

March 31, 2017

TO: Mayor and City Council Members
FROM: Wayne S. Davis, City Manager
SUBJECT: City Council Business Session of Wednesday, April 5, 2017

As a reminder, City Council is scheduled to meet in Business Session on Wednesday, April 5, 2017 at 7:00 p.m.

At 6:30 p.m. prior to the Business Session, staff would like to provide an update of the 2016-2021 Strategic Plan to City Council. This update includes strategic goals and explanations of work completed, current activities, work that is coming up, challenges anticipated for the future and highlights of proposed work and schedules for the remaining four-year period.

Business Session

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Special Presentation**
 - a. Volunteer Walk of Fame Inductee—John Tholking will be present to accept a Certificate of Appreciation for his years of volunteer service.
5. **Guests and Residents**
6. **Legislation for Consideration Tonight**

Pending Legislation

New Legislation

- a. An Ordinance Enacting and Adopting the 2016/2017 Recodification to the Code of Ordinances and Declaring an Emergency—(Mr. Alfaqih) Information has been previously supplied on this Ordinance, that if approved, will adopt an Ordinance enacting and adopting the 2016/2017 Recodification to The Code of Ordinances. This is the periodic update of the Code of Ordinances and supplements the Code from 2013 through 2016. It includes all Ordinances passed by the City during that time, particularly with updates to the Land Use Code, Income Tax Code, and recently enacted regulations governing Sexually Oriented Businesses. The update also supplements the City's Criminal Code for any changes which have occurred over the past few years under State law. The measure is requested to be considered as an emergency so that the Code is immediately

updated for enforcement of the laws within the City. Once the update has been adopted by City Council, print copies will be issued, and more importantly the updated Code will be available through the City's link from the website to American Legal Publishing.

Add this Ordinance to the April 5, 2017 Business Session agenda, assign it to a City Council member for reading by title only with a voice vote; consider suspension of the rules to waive the requirement of three separate readings, this would require a motion with a roll call vote; consider approving the Ordinance as an emergency so it takes effect immediately, this would require a motion with a roll call vote.

- b. A Resolution Accepting a Bid and Authorizing the City Manager to enter into a Contract with the John R. Jurgensen Company for the 2017 Street Resurfacing Program—(Mr. Cappel) Information has been previously supplied on this Resolution, that if approved, will authorize the City Manager to enter into a contract with John R. Jurgensen Company for the annual Street Resurfacing Program. This year's 2017 Street Resurfacing Program includes resurfacing 2.48 centerline miles of roadways. The street resurfacing program is programmed in the 2017 Capital Improvement Program 410-261-5470 account. It is requested that this project be approved for funding in the amount of \$759,390.66 to complete the Base Bid and Alternates #1 and #2. The amount of the recommendation includes \$36,141.46 in project contingency funding or approximately 7% of the bid amount.

Move to read the Resolution by title only

Voice Vote

Move passage of the Resolution

Roll Call Vote

- c. A Resolution Approving the Update of the Solid Waste Management Plan of the Hamilton County Solid Waste Management District—(Mr. Cappel) Information has been previously supplied on this Resolution, that if approved, will accept the update of the 2018-2032 Solid Waste Management Plan. The Plan focuses on several areas including the following: the Residential Recycling Incentive Program; Assistance to Underperforming Communities; Business Recycling; and an Environmental Crimes Task Force. As required by State law, the Plan must undergo a complete update every five (5) years. This plan results in no increases in disposal fees which remain at \$1/ton for In-District waste, \$2/ton for out-of-District waste and \$1/ton for out-of-State waste.

Move to read the Resolution by title only

Voice Vote

Move passage of the Resolution

Roll Call Vote

- d. A Resolution Authorizing the City Manager to enter into a Contract with Penn Care Inc. for the purchase of a 2017 Braun E450 Chief XL Type III Ambulance—(Mr. Alfaqih) Information has been previously supplied on this Resolution, that if approved, will authorize the City Manager to enter into a contract with Penn Care Inc. for the purchase of a 2017 Braun E450 Chief XL Type III Ambulance. The ambulance will be purchased through the bid process conducted through the

State of Ohio Cooperative Purchasing Program. The base bid for the ambulance totals \$176,249.15, with additional options totaling \$14,154.25, a chassis rebate of \$5,800.00 and a contingency amount of \$2,396.60. These numbers, when combined, total \$187,000.00, which is significantly under the amount of \$235,000.00 budgeted in account 223.000.5405 as part of the City's 2017 Capital Improvement Program.

Move to read the Resolution by title only

Voice Vote

Move passage of the Resolution

Roll Call Vote

- e. A Resolution Accepting a Bid and Authorizing the City Manager to enter into a Contract with Perkins/Carmack Construction LLC. for the Public Works Building Renovation Project—(Mrs. Harbison) Information has been previously supplied on this Resolution, that if approved, will authorize the City Manager to enter into a contract with Perkins/Carmack Construction LLC., for the City of Montgomery Public Works Addition and Expansion Project. The Public Works Building Addition and Renovation Project is currently programmed in the 2017 Capital Improvement Budget 410.261.5470 account in the amount of \$900,000. Staff is requesting that City Council consider increasing the budgeted amount to \$1,000,000 to complete the Base Bid, and three proposed options: Alternate #1 (18' Truck Bay Addition), Alternate #2 (Fire Protection) and Alternate #3 (Back Up Generator). While the proposed project came in under budget and significantly under the Engineer's Estimate, the additional options will push the entire project approximately 11% beyond the proposed budget. The recommended project budget of \$1,000,000, which is \$100,000 more than originally budgeted, includes \$30,000 in project contingency funding or, approximately 3% of the bid amount.

Move to read the Resolution by title only

Voice Vote

Move passage of the Resolution

Roll Call Vote

- f. A Resolution Accepting a Bid and Authorizing the City Manager to enter into a Contract with Strawser Construction, Inc. for the 2017 Onyx Mastic Surface (Black Onyx) Project through the Ohio Department of Transportation (ODOT) Cooperative Purchasing Program Contract #101L-18—(Mr. Cappel) Information has been previously supplied on this Resolution, that if approved, will authorize the City Manager to enter into a contract with Strawser Construction for the 2017 Onyx Mastic Surface (Black Onyx) project. The project includes work to micro-surface 3.13 centerline miles on the streets indicated on the attached memorandum. Funding for this project is programmed in the 2017 Capital Improvement Program 410-261-5470 account. It is requested that the 2017 Onyx Mastic Surface (Black Onyx) Project be approved for funding in the amount of \$76,116.23.

Move to read the Resolution by title only

Voice Vote

Move passage of the Resolution

Roll Call Vote

- g. Resolution Delegating Authority to Make Declarations of Official Intent and Allocations with Respect to Reimbursements of Temporary Advances During Fiscal Years 2017 And 2018 Made for Capital Improvements for the Gateway Redevelopment Project to be made from subsequent borrowings—(Mr. Suer) Information has been previously supplied on this Resolution, that if approved, will allow for reimbursements of temporary advances during fiscal years 2017 and 2018 made for Capital Improvements for the Gateway Redevelopment Project to be made from subsequent borrowings. This is a reimbursement Resolution consistent with IRS regulations which must be passed in advance of issuing bonds for capital improvements in the Gateway Redevelopment Area (GRA) District. Although the terms and conditions for the bonds have not been finalized, it is important to have this Resolution in place in advance for those costs the City may incur, such as engineering fees or land acquisition costs which are properly paid from the bond proceeds.

