

City of Montgomery
City Council Work Session Minutes
June 17, 2020

Present

Brian Riblet, City Manager
Terry Donnellon, Law Director
Tracy Roblero, Asst. City Manager/Acting Comm. Dev. Dir.
John Crowell, Police Chief
Gary Heitkamp, Public Works Director
Katie Smiddy, Finance Director
Matthew Vanderhorst, Community, and Information Services Dir.
Paul Wright, Fire Chief
Connie Gaylor, Clerk of Council

City Council Members Present

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

City Council convened its Work Session for June 17, 2020 at 7:00 p.m. in a hybrid meeting at City Hall and by telephone conference with Mayor Dobrozsi presiding. This remote access meeting was allowed by emergency legislation adopted by the Ohio General Assembly and approved by the Governor. The emergency legislation added language to RC Section 121.22 allowing public meetings by telephone conference during the current pandemic and declared State of Emergency. As required by the statute, notice of the telephonic meeting was publicized more than 24 hours in advance to allow public access through the same conference call in service. The public was also given a backup number to call in the event there were technical difficulties. This Notice was posted on the City's website and a similar Notice was sent to The Cincinnati Enquirer.

ROLL CALL

The roll was called, and all Council Members answered as present.

GUESTS & RESIDENTS

Mayor Dobrozsi explained that in an effort to better manage the teleconference meeting he would like to move this portion of the agenda to after item number 12, Other Business, and allow any public participating in the call to speak at that time. He stated that comments will be allowed but asked that all questions be forwarded by email to City Manager Brian Riblet. He stated that all comments will be limited to three minutes in total.

Mr. Cappel made a motion to move the Guests and Residents item to the end of the agenda. Vice Mayor Margolis seconded. City Council unanimously agreed.

ESTABLISHING AN AGENDA FOR JULY 1, 2020 BUSINESS SESSION

PENDING LEGISLATION

An Ordinance Authorizing The Issuance Of Not To Exceed \$23,000,000 Special Obligation Revenue Bonds Of The City Of Montgomery; Providing For The Pledge Of Revenues For The Payment Of Such Bonds; Authorizing A Trust Agreement Appropriate For The Protection And Disposition Of Such Revenues To Further Secure Such Bonds; Authorizing An Official Statement; Authorizing Other Necessary And Appropriate Documents; And Authorizing Other Actions In Connection With The Issuance Of Such Bonds

Mayor Dobrozsi asked Mr. Donnellon for an update on the legislation.

Mr. Donnellon stated that it is requested to move the legislation from the table to the agenda of the July 1 Business Session for approval. He explained that the legislation has been requested to be approved for up to \$23M for flexibility based on the market at this time.

Ms. Roesch stated that she will recuse herself also from the vote due to possible professional conflicts.

57 Mayor Dobrozsi stated that he will recuse himself from the discussion and vote. He explained that although he
58 has no ownership interest in Neyer Properties, Inc. nor any in the limited liability companies in partnership to
59 develop the Montgomery Quarter, he will continue to recuse himself from discussion and abstain from voting
60 upon legislation related to the Montgomery Quarter project.

61
62 Mayor Dobrozsi stated that he would ask Vice Mayor Margolis to run the meeting during the discussion and vote
63 on this item at the July 1 Business Session.

64
65 Mayor Dobrozsi asked for a motion to move the legislation from the table and onto the July 1, 2020 Business
66 Session.

67
68 Mr. Cappel moved to add the legislation to the July 1 Business Session agenda. Vice Mayor Margolis seconded.
69 City Council unanimously agreed.

70
71 **An Ordinance Creating Section 92.05 of The Code of Ordinances, entitled “Littering”, and Amending Section**
72 **92.99 entitled “Penalty”**

73
74 Mayor Dobrozsi stated this would be the second reading of this Ordinance and asked Chief Crowell if there were
75 any updates.

76
77 Chief Crowell replied there were none.

