

July 31, 2015

TO: Mayor and City Council Members

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

SUBJECT: City Council Business Session of Wednesday, August 5, 2015

As a reminder, City Council is scheduled to meet in Business Session on Wednesday, August 5, 2015 at 7:00 p.m., at City Hall.

Special Meeting of Council

City Council shall meet in a Special Meeting on Wednesday August 5 at 6:30 p.m. solely to receive a presentation from staff concerning their evaluation of leaf management services in the City of Montgomery. This is an information gathering session from staff. Any follow up action would occur at a regular session of City Council and not at this Special Meeting.

Business Session

1. Call to Order

2. Roll Call

3. Special Presentation

- a. Presentation by Mill Creek Watershed Council of Communities (MCWCC)—For informational purposes, Jennifer Eismeier, Executive Director of the MCWCC, will be in attendance to share with City Council an update on the work of the MCWCC. This year marks the 20th anniversary of the MCWCC and the organization celebrated with a re-signing ceremony of the intergovernmental agreement which brought together 37 political jurisdictions and formed the organization in 1995. A copy of the intergovernmental agreement is included in your packet.
- b. Mayor's Proclamation to the Sycamore High School Boys Tennis Team – The Sycamore High School Boys Tennis Team is scheduled to be present to accept a Mayors' Proclamation proclaiming August 6, 2015 as Sycamore Boys Tennis Team Day.

4. Guests and Residents

5. Legislation for Consideration Tonight

New Legislation

- a. A Resolution Authorizing the City Manager to Enter into a Contract with Humana Health Plan of Ohio, Inc. to Provide Medical Coverage and Life Insurance for Full-Time Employees—(Mrs. Harbison) Information has been supplied previously on this Resolution that if approved will authorize the City Manager to enter into a contract with Humana for health and life insurance coverage for the City's full-time employees. Each year, the City must bid its health insurance coverage. The proposals are evaluated by the Health Care Benefits Committee, which takes into account benefit levels and coverage costs to make a recommendation as to the desired provider of health insurance

coverage, as well as any changes to current benefit levels to achieve cost savings. For the insurance period that runs from September 1, 2015 through September 30, 2016, the Health Care Benefits Committee is recommending Humana as the carrier. (Please note that at the suggestion of our insurance broker, Horan, we are recommending a 13 month renewal period in order to delay the implementation of higher costing community rated premiums which will eventually be mandated under current provisions of the Affordable Care Act.)

Humana's proposal would provide full-time employees one High Deductible Health Plan with a Health Savings Account (HDHP/HSA) with deductible levels of \$3,000/\$6,000 (single/family). The health care plan being recommended would continue to include four levels of coverage: single; employee with child(ren); employee with spouse and family. The Humana proposal represents a 5.0% decrease from the 2014-2015 plan year premium. Finally, it should be noted that the City's current carrier for group life and accidental death and dismemberment (AD&D) benefits, Lincoln Financial, quoted an 8% increase for our group's renewal. By moving our group's life and AD&D coverage to Humana, this will contribute to the 5% decrease in health insurance rates from Humana and keep our life and AD&D benefit renewal rate at the same as it is currently.

Move to read the Resolution by title only or in its entirety

Voice Vote

Move passage of the Resolution

Roll Call Vote

- b. A Resolution Establishing City Contributions for Health Care Benefits—(Ms. Roesch) Information has been supplied previously on this Resolution that if approved will establish the City's incentive contribution for 2015-2016 for employees choosing the High Deductible Health Plan/Health Savings Account. This proposed Resolution will also restate the maximum established contribution limits (caps) for medical and dental insurance which determines the amount of money the employees must contribute toward the cost of their health and dental insurance coverage. The maximum contribution by the City to the High Deductible Health Plan/Health Savings Account is recommended to be established at \$1,050 for a family plan and \$750 for a single plan for the 2015-2016 insurance plan year. In addition to the base City incentive contribution, it is recommended that the City match the employee's contribution to his/her health savings account in an amount up to \$700 for employees with family plans and \$500 for employees with single plans. These incentive contributions would be payable when each employee reaches the corresponding level of personal contribution to his/her health savings account. For those who do not reach these matching thresholds, the payments would be made at the end of the health insurance plan year on September 30, 2016, for the amount the employee contributed to their health savings account.