Move to read the Resolution by title only

Voice Vote

Move passage of the Resolution

Roll Call Vote

- h. A Resolution Authorizing a Purchase Agreement with Twin Lakes to Acquire Certain Real Property on Montgomery Road Adjacent to The City's Safety Center—(Mrs. Harbison) Information has been previously supplied on this Resolution, that if approved, will authorize a Purchase Agreement with Twin Lakes to acquire Certain Real Property on Montgomery Road adjacent to the City's Safety Center. A part of the long range strategic vision for the City calls for the enhancement of service delivery in all functional areas of the City. The City has an opportunity with the development of the Twin Lakes site to acquire land needed for such future service enhancement, including potential direct access to Montgomery Road for emergency response vehicles and improvement of Safety Center facilities. This contract will enable the City Manager to acquire the needed .40 acres for future service enhancements on a parcel of land immediately to the south of the Safety Center.

Move to read the Resolution by title only

Voice Vote

Move passage of the Resolution

Roll Call Vote

- i. An Ordinance Amending Ordinance 17, 2008 and Declaring a New Public Purpose for Montgomery Road Property—(Mr. Margolis-1st Reading) Information has been previously supplied on this Ordinance that if approved, will Amend Ordinance 17, 2008 and Declare a New Public Purpose for Montgomery Road Property. The City acquired property with Twin Lakes in 2008 for the purpose of installing a public access road to property across from the Recreation Annex on Montgomery Road. The City received this property at no cost. The property at that time was dedicated for use as an anticipated roadway. The property is now being proposed for development under a revised

plan with access from an extension of Schoolhouse Lane and the City no longer needs this property for a public access road. However, part of this property is used for storm water improvements draining a significant water shed west of Montgomery Road. It is requested that City Council consider rededicating the public use of this property as it is being redeveloped to preserve these storm water improvements.

Move to Read this Ordinance by title only

Voice Vote

Move for passage of the first reading of the Ordinance

Roll Call Vote

The second reading of the Ordinance will be held at the May 3, 2017 Business Session meeting. The third reading of the Ordinance will be held at the June 7, 2017 Business Session with adoption of the Ordinance requested at that meeting.

- j. A Resolution Authorizing the City Manager to enter into a Contract with Tri-State Concrete Construction, Inc. to Complete the HAM-US 22-15.35 Montgomery Road Sidewalk Project, PID #99954—(Mr. Cappel) Information has been previously supplied on this Resolution, that if approved, will authorize the City Manager to enter into a contract with Tri-State Concrete Construction, Inc. to complete the HAM-US 22-15.35 Montgomery Road Sidewalk Project, PID #99954. In 2014, the City of Montgomery was approved by the Ohio-Kentucky-Indiana Regional Council of Governments (OKI) for a reimbursement grant of up to \$497,760 to complete the construction of a concrete sidewalk on the east side of Montgomery Road from Weller Road to the main entrance of Bethesda Hospital including the construction of a pedestrian bridge across Sycamore Creek. The OKI grant represents approximately 80% of the construction costs. The City has advertised for and received bids, and is recommending approval of Tri-State Concrete Construction, Inc. as the bidder having the lowest and best bid for this project.

Move to read the Resolution by title only

Voice Vote

Move passage of the Resolution

Roll Call Vote

8. Administration Report

9. Approval of Minutes — March 22, 2017 Special Meeting and Work Session Meeting

10. Mayor's Court Report

11. Other Business

12. Executive Session

13. Adjournment

Should you have any questions or concerns regarding this information, please do not hesitate to contact me.

C: Connie Gaylor, Administrative Coordinator
Department Heads
Terry Donnellon, Law Director

April 5, 2017

Review status of 2016-2021 Strategic Plan – 6:30 p.m.

1. Call to Order
2. Staff Update of 2016-2021 Strategic Plan
3. Adjournment

City Council Business Session – 7:00 p.m.

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Special Presentation
 - a. Volunteer Walk of Fame Inductee—John Tholking will be present to accept a Certificate of Appreciation for his years of volunteer service.
5. Guests and Residents
6. Legislation for Consideration Tonight

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- a. An Ordinance Enacting and Adopting the 2016/2017 Recodification to the Code of Ordinances and Declaring an Emergency—(Mr. Alfaqih)

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- b. A Resolution Accepting a Bid and Authorizing the City Manager to enter into a Contract with the John R. Jurgensen Company for the 2017 Street Resurfacing Program—(Mr. Cappel)

Move to read the Resolution by title only

Voice Vote

Move passage of the Resolution

Roll Call Vote

- c. A Resolution Approving the Update of the Solid Waste Management Plan of the Hamilton County Solid Waste Management District—(Mr. Cappel)

Move to read the Resolution by title only

Voice Vote

Move passage of the Resolution

Roll Call Vote

- d. A Resolution Authorizing the City Manager to enter into a Contract with Penn Care Inc. for the purchase of a 2017 Braun E450 Chief XL Type III Ambulance—(Mr. Alfaqih)

Move to read the Resolution by title only

Voice Vote

Move passage of the Resolution

Roll Call Vote

- e. A Resolution Accepting a Bid and Authorizing the City Manager to enter into a Contract with Perkins/Carmack Construction LLC. for the Public Works Building Renovation Project—(Mrs. Harbison)

Move to read the Resolution by title only

Voice Vote

Move passage of the Resolution

Roll Call Vote

- f. A Resolution Accepting a Bid and Authorizing the City Manager to enter into a Contract with Strawser Construction, Inc. for the 2017 Onyx Mastic Surface (Black Onyx) Project through the Ohio Department of Transportation (ODOT) Cooperative Purchasing Program Contract #101L-18—(Mr. Cappel)

Move to read the Resolution by title only

Voice Vote

Move passage of the Resolution

Roll Call Vote

- g. Resolution Delegating Authority to Make Declarations of Official Intent and Allocations with Respect to Reimbursements of Temporary Advances During Fiscal Years 2017 And 2018 Made for Capital Improvements for the Gateway Redevelopment Project to be made from subsequent borrowings —(Mr. Suer)

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Roll Call Vote

- h. A Resolution Authorizing a Purchase Agreement with Twin Lakes to Acquire Certain Real Property on Montgomery Road Adjacent to The City's Safety Center—(Mrs. Harbison)

Move to read the Resolution by title only

Voice Vote

Move passage of the Resolution

Roll Call Vote

- i. An Ordinance Amending Ordinance 17, 2008 and Declaring a New Public Purpose for Montgomery Road Property—(Mr. Margolis-1st Reading)

Move to Read this Ordinance by title only

Voice Vote

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Move to read the Resolution by title only

Voice Vote

Move passage of the Resolution

Roll Call Vote

7. Administration Report

8. Approval of Minutes — March 22, 2017 Special Meeting and Work Session Meeting

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, Administrative Coordinator
Department Heads
Terry Donnellon, Law Director

Certificate of Appreciation
to
John Tholking

WHEREAS, John Tholking has served this municipality as a member of its Parks and Recreation Commission; and,

WHEREAS, John has served on the Parks and Recreation Commission since July 2008, faithfully attending the monthly meetings and working to help improve the quality of life in Montgomery; and,

WHEREAS, John spent many hours researching information to contribute to the Johnson Nature Preserve Nature Trail mobile application for the enjoyment and benefit of our community; and,

WHEREAS, John dutifully completes monthly park inspections and provides valuable insight into the details and condition of the parks; and,

WHEREAS, John continues to serve as an expert snow cone maker at the Bastille Day Celebration and various other City events; and,

WHEREAS, John assists in the planning of many park projects including the ping pong table at Weller Park and the new Expression Swings at Montgomery Park; and,

WHEREAS, John is a valued member of the Parks and Recreation Commission, earning the respect and friendship of his fellow Commission members; and,

WHEREAS, John has met the general criteria to be included in the Volunteer Walk of Fame; and

WHEREAS, City Council wishes to honor ***John Tholking*** with the placement of a brick with his name engraved upon it in the Volunteer Walk of Fame.

