026 would be deferred again.

120
121 Mr. Riblet replied that while the plan would be to move ahead in 2026 in our resurfacing schedule that staff will
122 monitor the progress of the Bridge replacement and the costs for labor and material in the industry in 2025.

123
124 **A Resolution Authorizing An Agreement With The Vintage Club Community Association, Inc. To**
125 **Construct Roadway Improvements Within The Vintage Club Subdivision**

126
127 Mayor Messer assigned the legislation to Mr. Margolis.

128
129 Mr. Donnellon explained that The Vintage Club Community Association, Inc. has approached the City to once
130 again piggy-back upon the City's road improvement contract to be able to repair and repave certain streets within
131 the Vintage Club Subdivision solely at the cost of the Association. He stated that the City Administration has
132 negotiated an Agreement to complete these repairs, the Agreement includes the licensed authorization to enter
133 upon these private streets contingent upon the Association reviewing and accepting Bid Alternatives and funding
134 the entire cost of construction with an Escrow Agent in advance of contracting. In a companion piece of legislation,
135 the City is approving a contract for the 2024 Street Resurfacing Program. This legislation will be added to the
136 Business Session March 6, 2024. Between now and that date, the parties will select an Escrow Agent to receive
137 and hold the funds from the Vintage Club Community Association, Inc. This Cooperative Agreement is a benefit
138 to the City to assure that the roadways are constructed to engineering standards similar to the engineering standards
139 for City owned streets, and it assures appropriate continuing access and continuing use of those streets while
140 passing the cost directly to the Association, similar to a special assessment. The unique aspect of this Agreement
141 is the entire cost of such construction will be funded in advance with an Escrow Agent from which the City will
142 be able to draw the funds as necessary for the approved work. The Agreement calls for a payment of \$179,300,
143 which includes a 5% Contingency for the Bid Alternatives the Vintage Club Association has accepted.

144
145 Mr. Margolis explained to the students in the audience the difference between a Work Session and a Business
146 Session and that the final vote would be taken at the March 6 meeting.

147
148 Mr. Suer stated that the Vintage Club realizes it is a good approach for them and it also benefits the City as most
149 people do not realize the streets within the Vintage Club are private.

150

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City Council Work Session Minutes

February 21, 2024

Page 4

151 Mrs. Mills-Reynolds asked if the Homeowners Association will handle notifying residents when streets are to be
152 paved.
153

154 Mr. Heitkamp replied that staff will coordinate with John Schumacher who is the resident contact for the Vintage
155 Club, and between he and the HOA, the residents will be notified. He stated that last year staff supplied a letter
156 that the HOA delivered to the residents.
157

158 ADMINISTRATION REPORT

159 Mr. Riblet reported the following items:
160

- 161 • The Law and Safety and Financial Planning Committees have cancelled their meetings for the month of
162 March.
163
- 164 • Mr. Riblet explained that the Planning, Zoning and Landmarks Committee is anticipated to meet for the
165 purpose of interviews for vacancies on the Board of Zoning Appeals. After discussion, Council agreed to
166 schedule the meeting for Monday, March 11 tentatively at 5:00 pm.
167
- 168 • Mr. Riblet explained that an update would be given on the Committee meetings for March 11 at the March
169 6 meeting. However, at this time he knew there would be no agenda items for the Public Works Committee
170 and recommended to cancel it. Mr. Riblet anticipated agenda items for the Government Affairs Committee
171 and the meeting was tentatively scheduled for 4:00 p.m.
172
- 173 • On Monday, Planning Commission tabled a proposed façade change application from Camargo Cadillac
174 recommending that the applicant further review the Montgomery Road Corridor Design Standards for
175 permitted primary material types allowable. Staff will continue to work with the applicant to foster a design
176 that meets the intent to provide a unique and attractive image for the corridor.
177
- 178 • Planning Commission also recommended to City Council a text amendment to the Planning and Zoning
179 Code to prohibit the sale of recreational marijuana with the corporation limits. As a result of this
180 recommendation Staff request a Public Hearing to begin this process on Wednesday, April 3 at 5:45 prior
181 to the Business Session. City Council agreed to schedule the Public Hearing at the date and time requested.
182

183 Mr. Margolis made a motion to commence with the Business Session at the conclusion of the Public
184 Hearing. Mrs. Bissmeyer seconded. City Council unanimously agreed.
185

- 186 • MCLA 2023 is hosting a reunion and class check-in this evening to see who has been volunteering since
187 their graduation last year. The reunion, which was organized by the graduates, was held at MPH, and Amy
188 Frederick is attending to represent the City.
189

190 Contracts

191 Mr. Riblet stated that he signed the following contracts:
192

- 193 • Oberson's Nursery and Landscapes, LLC, in the amount of \$54,180. Oberson's will be handling the "north"
194 route (Weller park, Dulle Park, Pioneer Park, Pfeiffer park, Safety Center, Community pool and Hopewell
195 Greenspace are the parcels they will be responsible for.
196
197
198

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City Council Work Session Minutes
February 21, 2024
Page 5

- 199 • 4 Seasons Ground Management, LLC. in the amount of \$50,840.28. They will be handling the "south"
200 route (Swaim Park, the Montgomery Rd. roundabout and subsiding green space areas, Montgomery Park,
201 Montgomery Rd. Islands, and Pfeiffer Island/Gateway falls are the parcels they will be responsible for.
202
- 203 • MSA Design in the amount of \$49,500 to advance concept drawings to construction drawings for
204 modifications to the Safety Center. The goal is to bid late spring/early summer with a construction date to
205 begin after the pool closes in September.
206

