

City of Montgomery
City Council Work Session Minutes
January 8, 2020

Present

Brian Riblet, City Manager
John Crowell, Police Chief
Gary Heitkamp, Public Works Director
Tracy Roblero, Asst. City Manager/Acting Comm. Dev. Dir.
Katie Smiddy, Finance Director
Matthew Vanderhorst, Community and Information Services Director
Paul Wright, Fire Chief
Faith Lynch, Community Engagement Coordinator
Connie Gaylor, Clerk of Council
Shawn Cooper, Customer Service Representative

City Council Members Present

Chris Dobrozsi, Mayor
Lynda Roesch, Vice Mayor
Lee Ann Bissmeyer
Mike Cappel
Gerri Harbison
Craig Margolis
Ken Suer

Absent

Terry Donnellon, Law Director

City Council convened in Council Chambers for the Work Session at 7:00 p.m. with Mayor Dobrozsi presiding.

ROLL CALL

Mayor Dobrozsi asked for a motion to dispense with the roll call since everyone was in attendance.

Mr. Cappel moved to dispense with the roll call. Vice Mayor Margolis seconded. City Council unanimously agreed.

SPECIAL PRESENTATIONS

Marissa Pherson, Recruiting Assistant from the US Census Bureau – Ms. Pherson addressed City Council regarding the upcoming 2020 Census. Ms. Pherson explained the importance of residents completing the Census, as it not only relates to the number of Ohio State Representative seats determined by the population reported, but also the amount of federal funding dispersed locally. She also explained the Census Bureau is currently hiring multiple positions for 2020 stating they need approximately 5,000 census takers in Hamilton County alone. She asked for City Council and staff to assist with sharing the information with Montgomery residents, friends and even family.

Mayor Dobrozsi asked what the time frame is for the Census.

Ms. Pherson responded the Census is done in different operations, with the first one involving address canvassing, taking place this past Fall. She stated the Census survey will be mailed in March with the official date to respond of April 1. She explained the Census Takers will then start going door to door to follow up with citizens who didn't respond. She then reiterated the qualifications and specifics of the jobs available with the Census Bureau and asked if there were any questions.

Mrs. Bissmeyer asked what months Census Takers would be going door to door.

Ms. Pherson explained there isn't an exact date, but they would start as of April 1 and the process could take a few months to complete. She stated the jobs run in 8-week cycles and are very flexible.

Mr. Cappel asked how long the form takes to complete.

Ms. Pherson stated the form is usually only 10 questions and can now be completed online. She explained some addresses are picked randomly for a long form, but for most, the questionnaire should only take a few minutes to complete.

Mayor Dobrozsi thanked Ms. Pherson for her presentation.

GUESTS & RESIDENTS

60 **LEGISLATION FOR CONSIDERATION TONIGHT**

61
62 **PENDING LEGISLATION**

63
64 **NEW LEGISLATION**

65
66 **A Resolution Authorizing the City Manager to Enter into a Contract with Prime AE, Inc. for Professional**
67 **Services Related to Construction Management Services for the Montgomery Road/Ronald Reagan Cross**
68 **County Highway Intersection Modification Project**

69
70 Mr. Cappel moved to read the Resolution by title only. Vice Mayor Margolis seconded.

71
72 Mr. Cappel moved for passage of the Resolution. Mrs. Harbison seconded.

73
74 Mr. Cappel explained that information has been previously supplied on this Resolution that, if approved, would
75 authorize the City Manager to enter into a "Time and Expense (T&E), Not to Exceed" contract with Prime AE to
76 provide construction engineering and inspection services for the HAM- SR126/US22-20.00/13.19 Montgomery
77 Road and Cross County Highway Multi-Lane Roundabout Project. The maximum *Not to Exceed* amount is
78 \$484,138.57, which equates to 6.5% of the John R. Jurgensen Company construction contract approved by City
79 Council at the October 23, Council Work Session. The construction engineering and inspection services qualify for
80 the Federal Grant approved by the Ohio-Kentucky-Indiana Regional Council of Governments (OKI) covering 70%
81 of the cost. Thus, the City's remaining portion of the maximum *Not to Exceed* amount would be \$145,371.17, or
82 30%.

83
84 Mayor Dobrozsi reminded everyone that although he has no ownership interest in Neyer Properties, Inc. nor any in
85 the limited liability companies in partnership to develop the Montgomery Quarter, he will continue to recuse himself
86 from discussion and abstain from voting upon legislation related to the Montgomery Quarter project.