NOW THEREFORE, hereby expresses its sincere appreciation to ***John Tholking*** for his valued service as a member of the Parks and Recreation Commission. He has applied thoughtful, productive attention to the quality of life of our community and we benefit now and hereafter from his efforts.

ORDINANCE NO. _____, 2017

**AN ORDINANCE ENACTING AND ADOPTING THE
2016/2017 RECODIFICATION TO THE CODE OF ORDINANCES
AND DECLARING AN EMERGENCY**

WHEREAS, American Legal Publishing Corporation of Cincinnati, Ohio has completed the 2016/2017 supplement to the Code of Ordinances of the City of Montgomery, which supplement contains all Ordinances of a general and permanent nature enacted since the prior supplement to the Code; and

WHEREAS, American Legal Publishing has recommended the revision and/or addition of certain sections to the Code of Ordinances which are based upon changes in the Ohio Revised Code and changes in the laws of the State of Ohio; and

WHEREAS, it is the intent of the Council to accept these updated sections in accordance with the changes in the laws of the State of Ohio; and

WHEREAS, Council does desire to enact these updates as an emergency to bring the Code current with the laws in the State of Ohio and the City of Montgomery.

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

SECTION 1. The 2016/2017 supplemented Code of Ordinances of the City of Montgomery as submitted by American Legal Publishing Corporation of Cincinnati, Ohio, and as attached hereto and incorporated herein by reference, is hereby adopted in its entirety.

SECTION 2. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.

SECTION 3. As this Ordinance is a recodification of laws previously passed in the City of Montgomery and laws passed within the State of Ohio, and as it is necessary to immediately implement this Ordinance to bring the Code of Ordinances current and to preserve the health, safety and welfare of the community of the City of Montgomery, this Ordinance is hereby declared to be an emergency measure and it shall take effect immediately upon passage.

PASSED: _____

ATTEST: _____
Connie M. Gaylor, Clerk of Council

Christopher P. Dobrozsi, Mayor

APPROVED AS TO FORM



Terrence M. Donnellon, Law Director

RESOLUTION NO. _____, 2017

A RESOLUTION ACCEPTING A BID AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH JOHN R. JURGENSEN COMPANY FOR THE 2017 STREET RESURFACING PROGRAM

WHEREAS, the City has advertised for bids for the 2017 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 and has recommended acceptance.

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

SECTION 1. The bid of \$759,390.66 received from the John R. Jurgensen Company for the 2017 Street Resurfacing Program is hereby determined to be the lowest and best bid received in response to an advertisement for the same.

SECTION 2. The bid is hereby accepted and the City Manager is authorized and directed to enter a contract 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

Christopher P. Dobrozsi, Mayor

APPROVED AS TO FORM:



Terrence M. Donnellon, Law Director

RESOLUTION NO. _____, 2017

**A RESOLUTION APPROVING THE UPDATE OF THE SOLID WASTE
MANAGEMENT PLAN OF THE HAMILTON COUNTY SOLID WASTE
MANAGEMENT DISTRICT**

WHEREAS, pursuant to the provisions of Chapter 3734, Ohio Revised Code (the "Act"), the Hamilton County Solid Waste Management District Policy Committee (the "Policy Committee") has adopted an update of the solid waste management plan (the "Plan Update") for the Hamilton County Solid Waste Management District ("the District"); and

WHEREAS, pursuant to the Act, the Board of County Commissioners in the District, and the legislative authority of each municipal corporation or township under the jurisdiction of the District, must approve or disapprove the Plan Update by ordinance or resolution; and

WHEREAS, the City Administration has reviewed the Plan Update and has determined that the Plan Update is in the best interests of the City of Montgomery and Hamilton County, and recommends that Council adopt the Plan as proposed;

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

SECTION 1. Approval of the Plan Update. The Council hereby approves the Hamilton County Plan Update as recommended by the Solid Waste Management District, January 19, 2017.

SECTION 2. Compliance with Open Meetings Law. It is hereby certified that all formal actions of Council of the City of Montgomery relating to the adoption of this

Resolution were taken in an open meeting of the Council and that all deliberations of the Council were in meetings open to the public, in compliance with all legal requirements, including Section 121.22, Ohio Revised Code.

SECTION 3. Forwarding of Resolution. The Clerk is hereby directed to promptly deliver, or cause to be delivered, a copy of this Resolution to the Hamilton County Solid Waste Management District.

SECTION 4. This Resolution shall be in full force and effect from and after its passage.

PASSED: _____

ATTEST: _____
Connie M. Gaylor, Clerk of Council

Christopher P. Dobrozsi, Mayor

APPROVED AS TO FORM:



Terrence M. Donnellon, Law Director

RESOLUTION NO. , 2017

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A
CONTRACT WITH PENN CARE INC. FOR THE PURCHASE OF A 2017 BRAUN E450
CHIEF XL TYPE III AMBULANCE**

WHEREAS, the Administration has determined that it is necessary to replace in service the Fire and EMS Department Ambulance, and has appropriately budgeted for such replacement; and

WHEREAS, the City of Montgomery is a participant in the State of Ohio's Cooperative Purchasing Program; and

WHEREAS, the Cooperative Purchasing Program offers an ambulance which, after analysis by the Fire Department, meets the needs for a replacement; and

WHEREAS, the City has determined that separate bids for the purchase of an ambulance would exceed the price available through the State Term Schedule through the Ohio Cooperative Purchasing Program.

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

SECTION 1. The City Manager is hereby authorized to acquire from Penn Care Inc. through the Ohio Cooperative Purchasing Program Contract, State Term Schedule #800263, one (1) 2017 Braun Chief XL Type III Ambulance in an amount not to exceed \$187,000.00 consistent with the specifications reviewed and approved by the Fire and EMS Department.

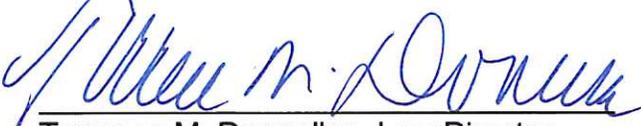
SECTION 2. This Resolution shall be in full force and effect from and after its passage.

PASSED: _____

ATTEST: _____
Connie M. Gaylor, Clerk of Council

Christopher P. Dobrozsi, Mayor

APPROVED AS TO FORM:



Terrence M. Donnellon, Law Director

RESOLUTION NO. , 2017

**A RESOLUTION AUTHORIZING A CONTRACT WITH PERKINS/CARMACK
CONSTRUCTION, LLC FOR THE PUBLIC WORKS BUILDING
RENOVATION PROJECT**

WHEREAS, CT Consultants has worked with the City Staff to prepare design concepts and construction drawings to renovate and expand the Public Works building; and

WHEREAS, Council did previously appropriate \$900,000.00 in the Capital Improvements budget for this anticipated expansion; and

WHEREAS, after preparing bid specifications and advertising for bids, the Administration has received bids from qualified contractors, the lowest and best of which is \$970,000.00, which prospective bid did include three bid alternates to provide a backup generator, fire protection equipment and a truck bay addition; and

WHEREAS, after reviewing the bid specifications with the City's Engineer, it is recommended that the City accept the bid of Perkins/Carmack Construction, LLC in the amount of \$970,000.00 including the three bid alternates; and

WHEREAS, the Administration has recommended that the Capital Improvement budget be adjusted to increase the amount allocated to this project to \$1,000,000.00 to cover any construction contingencies.