Move to read the Resolution by title only or in its entirety

Voice Vote

Move passage of the Resolution

Roll Call Vote

- c. A Resolution to Adopt Recommendation of the Montgomery Tax Incentive Review Council with Respect to the Compliance of all Tax Increment Financing Districts within the City of Montgomery—(Mr. Dobrozsi) Information has been supplied previously on this Resolution that if approved will

adopt the recommendation of the Montgomery Tax incentive Review Council which met on Thursday, July 16, 2015. Ohio law mandates that City Council approve, reject or remand the decision of the Tax Incentive Review Council relative to the compliance of the tax increment financing districts with their enabling legislation and file this Resolution indicating City Council's action with the Ohio Department of Development by the September 1 deadline.

Move to read the Resolution by title only or in its entirety

Voice Vote

Move passage of the Resolution

Roll Call Vote

- d. A Resolution Authorizing Internet Auction of Surplus Personal Property Through GovDeals.com—(Mrs. Combs) Information has been supplied previously on this Resolution that if approved will authorize a Resolution that will designate GovDeals.com as internet auction agents for the disposal of surplus property for the period of September 1, 2015 through August 31, 2016. Ohio law authorizes the City to dispose of surplus and abandoned personal property through internet auction. Section 50.02 of the Code of Ordinances sets forth a procedure for the sale and disposition of lost, abandoned, stolen, seized or forfeited property ("Surplus Property") through internet auction agents. This Resolution will also authorize the City Manager to enter into appropriate contracts with GovDeals.com.

Move to read the Resolution by title only or in its entirety

Voice Vote

Move passage of the Resolution

Roll Call Vote

- e. A Resolution Authorizing the City Manager to Enter into an Agreement with the Sycamore Community School District Board of Education To Assign A School Resource Officer—(Mrs. Combs) Information has been supplied previously on this Resolution that if approved will authorize the City Manager to execute an agreement with the Sycamore Community School District Board of Education for the School Resource Officer (SRO) position for Sycamore High School for a one-year period. Since 2001, the City of Montgomery has partnered with the Sycamore Community School District on an SRO program at Sycamore High School. This program was initially funded through a three-year COPS in Schools grant from the Department of Justice, as well as through a local funding commitment from both the School District and the City. In 2004, City Council, City staff and School District Administrators agreed the SRO program was beneficial to the community and the school district and should be continued with the City and the school district continuing to share the cost of the program through a written agreement detailing how costs would be split. This year's agreement continues the 60/40% split in costs for the School District and City, respectively.

Move to read the Resolution by title only or in its entirety

Voice Vote

Move passage of the Resolution

Roll Call Vote

- f. An Ordinance Accepting Publicly Dedicated Easement Rights and Storm Water Improvements from Property Owners in the 7900 Block of Shelldale Way—(Mr. Suer-1st Reading) Information has been supplied previously on this Ordinance that if adopted will authorize the City Manager to execute an Easement Agreement for property at 7919 Shelldale Way owned by Oleg Edelman and Mary Edelman, Trustees of the Edelman Family Trust. This Easement encompasses certain stormwater improvements completed by the Public Works Department this past year on and across this property.

Move to read the Ordinance by title only

Voice Vote

Move for passage of the first reading of the Ordinance

Voice Vote

Discussion

Roll Call Vote

The second reading of the Ordinance will be held at the September 2, 2015 Business Session. The third reading of the Ordinance will be held at the October 7, 2015 Business Session with adoption of the Ordinance requested at that meeting. The Ordinance would then take effect 30 days after passage, on November 7, 2015.

- g. A Resolution Authorizing Amendment To Development/Service Agreement With Montgomery Gateway Partners, LLC—(Mr. Margolis) Information has been supplied previously on this Resolution that if approved would authorize the City Manager to enter into an Amendment to a Development/Service Agreement between the City and Montgomery Gateway Partners, LLC dating to December 27, 2005. Montgomery Gateway Partners developed the Triangle Property and the Service Agreement which called for Service Payments in lieu of taxes to reimburse the City for public improvements in and around the Triangle. The property values proved to be insufficient in recent years to meet the minimum service payments and this Agreement will allow us to spread out that deficiency over several years so as not to unfairly burden the tenants in the property with the pass-through charges in their lease. The Amendment also allows any future deficiencies to be paid solely during the second half settlement each year.

Move to read the Resolution by title only or in its entirety

Voice Vote

Move passage of the Resolution

Roll Call Vote

6. Administration Report

7. Approval of Minutes—July 22, 2015 Work Session

8. Mayor's Court Report

9. Other Business

10. Executive Session

11. 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

August 5, 2015

Special Meeting of Council-6:30 P.M.

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City Council Business Session – 7:00 P.M.