87
88 The roll was called and showed the following vote:

89
90 AYE: Cappel, Bissmeyer, Harbison, Margolis, Roesch, Suer (6)
91 NAY: (0)
92 ABSTAIN: Dobrozsi (1)

93
94 **A Resolution Authorizing the City Manager to Reaffirm the City's Contract with National Inspection**
95 **Corporation for Professional Services to Serve as Building Official and to Provide Plan Review and Field**
96 **Inspection Authority and Services for the City's Building Department for the Calendar Year 2020**

97
98 Vice Mayor Margolis moved to read the Resolution by title only. Mr. Cappel seconded. City Council unanimously
99 agreed.

100
101 Vice Mayor Margolis moved for passage of the Resolution. Mr. Cappel seconded.

102 Vice Mayor Margolis explained that information has been previously supplied on this Resolution that, if approved,
103 would authorize the City Manager to enter into a contract with National Inspection Corporation for professional
104 services to serve as Building Official and to provide plan review and field inspection authority and services for the
105 City's Building Department for the calendar year 2020. The City has contracted for approximately 17 years with
106 National Inspection Corporation to provide plan review and field inspection authority and services for the City's
107 Building Department and the City continues to be very satisfied with their ability to perform each of these duties.
108 There have been no changes to their contract.

109
110 The roll was called and showed the following vote:

111
112 AYE: Cappel, Bissmeyer, Harbison, Dobrozsi, Roesch, Suer, Margolis (7)

113 NAY: (0)

114

115 **A Resolution Authorizing the City Manager to Enter into a Contract with CT Consultants, Inc. for**
116 **Professional Services Related to General Engineering and Architectural Services for Calendar Year 2020**

117

118 Mr. Cappel moved to read the Resolution by title only. Mrs. Bissmeyer seconded. City Council unanimously agreed.

119

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

121

122 Mr. Cappel explained that information has been previously supplied on this Resolution that, if approved, would
123 authorize the City Manager to enter into a contract with CT Consultants, Inc. for professional engineering and
124 architectural services for calendar year 2020. The City has contracted for approximately 27 years with CT
125 Consultants to provide civil, traffic, structural, electrical and storm water engineering services. CT Consultants has
126 provided a competitive fee structure for 2020 including slight hourly rate increases of 3% for engineering services.
127 As was provided in previous years, CT Consultants has deleted the line item for billing of the "Principal" from the
128 fee schedule. If for any reason the Principal Engineer provides engineering services during the contract year for
129 development/design review or project design/review, that work would be billed at the hourly rate of a "Senior
130 Manager". Funding for this professional services contract is included in the City's 2020 Operating Budget in both
131 the Public Works and Community Development operating budgets.

132

133 The roll was called and showed the following vote:

134

135 AYE: Cappel, Bissmeyer, Harbison, Dobrozsi, Roesch, Suer, Margolis (7)

136 NAY: (0)

137

138 Mayor Dobrozsi reminded everyone that although he has no ownership interest in Neyer Properties, Inc. nor any in
139 the limited liability companies in partnership to develop the Montgomery Quarter, he will continue to recuse himself
140 from discussion and abstain from voting upon legislation related to the Montgomery Quarter project.

141

142 Mayor Dobrozsi recused himself from the discussion and voting for the remainder of the legislation and Vice Mayor
143 Margolis resumed the meeting.

144

145 **A Resolution Amending and Extending Resolution No. 31, 2019 Authorizing a Continuing Reimbursement**
146 **Agreement to Purchase Certain Design and Engineering Services for the Development of The Montgomery**
147 **Quarter Project**

148

149 Mr. Suer moved to read the Resolution by title only. Mr. Cappel seconded. City Council unanimously agreed.

150 Mr. Suer moved for passage of the Resolution. Mr. Cappel seconded.

151

152 Mr. Suer explained that information has been previously supplied on this Resolution that, if approved, would
153 authorize an agreement not to exceed \$200,000 to purchase certain design and engineering services for the
154 development of the Montgomery Quarter project which currently includes \$50,302.60 due to McGill Smith Punshon,
155 Inc. (MSP) and \$76,000 due to MKSK Studios (MKSK) and will provide for additional design and engineering
156 services in the near future until at which time a Construction Manager at Risk contract is executed. Funds would be
157 drawn for from the Downtown Improvement Fund 480.000.5365. These costs will qualify as reimbursable
158 expenditures associated with the Montgomery Quarter project and will be recovered through the Tax Increment
159 Finance (TIF) agreement structured for the development.

