

April 1, 2016

TO: Mayor and City Council Members

FROM: Wayne S. Davis, City Manager *WSD*

SUBJECT: City Council Business Session of Wednesday, April 6, 2016

As a reminder, City Council is scheduled to meet in Business Session on Wednesday, April 6, 2016 at 7:00 p.m. at City Hall. At 6:00 p.m., immediately prior to the City Council Business Session, City Council will meet to review the status of the 2011-2016 Strategic Plan and the proposed implementation of the 2016-2021 Strategic Plan.

Review status of 2011-2016 and 2016-2021 Strategic Plans

To assist in these discussions, please find attached a summary of the completion of the City's 2011-2016 Strategic Plan and the proposed implementation of the 2016-2021 Strategic Plan. This summary includes strategic goals and explanations on work completed, current activities, work that is upcoming, challenges anticipated for the future and highlights of proposed work and schedules for the upcoming five-year period.

Staff will be prepared to review this document and answer questions you may have on this work within both of these Plans.

Work Session

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Roll Call**
4. **Special Presentation**
 - a. Certificate of Appreciation to Kathy Lonneman—(Mrs. Harbison) Mrs. Kathy Lonneman will be present to accept a certificate of appreciation for her contributions to the City as a member of the Sister Cities Commission and to be inducted into the Volunteer Walk of Fame.
 - b. Certificate of Appreciation to Nancy Nolan—(Mrs. Harbison) Mrs. Nancy Nolan will be present to accept a certificate of appreciation for her contributions to the City as a member of the Arts Commission and to be inducted into the Volunteer Walk of Fame.
 - c. Certificate of Appreciation to Jack Wild—(Mrs. Harbison) Mr. Jack Wild will be present to accept a certificate of appreciation for his contributions to the City as a member of the Sister Cities Commission and to be inducted into the Volunteer Walk of Fame.
 - d. Certificate of Appreciation to Todd Steinbrink—(Mayor Dobrozsi) Mr. Todd Steinbrink will be present to accept a certificate of appreciation for his contributions to the City as a former Mayor, City Council

Member and member of the Board of Zoning appeals and to be inducted into the Volunteer Walk of Fame.

5. Guests and Residents

6. Legislation for Consideration Tonight

New Legislation

- a. An Ordinance Modifying Section 30.03, Announcement of Public Meetings, of The Code of Ordinances—(Mrs. Harbison) Information has been supplied previously on this Ordinance that, if approved, will amend the current Section 30.03 of the Code of Ordinances regarding announcements of public meetings. A recent review of the process of providing notice of public meetings as set forth in Section 30.03 revealed that this Code Section was adopted in 1975 and is no longer consistent with current methods by which information is provided and received by the public. Section 30.03 requires that we publish in a newspaper of general circulation, quarterly, the times and dates of our City Council meetings. It also requires that we have a bulletin board accessible at all hours located within the community. The City Charter does not have any specific requirements regarding notice of public meetings except the advance notice required for a Special Meeting of City Council in the absence of an emergency. R.C. § 121.22 (Sunshine law) requires that City Council establish a reasonable method whereby any person may determine the time and place of all regularly scheduled meetings. Staff requests that consideration be given to no longer requiring the posting of notices on public bulletin boards, and allowing the addition of the use of website postings.

Move to read the 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 4, 2016 Business Session. The third reading of the Ordinance will be held at the June 1, 2016 Business Session with adoption of the Ordinance requested at that meeting.

- b. An Ordinance Establishing the Schedule of Municipal Compensation For Employees—(Mr. Suer) Information has been supplied previously on this Ordinance that, if approved, will establish a Schedule for Municipal Compensation. Traditionally the City's Schedule of Municipal Compensation for non-collective bargaining and exempt employees is adjusted annually in July to remain in sync with collective bargaining employee wage rate adjustments. The current Schedule of Municipal Compensation does not specify any wage rate adjustments for July 2016 or July 2017; therefore, a new compensation schedule must be established. In addition, the new Schedule of Municipal Compensation also reflects adjustments to several position pay ranges in order to ensure that the City's pay practices remain relatively competitive when compared to similar neighboring jurisdictions.

Move to read the 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 4, 2016 Business Session. The third reading of the Ordinance will be held at the June 1, 2016 Business Session with adoption of the Ordinance requested at that meeting.

- c. An Ordinance Authorizing The Detachment Of Hamilton County Auditor's Parcel Number 603-0A23-0187 And The Approval Of An Annexation Agreement Related Thereto For The Annexation Of Hamilton County Auditor's Parcel Number 620-0210-0723—(Mr. Margolis) Information has been supplied previously on this Ordinance that, if approved, will authorize a simultaneous annexation and detachment of properties along the Symmes Township and City of Montgomery borders as a part of the Vintage Club North development. A small lot incorporated into the property owned by Contadino Properties, LLC, operated as a daycare north of the Vintage Club site, will be detached and aligned into Symmes Township. A similarly small wedge of property in Symmes Township below the property line will be merged into the City by annexation and it will be incorporated into the Vintage Club development. The statutory procedures require legislative approval for this dual process. Ultimately the Board of Commissioners of Hamilton County, Ohio must approve the detachment and annexation.

Move to read the 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 4, 2016 Business Session. The third reading of the Ordinance will be held at the June 1, 2016 Business Session with adoption of the Ordinance requested at that meeting.

- d. A Resolution Reaffirming The City's Commitment To Non-Discrimination And Inclusion By Endorsing Guidelines Adopted By The Ohio-Kentucky-Indiana Regional Council Of Governments For Title VI Compliance—(Mr. Cappel) Information has been supplied previously on this Resolution that, if approved, would reaffirm the City's commitment To Non-Discrimination and Inclusion by endorsing Guidelines adopted by the Ohio-Kentucky-Indiana Regional Council of Governments for Title VI Compliance. The City is formally adopting the OKI policy for Title VI compliance. Title VI prohibits discrimination and has been expanded through the years to promote inclusivity in federal programming. While the City already has policies and procedures in place prohibiting discrimination, expanding our policy for federal programs to include the OKI standards allows the City to certify our compliance with Title VI in any project documents.

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 23, 2016 Special Session, Public Hearing, and Work Session

9. Mayor's Court Report

10. Other Business

11. Executive Session

12. Adjournment

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

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

April 6, 2016**Review status of 2011-2016 and 2016-2021 Strategic Plans – 6:00 p.m.**

Staff will provide a summary on the completion of the City's 2011-2016 Strategic Plan and the implementation of the 2016-2021 Strategic Plan. This summary includes strategic goals and explanations on work completed, current activities, work that is upcoming, challenges anticipated for the future and highlights of proposed work and schedules for the upcoming five-year period.

**City Council Business Session –
Immediately following the conclusion of the Special Session**

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Roll Call**
- 4. Special Presentation**
 - a. Certificate of Appreciation to Kathy Lonneman—(Mrs. Harbison) Mrs. Kathy Lonneman will be present to accept a certificate of appreciation for her contributions to the City as a member of the Sister Cities Commission and to be inducted into the Volunteer Walk of Fame.
 - b. Certificate of Appreciation to Nancy Nolan—(Mrs. Harbison) Mrs. Nancy Nolan will be present to accept a certificate of appreciation for her contributions to the City as a member of the Arts Commission and to be inducted into the Volunteer Walk of Fame.
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 - d. Certificate of Appreciation to Todd Steinbrink—(Mayor Dobrozsi) Mr. Todd Steinbrink will be present to accept a certificate of appreciation for his contributions to the City as a former Mayor, City Council Member and member of the Board of Zoning appeals and to be inducted into the Volunteer Walk of Fame.
- 5. Guests and Residents**
- 6. Legislation for Consideration Tonight**

New Legislation

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Voice Vote

Move passage of the Resolution

Roll Call Vote

7. Administration Report

8. Approval of Minutes – March 23, 2016 Special Session, Public Hearing, and Work Session

9. Mayor's Court Report

10. Other Business

11. Executive Session

12. Adjournment

The City of Montgomery, Ohio



Certificate of Appreciation

to

Kathy Lonneman

WHEREAS, Kathy Lonneman has made extraordinary contributions of time and talent to the City of Montgomery; and,

WHEREAS, Kathy's contributions have been made in such endeavors as being a member of the Montgomery Sister Cities Commission and through her participation and planning of Bastille Day; and,

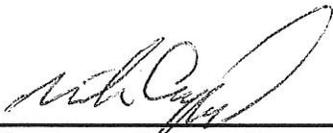
WHEREAS, Kathy's commitment to creating and sustaining the Waiter's Race has made this event a cornerstone of Bastille Day and her artful management of the ticket booth during Bastille Day resulted in thousands of happy visitors and volunteers; and,

WHEREAS, Kathy can be counted on to offer her perspective on many issues, ensuring that her contributions will lead to the continued success of events and programs; and,

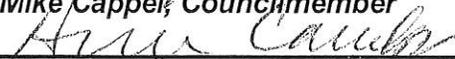
WHEREAS, Kathy has met the general criteria to be included in the Volunteer Walk of Fame; and

*WHEREAS, City Council wishes to honor **Kathy Lonneman** with the placement of a brick with her name engraved upon it in the Volunteer Walk of Fame.*

*NOW THEREFORE, City Council hereby expresses its sincere appreciation to **Kathy Lonneman** for her valued service. She has applied caring leadership, dedication and creative attention to the cultural and beautification needs of our community and we benefit now and hereafter from her efforts.*



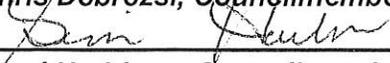
Mike Cappel, Councilmember



Ann Combs, Councilmember



Chris Dobrozsi, Councilmember



Gerri Harbison, Councilmember



Craig Margolis, Councilmember



Lynda Roesch, Councilmember



Ken Suer, Councilmember

The City of Montgomery, Ohio



Certificate of Appreciation

to

Nancy Nolan

WHEREAS, Nancy Nolan has made significant contributions of time and talent to the City of Montgomery; and,

WHEREAS, Nancy's contributions have been made in such endeavors as being Chair of the Montgomery Arts Commission, including being a co-creator of the wildly popular Live at the Uni series; and

WHEREAS, Nancy, a marketer extraordinaire, successfully assisted with the annual Photography Competition, and served as an expert Parade Announcer; and,

WHEREAS, Nancy has done so generously and freely and selflessly worked to make the City of Montgomery a better place; and,

WHEREAS, Nancy is an example of determination, commitment and hard work to the Montgomery community, and has demonstrated the importance of a warm and inviting smile and an infectious personality; and

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

WHEREAS, City Council wishes to honor Nancy Nolan with the placement of a brick with her name engraved upon it in the Volunteer Walk of Fame.

NOW THEREFORE, City Council hereby expresses its sincere appreciation to Nancy Nolan for her valued service. She has applied caring leadership, dedication and creative attention to the cultural needs of our community and we benefit now and hereafter from her efforts.



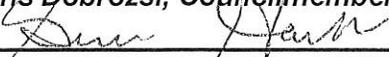
Mike Cappel, Councilmember



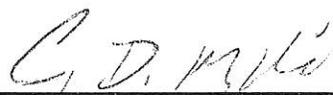
Ann Combs, Councilmember



Chris Dobrozsi, Councilmember



Gerri Harbison, Councilmember



Craig Margolis, Councilmember



Lynda Roesch, Councilmember



Ken Suer, Councilmember

The City of Montgomery, Ohio



Certificate of Appreciation

to

Jack Wild

WHEREAS, Jack Wild has made tremendous contributions of time and talent to the City of Montgomery; and,

WHEREAS, Jack's energy and enthusiasm can be seen as he runs rings around much younger volunteers while planting flowers during Beautification Day and during Bastille Day with general set up and managing the famous Best of Bastille food tasting event and picking out the best red wines during the Commission's holiday dinner; and,

WHEREAS, Jack served Montgomery in a role as an exemplary international diplomat during the City's visit to its Sister City, Neuilly-Plaisance, France in July 2015. Jack used his usual classy and gentlemanly style in developing relationships throughout Neuilly-Plaisance; and,

WHEREAS, Jack opened his home to a Neuilly-Plaisance delegate during the Sister Cities exchange in October 2014 and went out of his way to ensure nothing but the most positive experience for the delegate; and,

WHEREAS, Jack has done so generously and freely; and, selflessly worked to make the City of Montgomery a better place; and,

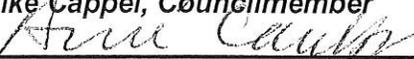
WHEREAS, Jack has met the general criteria to be included in the Volunteer Walk of Fame; and

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

NOW THEREFORE, City Council hereby expresses its sincere appreciation to Jack Wild for his valued service. He has applied caring leadership, dedication and creative attention to the cultural and beautification needs of our community and we benefit now and hereafter from his efforts.



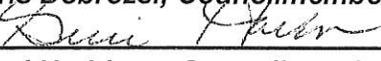
Mike Cappel, Councilmember



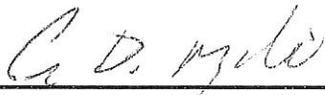
Ann Combs, Councilmember



Chris Dobrozsi, Councilmember



Gerri Harbison, Councilmember



Craig Margolis, Councilmember

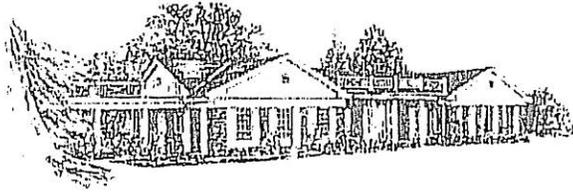


Lynda Roesch, Councilmember



Ken Suer, Councilmember

The City of Montgomery, Ohio



Certificate of Appreciation

to

Todd Steinbrink

WHEREEAS, Todd Steinbrink has made outstanding contributions of time and talent to the City of Montgomery; and,

WHEREAS, Todd's contributions have been made in such endeavors as serving on the Board of Zoning Appeals from 2002-2003, serving on City Council from 2004 to 2013 and as Mayor of Montgomery from 2013 to 2015; and,

WHEREAS, Todd has done so generously, freely and with a genuine, open, positive and professional manner; and,

WHEREAS, Todd has been a leader in the community, volunteering to assist with the set up and tear down of numerous special events, or contributing his keen vision to the strategic direction of the City; and,

WHEREAS, Todd is an example of humility, leadership, determination, hard work and commitment to the Montgomery community; and,

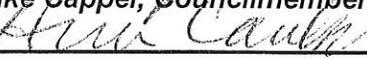
WHEREAS, Todd has met the general criteria to be included in the Volunteer Walk of Fame; and

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

NOW THEREFORE, City Council hereby expresses its sincere appreciation to Todd Steinbrink for his valued service. He has applied caring leadership, fiscal stewardship, and dedication to the developing needs of our community and we benefit now and hereafter from his efforts.