1. Call to Order

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Voice Vote

Move passage of the Resolution

Roll Call Vote

- b. **A Resolution Establishing City Contributions for Health Care Benefits—(Ms. Roesch)**

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Voice Vote

Move passage of the Resolution

- c. **A Resolution to Adopt Recommendation of the Montgomery Tax Incentive Review Council with Respect to the Compliance of all Tax Increment Financing Districts within the City of Montgomery—(Mr. Dobrozi)**

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Roll Call Vote

- d. **A Resolution Authorizing Internet Auction of Surplus Personal Property Through GovDeals.com—(Mrs. Combs)**

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Roll Call Vote

- e. **A Resolution Authorizing the City Manager to Enter into an Agreement with the Sycamore Community School District Board of Education To Assign A School Resource Officer—(Mrs. Combs)**

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Voice Vote

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Roll Call Vote

- f. **An Ordinance Accepting Publicly Dedicated Easement Rights and Storm Water Improvements from Property Owners in the 7900 Block of Shelldale Way—(Mr. Suer-1st Reading)**

Move to read the Ordinance by title only

Voice Vote

Move for passage of the first reading of the Ordinance

Voice Vote

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Roll Call Vote

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adoption of the Ordinance requested at that meeting. The Ordinance would then take effect 30 days after passage, on November 7, 2015.

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July 31, 2015

To: City Council

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

Subject: Leaf Management in Montgomery

Introduction

Beginning with the fall leave collection season of 2014, there have been many meetings, discussions and communications on the topic of leaf management in Montgomery. There has been passionate discussion and debate on this topic from citizens and businesses in our community regarding current leaf management practices as well as future approaches the City might consider. In true City of Montgomery fashion, City Council provided multiple opportunities for citizens to share their perspectives on this issue, while at the same time requesting staff to research the matter.

To better understand the steps taken by the City to appropriately vet this matter, the chronology provided below recalls the efforts undertaken by staff at the direction of City Council and summarizes some of the key steps undertaken by City Council to engage citizens in this process, and to better understand the issue.

Chronology

October - December 2014 – Concerns with leaf collection brought forward by some citizens

December 8, 2014 and January 12, 2015 - Public Works Committee of City Council Meetings

February 6, 2015 – Site visits to Greenville and Springboro to observe and further research leaf vacuuming equipment and operations

February 7, 2015 – Community Leadership Forum

January – March, 2015 – Several One-on-One Meetings with citizens interested in leaf vacuuming, various phone calls and exchanges with citizens interested in both changing and opposed to changing Montgomery's leaf management practices

March 18, 2015 - City Council Meeting

April 27 – May 15, 2015 – Citizen Survey mailed to all Montgomery households

June 17, 2015 – Citizens' Survey presented by Dr. Eric Rademacher of the University of Cincinnati to City Council

June 25, 2015 – Montgomery Citizens Leadership Academy (MCLA) Reunion Summit – leaf topic discussed by MCLA Alumni

Background

In addition to public meetings on the topics, from April 27 through May 15, a citizen survey was conducted by the University of Cincinnati Institute for Policy Research on behalf of Management Partners and the City of Montgomery. This survey, which the City conducts every five years for its Strategic Planning process, focuses on broader topics and issues for the future plans for the City, yet also included several questions on leaf management. While not a long-term strategic item, leaf management was an important topic, and staff recommended to City Council to include some questions on this issue in the survey.

As done in three previous Strategic Planning processes, each Montgomery household was invited to participate in the survey via a mailed invitation that included a web address for the survey. A total of 911 Montgomery households participated, which corresponds to a 23 percent response rate.

Some of the key statistics from this survey are as follows:

All Montgomery households were asked **“How satisfied would you say you are with the City of Montgomery's unlimited fall yard waste collection program?”** The results indicated that:

- 18 percent of respondents say they do not use the current leaf collection program.
- Of those that use the program:
 - A majority of households, 74 percent, indicated that they are either very satisfied or somewhat satisfied with the City's unlimited fall yard waste collection program,
 - 18.6 percent are either very dissatisfied or somewhat dissatisfied, and
 - 7.4 percent being neither satisfied nor dissatisfied.

Households were also asked the following question: **“The City of Montgomery is studying its leaf collection practices. Some residents favor the idea of replacing the current program with a curbside leaf vacuuming service, while others oppose the idea of replacing the current program with a curbside leaf vacuuming service. Would your household favor or oppose replacing the current leaf collection program with a leaf vacuuming service?”** Out of those who responded:

- 45 percent favored replacing the current program with a leaf vacuuming service,
- 30 percent opposed this approach, and
- 26 percent neither favor nor opposed replacement of the current program.

