

City of Montgomery
City Council Business Session Minutes
June 3, 2020

Present

Brian Riblet, City Manager
Terry Donnellon, Law Director
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, 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 Business Session for June 3, 2020 at 7:00 p.m. as a hybrid meeting at City Hall and also 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

Mayor Dobrozsi asked for the roll to be called.

The roll was called with all members answering 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 the end of the meeting 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.

Vice Mayor Margolis made a motion to move the Guests and Residents item to after item #8 on the agenda. Mr. Cappel seconded. City Council unanimously agreed.

Mayor Dobrozsi read a public statement addressing the recent death of George Floyd in Minneapolis and the City's position regarding racism and acts of violence.

Lindsey Johnson, 7951 Shelldale Way – Ms. Johnson submitted a request to address City Council regarding the current events related to the civil unrest across the nation and the need for change and interaction at the local level. Ms. Johnson referenced a peaceful protest happening at the intersection of Montgomery Road and Schoolhouse Lane by people who want to see change made locally. Ms. Johnson stated that she had spoken with Chip Harrod, a Montgomery resident and member of the Diversity and Inclusion Committee to brainstorm about resources and reconstruction systems for the City to consider. She cited the following resources:

1. The United Way has partnered with Racial Equity Matters Institute that offers workshops to residents and City leaders. She explained that the workshop titled "Groundwater" is a half-day workshop introducing content on racial equity that explores the structural and cross-sector nature of racism; and Phase 1, a two-day session that covers talking points, historical factors and an organizational definition of racism.
2. The introduction of a "Experience Collection" in which all citizens can submit their experiences related to racism. She explained this project would be formatted in a way that submittals would be accessible by all community members and would help to identify what resources need to be sought out and provided at a municipal level.

- 60
61 3. The tracking of national movements needs to be conducted. She stated that Dr. Wendy Ellis, Director of the
62 Center for Community Resilience at The Milken Institute School of Public Health, George Washington
63 University is creating a handbook for towns to use as a tool to incite change in the current culture.
64

65 Ms. Johnson thanked the Mayor for making a formal statement but stated that she felt it was very general and
66 implored City Council to look for specific actions that would transition the statement from a passive response into
67 an active response.
68

69 Mayor Dobrozsi thanked Ms. Lindsey for her comments and suggestions. He asked Ms. Lindsey to follow up with
70 Mr. Riblet and provide him with the information that she shared.
71

72 **LEGISLATION FOR CONSIDERATION TONIGHT**

73 **A Resolution Authorizing the Adoption of An Alternative Method of Apportioning the Local Government** 74 **Fund**

75
76 Mayor Dobrozsi asked for a motion to add the legislation to the agenda for consideration this evening.
77

78
79 Vice Mayor Margolis made a motion to add the legislation to the agenda. Mr. Cappel seconded. City Council
80 unanimously agreed.
81

82 Mayor Dobrozsi assigned the legislation to Mr. Suer.
83

84 Mr. Suer moved to read the Resolution by title only. Vice Mayor Margolis seconded. City Council unanimously
85 agreed.
86

87 Mr. Suer read the title and moved for passage. Vice Mayor Margolis seconded.
88

89 Mr. Suer explained that this Resolution requested by the Hamilton County Budget Commission is to approve the
90 renewal of the Local Government Fund formula. Mr. Suer stated that all communities in the County are being asked
91 to approve the formula, which has been in place since 1988 and renewed every eight years. The current formula is
92 a result of the extended negotiations several years ago to resolve competing lawsuits for the distribution of these
93 funds. The Local Government Fund formula is used for the distribution of State funds, and perhaps most importantly
94 it may be used as the formula for distributing COVID-19 relief funds.
95

96 Mr. Donnellon stated that once the Resolution is approved it would be forwarded to the Hamilton County Budget
97 Commission.
98

99 Vice Mayor Margolis asked if the formula would remain the same.
100

101 Mr. Donnellon replied that it would be and that this is the fourth renewal of the formula.
102

103 The roll was called and showed the following vote:
104

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

106 NAY: (0)
107
108
109
110
111
112
113

114 **PENDING LEGISLATION**

115
116 **An Ordinance Authorizing The Issuance Of Not To Exceed \$20,000,000 Special Obligation Revenue Bonds**
117 **Of The City Of Montgomery; Providing For The Pledge Of Revenues For The Payment Of Such Bonds;**
118 **Authorizing A Trust Agreement Appropriate For The Protection And Disposition Of Such Revenues To**
119 **Further Secure Such Bonds; Authorizing An Official Statement; Authorizing Other Necessary And**
120 **Appropriate Documents; And Authorizing Other Actions In Connection With The Issuance Of Such Bonds**
121