207 Human Resources

- 208
- 209 • Mike Gertz will begin his employment with the City on Monday, February 26. He is currently a part-time
210 employee with the City of Sharonville Parks and Recreation Department. This will be Mr. Gertz's first
211 fulltime job.
212
- 213 • Initial phone interviews with 19 candidates are being conducted this week.
214

215 Events

- 216
- 217 • Mr. Riblet attended the funeral for Jim Mayer's son and relayed Jim's regards to everyone. He stated he
218 misses everyone and Montgomery.
219
- 220 • Mr. Riblet shared the funeral services for Jim Matre. He explained the services for Mr. Matre were on
221 Thursday, February 22 at Mihovk-Rosenacker Funeral Home, 10211 Plainfield Rd. Visitation from 3:00
222 PM - 5:00 PM, Memorial Service from 5:00 PM - 6:00 PM, followed by a Reception until 8:00 PM.
223
- 224 • Public Works will host this week's MCLA class on Thursday evening beginning at 5:45 p.m.
225
- 226 • This Friday, a retirement celebration will be held for Evelyn Dumont at Terwilligers Lodge from 11:00-
227 1:00. City Council is invited to drop in to say goodbye and wish Evelyn the best in her retirement.
228
- 229 • The Arts Commission is hosting an Improv at the Uni at Universalist Church on Friday, March 1 at 7:00
230 p.m. The Sycamore High School Improv group is performing.
231
- 232 • The spring BAMSO concert will present "From the Top XII," featuring winners of the Jack and Lucille
233 Wonnell Memorial Young Artist Concerto Competition. The concert will take place at St. Barnabas
234 Episcopal Church on Sunday, March 17 at 7:00 p.m.
235
- 236 • Special thanks to Council member Catherine Mills-Reynolds who suggested the City doing something for
237 the Solar Eclipse on Monday, April 8. Staff took this suggestion and ran with it. Specifically, Amy
238 Frederick who came up with a theme and an event using the mobile information unit (jambulance). Some
239 of the details are as follows:
 - 240 ○ Theme- Total Eclipse of the Parks (MQ and Weller Park)
 - 241 ○ Viewing glasses
 - 242 ○ Jambulance – Playing Music and distributing Moon Pies, Sun Chips, T-shirts and glasses
243

244 Mr. Riblet requested an Executive Session to consider the appointment, employment, and/or compensation of a
245 public employee.
246
247

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City Council Work Session Minutes

February 21, 2024

Page 6

248 **CITY COUNCIL REPORTS**

249

250 **Mrs. Bissmeyer**

251

252 No Report

253 **Mrs. Mills-Reynolds**

254

255 Mrs. Mills-Reynolds reported that the Beautification and Tree Commission met and are actively planning the
256 Garden Tour to be held in June. She stated that if anyone has a home to recommend to be included in the Tour to
257 let her know.

258

259 **Mr. Dobrozsi**

260

261 Mr. Dobrozsi reported that he attended the Sycamore Schools Business Advisory Council meeting where they
262 discussed the new Strategic Plan, Website overhaul and punch list items from the various construction projects.

263

264 Mr. Dobrozsi reported that the Arts Commission has scheduled all the Live at the Uni Concerts for this year. They
265 are also sponsoring the Improv at the Uni event coming up soon as well as finalizing all the details for the Food
266 Tour being held on April 27.

267

268 Mr. Dobrozsi reported that the Sister Cities Commission is working on Bastille Day and has booked the *Cassette*
269 *Junkies* as the headliner. He added that the Commission is planning to hold the Soiree En Blanc in 2025.

270

271 **Vice Mayor Naiman**

272

273 Vice Mayor Naiman reported that the Law and Safety Committee met and discussed the Terwilliger Run Parking
274 situation. She stated that staff and the residents will continue to work together to bring the best possible solution to
275 the issue.

276

277 Vice Mayor Naiman reported that the Diversity and Inclusion Commission met where inclusion in Montgomery
278 communications was discussed. Vice Mayor Naiman added that she will be providing an update on the was in
279 Ukraine at the February meeting.

280

281 **Mr. Suer**

282

283 No report

284

285 **Mr. Margolis**

286

287 Mayor Margolis shared his sadness in the passing of Jim Matre whom he served on the Planning Commission with
288 and also had a longtime friendship with. He stated that Mr. Matre was a true citizen and loved everything about
289 Montgomery.

290

291 **Mayor Messer**

292

293 Mayor Messer reiterated from his previous comments how well MCLA was and that it gets better every year. He
294 thanked Ms. Frederick and Mr. Vanderhorst for continuing to make a great program better.

295

296 Mayor Messer reported that he attended a State of the County Meeting.

297

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City Council Work Session Minutes

February 21, 2024

Page 7

298 **MINUTES**

299

300 Mr. Margolis moved to accept the January 3, 2024 Business Session minutes as written. Mr. Dobrozsi seconded.
301 City Council unanimously agreed.

302

303 **OTHER BUSINESS**

304

305 Liquor Permit—Police Chief John Crowell explained that a request was received from the State of Ohio Liquor
306 Control Board for the reissuance of an existing license for Toast & Berry Restaurant located at 9856 Montgomery
307 Road, Suite 200. He added that the request is due to a change in stock ownership and recommends that City Council
308 does not request a hearing with the Liquor Control Board.

309

310 Mr. Margolis made a motion to not request a hearing with the Liquor Control Board. Mrs. Bissmeyer seconded.
311 City Council unanimously agreed.

312

313 **EXECUTIVE SESSION**

314

315 There was no request for an Executive Session.

316

317 **ADJOURNMENT**

318

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

321

322 Mrs. Bissmeyer moved to adjourn. Mr. Dobrozsi seconded. City Council unanimously agreed.

323

324 City Council adjourned at 6:36 p.m.

325

326

327

328

329

Connie Gaylor, Clerk of Council