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

SECTION 1. The City Manager is hereby authorized to accept the bid of Perkins/Carmack Construction, LLC in the amount of \$970,000.00 to complete the addition

and renovation to the Public Works building, and to execute an appropriate contract with Perkins/Carmack Construction, LLC to begin such work.

SECTION 2. Recognizing that there may need to be construction contingencies to cover unexpected costs, Council does recommend expanding the Capital Improvement budget for this project to \$1,000,000.00 and authorizes specifically the City Manager during the course of construction to implement any necessary change orders up to the total project amount of \$1,000,000.00.

SECTION 3. At the appropriate time, the budget appropriations for the project shall be appropriately adjusted to reflect this expenditure.

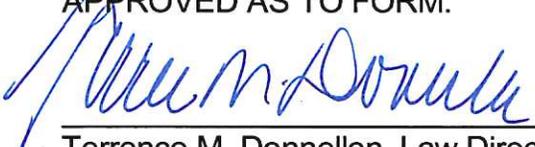
SECTION 4. This Resolution shall be in full force and effect from and after its passage.

PASSED: _____

ATTEST: _____
Connie M. Gaylor, Clerk of Council

Christopher P. Dobrozsi, Mayor

APPROVED AS TO FORM:



Terrence M. Donnellon, Law Director

RESOLUTION NO. _____, 2017

A RESOLUTION ACCEPTING A BID AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH STRAWSER CONSTRUCTION, INC., FOR THE 2017 ONYX MASTIC SURFACE (BLACK ONYX) PROJECT THROUGH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) COOPERATIVE PURCHASING PROGRAM CONTRACT #101L-18

WHEREAS, the City of Montgomery is a participant in the State of Ohio's Cooperative Purchasing Program; and

WHEREAS, the City has determined that separate bids for the 2017 Onyx Mastic Surface (Black Onyx) Project would exceed the price available through the Ohio Cooperative Purchasing Program, and the project services available through the Cooperative Purchasing Program will meet the City Engineer's recommendation for appropriate street resurfacing.

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

SECTION 1. The City Manager is hereby authorized to contract with Strawser Construction, Inc., through the Ohio Cooperative Purchasing Program Contract #101L-18 for the application of Onyx Mastic Surface (Black Onyx) for an amount not to exceed \$ 76,116.23 for those public streets or parts of public streets identified on the attached Schedule A.

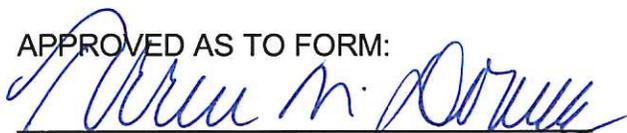
SECTION 2. This Resolution shall be in full force and effect from and after its passage.

PASSED: _____

ATTEST: _____
Connie M. Gaylor, Clerk of Council

Christopher P. Dobrozsi, Mayor

APPROVED AS TO FORM:



Terrence M. Donnellon, Law Director

SCHEDULE A

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>CENTERLINE MILES</u>
Hartford Hill Lane	Deerfield Road	Terminus	.296
Monte Drive	ZigZag Road	ZigZag Road	.651
Coopermeadow Lane	Monte Drive	Terminus	.340
Cooperwood Lane	Monte Drive	Terminus	.294
Bordeaux Court	Monte Drive	Terminus	.050
Bobwhite Court	Monte Drive	Terminus	.060
Toddtee Lane	Monte Drive	Terminus	.291
Wimbledon Court	Monte Drive	Terminus	.209
Winthrop Lane	Tanagerwoods Drive	Terminus	.565
Brattle Lane	Winthrop Lane	Terminus	.088
Bromwell Lane	Winthrop Lane	Terminus	.062
Mosshill Lane	Winthrop Lane	Terminus	.100
Stockbridge Lane	Winthrop Lane	Terminus	.142
Yorkway Lane	Winthrop Lane	Terminus	.022
		<u>Total</u>	<u>3.13 centerline miles</u>

RESOLUTION NO. , 2017

RESOLUTION DELEGATING AUTHORITY TO MAKE DECLARATIONS OF OFFICIAL INTENT AND ALLOCATIONS WITH RESPECT TO REIMBURSEMENTS OF TEMPORARY ADVANCES DURING FISCAL YEARS 2017 AND 2018 MADE FOR CAPITAL IMPROVEMENTS FOR THE GATEWAY REDEVELOPMENT PROJECT TO BE MADE FROM SUBSEQUENT BORROWINGS

WHEREAS, Treasury Regulation §1.150-2 (the "Reimbursement Regulations"), issued pursuant to Section 150 of the Internal Revenue Code of 1986, as amended, (the "Code") prescribes certain requirements by which proceeds of tax-exempt bonds, notes, certificates or other obligations included in the meaning of "bonds" under Section 150 of the Code ("Obligations") used to reimburse advances made for Capital Expenditures (as hereinafter defined) paid before the issuance of such Obligations may be deemed "spent" for purposes of Sections 103 and 141 to 150 of the Code and therefore, not further subject to any other requirements or restrictions under those sections of the Code; and

WHEREAS, such Reimbursement Regulations require that an Issuer (as hereinafter defined) make a Declaration of Official Intent (as hereinafter defined) to reimburse any Capital Expenditure paid prior to the issuance of the Obligations intended to fund such Capital Expenditure and require that such Declaration of Official Intent be made no later than sixty (60) days after payment of the Capital Expenditure and further require that any Reimbursement Allocation (as hereinafter defined) of the proceeds of such Obligations to reimburse such Capital Expenditures occur no later than eighteen (18) months after the later of the date the Capital Expenditure was paid or the date the property acquired with the Capital Expenditure was placed in service, except that any

such Reimbursement Allocation must be made no later than three years after such Capital Expenditure was paid; and

WHEREAS, the Reimbursement Regulations provide that an Issuer may delegate the authority for making such Declarations of Official Intent and Allocations to one or more individuals; and

WHEREAS, this Council wishes to ensure compliance with the Reimbursement Regulations; and

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

SECTION 1. Definitions. The following definitions apply to the terms used herein:

"Allocation" means written evidence that proceeds of Obligations issued subsequent to the payment of a Capital Expenditure are to reimburse the City for such payments. "To allocate" means to make such an allocation.

"Authorized Officer" means City Manager or Finance Director of the City and any persons with authority at the time to exercise functions of those offices.

"Capital Expenditure" means any expense for an item that is properly depreciable or amortizable or is otherwise treated as a capital expenditure for purposes of the Code, as well as any costs of issuing Reimbursement Bonds.

"Declaration of Official Intent" means a written declaration that the City intends to fund Capital Expenditures with an issue of Reimbursement Bonds and reasonably expects to be reimbursed from the proceeds of such an issue.

"Issuer" means either a governmental unit that is reasonably expected to issue Obligations or any governmental entity or 501(c)(3) organization that is reasonably expected to borrow funds from the actual issuer of the Obligations.

"Reimbursement" means the restoration to the City of money temporarily advanced from other funds, including moneys borrowed from other sources, of the City to pay for Capital Expenditures before the issuance of Obligations intended to fund such Capital Expenditures.

"To reimburse" means to make such a restoration.

"Reimbursement Bonds" means Obligations that are issued to reimburse the City for Capital Expenditures, and for certain other expenses permitted by the Reimbursement Regulations, previously paid by or for the City.