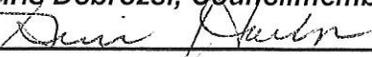
Mike Cappel, Councilmember



Ann Combs, Councilmember



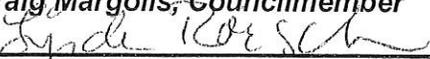
Chris Dobrozsi, Councilmember



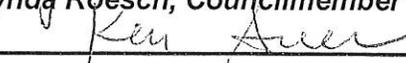
Gerri Harbison, Councilmember



Craig Margolis, Councilmember



Lynda Roesch, Councilmember



Ken Suer, Councilmember

ORDINANCE NO. , 2016

AN ORDINANCE MODIFYING SECTION 30.03, ANNOUNCEMENT OF PUBLIC MEETINGS, OF THE CODE OF ORDINANCES

WHEREAS, Section 30.03 of the Code of Ordinances, enacted in 1975, sets forth the procedure for providing notice for regular and Special Meetings of City Council; and

WHEREAS, with a significant shift in the manner by which the public receives information, Council does desire to update the announcement of public meetings to incorporate modern technology and to meet the statutory requirements of R.C. § 121.22 to provide notice to the public of the meetings of City Council.

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

SECTION 1. Section 30.03, *Announcement of Public Meetings*, shall be amended to read as follows:

A. *No less than quarterly, the City shall post the scheduled date and time for City Council meetings on the City's website and within the City's newsletter. If a meeting time or location is changed, as decided by City Council at a prior open meeting, the new time and place shall be posted as soon as practical on the City's website. If time allows within the circulation schedule of the City newsletter, such changed time and location shall also be noted in the newsletter.*

B. *Any person or news organization may request advance notice of all meetings of City Council in writing delivered to the Clerk of Council. The Clerk shall then send advance notice of such meetings of City Council through either email (or equivalent*

electronic medium), by facsimile transmission, or by regular U.S. Mail as has been designated by the requesting person or organization. The failure of delivery shall not void any action taken at such meeting by City Council.

C. Consistent with Section 3.04 of the Charter of the City of Montgomery, Council may hold Special Meetings and, except in the event of an emergency, notice of such meeting shall be posted to the City's website and shall be provided to those persons and media outlets requesting advance notification no less than twenty four (24) hours in advance of such meeting in the format requested by such person or organization.

SECTION 2. Section 30.03 of the Code of Ordinances is hereby repealed with the adoption of this replacement section.

SECTION 3. All sections, subsections, parts and provisions of this Ordinance are hereby declared to be independent sections, subsections, parts and provisions, and the holding of any section, subsection, part or provision to be unconstitutional, void or ineffective for any reason shall not affect or render invalid any other section, subsection, part or provision of this Ordinance.

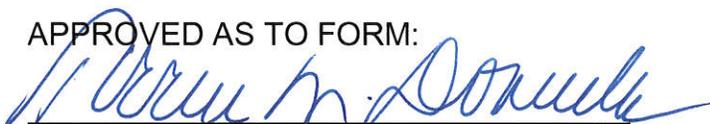
SECTION 4. This Ordinance shall take effect the earliest opportunity as allowable by law.

PASSED: _____

ATTEST: _____
Connie M. Gaylor, Clerk of Council

Christopher P. Dobrozsi, Mayor

APPROVED AS TO FORM:



Terrence M. Donnellon, Law Director

ORDINANCE NO. , 2016

**AN ORDINANCE ESTABLISHING THE
SCHEDULE OF MUNICIPAL COMPENSATION FOR EMPLOYEES
AND AMENDING SECTION 32.01 OF THE CODE OF ORDINANCES**

WHEREAS, Council must establish a Schedule of Municipal Compensation for City employees who are not members of a collective bargaining unit to be effective July 3, 2016 (the first day of the first full pay period in July 2016); and

WHEREAS, the Administration has recommended an increase in compensation for such employees and modifications to several wage classifications, which recommendations are reflected in the schedule of Municipal Compensation attached hereto; and

WHEREAS, to conform the Schedule of Wages to the recognized titles and job responsibilities in the Public Safety departments, the Administration has recommended that Council acknowledge the position of Assistant Chief of Police as the second in Command within the Police Department.

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

SECTION 1. The existing Code § 32.01(B)(2) is hereby rescinded and Code § 32.01(B)(2) shall read:

(2) The Assistant Chief of Police.

With this amendment the position of Police Lieutenant is hereby eliminated.

SECTION 2. Pursuant to requirements of Chapter 34 of the Montgomery Code of Ordinances, the Schedule of Municipal Compensation (“Schedule”) is hereby established to govern the annual compensation of municipal employees who are not governed by collective bargaining agreements, which schedule shall be effective on July 3, 2016. The Schedule governing such positions is attached hereto as “Exhibit A” and is hereby made a part of this Ordinance as if fully rewritten herein.

SECTION 3. The Schedule of Compensation prescribes the basic rates of pay for various classes of employees. Employees typically will be hired at the starting point of the appropriate salary range, but an employee may be placed at a higher location within his or her pay range at the discretion of the City Manager depending upon qualifications, experience, and education. Employees may move through his or her respective salary range based upon work performance as determined through an annual performance review. The amount of the annual adjustment within the salary range shall be dependent upon employee performance and funding availability.

SECTION 4. The City Manager is hereby authorized to grant an annual merit bonus, not to exceed two percent (2%) of the base salary of the employee, for full time employees who have reached the top of their respective pay range. Permanent part-time employees who have reached the top of the pay range may be eligible for a merit bonus of up to 20 hours of pay at his or her current hourly rate for exceptional work performance.

SECTION 5. It is recognized that some employees’ salaries will exceed the maximum rate of their respective pay range at the time of implementation of this Schedule. These employees are noted by name on the attached Schedule and are

compensated accordingly. These employees are eligible for annual wage adjustments as approved by the City Council of the City of Montgomery and for annual merit bonuses as specified in Section 4 of this Ordinance.

SECTION 6. 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

Full-Time Schedule

EXHIBIT "A"

Range	Position		Effective first day of first full pay period in July 2016		Effective first day of first full pay period in July 2017	
			Minimum	Maximum	Minimum	Maximum
1	Assistant City Manager Director of Finance Fire Chief Police Chief Public Works Director Community Development Director Community and Information Services Director	Annual	\$88,129.60	\$117,478.40	\$90,334.40	\$120,411.20
2	Assistant Fire Chief Assistant Police Chief Assistant Public Works Director	Annual	\$79,955.20	\$99,299.20	\$81,952.00	\$101,774.48
3A	Assistant Director of Finance/Tax Commissioner Human Resources Manager	Annual	\$65,644.80	\$86,008.00	\$67,288.00	\$88,150.40
3B	Communications and Engagement Coordinator Recreation Coordinator	Annual	\$64,604.80	\$84,572.80	\$66,227.20	\$86,694.40
4	Zoning and Code Compliance Officer Public Works Department Supervisor	Annual	\$57,803.20	\$73,923.20	\$59,238.40	\$75,774.40
5	Construction and Compliance Inspector	Hourly	\$26.76	\$33.71	\$27.43	\$34.55
6	Administrative Coordinator Building and Development Office Manager	Hourly	\$25.25	\$31.56	\$25.88	\$32.35
7	Recreation Specialist	Hourly	\$23.59	\$29.73	\$24.18	\$30.47
8	Clerk of Court	Hourly	\$21.62	\$28.13	\$22.16	\$28.83
9	Finance Specialist Customer Service Representative	Hourly	\$21.31	\$26.64	\$21.84	\$27.31

All annual, salaried positions in Ranges 1 through 4 are calculated assuming a 26 pay period annual pay schedule, which is the normal annual pay schedule for the City. In the event that the City experiences a year which has 27 bi-weekly pay periods, the City's wage scale will reflect an increase of an additional 1/26th of the maximum salary for the purpose of meeting payroll for the 27th pay period. For all other years, the minimum and maximum salaries are as published on the pay schedule above.

Part-Time Schedule

Part Time Schedule

Range	Position	Effective first day of first full pay period in July 2016		Effective first day of first full pay period in July 2017	
		Minimum	Maximum	Minimum	Maximum
1A	Special Projects Coordinator	\$43.01	\$53.33	\$44.08	\$54.66
1B	Finance Specialist	\$21.31	\$26.64	\$21.84	\$27.31
1C	Customer Service Representative Volunteer Coordinator	\$20.88	\$26.01	\$21.40	\$26.66
2	Firefighter/Paramedic	\$16.26	\$20.71	\$16.66	\$21.22
3	Custodian Firefighter/EMT	\$14.50	\$18.50	\$14.87	\$18.96
4	Intern Seasonal Service Worker	\$12.63	\$16.06	\$12.94	\$16.46
6	Auxiliary Police Officer	\$ 10.00	\$ 25.00	\$ 10.00	\$ 25.00

Grandfathered Wage Provisions (2.5% in July 2016, 2.5% in July 2017)

1. Effective May 3, 2006, Jesse Bundy was grandfathered into Range 5 with top range earning potential of \$57,907.20 from 7/1/2005 – 6/30/2006 and \$60,091.20 from 7/1/2006 – 6/30/2007, because of the change in his former position of Project Manager (previous Range 3) to Construction and Compliance Inspector (Range 5). In future years, he will be eligible for annual (non-equity) adjustments to his current hourly rate as follows:

Employee	Effective first day of first pay period in July 2016	Effective first day of first pay period in July 2017
Jesse Bundy	\$35.01	\$35.89

2. Effective July 1, 2010, Terry Willenbrink was grandfathered outside pay range 4 established in this ordinance, and will be compensated at the following hourly rate and will be eligible for general wage increases and merit bonuses as are employees within their ranges.

Employee	Effective first day of first pay period in July 2016	Effective first day of first pay period in July 2017
Terry Willenbrink	\$84,572.80	\$86,694.40

ORDINANCE NO. , 2016

AN ORDINANCE AUTHORIZING THE DETACHMENT OF HAMILTON COUNTY AUDITOR'S PARCEL NUMBER 603-0A23-0187 AND THE APPROVAL OF AN ANNEXATION AGREEMENT RELATED THERETO FOR THE ANNEXATION OF HAMILTON COUNTY AUDITOR'S PARCEL NUMBER 620-0210-0723

WHEREAS, in November 2009 a parcel of land straddling the City of Montgomery and Symmes Township border was subdivided and sold for the development of a childcare/school facility within Symmes Township; and

WHEREAS, within such transaction, Contadino Properties, LLC acquired certain land in Symmes Township, and a portion of the land it acquired, parcel number 603-0A23-0187, remained within the City of Montgomery; and

WHEREAS, as a result of the subdivision and the sale of such land, a portion of the residue of the unsold property, Hamilton County Auditor's parcel number 620-0210-0723, remained within Symmes Township, Ohio, which property is now owned by Hunting Hill, LLC; and

WHEREAS, the respective property owners desire to have their property appropriately aligned with the boundary line between the City of Montgomery and Symmes Township; and

WHEREAS, Contadino Properties, LLC has petitioned the City under R.C. § 709.38 to detach Hamilton County Auditor's parcel number 603-0A23-0187 from the City to Symmes Township, a copy of which Petition is attached hereto as Schedule A; and

WHEREAS, Hunting Hill, LLC has petitioned Symmes Township and the City of Montgomery to annex Hamilton County Auditor's parcel number 620-0210-0723

to the City of Montgomery from Symmes Township, which Petition is attached hereto as Schedule B; and

WHEREAS, as permitted by R.C. § 709.192 to support such annexation, Council does desire to enter into an Annexation Agreement with Symmes Township, Ohio solely applicable to these respective properties, which Annexation Agreement is attached hereto as Schedule C; and

WHEREAS, Council does desire to approve and accept the Petition for Detachment and approve and accept the Annexation Agreement and Petition for Annexation contingent upon both the detachment and annexation being accepted by the Board of Trustees of Symmes Township, Ohio and the Board of County Commissioners of Hamilton County, Ohio.

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

SECTION 1. The attached Annexation Agreement is hereby approved and accepted by the Council of the City of Montgomery, Ohio, and the City Manager is hereby authorized for and on behalf of the City to execute this Agreement and all related documents necessary to support the Petition to annex Hamilton County Auditor's parcel number 620-0210-0723 from Symmes Township, Ohio to the City of Montgomery, Ohio.

SECTION 2. Separately, the City does accept and approve the Petition from Contadino Properties, LLC to detach Hamilton County Auditor's parcel number 603-0A23-0187 from the City of Montgomery to Symmes Township, Ohio.

SECTION 3. With the approval of this Annexation Agreement, Council does authorize Hamilton County Auditor's parcel number 603-0A23-0187 to be removed

from the Tax Incentive Financing District to which it has been assigned and Council will accept, and execute appropriate documentation, to include what is now parcel number 620-0210-0723 into the Tax Incentive Financing District encompassing the Vintage Club development once such tax parcel has been renumbered.

SECTION 4. Council hereby finds that the adjustment of the boundary line with the detachment and annexation of these two parcels shall have little or no impact upon the indebtedness of the City of Montgomery, and the property is released from such indebtedness when it has been detached, and the property to be annexed and received shall be appropriately apportioned to the indebtedness of the City of Montgomery, Ohio upon completion of the process.

SECTION 5. All sections, subsections, parts and provisions of this Ordinance are hereby declared to be independent sections, subsections, parts and provisions, and the holding of any section, subsection, part or provision to be unconstitutional, void or ineffective for any reason shall not affect or render invalid any other section, subsection, part or provision of this Ordinance.

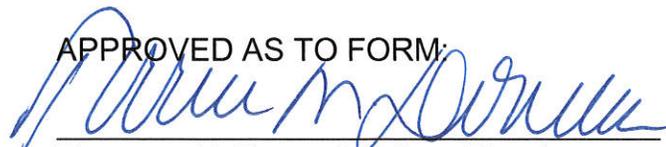
SECTION 6. This Ordinance shall take effect the earliest opportunity as allowable by law.

PASSED: _____

ATTEST: _____
Connie M. Gaylor, Clerk of Council

Christopher P. Dobrozsi, Mayor

APPROVED AS TO FORM:



Terrence M. Donnellon, Law Director

SCHEDULE A

PETITION FOR DETACHMENT

The undersigned, authorized representative of Contadino Properties, LLC, an Ohio limited liability corporation, under R.C. § 709.38 does hereby petition the Board of County Commissioners of Hamilton County, Ohio, with the support of the Board of Trustees of Symmes Township, Ohio and the Council of the City of Montgomery, Ohio, which have entered into a separate Annexation Agreement, to appropriately detach Hamilton County Auditor's parcel number 603-0A23-0187 from the City of Montgomery, Ohio to Symmes Township, Ohio. The property to be detached is more particularly described on Exhibit A attached hereto and incorporated herein by reference, and such property is appropriately depicted in the plat attached to such legal description. The property is contiguous to Symmes Township, and Contadino Properties, LLC is the sole owner of the property to be detached.