122 Mr. Donnellon provided an update to City Council on the legislation and advised that it should remain tabled until
123 the July 1 Business Session for discussion and consideration.
124

125 Mayor Dobrozi stated that at such time that the legislation will be acted upon, he would recuse himself from the
126 discussion and vote due to any possible professional conflicts in the past, present, or future. He stated he would ask
127 Vice Mayor Margolis to handle that portion of the meeting.
128

129 **An Ordinance Amending the Schedule of Municipal Compensation**

130
131 Mrs. Harbison moved for passage of the Ordinance. Vice Mayor Margolis seconded.
132

133 Mrs. Harbison explained that information has been previously supplied on this Ordinance that, if approved, would
134 establish a new Schedule of Municipal Compensation for non-bargaining unit employees. It is necessary to establish
135 a new Schedule of Municipal Compensation as the current Schedule does not specify any wage rate adjustments for
136 July 2020 or beyond. A new schedule is also needed to provide for title changes to address organizational needs.
137

138 Mrs. Harbison asked if there were any updates. Mr. Riblet replied that there were none.
139

140 The roll was called and showed the following vote:
141

142 AYE: Bissmeyer, Harbison, Dobrozi, Margolis, Roesch, Suer, Cappel (7)
143 NAY: (0)
144

145 **An Ordinance Adopting Amended Articles I, III, and V, Rules and Regulations for The Hamilton County**
146 **Storm Water District**

147
148 Mr. Cappel moved for passage of the Ordinance. Vice Mayor Margolis seconded.
149

150 Mr. Cappel explained that information has been previously supplied on this Ordinance that, if approved, would adopt
151 the regulations for the Hamilton County Storm Water District. The United States Environmental Protection Agency
152 (USEPA) and Ohio EPA (OEPA) require designated communities, including Hamilton County, which own or
153 operate a Municipal Separate Storm Sewer System (MS4) to develop a Storm Water Management Program pursuant
154 to the Storm Water Phase II Permit Program of the National Pollutant Discharge Elimination System (NPDES). This
155 program enables a jurisdiction to address the quality of storm water runoff within their jurisdiction. As a member
156 municipal corporation under the Phase II Permit, the City must consent to the operation and rules and regulations as
157 stated in Exhibit A "Determinations and Background Pertinent to Storm Water Management in Hamilton County,
158 Ohio" or enact alternative rules and regulations to be mutually agreed upon.
159

160 Mr. Cappel asked if there were any updates. Mr. Riblet replied there were none.
161

162 The roll was called and showed the following vote:
163

164 AYE: Harbison, Dobrozi, Roesch, Suer, Margolis, Cappel, Bissmeyer (7)
165 NAY: (0)
166
167

168 **NEW LEGISLATION**

169
170 **A Resolution Authorizing the City Manager to Contract with Frost Brown Todd, LLC to Provide Special**
171 **Counsel Services**

172
173 Mrs. Harbison moved to read the Resolution by title only. Vice Mayor Margolis seconded. City Council unanimously
174 agreed.

175
176 Mrs. Harbison read the title and moved for passage. Vice Mayor Margolis seconded.

177
178 Mrs. Harbison explained that information has been previously supplied on this Resolution that, if adopted, would
179 authorize the City Manager to enter into a contract with Frost Brown Todd, LLC to provide special legal services
180 for labor negotiations/labor relations/human resource functions. She stated that the work of Frost Brown Todd, LLC
181 has been invaluable in labor negotiations/relations efforts, and it is important that the City maintain this relationship
182 as the City continues its labor and employee relations into the future.

183
184 Mr. Suer stated that with the three bargaining units that the City has and with the annual negotiations that are
185 conducted, he feels that Frost Brown Todd does a good job and he is glad to see we are continuing with them.

186
187 Vice Mayor Margolis agreed with Mr. Suer and stated that they help to make negotiations a smooth process.

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

190
191 AYE: Roesch, Suer, Margolis, Cappel, Bissmeyer, Harbison, Dobrozsi (7)
192 NAY: (0)

193
194 **An Ordinance Creating Section 92.05 of The Code of Ordinances, entitled “Littering”, And Amending Section**
195 **92.99 Entitled “Penalty”**

196
197 Mrs. Bissmeyer moved to read the Ordinance by title only. Mr. Cappel seconded. City Council unanimously agreed.

198
199 Mrs. Bissmeyer read the title and moved passage of the first reading of the Ordinance. Mr. Cappel seconded.