"Reimbursement Regulations" means Treasury Regulation §150-2 and any amendments thereto or superseding regulations, whether in proposed, temporary or final form, as applicable, prescribing conditions under which the proceeds of Obligations may be allocated to reimburse the City for Capital Expenditures and certain other expenses paid prior to the issuance of the Obligations such that the proceeds of such Obligations will be treated as "spent" for purposes of Sections 103 and 141 to 150 of the Code.

SECTION 2. Declaration of Official Intent.

(a) The City declares that it reasonably expects that the Capital Expenditures described in Section (b), which were paid no earlier than sixty days prior to the date hereof, or which will be paid prior to the issuance of any Obligations intended to fund such Capital Expenditures, will be reimbursed with the proceeds of Obligations,

representing a borrowing by the City or other governmental issuer in the maximum principal amount, for such Reimbursements, of \$45,000,000; and

(b) The Capital Expenditures made in fiscal years 2017 and 2018 to be reimbursed are to be used for site acquisition and preparation, construction of public infrastructure improvements and related costs for the Gateway Redevelopment Project.

SECTION 3. Reasonable Expectations. The City does not expect any other funds (including the money advanced to make the Capital Expenditures that are to be reimbursed) to be reserved, allocated on a long-term basis, or otherwise set aside by the City or any other entity, with respect to the Capital Expenditures for the purposes described in Section 2(b).

SECTION 4. Open Meeting. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council; and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

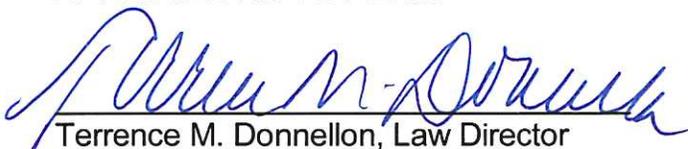
SECTION 5. Effective Date. This Resolution shall be in full force and effect from and after its passage.

PASSED: _____

ATTEST: _____
Connie M. Gaylor, Clerk of Council

Christopher P. Dobrozsi, Mayor

APPROVED AS TO FORM:



Terrence M. Donnellon, Law Director

RESOLUTION NO. _____, 2017

A RESOLUTION AUTHORIZING A PURCHASE AGREEMENT WITH TWIN LAKES TO ACQUIRE CERTAIN REAL PROPERTY ON MONTGOMERY ROAD ADJACENT TO THE CITY'S SAFETY CENTER

WHEREAS, while the long-term strategic goals of the City has been the expansion of the Safety Center to better accommodate police and fire services; and

WHEREAS, Twin Lakes, an Ohio not-for-profit corporation ("Twin Lakes"), has acquired property along Montgomery Road in anticipation of expanding their retirement village services; and

WHEREAS, Twin Lakes is able to subdivide .40 acres from its proposed site, which .40 acres abut the Safety Center; and

WHEREAS, Twin Lakes, in negotiations with the Administration, has agreed that it will sell such .40 acres to the City to enable the City to expand the Safety Center; and

WHEREAS, the Administration recommends such purchase and is requesting authority to enter into the attached Purchase Agreement to acquire such real estate from Twin Lakes.

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

SECTION 1. The City Manager is hereby authorized to execute the attached Purchase Agreement with Twin Lakes, an Ohio not-for-profit corporation, to acquire .40 acres of property along Montgomery Road south of and adjacent to the Safety Center at a

cost of \$509,000.00 to enable the Safety Center to be appropriately expanded to better support police and fire services.

SECTION 2. The City Manager is authorized to execute any and all additional documentation necessary to perform appropriate due diligence to acquire such property and to complete the purchase of the property consistent with the terms of the Purchase Agreement. The City Manager is authorized to incur such additional cost as may be necessary associated with the closing on the real estate including the purchase of title insurance and additional environmental testing to complete the City's due diligence prior to such closing. Such additional costs shall not exceed \$50,000.00.

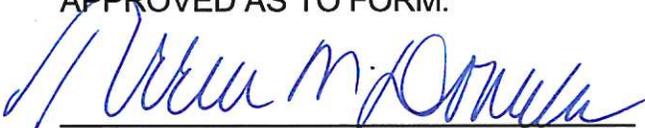
SECTION 3. This Resolution shall be in full force and effect from and after its passage.

PASSED: _____

ATTEST: _____
Connie M. Gaylor, Clerk of Council

Christopher P. Dobrozsi, Mayor

APPROVED AS TO FORM:



Terrence M. Donnellon, Law Director

ORDINANCE NO. , 2017

AN ORDINANCE AMENDING ORDINANCE 17, 2008 AND DECLARING A NEW PUBLIC PURPOSE FOR MONTGOMERY ROAD PROPERTY

WHEREAS, by Ordinance No. 17, 2008, the City publicly dedicated property gifted by LE Steele Properties, LLC for the purpose of constructing a publicly dedicated roadway. This property was received from LE Steele Properties, LLC in conjunction with a transaction involving Twin Lakes for the potential development of the site located on the east side of Montgomery Road; and

WHEREAS, the property is no longer needed for a public access road, but in conjunction with the development of the site, a portion of the property will need to be retained and maintained by the City to preserve certain stormwater improvements; and

WHEREAS, in anticipation of the development of the site and the engineering of such stormwater improvements, it is recommended the City rededicate the property to a new and updated public use.

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

SECTION 1. Property located on the eastside of Montgomery Road in the 10000 block, being Auditor's parcel number 603-0008-0515, is hereby rededicated for public stormwater improvements. The City Engineers, working in conjunction with the engineers for the surrounding development, shall identify specifically the improvements needed and the area in which such improvements shall be maintained to preserve such rights for the City and for the benefit of the community. Ordinance No. 17, 2008 is hereby amended to reflect such change in the dedicated public purpose.

SECTION 2. The related easement rights acquired by the City under the same Ordinance No. 17, 2008 may be released and vacated in documentation executed by the City Manager, as such easements are no longer needed for their intended public purpose.

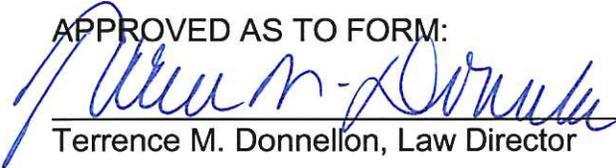
SECTION 3. This Ordinance shall take effect the earliest opportunity as allowable by law.

PASSED: _____

ATTEST: _____
Connie M. Gaylor, Clerk of Council

Christopher P. Dobrozsi, Mayor

APPROVED AS TO FORM:



Terrence M. Donnellon, Law Director

RESOLUTION NO. , 2017

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH TRI-STATE CONCRETE CONSTRUCTION, INC. TO COMPLETE THE HAM-US 22-15.35 MONTGOMERY ROAD SIDEWALK PROJECT, PID # 99954

WHEREAS, by Resolution No. 28, 2015, Council did authorize the City Manager to enter into a Federal Local LET Project Agreement with the Ohio Department of Transportation for the project known as the HAM-US 22-15.35 Montgomery Road Sidewalk Project, PID # 99954; and

WHEREAS, the City Manager has entered into such contract and the Administration has taken the steps necessary to acquire appropriate easements/rights-of-way as required by project guidelines to construct the Montgomery Road Sidewalk Project; and

WHEREAS, upon approval of the Ohio Department of Transportation, the City did advertise for bids for the construction and has received a bid from Tri-State Concrete Construction, Inc., which after review with the City's Engineer has been determined to be the lowest and best bid in response to the advertisement and bid specification; and

WHEREAS, the Administration is now recommending that consistent with the Local LET Agreement, the City should enter into a contract with Tri-State Concrete Construction, Inc. and administer the contract consistent with the Local LET Agreement to secure appropriate reimbursement.