78
79 **NEW LEGISLATION**

80
81 **A Resolution Adopting A Tax Budget For 2021**

82
83 Mayor Dobrozsi assigned the legislation to Mr. Suer

84
85 Ms. Smiddy stated that as explained in the previously held Public Hearing this evening, that the passing
86 of a Tax Budget is an annual requirement and that if this Resolution is approved, that the City would
87 comply with the Ohio Revised Code, Section 5705.28. She stated that the Financial Planning Committee
88 of City Council reviewed the City’s 2021 Tax Budget at its May 4, 2020 meeting.

89
90 **A Resolution Approving the Process to Receive and Disburse Coronavirus Relief Funds**

91
92 Mayor Dobrozsi assigned the legislation to Mr. Suer

93
94 Mr. Riblet explained that, if approved, this Resolution would allow the City of Montgomery to participate in the
95 SB310 Funding Program. Part of the requirement prior to any political subdivision receiving payment is for each
96 subdivision to adopt a Resolution affirming that the subdivision will spend the funds only on pandemic-related
97 expenses, as required under the CARES Act. Staff has been and continues to track expenses on supplies and
98 materials such as Personal Protective Equipment (PPE), sanitation products, disinfecting services, signage and other
99 miscellaneous items related to COVID-19.

100
101 Vice Mayor Margolis asked if the money was coming from the State or the County.

102
103 Mr. Riblet replied that it would come from the State to the County then distributed to the local governments. He
104 stated that an amount would be disbursed to each entity then based on expenses and unspent funds would be
105 refunded back to the State.

106
107 Ms. Roesch asked if the funding was only for this year.

108
109 Mr. Riblet replied that it was.

110
111 Mrs. Bissmeyer asked when the funds would be expected.
112
113 Mr. Riblet replied that once the Governor has signed the Bill, it is effective immediately and it is estimated that we
114 could receive funding within 7-10 days.
115
116 Mr. Cappel asked if we had an idea of the amount that the City would qualify for.
117
118 Mr. Riblet stated that based on expenses at this time, he estimated between \$8,000-\$10,000 of identifiable expenses.
119

120 **A Resolution Accepting A Bid and Authorizing the City Manager to Enter into A Contract with Strawser**
121 **Construction, Inc., for the 2020 Crack Seal Program Through the Ohio Department of Transportation**
122 **(ODOT) Cooperative Purchasing Program Contract #1011-21**
123

124 Mayor Dobrozsi assigned the legislation to Mr. Cappel
125

126 Mr. Heitkamp explained that, if approved, this Resolution would allow the City Manager to enter into a contract
127 with Strawser Construction for the 2020 Crack Seal Program.
128

129 The Crack Seal Program includes 6.97 centerline miles which equates to approximately 99,945 square-yards of
130 roadway surface to be treated. The program is included in the 2020 Capital Improvement 410-261-5470 account in
131 the amount of \$75,000.00. It is requested that the Crack Seal Program be approved for funding in the amount of
132 \$52,770.00, which includes a 10% contingency of \$4,797.00. The Crack Seal Program will be contracted with
133 Strawser Construction, Inc. through the ODOT Cooperative Purchasing Program.
134

135 Vice Mayor Margolis asked Mr. Heitkamp the factors of deciding if a street would be crack sealed or resurfaced.
136

137 Mr. Heitkamp replied that he looks at the resurfacing cycle the street was in and if it has been a number of years
138 since its last resurfacing. He explained that crack sealing is intended to be the best use of funding to extend the life
139 of pavement.
140

141 Mr. Cappel asked how many lane miles is typically done in a year.
142

143 Mr. Heitkamp replies that it varies yearly based on the planned resurfacing and cycle of the streets. He said on
144 average it is normally around 5 center lane miles.
145

146 Mr. Cappel asked if the streets needed to be closed during the application.
147

148 Mr. Heitkamp stated that the contractor can maintain traffic with leaving one lane of the street open. He stated that
149 the sealant dries relatively quickly within 10-15 minutes.
150