Households were next asked **whether they would be more likely to favor or more likely to oppose replacing the current leaf collection program with a curbside leaf vacuuming service if a fee were charged due to increase service costs.**

- 60 percent of households say information about a fee for curbside leaf collection makes them more likely to oppose replacing the current program.

As Dr. Rademacher indicated when presenting the results of the survey during the June 17, 2015 City Council Work Session, there are a number of conclusions which can be gleaned from the survey results, and these are summarized below:

- While a majority of residents are either very satisfied or somewhat satisfied with the current leaf collection program, nearly one in five say their household does not use the program.
- Residents with an opinion on the idea of replacing the current service with a leaf vacuuming service more frequently favor the idea than oppose it, and about one in four households did not offer a favor or oppose opinion on the issue.
- More residents are opposed to a vacuuming program if additional fees are introduced as part of a program, while in the responses of about three of ten respondents, the generic idea of a fee has no impact on their opinion.
- Based on these survey responses, it is clear that there is not a strong community desire for a leaf vacuuming service, with or without a fee, especially when accounting for the 18 percent of the community who do not use the existing service.

In summing up the Citizens' Survey, Dr. Rademacher indicated that the survey results should not be considered a proxy for decision-making and that survey research is only one important part of the information gathering process. Survey research results are used by disciplined organizations to inform decision-making, but not be used to "drive" or make decisions.

There have been many facts and opinions shared from a variety of sources over the last 10 months on this topic. Admittedly when staff first began to research this topic, data was scarce because there are limited providers in the private sector, and of those jurisdictions that provide it in their municipality, the tracking of costs and performance metrics range from ballpark estimates to detailed information.

This report is an attempt to encapsulate the data staff has amassed on this topic over the last 10 months and to present this material to aid City Council in making its decision regarding leaf management service in our community.

We learned many things from our extensive research regarding leaf management. Chief among these are the following:

- This is not the first time that the City has researched this issue as the City conducted a review in 2006.
- There are equally passionate and engaged citizens on both sides of the leaf management issue, as well as a fair number (24%) of citizens who do not use the service and/or are neutral on leaf management.
- Leaf vacuums are not a panacea and are quite expensive to purchase, operate and maintain.
- Unpredictability of weather in late fall may cause disruption and delays to leaf vacuuming services.
- The City of Montgomery has 107 cul-de-sacs and 23 dead end streets (76% of our total street inventory) potentially creating leaf pick-up issues.
- The City of Montgomery has approximately 100 panhandle lots which would create challenges for those homeowners if a leaf vacuuming service were to be implemented.
- Best Practices of well managed cities across the country frequently include mulching leaves.
- If City Council were to implement a leaf vacuum program there would be a need to investigate additional garage space at our already limited public works facility.
- A factor that is hard to quantify, but is clearly a factor given the calls staff responds to related to other City services, is the aesthetics of a community during an 8-12 week period if a leaf vacuum service were to be implemented. City Council, citizens and staff take great pride in the “looks” of our community.
- Hamilton County Public Health recommends using designated leaf collection bags for curbside leaf collection to avoid leaves entering drainage channels and storm sewers.
- City Council, despite some feedback from others outside the City to say “No! and move on”, demonstrated that it is accessible and listens to its citizens by implementing a January leaf collection in conjunction with the Christmas Tree Collection efforts, as well as requiring staff to thoroughly investigate all aspects of leaf management.

Options for Consideration by City Council

There are several options that City Council can consider with regards to leaf management in Montgomery. These options, in no particular priority, are presented below:

- Status Quo – Maintain service and operations that were used in the fall of 2014 with five weeks of unlimited yard waste collection with totes and bags, at a current cost approximately \$5,900 per week or \$29,500 per year.
- Expand Collection Service – After hearing from citizens in late 2014, City Council authorized staff to allow for three separate yard waste collections in January 2015 with the City’s service to collect Christmas trees. City Council has also authorized staff to expand

yard waste collections in the fall of 2015 from five to eight weeks. The cost for this option would be \$5,900 per week or \$47,200 per year plus \$1,500 for the three extra Saturdays in January resulting in an annual total of \$48,700.

- Expand Collection Service plus – In addition to expanding the schedule for collection as identified in the preceding option, another option to consider would be to make totes available, assuming Rumpke or the City's waste collection contractor could support this, on a temporary basis during the fall collection season. Staff would have to further research the financial impact and availability of this option if it were recommended.
- Leaf Vacuum Service – There has been substantial analysis on the costs associated with providing this service for the short and long-term for Montgomery citizens. To do this in a manner consistent with the level of service that City Council, staff and our citizens expect, the cost would most likely be in the area of \$165,000 per year, and as most staff from other cities indicate, this would be a service that would not be feasible to eliminate once implemented, even if the costs were determined to be prohibitive from a budget standpoint.
- Promote Best Practices in Leaf Management –
 - Several well managed communities across the country including Westchester N.Y., Greenburgh, N.Y., Dayton, VA., Madison, WI, recommend some variation of mulching, which is considered to be more ecologically viable than leaf removal, and,
 - Identify alternatives to assist homeowners with their leaf management efforts.