CONTADINO PROPERTIES, LLC,
an Ohio limited liability corporation
owner of Hamilton County Auditor's
parcel number 603-0A23-0187
11340 Donwiddle Drive
Morrow, Ohio 45152

By: _____

Name: _____

Its: _____

Date: _____

EXHIBIT A

PROPERTY CONVEYED - 0.0549 ACRES

Situate in Section 36, Town 5, Entire Range 1, Symmes Township, City of Montgomery, Hamilton County, Ohio and being part of the land conveyed to Vintage Club Associates, LTD., as recorded in O.R. 10330, Page 1823, Hamilton County, Ohio Recorder's Office, and being more particularly described as follows:

Beginning at an existing iron pin at the northwest corner of Open Space Lot H of The Vintage Club, Phase Three, as recorded in P.B. 415, Pg. 94-95, Hamilton County, Ohio Recorder's Office;

Thence, with the northerly lines of the aforesaid lands conveyed to Vintage Club Associates, LTD., South 89°39'20" West, 182.34 feet to a point, said point being witnessed by an iron pin lying 0.1'S, 0.5'W;

Thence, South 89°55'50" West, 264.00 feet to a point, said point being witnessed by a concrete monument lying 1.5'S, 1.8'E;

Thence, with an easterly line of said lands, North 03°45'30" West, 49.25 feet to a set iron pin and the **Real Point of Beginning** for this description;

Thence, with a new division line, North 53°53'11" West, 63.29 feet to a set 5/8" iron pin in the west line of said lands and the southeast right-of-way line of Montgomery Road;

Thence, with said lands and said right-of-way line, North 36°14'57" East, 75.55 feet to a concrete monument;

Thence, leaving said right-of-way line and continuing with said lands, South 03°45'30" East, 98.44 feet to the **Real Point of Beginning**.

Containing 0.0549 acres of land.

Subject to all legal highways, easements and restrictions of record.

This conveyance is a transfer between adjoining lot owners made in compliance with Section 711.001 Subsection (B)(1) Ohio Revised Code and does not create an additional building site nor violate any zoning regulation or other public regulation in the parcel hereby conveyed or the balance of the parcel retained by the grantor herein. The parcel hereby conveyed may not

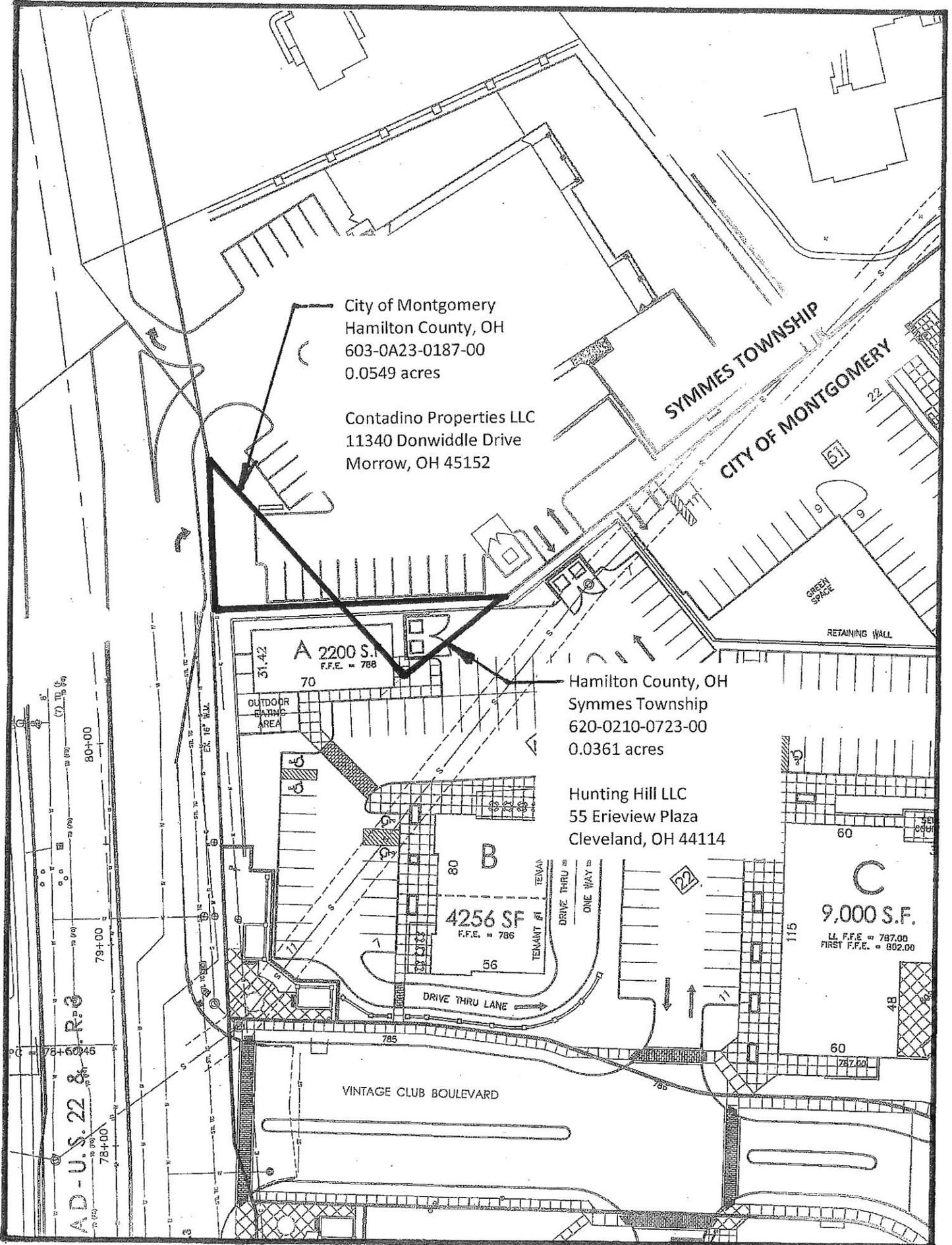
hereafter be conveyed separately from the grantee's adjoining parcel nor any structure erected thereon without the prior approval of the authority having approving jurisdiction of plats.

The above description was prepared by McGill Smith Punshon, Inc., under the direction of Jerry L. Keller, P.S., Ohio Registration No. 7584. The bearings in the above description are based on Reserve of Montgomery, Section 4, recorded in Plat Book 315, Page 57-58, Hamilton County, Ohio Recorder's Office.

Prepared by: McGill Smith Punshon, Inc.

Date: August 31, 2009

MSP No.: 04308.00



City of Montgomery
Hamilton County, OH
603-0A23-0187-00
0.0549 acres

Contadino Properties LLC
11340 Donwiddle Drive
Morrow, OH 45152

Hamilton County, OH
Symmes Township
620-0210-0723-00
0.0361 acres

Hunting Hill LLC
55 Erieview Plaza
Cleveland, OH 44114

A 2200 S.F.
F.F.E. = 788

B 4256 S.F.
F.F.E. = 786

C 9,000 S.F.
L.F.F.E. = 787.00
FIRST F.F.E. = 802.00

SYMMES TOWNSHIP

CITY OF MONTGOMERY

VINTAGE CLUB BOULEVARD

AD-U.S. 22 & R.R.

GREEN SPACE

RETAINING WALL

DRIVE THRU
ONE WAY
TEAMANT #1

DRIVE THRU LANE

OUTDOOR
EATING
AREA

80+00

79+00

78+60.45

78+00

31.42

70

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SCHEDULE B

PETITION FOR ANNEXATION

The undersigned, authorized representative of Hunting Hill, LLC, an Ohio limited liability corporation, under R.C. § 709.022 does hereby petition the Board of County Commissioners of Hamilton County, Ohio, with the support of the Board of Trustees of Symmes Township, Ohio and the Council of the City of Montgomery, Ohio, which have entered into a separate Annexation Agreement, to appropriately annex Hamilton County Auditor's parcel number 620-0210-0723 from Symmes Township, Ohio to the City of Montgomery, Ohio. The property to be annexed is more particularly described on Exhibit A attached hereto and incorporated herein by reference, and such property is appropriately depicted in the plat attached to such legal description. The property is contiguous to the City of Montgomery, and Hunting Hill, LLC is the sole owner of the property to be annexed. Further, Hunting Hill, LLC does hereby appoint Wayne S. Davis, City Manager of the City of Montgomery, Ohio, as its agent in these proceedings.

WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL ANY ACTION ON THE PETITION TAKEN BY THE BOARD OF COUNTY COMMISSIONERS. THERE ALSO IS NO APPEAL FROM THE BOARD'S DECISION IN THIS MATTER IN LAW OR IN EQUITY.

HUNTING HILL, LLC,
an Ohio limited liability corporation
owner of Hamilton County Auditor's
parcel number 620-0210-0723
55 Erieview Plaza
Cleveland, Ohio 44114

By: _____

Name: _____

Its: _____

Date: _____

EXHIBIT A

PROPERTY CONVEYED - 0.0361 ACRES

Situate in Section 36, Town 5, Entire Range 1, Symmes Township, Hamilton County, Ohio and being part of the land conveyed to Contadino Properties, LLC., as recorded in O.R. 11198, Page 1604, Hamilton County, Ohio Recorder's Office, and being more particularly described as follows:

Beginning at an iron pin at the northwest corner of Open Space Lot H of The Vintage Club, Phase Three, as recorded in P.B. 415, Pg. 94-95, Hamilton County, Ohio Recorder's Office;

Thence, with the northerly lines of the lands conveyed to Vintage Club Associates, LTD., by deed recorded in O.R. 10330, Page 1823, Hamilton County, Ohio Recorder's Office, South 89°39'20" West, 182.34 feet to a point, said point being witnessed by an iron pin lying 0.1'S, 0.5'W;

Thence, South 89°55'50" West, 199.97 feet to a set 5/8" iron pin and the **Real Point of Beginning** for this description;

Thence, continuing along the north and east lines of said lands, South 89°55'50" West, 64.03 feet to a point, said point being witnessed by a concrete monument lying 1.5'S, 11.8'E;

Thence, North 03°45'30" West, 49.25 feet to a set 5/8" iron pin;

Thence, with a new division line, South 53°53'11" East, 83.25 feet to the **Real Point of Beginning**.

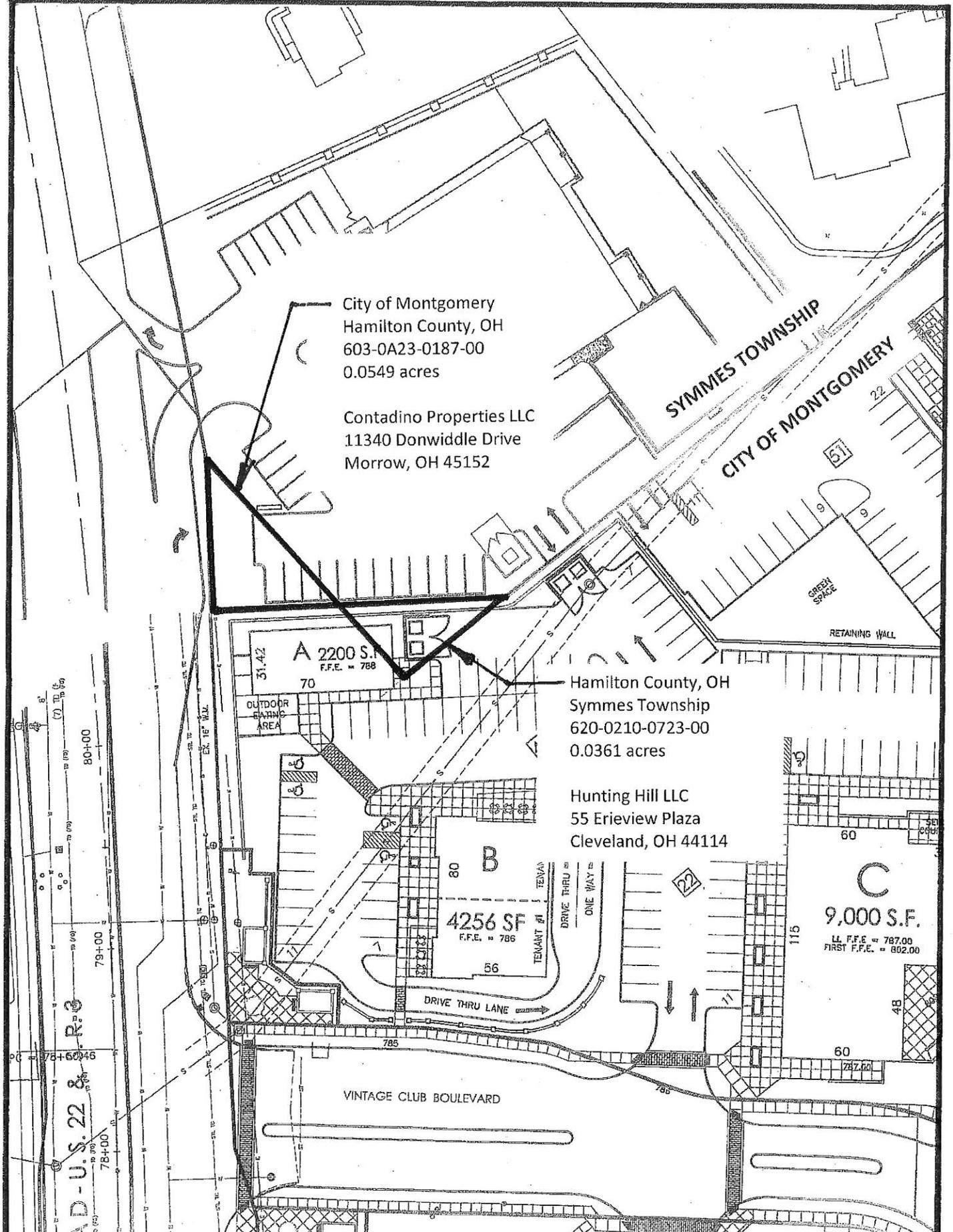
Containing 0.0361 acres of land.

Subject to all legal highways, easements and restrictions of record.

This conveyance is a transfer between adjoining lot owners made in compliance with Section 711.001 Subsection (B)(1) Ohio Revised Code and does not create an additional building site nor violate any zoning regulation or other public regulation in the parcel hereby conveyed or the balance of the parcel retained by the grantor herein. The parcel hereby conveyed may not hereafter be conveyed separately from the grantee's adjoining parcel nor any structure erected thereon without the prior approval of the authority having approving jurisdiction of plats.

The above description was prepared by McGill Smith Punshon, Inc., under the direction of Jerry L. Keller, P.S., Ohio Registration No. 7584. The bearings in the above description are based on Reserve of Montgomery, Section 4, recorded in Plat Book 315, Page 57-58, Hamilton County, Ohio Recorder's Office.