200
201 Mrs. Bissmeyer explained that information has been previously supplied on this Ordinance that, if adopted, would
202 update Chapter 92 of the Code to add a section regulating Littering. Littering includes illegal dumping. The purpose
203 of updating our Code is to be able to control Littering and dumping on vacant properties within the City, and to
204 control Littering and dumping within either City dumpsters or private dumpsters. She added that this legislation was
205 presented at the Law and Safety Committee of Council at their May 4, 2020 meeting.

206
207 Mrs. Bissmeyer asked if there were any updates.

208
209 Chief Crowell responded that there were none.

210
211 Mr. Suer explained that the Law and Safety Committee went through this legislation in great detail at their May
212 meeting. He explained that while the current Ordinance addressed the littering of smaller items there was a gap in
213 regulating the dumping of large items and the new version will provide for the regulation and penalty of that.

214 The roll was called and showed the following vote:

215
216 AYE: Suer, Margolis, Cappel, Bissmeyer, Harbison, Dobrozsi, Roesch (7)
217 NAY: (0)

218
219
220

221 **An Ordinance Accepting and Dedicating Land for Public Parking and Ingress/Egress at Vintage Club North**
222 **and Declaring an Emergency**

223
224 Vice Mayor Margolis moved to read the Ordinance by title only. Mr. Cappel seconded. City Council unanimously
225 agreed.

226
227 Vice Mayor Margolis moved to suspend the rules requiring three separate readings. Mr. Cappel seconded.

228
229 The roll was called and showed the following vote:

230
231 AYE: Margolis, Cappel, Bissmeyer, Harbison, Dobrozsi, Roesch, Suer (7)
232 NAY: (0)

233
234 Vice Mayor Margolis read the title of the Ordinance. Vice Mayor Margolis moved for passage of the Ordinance as
235 an emergency. Mr. Cappel seconded.

236
237 Vice Mayor Margolis explained that information has been previously supplied on this Ordinance that, if adopted,
238 would dedicate the public parking lot constructed on Auditor's parcel 603-0A23-0223 and 0228. The latter is Tract
239 8 of the Vintage Club development which is to be acquired by the City. It was agreed that the City would defer the
240 Closing on this last lot until such time as the parking lot had been completed and the temporary and permanent access
241 easements across the lot could be extinguished. He explained that this Ordinance is being proposed as an emergency
242 to finish up the process to acquire the remaining City lot and to release all easements impacting the property.

243
244 Vice Mayor Margolis asked if there were any updates.

245
246 Mr. Donnellon replied that there were none. He stated that once this is passed and recorded, we could proceed with
247 the closing on the acquisition of the last lot. He explained that there is still some work to be done on the south part
248 which staff will work continue to work with the Developer on.

249
250 Vice Mayor Margolis asked if the work to be done was on the City owned property.

251
252 Mr. Donnellon replied that was correct. He explained that the plaza level and sidewalk level on the south part near
253 the clubhouse still needs to be developed.

254
255 The roll was called and showed the following vote:

256
257 AYE: Cappel, Bissmeyer, Harbison, Dobrozsi, Roesch, Suer, Margolis (7)
258 NAY: (0)

259
260 **An Ordinance Granting A Temporary Ingress/Egress Easement to The Board of Commissioners of Hamilton**
261 **County, Ohio To Maintain Traffic Access to The Ronald Reagan-Cross County Highway and Declaring an**
262 **Emergency**

263
264 Mr. Cappel moved to read the Ordinance by title only. Vice Mayor Margolis seconded. City Council unanimously
265 agreed.

266
267 Mr. Cappel moved to suspend the rules requiring three separate readings. Mrs. Bissmeyer seconded.

268
269 The roll was called and showed the following vote:

270
271 AYE: Bissmeyer, Harbison, Dobrozsi, Roesch, Suer, Margolis, Cappel (7)
272 NAY: (0)

273

274 Mr. Cappel read the Ordinance by title only and moved for passage of the Ordinance. Vice Mayor Margolis
275 seconded.

276
277 Mr. Cappel explained that information has been previously supplied on this Ordinance that, if adopted, will grant to
278 the County and the traveling public continuing ingress/egress rights through the construction site to Montgomery
279 Road and the Ronald Reagan-Cross County Highway. Granting these continuing rights was an obligation within the
280 contract executed between the City and the County to acquire this property. Since the property has now been
281 properly subdivided, this Ordinance designates such ingress/egress easements. Mr. Cappel added that this Ordinance
282 is being proposed as an emergency to take effect immediately so that the right to public use and access is not
283 interrupted during construction.

284
285 Mr. Cappel asked if there were any updates.