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

SECTION 1. The City Manager is hereby authorized to enter into an agreement with Tri-State Concrete Construction, Inc. in the amount of \$579,007.25, and Council does authorize within the grant and contract documents an additional 7% contingency fund, bringing the total project approval amount to \$611,382.63.

SECTION 2. The City Manager is authorized to execute any and all additional documentation as a necessary component of the Local LET Agreement to meet the terms and conditions of the grant, and to meet the terms and conditions for this contract.

SECTION 3. It is hereby found and determined that all formal actions of the City Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of the City Council, and that any and all deliberations of the City Council and any and all of its committees that resulted in such formal action were in meetings open to the public in compliance with all Ohio legal requirements.

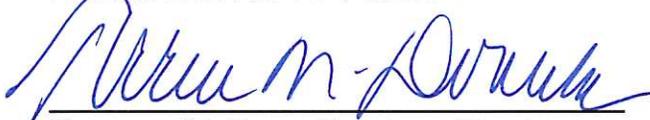
SECTION 4. This Resolution shall be in full force and effect from and after its passage.

PASSED: _____

ATTEST: _____
Connie M. Gaylor, Clerk of Council

Christopher P. Dobrozsi, Mayor

APPROVED AS TO FORM:



Terrence M. Donnellon, Law Director

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City of Montgomery
City Council Special Session
March 22, 2017

Present

Brian Riblet, Public Works Director
Matthew Vanderhorst, Community and Information Services Director
John Crowell, Assistant Police Chief
Connie Gaylor, Clerk of Council
Cindy Abner, Finance Specialist

City Council Members Present

Chris Dobrozsi, Mayor
Mike Cappel
Laith Alfaqih
Ken Suer
Craig Margolis
Gerri Harbison

City Council Members Absent

Lynda Roesch, Vice Mayor
(Included as a conference call)

City Council convened in Council Chambers for the Special Session at 5:10 p.m. with Mayor Dobrozsi presiding.

Mrs. Harbison stated that this Special Session of City Council was called for the annual evaluation of City Manager, Wayne Davis.

Mr. Margolis made a motion to adjourn into Executive Session for reasons to discuss matters related to personnel/compensation. Mr. Cappel seconded.

The roll was called and showed the following vote:

AYE: Cappel, Alfaqih, Harbison, Dobrozsi, Suer, Margolis, Combs	(6)
NAY:	(0)
ABSENT: Roesch (available by conference call)	(1)

City Council adjourned into Executive Session at 5:12 p.m.

City Council reconvened into Public Session at 6:35 p.m.

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

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

City Council adjourned at 6:35 p.m.

Connie Gaylor, Clerk of Council

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City of Montgomery
City Council Work Session Minutes
March 22, 2017

Present

Wayne Davis, City Manager
Terry Donnellon, Law Director
Katie Smiddy, Finance Director
Brian Riblet, Public Works Director
Don Simpson, Police Chief
Paul Wright, Fire Chief
Matthew Vanderhorst, Community and Information Services Director
Faith Lynch, Community Engagement Coordinator
Connie Gaylor, Clerk of Council

City Council Members Present

Chris Dobrozsi, Mayor
Mike Cappel
Laith Alfaqih
Gerri Harbison
Ken Suer
Craig Margolis

City Council Members Absent

Lynda Roesch, Vice Mayor

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

ROLL CALL

Mayor Dobrozsi stated that Vice Mayor Roesch was absent due to a previously planned trip and asked for a motion to excuse her absence.

Mr. Cappel moved to excuse Vice Mayor Roesch's absence. Mr. Margolis seconded. City Council unanimously agreed.

The roll was called.

SPECIAL PRESENTATION

Mayor Dobrozsi presented Mrs. Jacqueline Rohner with a proclamation in honor of her partnership with the Arts Commission and her support in the development of arts programs in the community.

Legislation for Consideration this Evening

ESTABLISHING AN AGENDA FOR APRIL 5, 2017

New Legislation

An Ordinance Enacting and Adopting the 2016/2017 Recodification to the Code of Ordinances and Declaring an Emergency

Mr. Donnellon explained that, if approved, this Ordinance will adopt the 2016/2017 Recodification to the Code of Ordinances. He stated that this is the periodic update of the Code of Ordinances and supplements the Code from 2013 through 2016. This update includes all Ordinances passed by the City during that time, particularly with updates to the Land Use Code, Income Tax Code, and recently enacted regulations governing Sexually Oriented Businesses. The update also supplements the City's Criminal Code for any changes which have occurred over the past few years under State law. He also explained that normally the City does not request Emergency legislation unless the matter is truly an emergency, however it is requested that this Ordinance be considered as an emergency so that the Code is immediately updated for enforcement of the laws within the City. It is also requested that City Council consider suspending the rules requiring three readings of this Ordinance at the April 5 Business Session. Once the update has been adopted by City Council, print copies will be issued, and more importantly the updated Code will be available through the City's link from the website to American Legal Publishing.

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City Council Work Session Minutes

March 22, 2017

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54 **A Resolution Accepting a Bid and Authorizing the City Manager to enter into a Contract with the John R.**
55 **Jurgensen Company for the 2017 Street Resurfacing Program**

56
57 Mr. Riblet explained that, if approved, this Resolution will authorize the City Manager to enter into a contract with
58 the John R. Jurgensen Company for the 2017 Street Resurfacing Program. He stated that this year's Street
59 Resurfacing Program includes resurfacing 2.48 centerline miles of roadways. He explained that the City received
60 two bids from very reputable companies: John R. Jurgensen and Barrett Paving Materials. The lowest and best bid
61 received was provided by John R. Jurgensen Company. The street resurfacing program is programmed in the 2017
62 Capital Improvement Program 410-261-5470 account. It is requested that this project be approved for funding in
63 the amount of \$759,390.66 to complete the Base Bid and Alternates #1 and #2. The amount of the recommendation
64 includes \$36,141.46 in project contingency funding or approximately 7% of the bid amount.

65
66 **A Resolution Approving the Update of the Solid Waste Management Plan of the Hamilton County Solid**
67 **Waste Management District**

68
69 Ms. Gaylor explained that, if approved, this Resolution will approve the Update of the Solid Waste Management
70 Plan of the Hamilton County Solid Waste Management District. She explained that the Plan focuses on several areas
71 including the Residential Recycling Incentive Program; Assistance to Underperforming Communities; Business
72 Recycling; and an Environmental Crimes Task Force. She stated that as required by State law, the plan must undergo
73 a complete update every five (5) years. This plan results in no increases in disposal fees which remain at \$1/ton for
74 In-District waste, \$2/ton for out-of-District waste and \$1/ton for out-of-State waste.

75
76 **A Resolution Authorizing the City Manager to enter into a Contract with Penn Care Inc. for the purchase of**
77 **a 2017 Braun E450 Chief XL Type III Ambulance**

78
79 Chief Wright explained that, if approved, this Resolution will authorize the City Manager to enter into a contract
80 with Penn Care Inc. for the purchase of a 2017 Braun E450 Chief XL Type III Ambulance. The ambulance will be
81 purchased through the bid process conducted through the State of Ohio Cooperative Purchasing Program. The base
82 bid for the ambulance totals \$176,249.15, with additional options totaling \$14,154.25, a chassis rebate of \$5,800.00
83 and a contingency amount of \$2,396.60. These numbers, when combined, total \$187,000.00, which is significantly
84 under the amount of \$235,000.00 budgeted in account 223.000.5405 as part of the City's 2017 Capital Improvement
85 Program. Chief Wright also stated that Ambulance Committee members are recommending changing the
86 departments vehicle color scheme and graphics beginning with the purchase of this vehicle. He explained that 24
87 years of having white vehicles, it is recommended to change to the more fire service tradition of having red vehicles.
88 If this concept is approved the department's vehicle color change would occur over a period of time as new vehicles
89 are ordered to replace the existing units.