Recommendation

The Recommendation of Staff is to permanently expand our leaf collection program from five to eight weeks, to continue the additional collections in January coinciding with Christmas Tree pick-up, to further research and highlight best practices (such as mulching via the Environmental Advisory Commission, and to assist those in the community who would like leaf vacuuming to search out private providers of this service. Total cost for this recommendation would be \$47,200 per year plus \$1,500 for the three extra Saturdays in January resulting in an annual total of \$48,700. This represents a budget increase of \$19,200 from the fall unlimited yard waste pickup program in the 2015 budget.

**RESOLUTION OF CONTINUING SUPPORT FOR
THE MILL CREEK WATERSHED INTERGOVERNMENTAL AGREEMENT AND
THE MILL CREEK WATERSHED COUNCIL OF COMMUNITIES, INC.**

WHEREAS, on June 21, 1995, representatives of 17 communities in the Mill Creek Watershed met on the banks of the Mill Creek and signed a historic Intergovernmental Agreement, pledging to work together to save the Mill Creek and its drainage area; and

WHEREAS, the Intergovernmental Agreement recognized that the general causes of degraded water quality conditions in the Mill Creek can be attributed to impacts of human activities and land use within the 166-square mile Mill Creek Watershed, that improvement of the Mill Creek and its riparian corridor will create economic, recreational, environmental, and aesthetic benefits for present and future generations, and that balancing positive environmental changes with economic development requires awareness of the interests of all Sectors which may benefit from an improvement effort; and

WHEREAS, the Mill Creek Watershed Council of Communities, Inc. (the "Watershed Council") was formed as a §501(c)(3) organization to implement the goals of the Intergovernmental Agreement; and

WHEREAS, through the collaborative work of the Watershed Council, communities, agencies, businesses, parks, charities, and citizens, significant progress has been made in achieving the goals of the Intergovernmental Agreement;

WHEREAS, abundant opportunities exist for continued improvement of the Mill Creek, its riparian corridor, and its watershed, and it is recognized that continued inter-jurisdictional coordination and cooperation is necessary if the Mill Creek is to attain its potential as a regional resource and asset to the community.

NOW, THEREFORE, BE IT RESOLVED that the signatories hereby ratify the Intergovernmental Agreement, pledge to endeavor to achieve its goals, and commit to support and participate in the continuing restoration of the Mill Creek to improve environmental quality, protect the public health and welfare, and support the economic health of Hamilton and Butler Counties;

FURTHER RESOLVED, that the Signatories express their continued support the efforts of the Watershed Council to achieve the goals of the Intergovernmental Agreement.

City of Cincinnati

Hamilton County

The City of Montgomery, Ohio



Proclamation

WHEREAS, the 2015 Sycamore High School Boys Tennis Team members are Seniors Deepak Indrakanti, Nakul Narendran, Alex Wittenbaum, and Aditya Venkitarama, along with Noah Stern, Regis Liou, David Muskal, Alex Taylor, Nathan Zhang and Coach Mike Teets; and

WHEREAS, the team culminated the season with its second consecutive Ohio Tennis Coaches Association State Team Championship, defeating St. John's Jesuit and Massillon Jackson; and,

WHEREAS, Aves senior Nakul Narendran repeated as a State doubles champion along with partner, Alex Taylor with the pair winning 6-1, 7-5 over Copley to give Narendran back-to-back titles; and,

WHEREAS, the Aves' Alex Taylor took the State Division I doubles title and also won his singles match in the team competition, finishing the year undefeated in the singles and doubles competitions to end his impressive junior year; and,

WHEREAS, the Aves High School Boys Tennis Team and Coach Teets were surrounded by fans in green and gold who serenaded them with a stirring rendition of the school's fight song in a sign of appreciation and support for their dedication and perseverance; and,

WHEREAS, the City of Montgomery wishes to extend a heartfelt congratulations to the Sycamore High School Boys Tennis Team for the pride they have brought to our community, and calls upon all residents and officials to honor the efforts of these fine young student-athletes and dedicated coaches.