Prepared by: McGill Smith Punshon, Inc.
Date: August 31, 2009
MSP No.: 04308.00



City of Montgomery
Hamilton County, OH
603-0A23-0187-00
0.0549 acres

Contadino Properties LLC
11340 Donwiddle Drive
Morrow, OH 45152

Hamilton County, OH
Symmes Township
620-0210-0723-00
0.0361 acres

Hunting Hill LLC
55 Erieview Plaza
Cleveland, OH 44114

AD - U.S. 22 & R-3

VINTAGE CLUB BOULEVARD

SYMMES TOWNSHIP

CITY OF MONTGOMERY

GREEN SPACE

RETAINING WALL

A 2200 S.F.
F.F.E. = 788

B 4256 SF
F.F.E. = 786

C 9,000 S.F.
LL F.F.E. = 787.00
FIRST F.F.E. = 802.00

SCHEDULE C

ANNEXATION AGREEMENT

This Annexation Agreement (“Agreement”) is entered into effective upon the legislative approval of the parties to this Agreement, the CITY OF MONTGOMERY, OHIO, an Ohio municipal corporation (“Montgomery”) and the BOARD OF TRUSTEES OF SYMMES TOWNSHIP, OHIO (“Symmes”), which legislative approval is attached hereto.

WHEREAS, on or about November 17, 2009, a parcel of land straddling the Montgomery and Symmes border was subdivided and sold for the development of a childcare/school facility, which property is now owned by and was developed by Contadino Properties, LLC (“Contadino”), an Ohio limited liability corporation; and

WHEREAS, as subdivided, a portion of the land to be developed by Contadino (Hamilton County Auditor parcel number 603-0A23-0187 more particularly described on Schedule A attached hereto) remained in Montgomery, and a portion of the residue of the undeveloped and unsold land (Hamilton County Auditor’s parcel number 620-0210-0723 more particularly described on Schedule B attached hereto) remained in Symmes; and

WHEREAS, such portion of the residue of undeveloped land has since been acquired by Hunting Hill, LLC (“Hunting Hill”), an Ohio limited liability corporation; and

WHEREAS, to properly align the subdivided land and the residue land, the respective owners, Contadino and Hunting Hill, have petitioned Montgomery to detach parcel 603-0A23-0187 to be accepted by Symmes and to annex parcel 620-0210-0723 to be accepted by Montgomery, which Petitions are attached hereto respectively as Schedules C and D; and

WHEREAS, the petitioning property owners represent all property owners within the area to be annexed or within the area to be detached; and

allow an annexation to proceed under agreement between the Township and the municipal corporation with the consent of all property owners; and

WHEREAS, Hunting Hill, LLC is the sole owner of parcel number 620-0210-0723 seeking to be annexed to Montgomery, and Contadino is the sole owner of parcel number 603-0A23-0187 seeking to be detached from Montgomery and included in Symmes; and

WHEREAS, both the Council of the City of Montgomery, Ohio and the Board of Trustees of Symmes Township, Ohio have approved this Annexation Agreement and have approved the simultaneous detachment and annexation of these parcels to properly align the property lines with Symmes and Montgomery boundaries.

NOW THEREFORE, in consideration for the mutual promises and covenants contained herein, the parties agree as follows:

1. This Annexation Agreement and the annexation of parcel 620-0210-0723 from Symmes to Montgomery is expressly conditioned upon the simultaneous approval of the detachment of parcel number 603-0A23-0187 from Montgomery to be incorporated into Symmes.

2. This Agreement shall only apply to the annexation of parcel number 620-0210-0723 and shall remain in effect only until the annexation of such parcel to Montgomery and the attachment of such parcel to Symmes is completed upon approval of the Board of County Commissioners, Hamilton County, Ohio.

3. The parcels, once aligned to the appropriate jurisdictions to which they shall be attached or annexed, shall be accepted into the respective jurisdictions as currently zoned within the township district or the city district, or in such district within the acquiring jurisdiction as would most appropriately align with the underling zone in the respective jurisdictions to which they shall be detached or annexed. Thereafter the owners are free to petition for such rezoning, as appropriate, for their land development.

4. Upon the detachment of parcel 603-0A23-0187 to Symmes Township from the City of Montgomery, such parcel shall be removed from the Tax Incentive Finance District in which it was included in Montgomery, it shall be appropriately renumbered by the Hamilton County Auditor, and such plat, as renumbered, shall become part of the taxing district for Symmes without incentive financing. Montgomery separately shall be entitled to apply to include such parcel, as renumbered by the Hamilton County Auditor, into its tax incentive district.

5. As the respective parcels to be annexed or detached are insignificant in size and value, it is agreed that the boundary adjustment shall have no impact on the indebtedness of each respective jurisdiction and the properties are released from the apportionment of indebtedness in each respective jurisdiction from which they shall be withdrawn, and such properties as realigned shall then be incorporated into the appropriate indebtedness of the jurisdiction to which they shall be attached.

6. The parties find that this exchange shall not be a burden upon the public services provided by either the Symmes or Montgomery, and each jurisdiction upon accepting such parcel shall assume responsibility to provide appropriate public services to such properties.

7. The appropriate annexation and detachment of the parcels in question are expressly conditioned upon both the detachment and the annexation of these parcels in each jurisdiction. If either event should not occur, this Annexation Agreement and any separate agreement relative to detachment shall be void.

8. If any term, provision or condition contained in this Agreement shall, to any extent, be determined to be invalid or unenforceable, the remainder of this Agreement (or the application of such term, provision or condition to persons or circumstances other than those in respect of

which it is invalid or unenforceable), shall not be affected thereby, and each term, provision and condition of this Agreement shall be valid and enforceable to the fullest extent permitted by law.

9. For the convenience of the parties, this Agreement may be executed in one or more counterparts including separate signature pages, which counterparts together shall constitute the entire Agreement of the parties.

10. This Agreement shall be governed by the laws of the State of Ohio and shall be interpreted and enforced in accordance with the laws of that State without regard to the principles of conflicts of laws.

CITY OF MONTGOMERY, OHIO
an Ohio municipal corporation

By: _____
Wayne S. Davis
Its: City Manager
Date: _____

BOARD OF TRUSTEES OF SYMMES
TOWNSHIP, OHIO

By: _____
Name: _____
Its: _____
Date: _____

SCHEDULE A

PROPERTY CONVEYED - 0.0549 ACRES

Situate in Section 36, Town 5, Entire Range 1, Symmes Township, City of Montgomery, Hamilton County, Ohio and being part of the land conveyed to Vintage Club Associates, LTD., as recorded in O.R. 10330, Page 1823, Hamilton County, Ohio Recorder's Office, and being more particularly described as follows:

Beginning at an existing iron pin at the northwest corner of Open Space Lot H of The Vintage Club, Phase Three, as recorded in P.B. 415, Pg. 94-95, Hamilton County, Ohio Recorder's Office;

Thence, with the northerly lines of the aforesaid lands conveyed to Vintage Club Associates, LTD., South $89^{\circ}39'20''$ West, 182.34 feet to a point, said point being witnessed by an iron pin lying $0.1'S, 0.5'W$;

Thence, South $89^{\circ}55'50''$ West, 264.00 feet to a point, said point being witnessed by a concrete monument lying $1.5'S, 1.8'E$;

Thence, with an easterly line of said lands, North $03^{\circ}45'30''$ West, 49.25 feet to a set iron pin and the **Real Point of Beginning** for this description;

Thence, with a new division line, North $53^{\circ}53'11''$ West, 63.29 feet to a set $5/8''$ iron pin in the west line of said lands and the southeast right-of-way line of Montgomery Road;

Thence, with said lands and said right-of-way line, North $36^{\circ}14'57''$ East, 75.55 feet to a concrete monument;

Thence, leaving said right-of-way line and continuing with said lands, South $03^{\circ}45'30''$ East, 98.44 feet to the **Real Point of Beginning**.

Containing 0.0549 acres of land.

Subject to all legal highways, easements and restrictions of record.

This conveyance is a transfer between adjoining lot owners made in compliance with Section 711.001 Subsection (B)(1) Ohio Revised Code and does not create an additional building site nor violate any zoning regulation or other public regulation in the parcel hereby conveyed or the balance of the parcel retained by the grantor herein. The parcel hereby conveyed may not

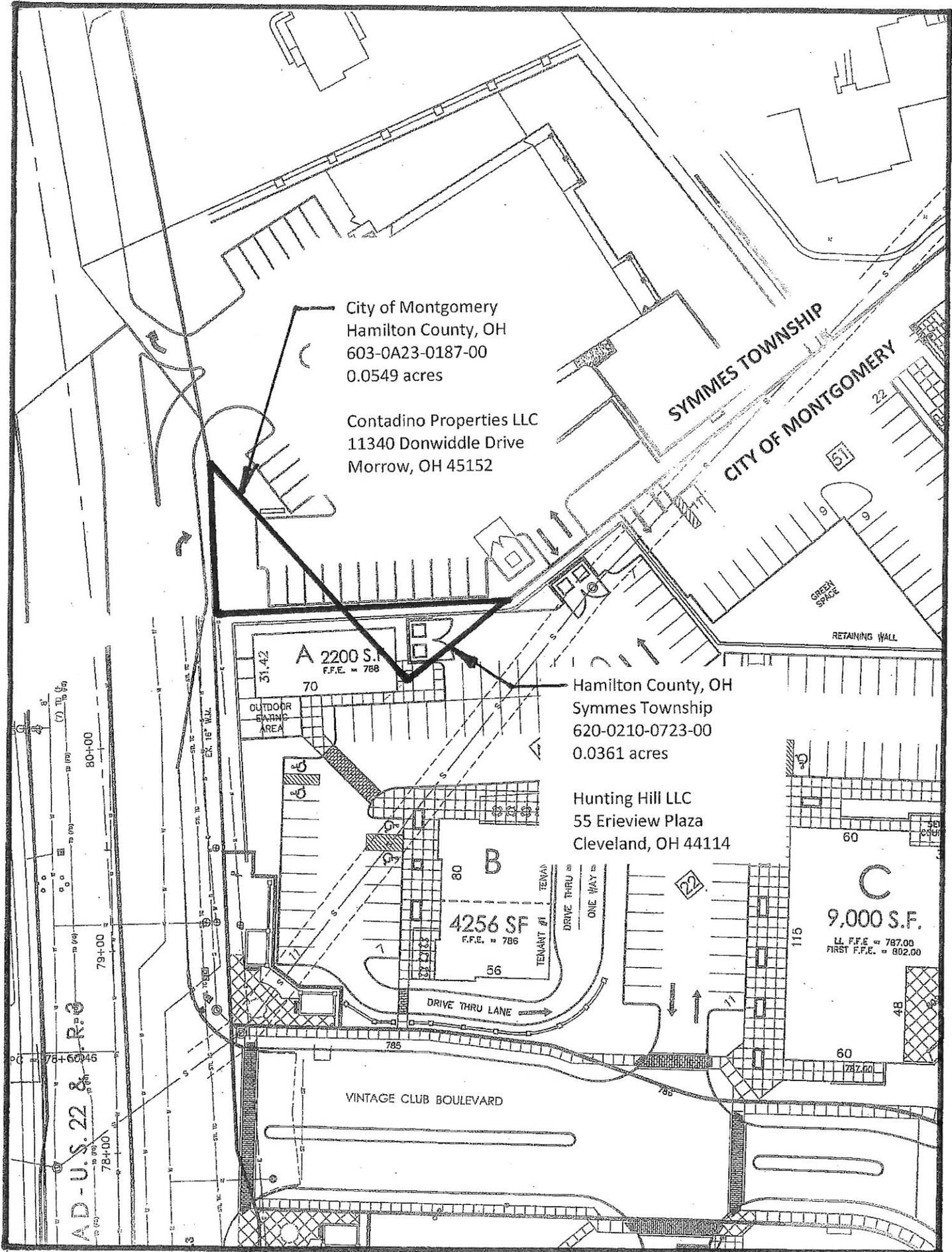
hereafter be conveyed separately from the grantee's adjoining parcel nor any structure erected thereon without the prior approval of the authority having approving jurisdiction of plats.

The above description was prepared by McGill Smith Punshon, Inc., under the direction of Jerry L. Keller, P.S., Ohio Registration No. 7584. The bearings in the above description are based on Reserve of Montgomery, Section 4, recorded in Plat Book 315, Page 57-58, Hamilton County, Ohio Recorder's Office.

Prepared by: McGill Smith Punshon, Inc.

Date: August 31, 2009

MSP No.: 04308.00



City of Montgomery
 Hamilton County, OH
 603-0A23-0187-00
 0.0549 acres

Contadino Properties LLC
 11340 Donwiddle Drive
 Morrow, OH 45152

SYMMES TOWNSHIP
 CITY OF MONTGOMERY

Hamilton County, OH
 Symmes Township
 620-0210-0723-00
 0.0361 acres

Hunting Hill LLC
 55 Erieview Plaza
 Cleveland, OH 44114

A 2200 S.F.
 F.F.E. = 788

B 4256 SF
 F.F.E. = 786

C 9,000 S.F.
 LL F.F.E. = 787.00
 FIRST F.F.E. = 802.00

AD-U.S. 22 & R.R. CO

VINTAGE CLUB BOULEVARD

GREEN SPACE

RETAINING WALL

DRIVE THRU
 ONE WAY
 TENANT #1

DRIVE THRU LANE

80+00

79+00

78+00

78+00

78+60.46

78+00

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SCHEDULE B

PROPERTY CONVEYED - 0.0361 ACRES

Situate in Section 36, Town 5, Entire Range 1, Symmes Township, Hamilton County, Ohio and being part of the land conveyed to Contadino Properties, LLC., as recorded in O.R. 11198, Page 1604, Hamilton County, Ohio Recorder's Office, and being more particularly described as follows:

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Thence, with the northerly lines of the lands conveyed to Vintage Club Associates, LTD., by deed recorded in O.R. 10330, Page 1823, Hamilton County, Ohio Recorder's Office, South 89°39'20" West, 182.34 feet to a point, said point being witnessed by an iron pin lying 0.1'S, 0.5'W;

Thence, South 89°55'50" West, 199.97 feet to a set 5/8" iron pin and the **Real Point of Beginning** for this description;

Thence, continuing along the north and east lines of said lands, South 89°55'50" West, 64.03 feet to a point, said point being witnessed by a concrete monument lying 1.5'S, 11.8'E;

Thence, North 03°45'30" West, 49.25 feet to a set 5/8" iron pin;

Thence, with a new division line, South 53°53'11" East, 83.25 feet to the **Real Point of Beginning**.