151 **ADMINISTRATION REPORT**
152

153 Mr. Riblet reported the following items:
154

- 155 • Mr. Riblet read a letter of Commendation he received from the Hamilton County Sheriff Department
156 recognizing Chief Crowell and Patrol Officer Bertz for their participation with the Hamilton County
157 S.W.A.T. Team in offering support during the riots in Cincinnati on June 1, June 5 and June 6.
158
- 159 • The City Council Business Session is scheduled for July 1, 2020 at 7:00 p.m.
160

- 161 • It is anticipated the Financial Planning Committee will meet on Monday, July 6 in a hybrid meeting at City
162 Hall and also using the teleconference phone line at 4:30 p.m. The Law and Safety and Planning, Zoning
163 and Landmarks Committee have cancelled their meetings for the month of July.
164
- 165 • The Government Affairs and Public Works Committees will meet Monday, July 13 in a hybrid meeting at
166 City Hall and also using the teleconference phone line. The Parks and Recreation Committee has cancelled
167 their meeting for the month of July. Mr. Riblet stated he would provide an update on these meetings at the
168 July 1 Business Session.
169
- 170 • John R. Jurgensen Company (JRJ) continues to place fill and compact the area that the loop “run around”
171 will be constructed. Phase 2 traffic pattern is anticipated to occur in early July. JRJ has also been installing
172 storm sewer infrastructure.
173
- 174 • On the Montgomery Quarter, Bray Construction has performed a substantial amount of earthwork, and have
175 been working on the underground utility duct bank along Main Street and future Cameron Lane. They also
176 are beginning the storm sewer and sanitary relocation work.
177
- 178 • J.K. Meurer has completed the asphalt resurfacing on Weller Road (east of Bridgewater Lane) and Weil
179 Road, leaving only pavement markings to be completed. They continue curb replacement in the Winds
180 Subdivision and are anticipating resurfacing the streets within the next several weeks.
181
- 182 • At this time, there are 70 cars signed up to attend the Drive in Movie on Friday, June 19 at Sycamore High
183 School. Starting at 9:00 p.m. a family comedy, Sonic The Hedgehog, will be shown. Families can tune in
184 to a designated FM station and listen to the movie from their vehicle.
185
- 186 • The Pool opened on Monday, June 15 and 311 people attended during the first two days.
187
- 188 • Save the Date- The 2020 TWP Celebration will be held on Friday, August 14 from 11:00 a.m. to 2:00 p.m.
189 Please mark your calendars to attend and help us celebrate a back to back win of the TWP honor.
190

CITY COUNCIL REPORTS

Mr. Cappel

195 Mr. Cappel reminded everyone that the Environmental Advisory Commission would hold a Shredding Event along
196 with its monthly Cardboard Recycling on Saturday, June 27 from 10:00 a.m. to 1:00 p.m. at the Public Works
197 Facility.
198

Mrs. Bissmeyer

201 No report.
202

Mrs. Harbison

204 Mrs. Harbison reported the following items discussed at the Government Affairs Committee, Arts Commission and
205 Sister Cities Commission meetings.
206

Government Affairs Committee

- 210 • Razor Marketing and Kolar Designs made a presentation during the Zoom meeting that focused on the
211 Board and Commission logos. She explained that the internal commissions would have the lamppost with
212 a red circle around it, the active commissions would have a blue circle and the natural commissions would

213 have a green circle. She stated that since not all Commission members had responded to the survey, the
214 Committee recommended going back to the Commissions as a follow up for final feedback then report back
215 to the Committee at a future meeting.

216
217 Sister Cities Commission

- 218 • Bastille Day Events are being identified in which each day of that week an activity could be recognized.
219 She stated that a virtual tour of Neuilly-Plaisance is being worked out that may also feature Mayor
220 Demuynck.
- 221 • 1st Suburbs will hold a virtual meeting on Thursday, July 30 from 6:00-8:00 p.m. with Kent Scarrett and
222 Brigid Kelly officiating.