NOW, THEREFORE, I, Todd Steinbrink, the 22nd Mayor of the City of Montgomery, do hereby proclaim the 6th day of August 2015 as

Sycamore Aviators High School Boys Tennis Team Day

in the City of Montgomery and urge all of our citizens to observe this day in ways relevant to its importance and significance.



IN WITNESS WHEREOF, I have hereunto subscribed my name this 5th day of August, Two Thousand Fifteen.

Todd A. Steinbrink, Mayor

RESOLUTION NO. _____, 2015

**A RESOLUTION AUTHORIZING THE CITY MANAGER
TO ENTER INTO A CONTRACT WITH HUMANA HEALTH PLAN OF OHIO, INC.
TO PROVIDE MEDICAL COVERAGE AND LIFE INSURANCE FOR FULL-TIME EMPLOYEES**

WHEREAS, the City of Montgomery provides health insurance and life insurance benefits to its full-time employees; and

WHEREAS, the City has requested and reviewed proposals for health insurance and life insurance benefits and determined that the proposal submitted by Humana Health Plan of Ohio, Inc. is the best proposal for City employees in terms of quality, price, service and adaptability.

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

SECTION 1. The City Manager is hereby authorized to enter into a contract with Humana Health Plan of Ohio, Inc. to provide health insurance and life insurance benefits for all full-time employees for thirteen months commencing September 1, 2015 through September 30, 2016, subject to any separate requirements from any Collective Bargaining Agreement between the City and any employee group during the term of this benefit contract.

SECTION 2. The City Manager is hereby authorized to pay Humana Health Plan of Ohio, Inc. according to the rates set forth in the schedule submitted by Humana attached hereto as Exhibit "A" and Exhibit "B" and incorporated herein by reference.

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

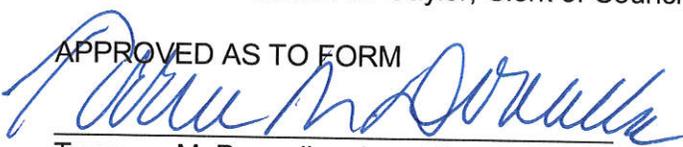
PASSED: _____

ATTEST: _____

Connie M. Gaylor, Clerk of Council

Todd A. Steinbrink, Mayor

APPROVED AS TO FORM



Terrence M. Donnellon, Law Director

City of Montgomery

Medical Plan Analysis 7.13.2015

September 1, 2015 Renewal

Exhibit "A"