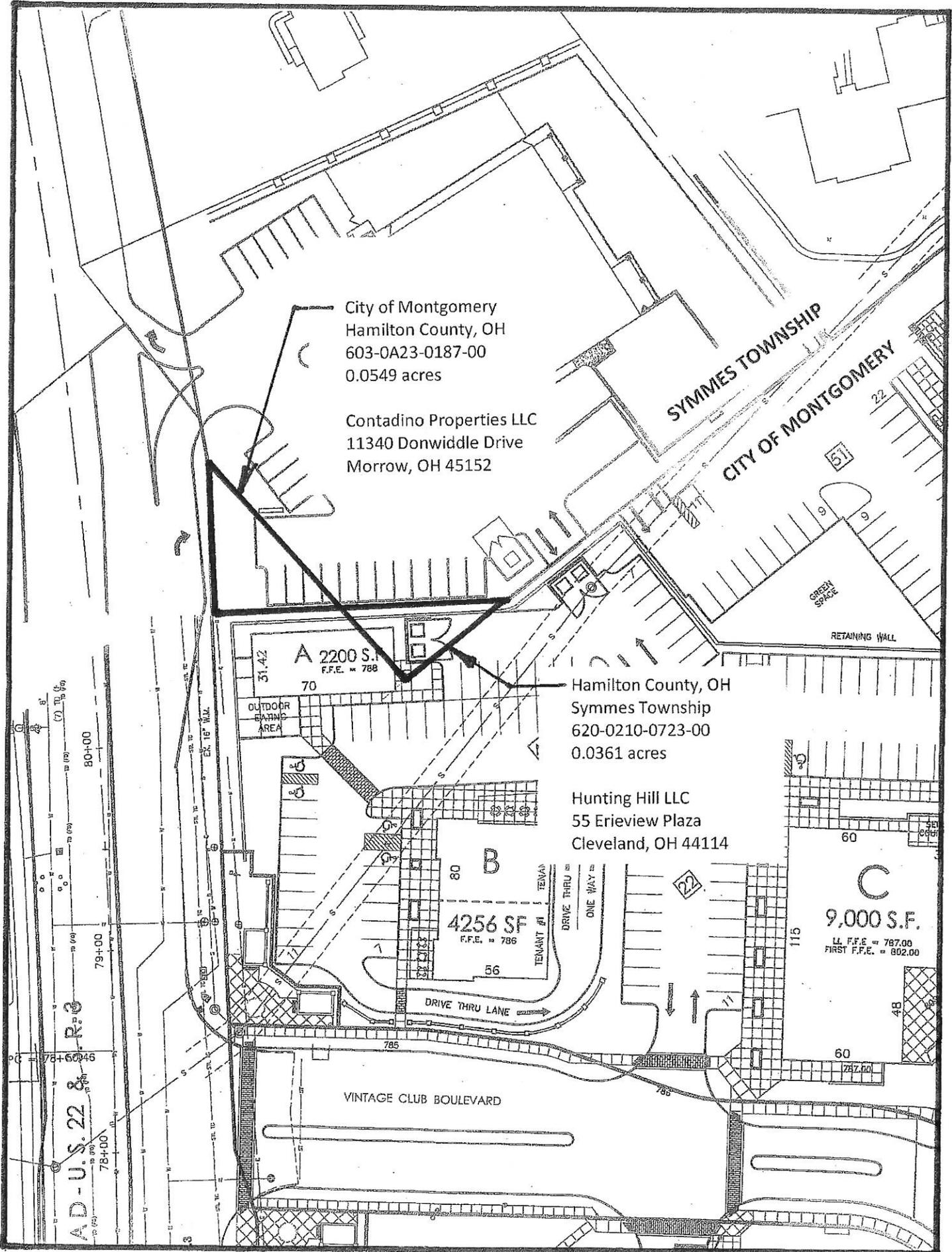
Containing 0.0361 acres of land.

Subject to all legal highways, easements and restrictions of record.

This conveyance is a transfer between adjoining lot owners made in compliance with Section 711.001 Subsection (B)(1) Ohio Revised Code and does not create an additional building site nor violate any zoning regulation or other public regulation in the parcel hereby conveyed or the balance of the parcel retained by the grantor herein. The parcel hereby conveyed may not hereafter be conveyed separately from the grantee's adjoining parcel nor any structure erected thereon without the prior approval of the authority having approving jurisdiction of plats.

The above description was prepared by McGill Smith Punshon, Inc., under the direction of Jerry L. Keller, P.S., Ohio Registration No. 7584. The bearings in the above description are based on Reserve of Montgomery, Section 4, recorded in Plat Book 315, Page 57-58, Hamilton County, Ohio Recorder's Office.

Prepared by: McGill Smith Punshon, Inc.
Date: August 31, 2009
MSP No.: 04308.00



City of Montgomery
Hamilton County, OH
603-0A23-0187-00
0.0549 acres

Contadino Properties LLC
11340 Donwiddle Drive
Morrow, OH 45152

SYMMES TOWNSHIP

CITY OF MONTGOMERY

Hamilton County, OH
Symmes Township
620-0210-0723-00
0.0361 acres

Hunting Hill LLC
55 Erieview Plaza
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A 2200 S.F.
F.F.E. = 788

B 4256 SF
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C 9,000 S.F.
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FIRST F.F.E. = 802.00

VINTAGE CLUB BOULEVARD

DRIVE THRU LANE

DRIVE THRU
ONE WAY

GREEN SPACE

RETAINING WALL

AD-U.S. 22 & R.R. 3

80+00

79+00

78+00

78+00

78+00

31.42

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787.00

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SCHEDULE C

PETITION FOR DETACHMENT

The undersigned, authorized representative of Contadino Properties, LLC, an Ohio limited liability corporation, under R.C. § 709.38 does hereby petition the Board of County Commissioners of Hamilton County, Ohio, with the support of the Board of Trustees of Symmes Township, Ohio and the Council of the City of Montgomery, Ohio, which have entered into a separate Annexation Agreement, to appropriately detach Hamilton County Auditor's parcel number 603-0A23-0187 from the City of Montgomery, Ohio to Symmes Township, Ohio. The property to be detached is more particularly described on Exhibit A attached hereto and incorporated herein by reference, and such property is appropriately depicted in the plat attached to such legal description. The property is contiguous to Symmes Township, and Contadino Properties, LLC is the sole owner of the property to be detached.

CONTADINO PROPERTIES, LLC,
an Ohio limited liability corporation
owner of Hamilton County Auditor's
parcel number 603-0A23-0187
11340 Donwiddle Drive
Morrow, Ohio 45152

By: _____

Name: _____

Its: _____

Date: _____

EXHIBIT A

PROPERTY CONVEYED - 0.0549 ACRES

Situate in Section 36, Town 5, Entire Range 1, Symmes Township, City of Montgomery, Hamilton County, Ohio and being part of the land conveyed to Vintage Club Associates, LTD., as recorded in O.R. 10330, Page 1823, Hamilton County, Ohio Recorder's Office, and being more particularly described as follows:

Beginning at an existing iron pin at the northwest corner of Open Space Lot H of The Vintage Club, Phase Three, as recorded in P.B. 415, Pg. 94-95, Hamilton County, Ohio Recorder's Office;

Thence, with the northerly lines of the aforesaid lands conveyed to Vintage Club Associates, LTD., South $89^{\circ}39'20''$ West, 182.34 feet to a point, said point being witnessed by an iron pin lying $0.1'S, 0.5'W$;

Thence, South $89^{\circ}55'50''$ West, 264.00 feet to a point, said point being witnessed by a concrete monument lying $1.5'S, 1.8'E$;

Thence, with an easterly line of said lands, North $03^{\circ}45'30''$ West, 49.25 feet to a set iron pin and the **Real Point of Beginning** for this description;

Thence, with a new division line, North $53^{\circ}53'11''$ West, 63.29 feet to a set $5/8''$ iron pin in the west line of said lands and the southeast right-of-way line of Montgomery Road;

Thence, with said lands and said right-of-way line, North $36^{\circ}14'57''$ East, 75.55 feet to a concrete monument;

Thence, leaving said right-of-way line and continuing with said lands, South $03^{\circ}45'30''$ East, 98.44 feet to the **Real Point of Beginning**.

Containing 0.0549 acres of land.

Subject to all legal highways, easements and restrictions of record.

This conveyance is a transfer between adjoining lot owners made in compliance with Section 711.001 Subsection (B)(1) Ohio Revised Code and does not create an additional building site nor violate any zoning regulation or other public regulation in the parcel hereby conveyed or the balance of the parcel retained by the grantor herein. The parcel hereby conveyed may not

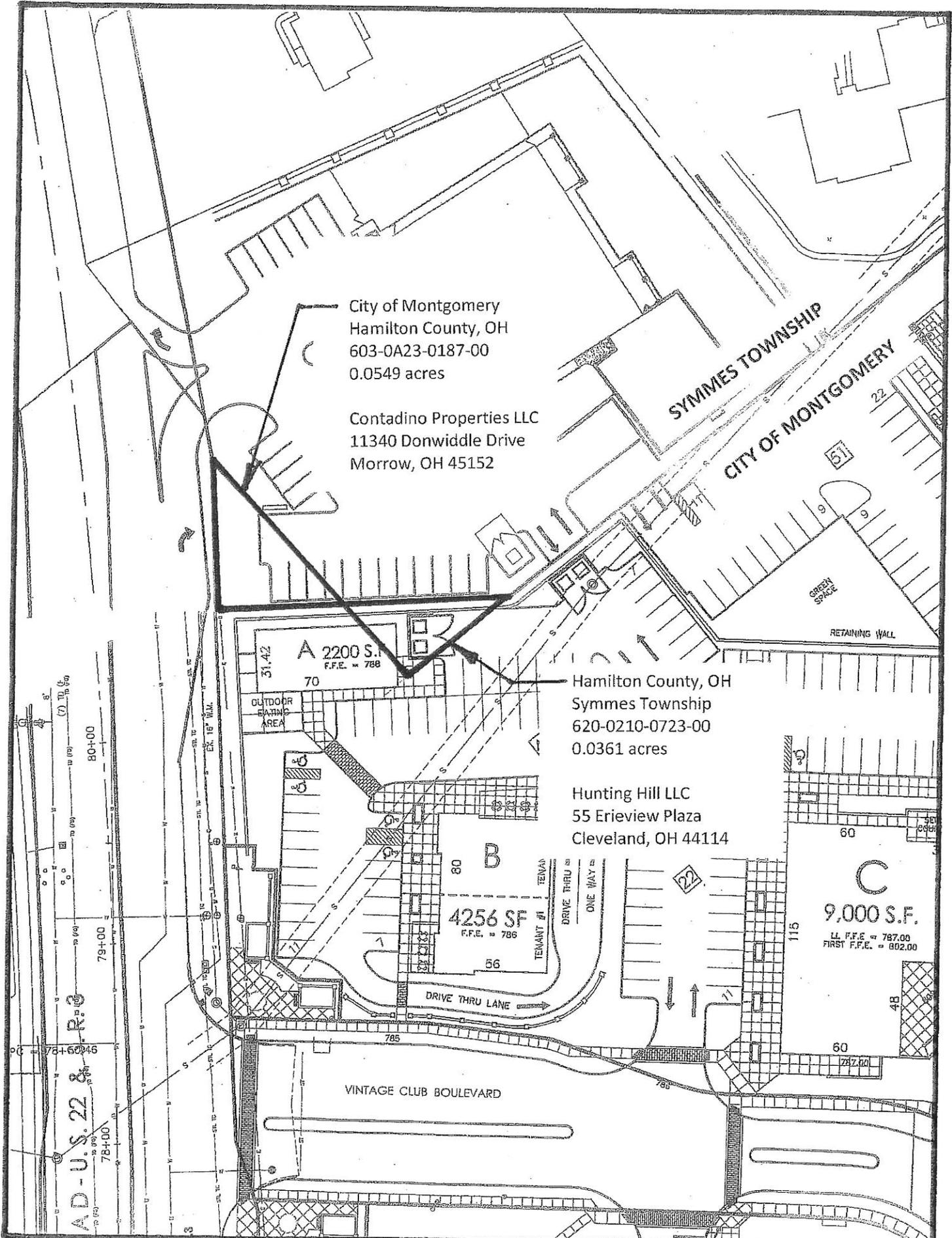
hereafter be conveyed separately from the grantee's adjoining parcel nor any structure erected thereon without the prior approval of the authority having approving jurisdiction of plats.

The above description was prepared by McGill Smith Punshon, Inc., under the direction of Jerry L. Keller, P.S., Ohio Registration No. 7584. The bearings in the above description are based on Reserve of Montgomery, Section 4, recorded in Plat Book 315, Page 57-58, Hamilton County, Ohio Recorder's Office.

Prepared by: McGill Smith Punshon, Inc.

Date: August 31, 2009

MSP No.: 04308.00



City of Montgomery
 Hamilton County, OH
 603-0A23-0187-00
 0.0549 acres

Contadino Properties LLC
 11340 Donwiddle Drive
 Morrow, OH 45152

Hamilton County, OH
 Symmes Township
 620-0210-0723-00
 0.0361 acres

Hunting Hill LLC
 55 Erieview Plaza
 Cleveland, OH 44114

A.D. U.S. 22 & R.C.

SYMMES TOWNSHIP

CITY OF MONTGOMERY

VINTAGE CLUB BOULEVARD

GREEN SPACE

RETAINING WALL

OUTDOOR EATING AREA

4256 SF
 F.F.E. = 786

9,000 S.F.
 LL F.F.E. = 787.00
 FIRST F.F.E. = 802.00

A 2200 S.F.
 F.F.E. = 788

B

C

DRIVE THRU LANE

TENANT #1
 DRIVE THRU IN
 ONE WAY IN

80+00

79+00

78+00

76+60.46

785

785

115

787.00

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SCHEDULE D

PETITION FOR ANNEXATION

The undersigned, authorized representative of Hunting Hill, LLC, an Ohio limited liability corporation, under R.C. § 709.022 does hereby petition the Board of County Commissioners of Hamilton County, Ohio, with the support of the Board of Trustees of Symmes Township, Ohio and the Council of the City of Montgomery, Ohio, which have entered into a separate Annexation Agreement, to appropriately annex Hamilton County Auditor's parcel number 620-0210-0723 from Symmes Township, Ohio to the City of Montgomery, Ohio. The property to be annexed is more particularly described on Exhibit A attached hereto and incorporated herein by reference, and such property is appropriately depicted in the plat attached to such legal description. The property is contiguous to the City of Montgomery, and Hunting Hill, LLC is the sole owner of the property to be annexed. Further, Hunting Hill, LLC does hereby appoint Wayne S. Davis, City Manager of the City of Montgomery, Ohio, as its agent in these proceedings.

WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL ANY ACTION ON THE PETITION TAKEN BY THE BOARD OF COUNTY COMMISSIONERS. THERE ALSO IS NO APPEAL FROM THE BOARD'S DECISION IN THIS MATTER IN LAW OR IN EQUITY.