223
224 Ms. Roesch

225
226 Ms. Roesch reported that the Parks and Recreation Commission met via Zoom and discussed the pool reopening
227 and the July 4th parade.

228
229 Ms. Roesch reported that the Beautification and Tree Commission held a teleconference meeting that Wendi Van
230 Buren with the Ohio Department of Natural Resources, Division of Forestry, Regional Forester, participated in. Ms.
231 Van Buren will be hosting the Tree City 2021 Awards to be hosted by the City.

232
233 Ms. Roesch reported that BAMSO met to continue working on the virtual July 3rd Concert and hope to have the
234 recorded concert completed by June 26.

235
236 Mr. Suer

237
238 No report.

239
240 Vice Mayor Margolis

241
242 Vice Mayor Margolis complimented the contractors working at the roundabout in their maintenance of traffic. He
243 stated that it appears to be flowing very smoothly from what he has seen.

244
245 Mayor Dobrozi

246
247 Mayor Dobrozi also thanked John R. Jurgensen for the nice job they were doing in maintaining traffic and taking
248 advantage of the diminished traffic during the Covid crisis and getting work done.

249
250 Mayor Dobrozi reported that he and Mr. Riblet participated in a teleconference meeting with Pete Metz and area
251 leaders from Cincinnati and Butler, Warren, and Boone counties on restarting their local governments. He stated
252 that they have discussed shared services and felt it was a good start to identifying how neighboring entities can work
253 together to share the burden of services during this time.

254
255 APPROVAL OF MINUTES

256
257 Mayor Dobrozi asked for a motion to approve the June 3, 2020 Business Session minutes.

258
259 Mr. Cappel made a motion to approve the minutes. Vice Mayor Margolis seconded. City Council unanimously
260 agreed.

261
262 OTHER BUSINESS

263

264 Mr. Riblet explained that at the May 20 Work Session staff presented information to City Council regarding a
265 Designated Outdoor Refreshment Area (DORA) and asked for feedback and support to move forward with the
266 preparation of the submittal of an application and map to the State of Ohio, Division of Liquor Control.

267
268 Mr. Riblet stated that to consider the creation of a DORA, he would like to present an application to City Council
269 that meets certain statutory requirements outlined below. He explained that the application filing must be advertised
270 for two consecutive weeks in a newspaper of general circulation. He stated that not earlier than 30 days, but not
271 later than 60 days, after initial publication of the notice, City Council may approve or disapprove of the application
272 by ordinance or resolution. The creation of a DORA will serve as an economic tool to attract patrons to the City of
273 Montgomery, generate additional sales at local restaurants, increase foot traffic and continue to highlight the area
274 as a destination for dining and entertainment.

275
276 Mr. Riblet explained that the application includes the following sections:
277

- A map of the proposed Designated Outdoor Refreshment Area (150 acres or less)
- A statement of the nature and type of establishments in the proposed area
- A statement verifying that not less than four liquor permit holders are included in the area
- Evidence that the proposed Designated Outdoor Refreshment Area is in accord with the City of
281 Montgomery's Comprehensive Community Plan and Strategic Plan
- Proposed requirements that ensure the public health and safety in the Designated Outdoor Refreshment
283 Area
- Dates and hours of operations

284
285
286 Mr. Riblet stated that in accordance with ORC 4301(B)(3) the DORA will encompass not fewer than four (4)
287 qualified permit holders. He referred to a list of permit holders within the City. He added that the proposed
288 Designated Outdoor Refreshment Area is 63.8 acres in size which is well below the requirements of the area being
289 150 acres or less.

290
291 Mr. Riblet stated that if City Council is supportive of moving forward, the process would include publishing a public
292 notice of the DORA in the Cincinnati Enquirer on Monday, June 29 and Monday, July 6. Staff would also propose
293 a public hearing for the DORA prior to the City Council Work Session on Wednesday, July 22 beginning at 6:30
294 p.m. This schedule will allow City Council to receive input and either approve or disapprove the DORA application
295 within the required timeframe, most likely at the August 5 City Council Business Session.