	Current		Humana		Renewal-includes.5% Life discount	
	Humana OH EHDHP 14 NPOS Opt 12 \$2500 ded	Humana OH EHDHP 14 NPOS Opt 13 \$3000 embedded	Humana OH EHDHP 14 NPOS Opt 13 \$3000 embedded	Humana OH EHDHP 14 NPOS Opt 13 \$3000 embedded	Humana - 13 month rates OH 100/70 EHDHP 15 NPOS OPT 13 \$3000 ded	Humana - 13 month rates OH 100/70 EHDHP 15 NPOS OPT 13 \$3000 ded
Rates						
Employee Only	11	1	1	1	12	\$380.88
Employee + Spouse	4	6	6	6	10	\$837.95
Employee + Child(ren)	5	7	7	7	12	\$723.68
Family	17	9	9	9	26	\$1,218.83
Combined Est. Monthly Premium		\$56,370.12		\$53,323.80		\$53,323.80
Combined Est. Annual Premium		\$676,441.44		\$639,885.60		\$639,885.60
Percentage Change From Current		0%		-5%		-5%
Annual Dollar Change From Current		\$0.00		(\$36,555.84)		(\$36,555.84)
Benefits	In-Network	Out-of-Network	In-Network	Out-of-Network	In-Network	Out-of-Network
What type of medical plan is this?	EHDHP	EHDHP	EHDHP	EHDHP	EHDHP	EHDHP
Deductible						
Calendar Year or Policy Year?	Policy year	Policy year	Policy year	Policy year	Calendar year	Calendar year
Individual/Family	\$2,500/\$5,000 100/0	\$7,500/\$15,000 70/30	\$3,000/\$6,000 100/0	\$9,000/\$18,000 70/30	\$3,000/\$6,000 100/0	\$9,000/\$18,000 70/30
Coinsurance						
Out-of-Pocket Maximum	Yes	Yes	Yes	Yes	Yes	Yes
Deductible Included?	Yes	Yes	Yes	Yes	Yes	Yes
Individual/Family	\$2,500 / \$5,000 Unlimited	\$15,000 / \$30,000 Unlimited	\$3,000/\$6,000 Unlimited	\$15,000/\$30,000 Unlimited	\$3,000/\$6,000 Unlimited	\$15,000/\$30,000 Unlimited
Lifetime Maximum						
Inpatient Hospital						
Facility	Ded, 100/0	Ded, 70/30	Ded, 100/0	Ded, 70/30	Ded, 100/0	Ded, 70/30
Physician	Ded, 100/0	Ded, 70/30	Ded, 100/0	Ded, 70/30	Ded, 100/0	Ded, 70/30
Outpatient						
Facility	Ded, 100/0	Ded, 70/30	Ded, 100/0	Ded, 70/30	Ded, 100/0	Ded, 70/30
Physician	Ded, 100/0	Ded, 70/30	Ded, 100/0	Ded, 70/30	Ded, 100/0	Ded, 70/30
Labs						
Preventive Lab	Covered in full	Ded, 70/30	Covered in full	Ded, 70/30	Covered in full	Ded, 70/30
Diagnostic Lab	Ded, 100/0	Ded, 70/30	Ded, 100/0	Ded, 70/30	Ded, 100/0	Ded, 70/30
Emergency Room	Ded, 100/0	Ded, 100/0	Ded, 100/0	Ded, 100/0	Ded, 100/0	Ded, 100/0
Urgent Care	Ded, 100/0	Ded, 70/30	Ded, 100/0	Ded, 70/30	Ded, 100/0	Ded, 70/30
Office Visit						
Primary Care/Specialist Visit	Ded, 100/0	Ded, 70/30	Ded, 100/0	Ded, 70/30	Ded, 100/0	Ded, 70/30
Wellness	Covered in full	Ded, 70/30	Covered in full	Ded, 70/30	Covered in full	Ded, 70/30
Vision	Not covered	Not covered	Not covered	Not covered	Not covered	Not covered
Prescription Drugs						
Deductible	Same as Medical	Same as Medical	Same as Medical	Same as Medical	Same as Medical	Same as Medical
Tier 1/Tier 2/Tier 3/Tier 4	Ded, 100/0 Ded, 100/0	Ded, 70/30 Ded, 70/30	Ded, 100/0 Ded, 100/0	Ded, 70/30 Ded, 70/30	Ded, 100/0 Ded, 100/0	Ded, 70/30 Ded, 70/30
Mail-Order	Ded, 100/0	Ded, 70/30	Ded, 100/0	Ded, 70/30	Ded, 100/0	Ded, 70/30

City of Montgomery

Life and AD&D Analysis 7.6.15

September 1, 2015 Renewal

Exhibit "B"

		Current Lincoln Financial Group Life/AD&D	Option 6 Humana Life
Rates	Volume		
Rate per \$1,000	\$4,458,000	\$0.19	\$0.19
Estimated Monthly Premium		\$847.02	\$847.02
Estimated Annual Premium		\$10,164.24	\$10,164.24
Percentage Change From Current		0%	0%
Annual Dollar Change From Current		\$0.00	\$0.00
Benefits			
Refer to Attachment Tab for More Details			
Rate Guarantee		2 years	2 years
Number of Classes		1 - City Manager, 2 all other FT Employees	1 - City Manager, 2 all other FT Employees
Life Amount		Class 1 - 2X BAE max \$275,000, Class 2 - 1XBAE max of \$100,000	Class 1 - \$275,000 Class 2 - 1XBAE
AD&D Benefit Amount		Class 1: 2X BAE, Class 2: 1X BAE	Class 1: 2X BAE, Class 2: 1X BAE
Waiver of Premium		included	included
Disabled prior to age ___?		60	60
Elimination Period:		6 months	
Maximum Age Duration:		SSNRA	65
Accelerated Benefit		included	included
Maximum Benefit:		\$250,000 or 75% of amt of life ins (whichever is less)	50% to max of \$250,000
Life Expectancy:		12 months or less	12 months or less
Reduction Schedule		35% @ 65, add'l 25% @70, add'l 35% @ 75	35% @65, add'l 15% @ 70
Life Amount		\$.15	\$.16
AD&D Amount		\$.04	\$.03

RESOLUTION NO. , 2015

**A RESOLUTION ESTABLISHING CITY CONTRIBUTIONS
FOR HEALTH CARE BENEFITS**

WHEREAS, Section 34.05 (B) of the Code of Ordinances sets forth the procedure for Council to establish health care insurance costs and benefits for City employees; and

WHEREAS, Council separately has approved contracts to provide both traditional health care coverage and coverage within a High Deductible Health Plan (“HDHP”); and

WHEREAS, Council must establish both the contribution limits for medical insurance and any contribution to be made to employees participating in the HDHP with a corresponding health savings account.