HUNTING HILL, LLC,
an Ohio limited liability corporation
owner of Hamilton County Auditor's
parcel number 620-0210-0723
55 Erieview Plaza
Cleveland, Ohio 44114

By: _____

Name: _____

Its: _____

Date: _____

EXHIBIT A

PROPERTY CONVEYED - 0.0361 ACRES

Situate in Section 36, Town 5, Entire Range 1, Symmes Township, Hamilton County, Ohio and being part of the land conveyed to Contadino Properties, LLC., as recorded in O.R. 11198, Page 1604, Hamilton County, Ohio Recorder's Office, and being more particularly described as follows:

Beginning at an iron pin at the northwest corner of Open Space Lot H of The Vintage Club, Phase Three, as recorded in P.B. 415, Pg. 94-95, Hamilton County, Ohio Recorder's Office;

Thence, with the northerly lines of the lands conveyed to Vintage Club Associates, LTD., by deed recorded in O.R. 10330, Page 1823, Hamilton County, Ohio Recorder's Office, South 89°39'20" West, 182.34 feet to a point, said point being witnessed by an iron pin lying 0.1'S, 0.5'W;

Thence, South 89°55'50" West, 199.97 feet to a set 5/8" iron pin and the **Real Point of Beginning** for this description;

Thence, continuing along the north and east lines of said lands, South 89°55'50" West, 64.03 feet to a point, said point being witnessed by a concrete monument lying 1.5'S, 11.8'E;

Thence, North 03°45'30" West, 49.25 feet to a set 5/8" iron pin;

Thence, with a new division line, South 53°53'11" East, 83.25 feet to the **Real Point of Beginning**.

Containing 0.0361 acres of land.

Subject to all legal highways, easements and restrictions of record.

This conveyance is a transfer between adjoining lot owners made in compliance with Section 711.001 Subsection (B)(1) Ohio Revised Code and does not create an additional building site nor violate any zoning regulation or other public regulation in the parcel hereby conveyed or the balance of the parcel retained by the grantor herein. The parcel hereby conveyed may not hereafter be conveyed separately from the grantee's adjoining parcel nor any structure erected thereon without the prior approval of the authority having approving jurisdiction of plats.

The above description was prepared by McGill Smith Punshon, Inc., under the direction of Jerry L. Keller, P.S., Ohio Registration No. 7584. The bearings in the above description are based on Reserve of Montgomery, Section 4, recorded in Plat Book 315, Page 57-58, Hamilton County, Ohio Recorder's Office.

Prepared by: McGill Smith Punshon, Inc.
Date: August 31, 2009
MSP No.: 04308.00

City of Montgomery
Hamilton County, OH
603-0A23-0187-00
0.0549 acres

Contadino Properties LLC
11340 Donwiddle Drive
Morrow, OH 45152

Hamilton County, OH
Symmes Township
620-0210-0723-00
0.0361 acres

Hunting Hill LLC
55 Erieview Plaza
Cleveland, OH 44114

A 2200 S.F.
F.F.E. = 788

B 4256 SF
F.F.E. = 786

C 9,000 S.F.
LL F.F.E. = 787.00
FIRST F.F.E. = 802.00

SYMMES TOWNSHIP

CITY OF MONTGOMERY

OUTDOOR
BATING
AREA

GREEN
SPACE

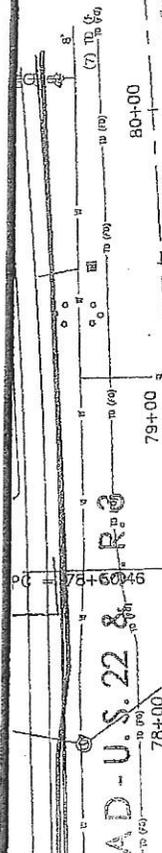
RETAINING WALL

DRIVE THRU LANE

DRIVE THRU
ONE WAY
TENANT

VINTAGE CLUB BOULEVARD

AD - U.S. 22 & R-3



RESOLUTION NO. , 2016

**A RESOLUTION REAFFIRMING THE CITY'S COMMITMENT TO
NON-DISCRIMINATION AND INCLUSION BY ENDORSING GUIDELINES
ADOPTED BY THE OHIO-KENTUCKY-INDIANA REGIONAL COUNCIL OF
GOVERNMENTS FOR TITLE VI COMPLIANCE**

WHEREAS, the City of Montgomery is an active member in the Ohio-Kentucky-Indiana Regional Council of Governments (OKI); and

WHEREAS, the City has participated, and in the future will continue to participate, in OKI programs to fund infrastructure improvements within the City; and

WHEREAS, OKI has adopted guidelines to ensure appropriate Title VI policies and procedures are in place to prevent discrimination and to encourage inclusion in all federally funded OKI grant programs; and

WHEREAS, while the City has policies in place to prevent discrimination based upon race, gender, national origin and disabilities, the City Administration supports extending the City's policies to meet the guidelines adopted by OKI.

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

SECTION 1. The City hereby accepts and endorses the OKI Title VI Program as amended January 9, 2014, revised October 8, 2014, and corrected July 30, 2015, a copy of which is attached hereto. The City Administration shall ensure that the policy and program requirements for Title VI compliance are met in all grant applications and contract administration of such grants for federally funded programs as required in such program guidelines.

SECTION 2. The City Manager is hereby designated as Program Coordinator with the authority to designate Project Coordinators from time to time to oversee compliance. The City Manager is authorized to adopt and/or revise such City policies as necessary to implement the OKI Title VI Program.

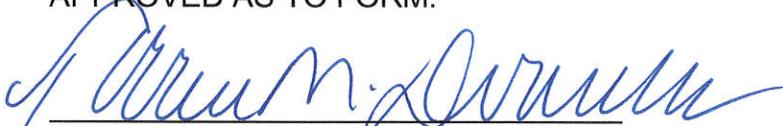
SECTION 3. This Resolution shall be in full force and effect from and after its passage.

PASSED: _____

ATTEST: _____
Connie M. Gaylor, Clerk of Council

Christopher P. Dobrozsi, Mayor

APPROVED AS TO FORM:



Terrence M. Donnellon, Law Director

OKI Title VI Program

December 2013



Ohio-Kentucky-Indiana Regional Council of Governments
720 East Pete Rose Way, Suite 420
Cincinnati, Ohio 45202
513-621-6300
www.oki.org

The preparation of this document was financed cooperatively by the Federal Highway Administration, the Federal Transit Administration, the Commonwealth of Kentucky Transportation Cabinet, the Ohio Department of Transportation, the Indiana Department of Transportation, the units of local and county government in the OKI region. The opinions, findings, and conclusions expressed in this document are those of the OKI Regional Council of Governments and are not necessarily those of the U.S. Department of Transportation. This report does not constitute a standard, specification, or regulation.

Amended 1-9-14; Revised 10-8-14; Corrected 7-30-15

OKI 2014-02

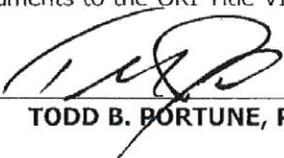
RESOLUTION
OF THE EXECUTIVE COMMITTEE
OF THE
OHIO-KENTUCKY-INDIANA REGIONAL COUNCIL OF GOVERNMENTS
AUTHORIZING ADOPTION OF AMENDMENTS TO THE
OKI TITLE VI PROGRAM

WHEREAS, the Ohio-Kentucky-Indiana Regional Council of Governments has adopted a Title VI Program that meets the legal requirements and responsibilities of the Federal Transit Administration (FTA) as a recipient of Federal financial assistance; and

WHEREAS, the Title VI Program continues to be reviewed by OKI staff on an on-going basis to ensure consistency with federal regulations and guidelines; and

WHEREAS, the amendments are consistent with FTA guidance; therefore,

BE IT RESOLVED, that the Board of Directors of the Ohio-Kentucky-Indiana Regional Council of Governments, at its regular public meeting of January 9, 2014, hereby adopts the amendments to the OKI Title VI Program as recommended by OKI staff.



TODD B. PORTUNE, PRESIDENT

fp
1/9/14

ACKNOWLEDGEMENTS

The Federal Highway Administration (FHWA), the Federal Transit Administration (FTA), the Ohio Department of Transportation (ODOT), the Kentucky Transportation Cabinet (KYTC), and the units of local and county governments in the OKI region financed the preparation of this document cooperatively.

The opinions, findings and conclusions expressed in this document are those of the Ohio-Kentucky-Indiana Regional Council of Governments (OKI) and are not necessarily those of the U.S. Department of Transportation (U.S. DOT). This report does not constitute a standard, specification, or regulation.

OKI

Mark R. Policinski, Executive Director
Robert Koehler, Deputy Executive Director

Communications

Brian Cunningham, Communications and Legislative Affairs Director
Gayle Foster, Project Administrator
Florence Parker, Senior Planner and Public Involvement Specialist

Transportation Planning

Robyn Bancroft, Strategic Projects Manager
Mary Luebbers, Demographer
Andy Reser, Operations and Air Quality Manager

OKI Environmental Justice Advisory Committee Members

Adam Goetzman, Committee Chair, Green Township
Bernice Cooper, Freestore Foodbank
Erin Donovan, City of Fairfield Planning
Polly Doran, Council on Aging of Southwestern Ohio
Gina Douthat, Transit Authority of Northern Kentucky (TANK)
Andrew J. Fluegemann, ODOT – District 8
James A. Foster, City of Trenton Economic Development
Allan C. Harris, National Technical Association – Cincinnati Chapter
Jenna Haverkos, Northern Kentucky Area Planning Commission
Greg Howard, Urban Appalachian Council
Joyce Kinley, Kinley and Associates
Cindy M. Minter, Campbell Co & Municipal Planning & Zoning Commission/Jacobs

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INTRODUCTION

The Ohio-Kentucky-Indiana Regional Council of Governments (OKI) is the regional planning and intergovernmental coordination agency for the Greater Cincinnati metropolitan area. OKI's planning area includes nearly 200 units of local governments in a Tri-state area comprised of Butler, Clermont, Hamilton, and Warren counties in Ohio; Boone, Campbell, and Kenton counties in Kentucky; and Dearborn County in Indiana. As the designated Metropolitan Planning Organization (MPO) for the Ohio, Kentucky and Indiana counties in its region, OKI is responsible for the development of a long-range plan and a short-range programming document for transportation, as well as other planning initiatives. Civic engagement efforts apply to the broad spectrum of transportation investments and impacts considered in metropolitan planning, as well as individual projects recommended by OKI.

In developing its Participation Plan, OKI replaced its former OKI Policy for Environmental Justice (EJ) (April 7, 2003) and OKI Policy for Public Involvement (November 12, 1998). The new plan addresses OKI's efforts to not only involve the public in transportation decision-making and the provisions for assessing the equity of transportation investments, but also provides a plan for inter-agency coordination and consultation with local governments. The plan is focused on OKI's transportation program, but it may also be applied to other programs at OKI or used by other agencies. The OKI Board of Directors adopted this Participation Plan on June 14, 2007.

As a public agency that receives federal funds and makes recommendations on federal expenditures, OKI is bound by Participation requirements for ensuring that federal funds are used fairly and without discrimination. And, per Title 49 U.S.C. Chapter 53, ensures that the requirements of its transportation planning processes are met for flexible funded projects, including project selection requirements.

The basis for Environmental Justice is Title VI of the Civil Rights Act of 1964, which states:

No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

Public participation and civic engagement by public agencies are the result of a series of federal orders that serve to amplify Title VI. These include:

- Moving Ahead for Progress in the 21st Century Act (MAP-21) effective October 2012
- Federal Highway Administration Order in 1998
- U.S. Department of Transportation Order in 1997
- President Clinton issued Executive Order 12898 in 1994, which directed every federal agency to make EJ part of its mission by identifying and addressing the effects of all programs, policies, and activities on minority and low income populations.
- The U.S. Department of Transportation issued Departmental Order 5610.2(a) (Actions to Address Environmental Justice in Minority Populations and Low-Income Populations). This Order updates the Department's original Environmental Justice Order 12898. The Order continues to be a key component of the Department's strategy to promote the principles of EJ in all departmental programs, policies, and activities.
- Section 504 of the Rehabilitation Act of 1973
For agencies like OKI, the Orders issued by federal departments clarified the need to involve the potentially affected public in transportation decision-making processes and assess the equity of transportation investments. The targets of the Participation Plan are the entire public, but provide for additional consideration of EJ populations of minority and low income populations. OKI has chosen to expand its efforts to also address elderly persons, people with disabilities, and zero-car households.
- President George W. Bush issued Executive Order 13166 "Improving Access to Services for Persons with Limited English Proficiency", 2000 which requires Federal agencies to examine the services they provide, identify any need for services to those with limited English proficiency (LEP), and develop and implement a system to provide those services so LEP persons can have meaningful access to them

The OKI Title VI Program provides an overview of how it operates its programs and services without regard to race, color, or national origin in accordance with the Title VI Civil Rights Act of 1964.

TITLE VI POLICY STATEMENT ASSURANCES

Ohio-Kentucky-Indiana (OKI) Regional Council of Governments (hereinafter referred to as the Sponsor) hereby agrees that as a condition to receiving Federal financial assistance from the Department of Transportation (DOT), it will comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d, et seq.) and all requirements imposed by 49 C.F.R. Part 21, - Nondiscrimination in Federally Assisted Programs of the Department of Transportation -- Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the "Regulations") to the end that no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant receives Federal financial assistance and will immediately take any measures necessary to effectuate this agreement. As a federal-aid recipient the Sponsor understands that Title VI obligations apply to all projects and activities, regardless of the funding source. Without limiting the above general assurance, the Sponsor agrees concerning this grant that:

1. Each "program" and "facility" (as defined in Sections 21.23(e) and 21.23(b)) will be conducted or operated in compliance with all requirements of the Regulations.
2. It will insert the clauses of Attachment 1 of this assurance in every contract subject to the Act and the Regulations.
3. Where Federal financial assistance is received to construct a facility, or part of a facility, the assurance shall extend to the entire facility and facilities operated in connection therewith.
4. Where Federal financial assistance is in the form or for the acquisition of real property or an interest in real property, the assurance shall extend to rights to space on, over, or under such property.
5. It will include the appropriate clauses set forth in Attachment 2 of this assurance, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by the Sponsor with other parties:
 - (a) for the subsequent transfer of real property acquired or improved with Federal financial assistance under this Project; and
 - (b) for the construction or use of or access to space on, over, or under real property acquired or improved with Federal financial assistance under this Project.
6. This assurance obligates the Sponsor for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of personal property or real property or interest

therein or structures or improvements thereon, in which case the assurance obligates the Sponsor or any transferee for the longer of the following periods:

- (a) the period during which the property is used for a purpose for which Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits, or
 - (b) the period during which the Sponsor retains ownership or possession of the property.
7. It will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he delegates specific authority to give reasonable guarantee that it, other sponsors, sub-grantees, contractors, subcontractors, transferees, successors in interest, and other participants or Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations, and this assurance.
8. It agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations, and this assurance.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining Federal financial assistance for this Project and is binding on its contractors, the sponsor, subcontractors, transferees, successors in interest and other participants in the Project. The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the Sponsor.

DATED January 15, 2014

OKI Regional Council of Governments
(Sponsor)

By M. R. Polcinis
(Signature of Authorized Official)

ATTACHMENT 1

CONTRACTOR CONTRACTUAL REQUIREMENTS

During the performance of this contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the "Contractor") agrees as follows:

1. **Compliance with Regulations.** The Contractor shall comply with the Regulations relative to nondiscrimination in federally assisted programs of the Department of Transportation (hereinafter, "DOT"), Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.

2. **Nondiscrimination.** The Contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The Contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.