296
297 Mrs. Harbison asked if there were any businesses that we could be missing.

298
299 Mr. Riblet replied that after the initial proposal we would have the ability to add or take away locations within the
300 DORA.

301
302 Mr. Donnellon stated that the final determination of locations would be after the Public Hearing would be held.

303
304 Mrs. Harbison asked if businesses would get notice.

305
306 Ms. Roblero stated that businesses would be notified of the Public Hearing. She added that there has been some
307 concern from businesses that are more on the outer edge of the district that people may drink in their parking lots.
308 She added that we could add businesses and still be well below the allowed acreage.

309
310 Mr. Suer stated that he thought this was a good economic development tool. He added that he felt it would benefit
311 the restaurants, promote walkability, and add a sense of vibrancy to the City.

312
313 Vice Mayor Margolis stated that he thought it was good to include the discussion in a public meeting.

314
315 Mrs. Bissmeyer asked if there had been any negative feedback.

316

317 Ms. Roblero replied that the only negative feedback was what she had shared about people lingering in parking lots
318 of businesses that were not in the main areas. She added that we could look to expand the area if there are no issues.

319
320 Mrs. Bissmeyer asked if those businesses in the main areas are excited.

321
322 Ms. Roblero replied that she has received a lot of support. She stated that the businesses within the Marketplace
323 area were particularly excited as it helps to support their "Drive-In" comedy shows and walkability in that area.

324
325 Mrs. Bissmeyer asked about the preliminary pricing on the cups used for the DORA and if there was potential
326 revenue.

327
328 Mr. Riblet replied that he has been discussing that with neighboring communities that have DORAs and has found
329 that the cost of the cup to the customer varies from free to \$1 per cup. He stated that it would not be a great deal of
330 revenue and could offer at a discounted rate or fee to help support the local restaurants who have suffered during
331 this time.

332
333 Mrs. Bissmeyer asked if there would be additional trash or recycling bins placed in these areas.

334
335 Mr. Riblet stated that there would be.

336
337 Mr. Cappel asked how we would market Montgomery as a family friendly community when we promote drinking
338 on the streets.

339
340 Mr. Riblet replied that customers would be restricted to areas of the DORA which would be largely on patios. He
341 stated that part of this would be to educate the community and businesses on how a DORA is managed. He stated
342 that it would be a community effort.

343
344 Ms. Roesch stated that she thought it was a great concept, but the devil would be in the details.

345
346 Mrs. Harbison stated that her concerns were the safety and sanitation factors. She asked if there would be a public
347 works employee there.

348
349 Mr. Riblet stated that Public Works staff would empty the bins during their normal downtown area and park
350 cleanings. He stated that staff is also on call as needed but would not be on duty necessarily throughout the entire
351 time.

352
353 Mayor Dobrozi asked for a motion of support of the submittal of the application for the establishment of the DORA,
354 to set a Public Hearing for July 22 at 6:30 p.m. and to go directly into the July 22 Work Session at the completion
355 of the Work Session.

356
357 Mrs. Harbison made the motion to accept the application, and to set a public hearing and after the public hearing
358 to go directly to the Work Session. Vice Mayor Margolis seconded.

359
360 Mrs. Bissmeyer, Mrs. Harbison, Mayor Dobrozi, Ms. Roesch, Mr. Suer and Vice Mayor Margolis all replied yeah.

361
362 Mr. Cappel replied nay.

363
364 Mayor Dobrozi stated that he would be out of town from June 23 through June 29 and appointed Vice Mayor
365 Margolis as Acting Mayor during that time.

366
367 Mayor Dobrozi asked if there was any Other Business to discuss.

368
369 There was none.

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GUESTS AND RESIDENTS

Mayor Dobrozsi explained that the Guests and Residents portion of the agenda was moved from the beginning of the agenda. He asked if there were guests and residents on the line to please state their name.

No Guests or Residents responded.

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

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

City Council adjourned at 7:47 p.m.



Connie Gaylor, Clerk of Council