90
91 **A Resolution Accepting a Bid and Authorizing the City Manager to enter into a Contract with**
92 **Perkins/Carmack Construction LLC. for the Public Works Building Renovation Project**

93
94 Mr. Riblet explained that, if approved, this Resolution will authorize the City Manager to enter into a contract with
95 Perkins/Carmack Construction LLC. for the City of Montgomery Public Works Addition and Expansion Project.
96 He explained that the Public Works Building Addition and Renovation Project is currently programmed in the 2017
97 Capital Improvement Budget 410.261.5470 account in the amount of \$900,000. He stated that staff is requesting
98 that City Council consider increasing the budgeted amount to \$1,000,000 to complete the Base Bid, and three
99 proposed options: Alternate #1 (18' Truck Bay Addition), Alternate #2 (Fire Protection) and Alternate #3 (Back Up
100 Generator). While the proposed project came in under budget and significantly under the Engineer's Estimate, the
101 additional options will push the entire project approximately 11% beyond the proposed budget. The recommended
102 project budget of \$1,000,000, which is \$100,000 more than originally budgeted, includes \$30,000 in project
103 contingency funding or, approximately 3% of the bid amount.

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104 Mr. Suer inquired if all vehicles would be stored in the new facility as well as the use of the old generator.

105

106 Mr. Riblet explained that all vehicles will be able to fit into the building with the additional 48' of garage bay space.
107 He also stated that the current generator could be placed at other City locations such as Terwilliger Lodge, the Pool
108 or the Annex.

109

110 **A Resolution Accepting a Bid and Authorizing the City Manager to enter into a Contract with Strawser**
111 **Construction, Inc. for the 2017 Onyx Mastic Surface (Black Onyx) Project through the Ohio Department of**
112 **Transportation (ODOT) Cooperative Purchasing Program Contract #101L-18**

113

114 Mr. Riblet explained that, if approved, this Resolution will authorize the City Manager to enter into a contract with
115 Strawser Construction for the 2017 Onyx Mastic Surface (Black Onyx) project. The project includes work to micro-
116 surface 3.13 centerline miles on indicated streets. He explained that funding for this project is programmed in the
117 2017 Capital Improvement Program 410-261-5470 account and requested approval for funding in the amount of
118 \$76,116.23.

119

120 **A Resolution Delegating Authority to Make Declarations of Official Intent and Allocations with Respect to**
121 **Reimbursements of Temporary Advances During Fiscal Years 2017 And 2018 Made for Capital**
122 **Improvements for the Gateway Redevelopment Project to be made from subsequent borrowings**

123

124 Mr. Donnellon explained that, if approved, this Resolution would delegate authority to make declarations of official
125 intent and allocations with respect to reimbursements of temporary advances during Fiscal Years 2017 And 2018
126 made for Capital Improvements for the Gateway Redevelopment Project to be made from subsequent borrowings.
127 He explained that this legislation will enable the City to be reimbursed for capital expenditures associated with the
128 Gateway Redevelopment Area (GRA), such as engineering fees, when those expenses are incurred in advance of
129 the issuance of bonds for covered public improvements.

130

131 Mayor Dobrozi announced that he would recuse himself from discussion and voting on this legislation because of
132 unrelated business relationships.

133

134 **A Resolution Authorizing a Purchase Agreement with Twin Lakes to Acquire Certain Real Property on**
135 **Montgomery Road Adjacent to the City's Safety Center**

136

137 Mr. Davis explained that, if approved, this Resolution would authorize a Purchase Agreement with Twin Lakes to
138 acquire certain real property on Montgomery Road adjacent to the City's Safety Center. He explained that this
139 purchase is part of the long range strategic vision for the City that calls for the enhancement of service delivery in
140 all functional areas of the City. The City has an opportunity with the development of the Twin Lakes site to acquire
141 land needed for such future service enhancement, including potential direct access to Montgomery Road for
142 emergency response vehicles and improvement of Safety Center facilities. This contract will enable the City
143 Manager to acquire the needed .40 acres for future service enhancements on a parcel of land immediately to the
144 south of the Safety Center.

145

146 **An Ordinance Amending Ordinance 17, 2008 and Declaring a New Public Purpose for Montgomery Road**
147 **Property**

148

149 Mr. Donnellon explained that, if approved, this Ordinance would amend Ordinance 17, 2008 and declare a new
150 public purpose for Montgomery Road property. He stated that the City acquired property with Twin Lakes in 2008
151 for the purpose of installing a public access road to property across from the Recreation Annex on Montgomery
152 Road. He explained that the City received this property at no cost and at that time was dedicated for use as an
153 anticipated roadway. The property is now being proposed for development under a revised plan with access from

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154 an extension of Schoolhouse Lane and the City no longer needs this property for a public access road. However,
155 part of this property is used for storm water improvements draining a significant water shed west of Montgomery
156 Road. It is requested that City Council consider rededicating the public use of this property, as it is being redeveloped
157 to preserve these storm water improvements. Mr. Donnellon also explained that if it is determined that we do not
158 need this property for storm water improvements, that we may vacate it completely and turn it back over to the
159 rightful property owners.

160
161 **A Resolution Authorizing the City Manager to enter into a Contract with Tri-State Concrete Construction,**
162 **Inc. to Complete the Ham-US-22-15.35 Montgomery Road Sidewalk Project, PID #99954**
163

164 Mr. Riblet explained that, if approved, this Resolution will authorize the City Manager to enter into a contract with
165 Tri-State Concrete Construction, Inc. to complete the HAM-US 22-15.35 Montgomery Road Sidewalk Project, PID
166 #99954. He stated that in 2014, the City of Montgomery was approved for a reimbursement grant of up to \$497,760
167 by the Ohio-Kentucky-Indiana Regional Council of Governments (OKI) to complete the construction of a concrete
168 sidewalk on the east side of Montgomery Road from Weller Road to the main entrance of Bethesda Hospital
169 including the construction of a pedestrian bridge across Sycamore Creek. The OKI grant represents approximately
170 80% of the construction costs. The City has advertised for and received bids, and is recommending approval of Tri-
171 State Concrete Construction, Inc. as the bidder having the lowest and best bid for this project.