3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment.** In all solicitations either by competitive bidding or negotiation made by the Contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the Contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.

4. **Information and Reports.** The Contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Sponsor or the Federal Aviation Administration (FAA) to be pertinent to ascertain compliance with such Regulations, orders, and instructions. Where any information required of a Contractor is in the exclusive possession of another who fails or refuses to furnish this information, the Contractor shall so certify to the Sponsor or the FAA, as appropriate, and shall set forth what efforts it has made to obtain the information.

5. Sanctions for Noncompliance. In the event of the Contractor's noncompliance with the nondiscrimination provisions of this contract, the Sponsor shall impose such contract sanctions as it or the FAA may determine to be appropriate, including, but not limited to:

a. Withholding of payments to the Contractor under the contract until the Contractor complies,
and/or

b. Cancellation, termination, or suspension of the contract, in whole or in part.

6. Incorporation of Provisions. The Contractor shall include the provisions of paragraphs 1 through 5 in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations or directives issued pursuant thereto. The Contractor shall take such action with respect to any subcontract or procurement as the Sponsor or the FAA may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, however, that in the event a Contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the Contractor may request the Sponsor to enter into such litigation to protect the interests of the Sponsor and, in addition, the Contractor may request the United States to enter into such litigation to protect the interests of the United States.

ATTACHMENT 2

CLAUSES FOR DEEDS, LICENSES, LEASES, PERMITS OR SIMILAR INSTRUMENTS

The following clauses shall be included in deeds, licenses, leases, permits, or similar instruments entered into by the Sponsor pursuant to the provisions of Assurances 5(a) and 5(b).

1. The (grantee, licensee, lessee, permittee, etc., as appropriate) for himself, his heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add "as a covenant running with the land") that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this (deed, license, lease, permit, etc.) for a purpose for which a DOT program or activity is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to 49 CFR Part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation, and as said Regulations may be amended.

2. The (grantee, licensee, lessee, permittee, etc., as appropriate) for himself, his personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add "as a covenant running with the land") that: (1) no person on the grounds of race, color, or national origin shall be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land and the furnishing of services thereon, no person on the grounds of race, color, or national origin shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) shall use the premises in compliance with all other requirements imposed by or pursuant to 49 CFR Part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation, and as said Regulations may be amended.

TITLE VI NOTIFICATION TO THE PUBLIC

Ohio-Kentucky-Indiana (OKI) Regional Council of Governments

- OKI Regional Council of Governments operates its programs and services without regard to race, color, or national origin in accordance with Title VI of the Civil Rights Act. Any person who believes he or she has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with OKI.
- For more information on OKI's civil rights program, and the procedures to file a complaint, contact 513-619-7686, 800-750-0750 (Ohio Relay Service), visit our administrative office at 720 East Pete Rose Way, Suite 420, Cincinnati, Ohio 45202 or, visit www.oki.org.
- If information is needed in another language, contact 800-750-0750.

OKI's Title VI Notification to the Public or Beneficiary Notice is also posted on the OKI website and in the Lobby area of the OKI office in both English and Spanish.

TITLE VI NOTICE OF PROTECTIONS AGAINST DISCRIMINATION

Ohio-Kentucky-Indiana (OKI) Regional Council of Governments operates its programs without regard to race, color or national origin.

To request or receive additional information on its discrimination obligations, including its complaint procedures, please contact the person listed below:

Florence Parker, Title VI Coordinator

OKI Regional Council of Governments

720 East Pete Rose Way – Suite 420

Cincinnati, OH 45202

Telephone: 513-619-7686

Ohio Relay Service: 800-750-0750

Email Address: fparker@oki.org

Website: www.oki.org

To file a discrimination complaint, the written complaint must be filed to the address above within 180 days of the alleged discrimination. To accommodate limited English proficient individuals, oral complaints to be documented and/or translated may also be given at the above address. Written complaints may also be filed with the U. S. Department of Transportation/Federal Transit Administration (FTA) no later than 180 days after the date of the alleged discrimination, unless the time for filing is extended by FTA.

TITLE VI COMPLAINT PROCEDURE

Ohio-Kentucky-Indiana (OKI) Regional Council of Governments

This document is provided by the OKI Regional Council of Governments for a contractor, subcontractor, vendor or member of the general public to seek recourse if the individual is of the opinion that he or she has been unjustly served during the course of interaction with OKI and its transportation planning process.

Any person who believes he or she has been discriminated against on the basis of race, color, or national origin by the OKI Regional Council of Governments (hereinafter referred to as "the Authority") may file a Title VI complaint by completing and submitting OKI's Title VI Complaint Form. The Authority investigates complaints received no more than 180 days after the alleged incident. The Authority will process complaints that are complete.

Once the complaint is received, the Authority will review it to determine if our office has jurisdiction. The complainant will receive an acknowledgement letter informing him or her whether the complaint will be investigated by our office.

The Authority has ten business days to investigate the complaint. If more information is needed to resolve the case, the Authority may contact the complainant via a letter. The complainant has ten business days from the date of the letter to send requested information to the investigator assigned to the case. If the investigator is not contacted by the complainant or does not receive the additional information within ten business days, the Authority can administratively close the case. A case can be administratively closed also if the complainant no longer wishes to pursue his or her case.

After the investigator reviews the complaint, he or she will issue one of two letters to the complainant: a closure letter or a letter of finding (LOF). A closure letter summarizes the allegations and states that there was not a Title VI violation and that the case will be closed. An LOF summarizes the allegations and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training of the staff member, or other action will occur. If the complainant wishes to appeal the decision, he or she has ten business days after the date of the letter or the LOF to do so.

A person may also file a complaint directly with the Federal Transit Administration, at FTA Office of Civil Rights, 1200 New Jersey Avenue SE, Washington, DC 20590.

If information is needed in another language, contact 800-750-0750 (Ohio Relay Service).

**TITLE VI COMPLAINT FORM
Ohio-Kentucky-Indiana (OKI)
Regional Council of Governments**

Section I:				
Name:				
Address:				
Telephone (Home):			Telephone (Work):	
Electronic Mail Address:				
Accessible Format Requirements?	Large Print		Audio Tape	
	TDD		Other	
Section II:				
Are you filing this complaint on your own behalf?		Yes*	No	
*If you answered "yes" to this question, go to Section III.				
If not, please supply the name and relationship of the person for whom you are complaining:				
Please explain why you have filed for a third party:				
Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party.			Yes	No
Section III:				
I believe the discrimination I experienced was based on (check all that apply):				
<input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin				
Date of Alleged Discrimination (Month, Day, Year): _____				
Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please use the back of this form.				

**LIST OF TRANSIT-RELATED TITLE VI
INVESTIGATIONS, COMPLAINTS AND LAWSUITS**

Investigations Complaints Lawsuits initiated	Date (Month,Day, Year)	Summary (Include basis of complaint: race, color, or national origin)	Status	Action(s) Taken
Investigations				
1.				
2.				
Lawsuits				
1.				
2.				
Complaints				
1.				
2.				

As of the date of this submission no transit-related Title VI investigation, lawsuit or complaint has been filed with FTA against the Ohio-Kentucky-Indiana Regional Council of Governments.

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City of Montgomery
City Council Special Session
March 23, 2016

Present

Tracy Roblero, Community Development Director
Matthew Vanderhorst, Community and Information Services Director
Julie Prickett, Human Resource Manager
John Crowell, Police Lieutenant
Evelyn Dumont, Building and Zoning Department Office Manager
Justin Liming, Service Worker II
Connie Gaylor, Clerk of Council

City Council Members Present

Chris Dobrozsi, Mayor
Lynda Roesch, Vice Mayor
Ann Combs
Ken Suer
Craig Margolis
Gerri Harbison

City Council Members Absent

Mike Cappel

City Council convened in Council Chambers for the Special Session at 5:00 p.m. with Mayor Dobrozsi presiding.

Mrs. Harbison stated that this Special Session of City Council was called for the purpose of 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. Suer seconded.

The roll was called and showed the following vote:

AYE: Harbison, Dobrozsi, Roesch, Suer, Margolis, Combs	(6)
NAY:	(0)
ABSENT: Cappel	(1)

City Council adjourned into Executive Session at 5:02 p.m.

City Council reconvened into Public Session at 6:27 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. Margolis moved to adjourn. Mrs. Combs seconded. City Council unanimously agreed.

City Council adjourned at 6:27 p.m.

Connie Gaylor, Clerk of Council

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City of Montgomery
City Council Public Hearing Minutes
March 23, 2016

Present

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

City Council Members Present

Chris Dobrozsi, Mayor
Lynda Roesch
Ann Combs
Gerri Harbison
Ken Suer
Craig Margolis

City Council Members Absent

Mike Cappel

City Council convened in Council Chambers to conduct a Public Hearing at 6:30 p.m. with Mayor Dobrozsi presiding.

Ms. Roblero explained that it is requested that City Council consider a request from Twin Lakes at 9840 Montgomery Road for the expansion of the conditional use permit and the General Development Plan with equivalencies to allow for the construction of an addition to the Main Campus.

Ms. Roblero stated that the Planning Commission met to consider the expansion of the conditional use permit as well as the General Development Site Plan for the addition on January 25, 2016 and February 1, 2016. Notices were sent to neighbors within a 300' radius of the property. Staff only received one call regarding the application from Camargo Cadillac with questions regarding the proposal.

Ms. Roblero explained that the applicant is requesting an equivalency in regards to building and parking setbacks for the new addition due to the configuration of the lot, the need to maintain separate parcels for tax purposes and the desire for shared parking between the Main Campus and the future retail building. The equivalency for the addition to allow for the parking lot to cross the property line would also apply to the rear yard parking setback for the retail building. The Planning Commission recommended approval of the equivalencies with the condition that the proposed covenant be added to the parcel that would allow the City to treat the parcels as a single parcel for the purposes of the Building, Fire and Zoning Code, thus allowing the proposed addition to cross the property lines. The covenant would require that Twin Lakes could not sell or otherwise transfer the parcels separately from one another. An access and shared parking easement would be required to be recorded.

Ms. Roblero stated the applicant has proposed a shared parking lot between the Main Campus and the proposed retail building. The potential end user of the retail building has not yet been identified; however, the applicant is proposing to construct the building with the condition that no more than 61.5% of the building be used for a restaurant use. The applicant provided a shared parking analysis based on the projected parking demand during weekday daytime, weekday evening, weekend daytime and weekend evening. The shared parking analysis, which was provided by the applicant and approved by the Planning Commission, illustrates that the parking demand is being met with the proposed mix of 61.5% restaurant and 38.5% retail when the daily and hourly variations in the parking demand are taken into account. Staff believes that the proximity and accessibility of the off-site parking lends itself quite nicely to a shared parking solution and is supportive of the concept of the Planning Commission's approval of shared parking for the site.

Ms. Roblero stated that after hearing the testimony presented at the meetings and discussing the application, the Planning Commission voted unanimously to recommend approval of the expansion of the conditional use permit and the equivalencies associated with the General Development Plan at their meeting on February 1, 2016 with

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City Council Public Hearing Minutes

March 23, 2016

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53 the following conditions:

54

55 • The draft covenant that will allow the building expansion on, over and across the parcel lines in lieu of
56 officially consolidating the parcels by plat be appropriately approved and recorded prior to application for
57 a building permit.

58

59 • A shared parking and access easement between the future retail parcel and the Main Campus be reviewed,
60 appropriately approved and recorded prior to the application for a building permit.

61

62 • A shared parking analysis be submitted and approved for the Main Campus as the future retail component
63 as part of the Final Development Site Plan approval process.

64

65 Ms. Roblero stated at their meeting on March 7, 2016, the Planning Commission met to consider the Final
66 Development Site Plan for the addition to the Main Campus and the proposed retail building at 9856 Montgomery
67 Road. There were some concerns with the photometric plan as well as the building design for the retail building
68 which were discussed in detail. After hearing the testimony presented at the meetings and discussing the
69 application, the Planning Commission voted unanimously to approve the Final Development Site Plan with
70 conditions; however, the Planning Commission did not approve the final building design and signage plan for the
71 retail building, which will be required to come back to the Planning Commission for approval.

72

73 Ms. Roblero stated that staff supports the recommendation of the Planning Commission to allow for the expansion
74 of the conditional use permit and the General Development Plan with equivalencies to allow for the construction
75 of an addition to the Main Campus with the conditions as established by the Planning Commission. The following
76 relevant conditions from Section 151.2007(s) are provided as reference:

77

78 • Such uses shall be located on an arterial or collector street or have direct access to an arterial or collector
79 street without going through a residential neighborhood to lessen the impact on the residential area.

80

81 • The minimum setbacks for individual buildings shall comply with those established in Schedules
82 151.2004 and 151.2006, respectively. As part of the development plan approval for a conditional use
83 permit, Planning Commission and/or Council may establish greater setbacks when the minimum setbacks
84 do not provide adequate safeguards to adjoining residential property, due to topography, vegetation or
85 building size.

86

87 • The development plan shall indicate the parking and emergency entrances or exits and other safety
88 precautions.

89

90 Mr. Mike Cope, project manager of Life Enriching Communities (Twin Lakes), thanked staff for their efforts
91 throughout the review process with Planning Commission and also to City Council for valued relationship that
92 Twin Lakes continues to have with the City. He stated that they were on track to meet all the requirements set
93 forth by the Planning Commission.

94

95 Mr. Suer stated that he felt the expansion was an excellent project that was well designed and would benefit the
96 residents of Twin Lakes as well as the City. He stated that he felt there was improvement to be made on the design
97 of the retail site of the project, but felt overall it was very well done.

98

99 Mr. Margolis stated that he also thought it was a very nice project. He stated that he felt the design of the project
100 should be inspired by the look of the Heritage District.

101 Mayor Dobrozi stated that this expansion will bring a lot to the community. He stated that the residents of Twin

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102 Lakes have always been active volunteers of the City and valued participants of the Montgomery Citizens
103 Leadership Academy (MCLA).

104
105 Mr. C. Francis Barrett, legal counsel for Camargo Cadillac, stated that Camargo Cadillac has had a great
106 relationship with Twin Lakes over the years and that they support the expansion of the facility. He stated that Ms.
107 Roblero has assured him that the expansion would not affect their parking, which was their main concern.

108
109 Mr. Donnellon explained that City Council could continue deliberations for up to 30 days. If they moved to do
110 that they would need to set a date and time for a future Public Hearing meeting at which time they would make
111 their decision. He also explained that City Council could make a motion to accept Planning Commission's
112 recommendation or modify or reject it.

113
114 Mayor Dobrozi asked if City Council was ready to make a motion.

115
116 Mayor Dobrozi then asked City Council to make a motion to either table the recommendation from the Planning
117 Commission pending further review, modify, accept or deny the recommendation.

118
119 Mr. Margolis moved to accept Planning Commission recommendations for the approval of the expansion of the
120 conditional use permit and the General Development Plan with equivalencies to allow for the construction of an
121 addition to the Main Campus.