286
287 Mr. Donnellon replied there were none.

288
289 The roll was called and showed the following vote:

290
291 AYE: Harbison, Dobrozi, Roesch, Suer, Margolis, Cappel, Bissmeyer (7)

292 NAY: (0)

293
294 **ADMINISTRATION REPORT**

295
296 Mr. Riblet reported the following items:

- 297
- 298 • City Council Work Session is scheduled for June 17 immediately following the conclusion of the Public
299 Hearing scheduled at 6:45 p.m. for the 2021 Tax Budget.
 - 300
 - 301 • The Parks and Recreation and Government Affairs Committee will meet Monday, June 8 at 4:00 and 4:30
302 p.m. respectively as a hybrid meeting both at City Hall and via teleconference. The Public Works Committee
303 has cancelled their meeting for the month of June.
 - 304
 - 305 • Montgomery Quarter, Stage 1 is underway. Bray Construction has been performing removals of pavement
306 and other structure, along with site grading. They will begin installing utilities soon, and they have had the
307 storm sewer material delivered to the project site.
 - 308
 - 309 • John R. Jurgensen Company (JRJ) continues to place fill and compact the area that the loop “run around”
310 will be constructed. JRJ completed the asphalt paving of what will be the right-turn lane into the
311 Montgomery Quarter development. This allowed for the opening of the second northbound lane of
312 Montgomery Road. The timing of this worked out perfectly as traffic volumes moving through the
313 construction area has increased over the past week or so.
 - 314
 - 315 • Mr. Riblet reported that he recently approved a contract with J.S. Held not to exceed \$23,730 to assist with
316 construction management services for work at the Montgomery Quarter site.

317
318 Mr. Riblet wished Chief Crowell a Happy Birthday for his upcoming birthday on June 10.

319
320 **APPROVAL OF MINUTES**

321
322 Mayor Dobrozi asked for a motion to approve the May 20, 2020 Work Session Minutes.

323
324 Vice Mayor Margolis moved to approve the minutes as amended. Mr. Suer seconded. City Council unanimously
325 agreed.

326

327 **MAYOR'S COURT REPORT**

328
329 Mayor Dobrozsi asked for a motion to approve the disbursement of the Mayor's Court report for the month of May
330 in the amount of \$7,937.

331
332 Mr. Cappel motioned to approve the disbursement of the May Mayor's Court collections. Mrs. Bissmeyer seconded.
333 City Council unanimously agreed.

334
335 **GUEST AND RESIDENTS**

336
337 Mayor Dobrozsi asked if there were residents on the call who would like to speak. He asked for them to state their
338 name and address.

339
340 Steve Silverman, 7504 Golf Green Drive- Mr. Silverman requested an independent group review of the recruiting
341 process of the City of Montgomery. He stated that while he understands that the hiring process conforms to EEO
342 regulations, he would like a review of the recruitment process conducted. He stated that he has never seen an African
343 American employee in the Building, Fire/EMS, or Police departments. He stated that Madeira and Blue Ash have
344 African Americans on their staff. He feels there is a disconnect of recruitment in the City. He stated that Mayor's
345 Court has a diversity of people being charged but he feels there is a problem across the County in a disproportion of
346 people being charged versus who is doing the charge.

347
348 Lindsey Johnson, 7951 Shelldale Way- Ms. Johnson stated that she felt that a review of the process is required to
349 identify barriers and reconstruct the process. She stated that she knows this will take time and feels that there are
350 resources in the community that would have ideas on how to address things differently. She stated she feels there
351 needs to be people outside of staff to be involved in this process.

352
353 Mayor Dobrozsi stated that in 2018 the Diversity and Inclusion Committee was formed for the purpose of
354 understanding diversity and identifying how to bring it and inclusivity to the city and community. He asked Ms.
355 Johnson to reach out to Mr. Riblet to further her conversation.

356
357 **OTHER BUSINESS**

358
359 Mayor Dobrozsi shared with everyone the hard decisions that have been made regarding City events and programs
360 as a result of COVID-19. He thanked staff for their wonderfully creative ideas that will offer the community some
361 form of recreation during these unforeseen times. He cited the "Reverse" July 4th parade and opening of the
362 Montgomery Pool as prime examples.

363
364 Mayor Dobrozsi asked if there was any further business to discuss in Public Session. There being none he asked for
365 a motion to adjourn.

366
367 Mr. Cappel moved to adjourn. Mrs. Bissmeyer seconded. City Council unanimously agreed.

368
369 City Council adjourned at 7:53 p.m.

370
371
372



Connie Gaylor, Clerk of Council