160

161 The roll was called and showed the following vote:

162

163 AYE: Cappel, Bissmeyer, Harbison, Roesch, Suer, Margolis (6)

164 NAY: (0)

165 RECUSE: Dobrozsi (1)

166
167 **An Ordinance Amending Ordinance No. 13, 2019 Authorizing A Development Agreement for The**
168 **Development of The Montgomery Quarter Project**
169

170 Vice Mayor Margolis moved to read the Resolution by title only. Mr. Cappel seconded. City Council unanimously
171 agreed.
172

173 Vice Mayor Margolis explained that information has been previously supplied on this Ordinance that, if approved,
174 amends Ordinance 13, 2019 through which Council approved a Development Agreement with Gateway Partners
175 Montgomery, LLC. While finetuning the financial model, it was determined that additional funds should be
176 borrowed, fully supported by the Service Agreement, to be able to meet the cost of the expected garage
177 improvements. It was also determined that it is a better option for the success of the project to allow the Developer
178 to contract with the Port Authority of Greater Cincinnati, Ohio to manage construction, and later the ownership,
179 operation and maintenance of these public garage facilities. It is important to note in a separate agreement with the
180 Port it was agreed that the garages will remain available to the Montgomery public at no cost during weeknights,
181 weekends, federal holidays and other special events by agreement of the parties.
182

183 Vice Mayor Margolis read the title and moved to suspend the rules requiring three readings. Mr. Cappel seconded.
184

185 Ms. Roesch abstained herself from the discussion and voting of this Resolution due to possible professional conflicts.
186

187 The roll was called and showed the following vote:
188

189	AYE: Cappel, Bissmeyer, Harbison, Suer, Margolis	(5)
190	NAY:	(0)
191	ASTAIN: Roesch	(1)
192	RECUSE: Dobrozsi	(1)

193

194 Mr. Riblet stated there were several updates to the Agreement to report:

- 195 • an addition of a “not to exceed amount” for borrowing until final numbers are calculated;
- 196 • language has been added that the City maintains air rights for property above the parking garage in both
197 stage 1 and stage 2 of construction;
- 198 • the section including a \$50,000 fee to the development team for managing the construction overseeing the
199 public improvement project that has been eliminated as the City moves thru the CMAR process.
200

201 The roll was called and showed the following vote:

202	AYE: Cappel, Bissmeyer, Harbison, Suer, Margolis	(5)
203	NAY:	(0)
204	ASTAIN: Roesch	(1)
205	RECUSE: Dobrozsi	(1)

206

207 **A Resolution Authorizing a Purchase Agreement with Traditions Development Group, LLC to Acquire Certain**
208 **Real Property within the Vintage Club Development**
209

210 Mr. Suer moved to read the Resolution by title only. Mr. Cappel seconded. City Council unanimously agreed.
211

212 Mr. Suer moved for passage of the Resolution. Mr. Cappel seconded.
213

214 Mr. Suer explained that information has been previously supplied on this Resolution that, if approved, would
215 authorize an agreement with Traditions Development Group, LLC. This legislation is the last piece of the puzzle for
216 Vintage Club-North to acquire the remainder of the public parking field which has been constructed and completed by
217 Traditions under contract with the City. This last purchase was deferred until the parking field was completed, at which

218 time it will be dedicated and accepted by the City to allow appropriate ingress and egress across the parking field
219 extinguishing all prior easements.

220
221 The roll was called and showed the following vote:

222
223 AYE: Cappel, Bissmeyer, Harbison, Roesch, Suer, Margolis (6)
224 NAY: (0)
225 RECUSE: Dobrozsi (1)
226

227 **A Resolution Approving a Cooperative Agreement Between the City of Montgomery, Ohio, The Port of**
228 **Greater Cincinnati Development Authority, and Gateway Partners Montgomery, LLC**

229
230 Vice Mayor Margolis moved to read the Resolution by title only. Mr. Suer seconded. City Council unanimously
231 agreed.

232
233 Vice Mayor Margolis moved for passage of the Resolution. Mr. Cappel seconded.

234
235 Ms. Roesch abstained herself from the discussion and voting of this Resolution due to possible professional conflicts.

236
237 Vice Mayor Margolis explained that information has been previously supplied on this Resolution that, if approved,
238 would authorize a Cooperative Agreement between the City, the Port of Greater Cincinnati Development Authority
239 and Gateway Partners Montgomery, LLC to construct, own and manage the Public Parking Facilities planned for
240 Stage 1 of the Montgomery Quarter project. Involving the Port provides a benefit not only to the Development Team,
241 but to the City. The Agreement provides that the Port will keep the facilities open for public use, particularly use at
242 no additional charge during weeknights, weekends, federal holidays and special events. The City will continue to
243 play a role in overseeing construction and the operation of the garages. The Developer will pay any required fees to
244 the Port and involving the Port will not increase our borrowing costs.

245
246 Mr. Riblet explained some minor changes made to the Agreement were:

- 247 • Page 6, Item E - removed terminology that referred to "or the City";
- 248 • Page 10, Item D – added "For Construction of Stage 1 Public Parking Facility" to top of page.