122
123 Mrs. Harbison seconded. City Council unanimously agreed.

124
125 With no further discussion about this topic, Mayor Dobrozi adjourned the meeting.

126
127 The meeting was adjourned at 6:50 p.m.

128
129
130

Connie Gaylor, Clerk of Council

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City of Montgomery
City Council Work Session Minutes
March 23, 2016

Present

Wayne Davis, City Manager
Terry Donnellon, Law Director
Tracy Roblero, Community Development 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
Lynda Roesch, Vice Mayor
Ann Combs
Gerri Harbison
Ken Suer
Craig Margolis

Council Members Absent

Mike Cappel

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

ROLL CALL

Mayor Dobrozsi explained that Mr. Cappel had asked to be excused from tonight's meeting at a previous meeting and asked for a motion to excuse Mr. Cappel.

Mr. Margolis moved to excuse Mr. Cappel from the meeting. Mrs. Combs seconded the motion. City Council unanimously approved the absence.

GUESTS AND RESIDENTS

Brodie Mitchell, 10729 Escondido- Mr. Mitchell stated that he is a recent Montgomery Citizens Leadership Academy (MCLA) graduate and came tonight to experience the process of a City Council meeting. He thanked the City for offering the MCLA program as he not only enjoyed it but learned a lot about the functions of the City as well. He also reported that the water fountains at Weller Park were in need of service.

Mr. Riblet thanked him for notifying the City and stated that staff would look at them the next business morning.

ESTABLISHING AN AGENDA FOR APRIL 6, 2016

NEW LEGISLATION

An Ordinance Modifying Section 30.03, Announcement of Public Meetings, of the Code of Ordinances

Mr. Donnellon, Law Director, explained that a recent review of the process of providing notice of public meetings as set forth in Section 30.03 revealed that this Code Section was adopted in 1975 and is no longer consistent with current methods by which information is provided and received by the public. Section 30.03 requires that we publish in a newspaper of general circulation, quarterly, the times and dates of our City Council meetings. It also requires that we have a bulletin board accessible at all hours located within the community. He stated that the O.R.C. § 121.22 (Sunshine law) requires that City Council establish a reasonable method whereby any person may determine the time and place of all regularly scheduled meetings. He asked if City Council still wants to use a Community Bulletin Board for the posting of notices and would consider the addition of the use of website postings.

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53 City Council discussed not using the method of posting on a Community Bulletin Board unless we receive
54 complaints from residents.
55

56 **An Ordinance Establishing the Schedule of Municipal Compensation for Employees**
57

58 Mr. Davis explained that the Schedule for Municipal Compensation Ordinance was created to establish salary
59 rates for non-bargaining unit employees. He stated that the City's Schedule of Municipal Compensation for non-
60 collective bargaining and exempt employees is adjusted annually in July to remain in sync with collective
61 bargaining employee wage rate adjustments. The current Schedule of Municipal Compensation does not specify
62 any wage rate adjustments for July 2016 or July 2017; therefore, a new compensation schedule must be
63 established. In addition, the new Schedule of Municipal Compensation also reflects adjustments to several
64 position pay ranges in order to ensure that the City's pay practices remain relatively competitive when compared
65 to similar neighboring jurisdictions. He added that this proposed Ordinance would also change the title of the
66 Police Lieutenant to that of Assistant Police Chief to be in line with how the fire department is structured as well
67 as neighboring communities. Mr. Davis stated that the legislation and schedule would also be presented at the
68 April 4, 2016 Financial Planning meeting.
69

70 **An Ordinance Authorizing The Detachment Of Hamilton County Auditor's Parcel Number 603-0A23-0187**
71 **And The Approval Of An Annexation Agreement Related Thereto For The Annexation Of Hamilton**
72 **County Auditor's Parcel Number 620-0210-0723**
73

74 Mr. Donnellon explained that, if adopted, this Ordinance will approve a simultaneous annexation and detachment
75 of properties along the Symmes Township and City of Montgomery borders as a part of the Vintage Club North
76 development. A small lot incorporated into the property owned by Contadino Properties, LLC, operated as a
77 daycare north of the Vintage Club site, will be detached and aligned into Symmes Township. A similarly small
78 wedge of property in Symmes Township below the property line will be merged into the City by annexation and it
79 will be incorporated into the Vintage Club development. The statutory procedures require legislative approval for
80 this dual process. Ultimately the Board of Commissioners of Hamilton County, Ohio must approve the
81 detachment and annexation. Mr. Donnellon also stated that this annexation would not be approved unless all
82 property owners agree.
83

84 **A Resolution Reaffirming the City's Commitment to Non-Discrimination and Inclusion by Endorsing**
85 **Guidelines Adopted by The Ohio-Kentucky-Indiana Regional Council of Governments for Title VI**
86 **Compliance**
87

88 Mr. Donnellon explained that, if approved, this Resolution would reaffirm the City's commitment To Non-
89 Discrimination and Inclusion by endorsing Guidelines adopted by the Ohio-Kentucky-Indiana Regional Council
90 of Governments for Title VI Compliance. The City is formally adopting the OKI policy for Title VI compliance.
91 Title VI prohibits discrimination and has been expanded through the years to promote inclusivity in federal
92 programming. While the City already has policies and procedures in place prohibiting discrimination, expanding
93 our policy for federal programs to include the OKI standards allows the City to certify our compliance with Title
94 VI in any project documents.
95

96 **ADMINISTRATION REPORT**
97

98 Mr. Wayne Davis reported on the following items:
99

- 100 • The Law and Safety Committee will meet on April 4 at 3:30 p.m.
101
102 • The Financial Planning Committee will meet on April 4 at 4:30 p.m.

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- Planning, Zoning and Landmarks have cancelled their meeting for the month of April.
 - As a reminder, Committee meetings for Monday, April 11 have been rescheduled to Monday, April 25. These meetings would combine the April and May meetings. An update of agenda items will be provided at the April 6, Business Session.
 - City Council Business Session is scheduled for April 6, 2016 at 7:00 p.m.
 - Prior to the City Council meeting, at 6:00 p.m., Staff will update City Council on the completion of the 2011-2016 Strategic Plan as well as present the finalized 2016-2021 Strategic Plan with implementation steps.
 - School Resource Officer (SRO) Paul Payne was invited to participate in the Sycamore High School “Euro-Trip” during the high school spring break. Paul is serving as one of several chaperones for the trip and his costs were be paid by the Sycamore High School “Euro-trip” Committee. A total of 72 people have traveled to London, Paris, Normandy, Florence and Rome during the tour. SRO Paul Payne contacted Chief Simpson on Tuesday, March 22, to report that the Euro Student group was fine and they were headed to the Eiffel Tower on Wednesday. The group plans to fly home from Rome on Saturday. Our thanks to Paul for serving as a chaperone and for his dedication to the students of Sycamore.
 - Tracy Roblero and Melissa Hays met with Terry Donnellon to discuss the next steps in regards to extending the Interim Development Control Overlay District (IDC) to place a moratorium on Sexual Encounter Centers or Sexual Encounter Establishments in all Business Districts until the City has an opportunity to determine how or if these business uses may be regulated under our Code. Tracy Roblero plans on taking the matter to the Planning Commission meeting on April 18 for a recommendation to City Council on extending the IDC. City Council would then be required to hold a public hearing on the extension of the IDC before passing any legislation.
 - Brian Riblet, Tracy Roblero, Gary Heitkamp, Frank Davis and Jay Korros from CT Consultants met with members of Gateway Partners on Tuesday to discuss the traffic analysis and critical steps to keep this moving forward. The team discussed several important issues, assigned tasks and agreed to meet as a group on April 8 to review progress.
 - I recently signed a contract with 4 Seasons Grounds Maintenance LLC to provide mowing services for the 2016 mowing season. The contract is not to exceed \$49,975 and will provide 25 mowing cycles. This is the third consecutive year we have contracted with 4 Seasons Grounds Maintenance LLC
 - I signed a contract today with The Gertz Company in the amount of \$48,288 to provide services to replace 27 fire hydrants associated with our 2016 Annual Street Resurfacing Program. This is also the third consecutive year we have contracted with The Gertz Company and work is anticipated to begin in mid-April which assures this work will be completed prior to our resurfacing program beginning.
 - At the Government Affairs Committee meeting on March 14, the Committee approved the date of May 5 for the Boards and Commission training. This training is typically held from 6:30 to 8:30 pm.
 - The Montgomery Citizens’ Leadership Academy (MCLA) will meet Thursday, March 31 for a final make-up date session at Sycamore High School to be held at 6:00 p.m. This session was cancelled and rescheduled due to weather.

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- 152 • The MCLA 2.0 session on April 14 at Maple Dale Elementary has garnered much interest from our
153 MCLA Alumni. We currently have 58 alumni signed up to attend and Ray Kingsbury is making
154 recruitment phone calls to secure additional attendees. This graduate-level seminar is billed as a
155 “conversation on housing” and the Community Development Department is working with Liz Blume
156 from Xavier University’s Community Building Institute to create an informative and dynamic
157 presentation on national and local trends in housing. This is also a terrific example of partnership with
158 Sycamore Community Schools as they will also be serving the meal this evening.
159
- 160 • The Neighborhood Leaders Forum team has chosen the topic of ‘aging in place’ for their next spring
161 forum. The two possible dates they have chosen are Tuesdays, May 10 or May 17. They intend to
162 include the Council on Aging to speak on services for seniors, Montgomery Ohio Chamber of Commerce
163 to highlight their members who provide ‘aging in place’ services and the Montgomery Fire Department
164 will share updates on their EMS Signpost program and the Home Safety Checks program. The
165 Community Development Department will provide a wrap up and summary of zoning considerations
166 when making changes to the home to ‘age in place’.
167
- 168 • This week the interview team consisting of Paul Wright, Cindy Abner and Julie Prickett are conducting
169 second interviews with four candidates for the vacant assistant finance director/tax commissioner position.
170 After this round of interviews, the team expects to be able to make a recommendation regarding which
171 candidate to hire.
172
- 173 • The week of March 28, the management team consisting of Joe Scholler, Don Simpson, John Crowell,
174 Julie Prickett and myself will be meeting to prepare for negotiations with the FOP. The FOP contract
175 expires at the end of June.
176
- 177 • Michelle Greis, finance director, submitted her resignation from the City on March 22, 2016.
178

179 Mr. Margolis moved to begin the Council Business Session of April 6, 2016 immediately following the Strategic
180 Plan update commencing at 6:00 p.m. Mrs. Harbison seconded. City Council unanimously agreed.
181

182 **CITY COUNCIL REPORTS**
183

184 Mrs. Harbison reminded City Council members of the Much In Common presentation scheduled for Thursday,
185 March 31 to be held at the Sharonville Convention Center running from 7:30 to 11:00 a.m. The topic of discussion
186 will be on the Heroin Epidemic.
187

188 Mrs. Harbison reported that the Government Affairs Committee met and discussed the review and updates to the
189 cemetery burial policy. Ms. Gaylor explained that recently the City has been contacted on multiple occasions from
190 family members of those deceased and already buried at Hopewell, wanting to be interred with their loved ones.
191 These requests have prompted a review of the policy by staff and Mr. Donnellon, law director. Ms. Gaylor
192 indicated that the policy and the necessary indemnification and survivorship forms would be updated to address
193 these requests.
194

195 Ms. Roesch reported that the Blue Ash Montgomery Symphony Orchestra (BAMSO) held a concert of March 20,
196 featuring the young artist’s competition winners.
197

198 Ms. Roesch also reported that the BAMSO board met with Julie Machon, Sarah Fink and Christine Genovese to
199 discuss the theme to this year’s July 3 concert. They decided that the theme would be *Music from TV Shows*
200 *through the Ages*.
201

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202 Ms. Roesch reported that the Beautification and Tree Commission met and are still accepting entries for the
203 Garden Tour event to be held in June.
204

205 Ms. Roesch reported that Scott Lutmer had attended the required meetings to be appointed to the Parks and
206 Recreation Commission as the second Student Advisor. Ms. Roesch made a motion to appoint Scott Lutmer to
207 the Parks and Recreation Commission as a Student Advisor. Ms. Roesch indicated that since this recommendation
208 has not went before the Parks and Recreation Committee, she would need a second from City Council. Ms.
209 Harbison seconded. City Council unanimously agreed.
210

211 Mr. Suer thanked staff for conducting another successful MCLA program.
212

213 Mr. Suer reported that the Planning, Zoning and Landmarks Committee met at which time Melissa Hays and
214 Tracy Roblero presented the Annual Housing Report focusing on the trends in real estate sales and prices.
215

216 Mr. Margolis reported that at the Planning Commission held on March 7, the Commission considered the
217 application presented at the Public Hearing prior to this evenings meeting from Twin Lakes regarding the
218 Expansion of a Conditional Use Permit and request for Equivalency. Mr. Margolis commended the Planning
219 Commission on their oversight of the process and for the continued relationship with Twin Lakes.
220

221 Mr. Margolis reported that he attended the Hamilton County Transportation Improvement District meeting on
222 March 14 at which time Mr. Davis and Mayor Dobrozsi spoke regarding the Gateway Redevelopment Area. Mr.
223 Margolis stated that the Hamilton County Commissioners were supportive of the project stating that it was vital to
224 job creation and transportation improvements.
225

226 Mr. Margolis reported that he attended the Hamilton County Planning Partnership Annual Meeting on Friday,
227 March 11. He stated that Mayor Dobrozsi was one of four speakers discussing recent development in the Greater
228 Cincinnati Area, and delivered a dynamic presentation to those in attendance at Cooper Creek.
229

230 Mayor Dobrozsi also thanked staff for the success of the 9th annual MCLA program. He stated that the 2016 class
231 was very engaged and inquisitive about City operations.
232

233 Mayor Dobrozsi reported that the Arts Commission Photo Exhibition Contest had very good response with 267
234 entries and was very well attended. He stated that this annual exhibition has become one of the highlighted City
235 events.
236

237 **APPROVAL OF MINUTES**
238

239 Mrs. Harbison moved to approve the March 2, 2016 Business Session and Special Session minutes. Ms. Roesch
240 seconded. City Council unanimously agreed.
241

242 Mayor Dobrozsi asked if there was any further business to discuss in Public Session. There being none, he asked
243 for a motion to adjourn into Executive Session for matters related to personnel and compensation.
244

245 Mr. Margolis moved to adjourn. Mrs. Combs seconded.
246

247 The roll was called and showed the following vote:
248

249	AYE: Combs, Harbison, Dobrozsi, Roesch, Suer, Margolis	(6)
250	NAY:	(0)
251	ABSENT: Cappel	(1)

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252

253 City Council adjourned into Executive Session at 7:40 p.m.

254

255 City Council reconvened into Public Session at 8:37 p.m.

256

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

259

260 Mrs. Combs moved to adjourn. Mr. Margolis seconded. City Council unanimously agreed.

261

262 City Council adjourned at 8:37 p.m.

263

264

265

266

Connie Gaylor, Clerk of Council

DRAFT