172
173 **ADMINISTRATION REPORT**
174

175 Mr. Wayne Davis reported on the following items:

- 176
177 • The Financial Planning and Planning, Zoning and Landmarks Committees of City Council will meet on
178 Monday, April 3, at 4:30 and 5:30 p.m., respectively. The Law and Safety Committee has cancelled their
179 meeting for the month of April.
- 180
181 • City Council Business Session is scheduled for April 5, 2017 at 7:00 p.m.
- 182
183 • As a reminder, prior to the City Council Work Session at 6:30 p.m., staff will provide an update of the 2016-
184 2021 Strategic Plan.
- 185
186 • The Government Affairs Committee will meet on Monday, April 10, at 4:30 p.m. The Parks and Recreation
187 and Public Works Committees of City Council have cancelled their meetings for the month of April.
- 188
189 • The Civil Service Commission met on Monday, March 20, to elect officers and discuss upcoming business
190 for 2017. For the term commencing February 1, 2017, Benny Miles was elected Chair, Fred Kleiser was
191 elected Vice-Chair, and Mike Hawkins was appointed Secretary. Staff members in attendance included
192 Chief Simpson, Chief Wright, Assistant Chief Shapiro and Human Resources Manager Julie Prickett.
- 193
194 • On Tuesday, March 21, Terry Donnellon, Wayne Davis, Katie Smiddy and representatives from Brandicorp
195 and Traditions met to discuss the Gateway Redevelopment Area (GRA). The team discussed several key
196 areas including the interchange modification, project design finances and cost estimates for the public
197 improvements. The team discussed important issues and upcoming deadlines to keep the project moving
198 forward.
- 199
200 • A contract was signed with 4 Seasons Ground Management LLC for “Mowing Year 2017” not to exceed
201 \$49,984.00, which is virtually the same as last years’ contract of \$49,975.00.
202

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City Council Work Session Minutes

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- 203 • A contract was signed with the Gertz Company for the 2017 Fire Hydrant Replacement Project in the
204 amount of \$47,112.00, for the replacement of 24 fire hydrants. This is the fourth year of this program and
205 work is anticipated to begin prior to our 2017 Street Resurfacing Program as this work coincides with that
206 program.
207
- 208 • The Montgomery Citizens' Leadership Academy Alumni have been invited to attend an upcoming MCLA
209 2.0 session on Wednesday, March 29. This conversation will concentrate on commercial development
210 along the Montgomery Road Commercial Corridor and will be led by Community Development Director
211 Tracy Roblero, with special guest speaker Terry Donnellon. This MCLA 2.0 session will be held at
212 Montgomery Inn, and the meal will be available at 5:45 p.m. with the presentation starting at 6:00 p.m.
213 Please let Faith Lynch know if you plan to attend. Seats are going fast. As of March 21, 63 Alumni, City
214 Council members and staff have reserved their seats.
215
- 216 • This years' Tree City USA Awards program will be held on April 21 at the Lebanon Countryside YMCA
217 from 10 a.m. to 1:00 p.m. The City of Montgomery will once again be recognized as a Tree City USA and
218 receive the Tree City Growth Award. Please let Brian know by Friday, March 31 if you would like to attend.
219
- 220 • Our own Cindy Abner will be honored at the 2017 Greater Cincinnati ASPA Public Administrator of the
221 Year awards luncheon to be held on Friday, April 7 at the Phoenix. This program will begin at 11:45 and
222 run to approximately 1:30. Please see Connie Gaylor if you would like to attend.
223
- 224 • It is anticipated that background investigations on two patrol officer candidates will be completed this week,
225 at which time conditional job offers can be extended to these individuals. Background investigations are
226 underway on a third candidate as well as a fourth potential candidate.
227
- 228 • A memo to John Crowell has been prepared to journalize discussions regarding his promotion to police
229 chief and to set an effective date of June 4, 2017 for the promotion.
230
- 231 • Senate Bill 331 is scheduled to take effect on Thursday, March 23. There are approximately 60 to 80
232 complaints filed in court, led by the City of Cleveland. It is our hope that a stay will be placed on the Bill
233 and ultimately it will be seen as an encroachment on Home Rule charters and be removed or modified.
234
- 235 • As a reminder, I will be leaving town this evening for a short vacation, traveling to Alabama and will be
236 back in the office on Monday, March 27. Tracy Roblero will be the Acting City Manager in my absence.
237

LAW DIRECTOR REPORT

238 Mr. Donnellon reported to City Council in response to a letter ran on Cincinnati.com written by a Planning
239 Commission member concerning traffic issues and concerns. Mr. Donnellon stated that he felt a meeting would be
240 needed to help educate the member on the issue of prejudging the outcome of a plan that has not been approved yet
241 by the Commission. He stated that because of the comments made in the letter that this member would have to
242 recuse themselves from the vote on this project.
243

244 City Council discussed addressing these issues at the next Boards and Commissions trainings to be held in May.
245

CITY COUNCIL REPORTS

246 Mrs. Harbison reported that at the Government Affairs Committee meeting held on Monday, March 13, several
247 topics were discussed such as tchotchke items, Boards and Commission expiration terms, and police department
248
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252 hiring processes. She explained that staff presented several new tchotchke ideas for use by City Council and staff
253 for donations and promotional gifts such as challenge coins, keys to the City, hats, mugs and other incidental items.
254 Mrs. Harbison also explained that staff has requested to make all Boards and Commissions expiration terms
255 consistent with existing chartered Boards and Commissions to end on January 31 each year. She also stated that
256 staff is requesting that due to existing and anticipated vacancies in the police department, that City Council consider
257 adding two additional positions to the hiring process. She stated that Chief Simpson was at the meeting to discuss
258 this with the Committee and asked Chief Simpson to further explain this to City Council.

259
260 Chief Simpson stated that currently there are four well qualified candidates that came out of the last interview
261 process. He stated that there are currently two open positions, however, pending retirements will lead to two
262 additional openings. He explained that it would be more efficient to send all proposed applicants to the next level
263 of testing and then stagger their hiring dates based on all results. He explained that although there would be a small
264 overlap of positions, the police department budget could absorb this because of unused funds intended for the
265 salaries of these open positions.

266
267 City Council agreed with the additional hires and advised staff to move forward with the hiring process.

268
269 Mr. Suer thanked staff for another successful year of the Montgomery Citizens Leadership Academy (MCLA) and
270 for their dedication to this program over the last ten years. He stated that it is hard to measure success, however, we
271 see the dividends in the graduates and in the community.

272
273 Mr. Margolis also thanked staff for their time and efforts in the conclusion of the MCLA program. He stated that
274 he recently attended and Hamilton County Municipal League meeting at which four of our State legislators:
275 Jonathan Dever, Brigid Kelly, Steve Wilson and Thomas Patton spoke on issues of Central Tax Collections,
276 Tangible Personal Property Tax and the Local Government Fund.

277
278 Mayor Dobrozsi thanked staff for a wonderful MCLA program. He reported that he and Mr. Davis held a business
279 calling meeting with Katie Brown, Administrator at Meadowbrook Care Center.

280
281 **APPROVAL OF MINUTES**

282
283 Mayor Dobrozsi requested a motion to approve the March 1, 2017 Public Hearing and Business Session minutes.

284
285 Mr. Cappel moved to approve the minutes. Mr. Margolis seconded. City Council unanimously agreed.

286
287 **MAYORS COURT REPORT**

288
289 Mayor Dobrozsi reported that the total Mayor's Court collections for the month of February 2017 were \$17,540.00.

290
291 Mr. Margolis moved to accept the Mayor's Court collections for the month of February 2017. Mr. Cappel seconded.
292 City Council unanimously accepted the collections.

293
294 **OTHER BUSINESS**

295
296 Mayor Dobrozsi asked if there was any further business to discuss in Public Session. There being none, he asked
297 for a motion to adjourn into Executive Session for the purposes of discussing matters related to a personnel and
298 compensation.

299
300 Mrs. Harbison moved to adjourn to Executive Session to discuss matters related to a personnel and compensation.

301

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

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302 Mr. Margolis seconded.

303

304 The roll was called and showed the following vote:

305

306 AYE: Cappel, Alfaqih, Harbison, Dobrozi, Suer, Margolis (6)

307 NAY: (0)

308 ABSENT: Roesch (included by conference call) (1)

309

310 City Council adjourned into Executive Session at 8:24 p.m.

311

312 City Council reconvened into Public Session at 10:12 p.m.

313

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

316

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

318

319 City Council adjourned at 10:12 p.m.

320

321

322

323

Connie Gaylor, Clerk of Council