249
250 The roll was called and showed the following vote:

251
252 AYE: Cappel, Bissmeyer, Harbison, Suer, Margolis (5)
253 NAY: (0)
254 ASTAIN: Roesch (1)
255 RECUSE: Dobrozsi (1)
256

257 **ADMINISTRATION REPORT**

258
259 A City Council Work Session is scheduled for January 22, 2020 at 7:00 p.m.

260
261 Mr. Riblet requested adding a CIC Meeting on January 22 at 6:45 p.m. prior to the City Council Work Session and
262 suggested moving directly into Work Session upon completion of the CIC Meeting.

263
264 Mr. Cappel made a motion to add the CIC Meeting prior to the January 22 Work Session and to commence with the
265 Work Session immediately after the CIC Meeting concludes. Mrs. Bissmeyer seconded. City Council unanimously
266 agreed.

267
268 The Public Works Committee will meet Monday, January 13 at 5:00 pm. The Parks and Recreation Committee and
269 the Government Affairs Committee have been cancelled for the month of January.

270

271 On Tuesday, January 8, Brian Riblet, Matthew Vanderhorst, Katie Smiddy, John Crowell, and Greg Vonden Benken
272 conducted a review of the proposed Data Security Breach Incident Management Plan. Mr. Vanderhorst is currently
273 finalizing the document. Once the plan is finalized, it will be shared with the City's risk management agency,
274 MVRMA. Training on employee responsibilities will take place during the April Safety and Performance meeting.
275

276 John R. Jurgensen Company began work last week on the Montgomery Road and Ronald Reagan Cross County
277 Highway Multi-Lane Roundabout project. On Monday, January 6, they began hauling in and stockpiling material
278 in the ramp "loop" area to be used as fill for the project.
279

280 As a reminder MCLA kicks off on January 9 at Terwilliger Lodge beginning at 5:45 p.m. Thanks to everyone
281 involved in this yearly program.
282

283 The new Service Worker I employee, Isaac Holland, started his employment with the City on Monday, January
284 6. Isaac previously worked at the Lake Waynoka Water and Sewer Plant and has experience operating various types
285 of equipment and possesses several welding certificates.
286

287 There will be a ceremonial ribbon cutting on Thursday, January 16 at 11:00 a.m. to officially open the Harold M. &
288 Eugenia S. Thomas Comprehensive Care Center on the campus of Bethesda North Hospital.
289

290 Just a reminder, Monday, January 20 is Martin Luther King Jr. Day and City offices will be closed.
291 Mr. Riblet wished a Happy Birthday to Ken Suer (1/16).
292

293 **Mayor's Court Report**

294 Mayor Dobrozsi reported that the total Mayor's Court collection for the month of December is \$18,565.
295

296 Mr. Cappel moved to accept the Mayor's Court Report for the month of December. Mrs. Bissmeyer seconded. City
297 Council unanimously agreed.
298

299 **OTHER BUSINESS**

300 301 302 **Mr. Suer**

303
304 Mr. Suer reported there are six individuals seeking reappointment on various Commissions. He explained the
305 Planning, Zoning and Landmarks Committee met on Monday, January 6 and is recommending the following re-
306 appointments:
307

- 308 • Steve Uckotter and Bob Saul to the Board of Zoning Appeals for a term ending 1/31/2024
- 309 • Stephen Schmidlin and Brett Macht to the Landmarks Commission for a term ending 1/31/2023
- 310 • Vince Dong and Darrell Leibson to the Planning Commission for a term ending 1/31/2024

311
312 City Council unanimously agreed.
313

314 **Mrs. Bissmeyer**

315
316 Mrs. Bissmeyer reported the Law and Safety Committee met on Monday, December 2 and is recommending the
317 following re-appointments:
318

- 319 • Benny Miles to the Civil Service Commission for a term ending 1/31/2023

320
321 City Council unanimously agreed.
322

323 Mrs. Bissmeyer assisted the Montgomery Women's Club on Monday, January 6 in putting away the City's holiday
324 greenery. She commented the Public Work's staff were great with the Women's Club and thanked them for their
325 efforts.

326

327 **Mr. Suer**

328

329 Mr. Suer mentioned an article and picture in the Enquirer regarding the City's WeTHRIVE! Initiative and
330 congratulated everyone on their hard work.

331

332 **APPROVAL OF MINUTES**

333

334 Mayor Dobrozi asked if there was any further business to discuss in Public Session. There being none he asked for
335 a motion to adjourn.

336

337 Mr. Cappel moved to adjourn. Mrs. Bissmeyer seconded. City Council unanimously agreed.

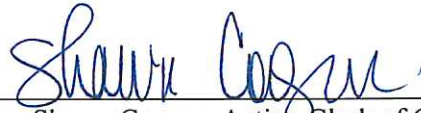
338

339 City Council adjourned at 7:40 p.m.

340

341

342



Shawn Cooper, Acting Clerk of Council