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

SECTION 1. The following contribution limits are established for the cost of medical and dental plans for the year beginning September 1, 2015:

Medical Benefit

City Contribution Limit Per Month – Family Plan

\$1,108.78 effective September 1, 2015

Medical Benefit

City Contribution Limit Per Month – Single Plan

\$402.95 effective September 1, 2015

Medical Benefit

City Contribution Limit Per Month – Employee and Spouse Plan

\$805.54 effective September 1, 2015

Medical Benefit
City Contribution Limit Per Month – Employee and Child(ren) Plan
\$805.54 effective September 1, 2015

Optical / Dental Insurance
City Contribution Limit Per Month – All Plans
\$161.31 effective September 1, 2015

If the cost to provide such insurance coverage exceeds the contribution limits established by City Council, fifty percent (50%) of the cost in excess of such contribution limit shall be paid by the City and fifty percent (50%) of the cost in excess of the contribution limit shall be paid by the employee. Insurance cost payments to be paid by the employee shall be made by payroll deduction.

SECTION 2. As an additional incentive to assist employees who elect to participate in the City's high deductible health plan ("HDHP"), commencing with the health insurance plan year beginning September 1, 2015, participating employees who elect coverage through HDHP shall receive a contribution from the City in the amount of One Thousand Fifty Dollars (\$1,050.00) during the twelve (12) month period commencing September 1, 2015 if such employee elects to receive family coverage within the HDHP (defined as a Family Plan, Employee and Spouse Plan, or Employee and Children Plan), or Seven Hundred and Fifty Dollars (\$750.00) for the next twelve (12) month period commencing September 1, 2015 if such employee elects to receive single plan coverage through the HDHP. These amounts will be paid on or after September 1, 2015 and deposited to the employee's health savings account. In the 2015-2016 health insurance plan year, in addition to this base City incentive contribution, the City agrees to match the employee's contribution to his/her health savings account up to an additional Seven Hundred Dollars (\$700.00) for employees

with family plans and Five Hundred Dollars (\$500.00) for employees with single plans. The matching contribution from the City shall be paid to the employee's health savings account at such time during the year as the employee's contributions reach the City's maximum level of matching contribution. If the employee does not reach the maximum level on or before August 31, 2016, then the City's matching contribution shall be paid at the close of the plan year, August 31, 2016.

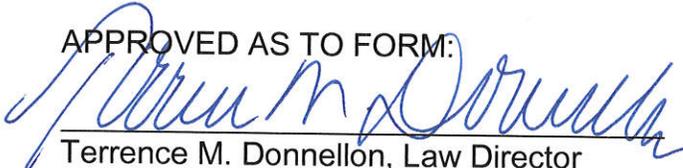
SECTION 3. This Resolution shall take effect the earliest opportunity as allowable by law.

PASSED: _____

ATTEST: _____
Connie M. Gaylor, Clerk of Council

Todd A. Steinbrink, Mayor

APPROVED AS TO FORM:



Terrence M. Donnellon, Law Director

RESOLUTION NO. , 2015

A RESOLUTION TO ADOPT RECOMMENDATION OF THE MONTGOMERY TAX INCENTIVE REVIEW COUNCIL WITH RESPECT TO THE COMPLIANCE OF ALL TAX INCREMENT FINANCING DISTRICTS WITHIN THE CITY OF MONTGOMERY

WHEREAS, the Council of the City of Montgomery, Ohio has approved tax increment financing districts to encourage economic development of certain properties within the City limits; and

WHEREAS, the Montgomery Tax Incentive Review Council meets annually to review these districts for compliance with payments in lieu of real estate taxes and other requirements as set forth in the legislation which created the districts; and

WHEREAS, ORC Section 5709.85 requires, annually, that the recommendations of Tax Incentive Review Councils to be adopted by the legislative authority of the political subdivision in which the district is located and such legislation forwarded to the Ohio Department of Development.

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

SECTION 1. The Council of the City of Montgomery, Ohio, having received the 2015 report of the Montgomery Tax Incentive Review Council, hereby adopts the recommendation of that Council, a copy of which is attached hereto, with respect to the compliance of each tax increment financing district within the corporate limits of the City of Montgomery.

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

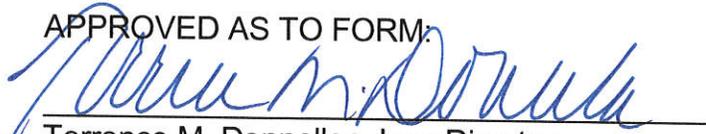
its passage.

PASSED: _____

ATTEST: _____
Connie M. Gaylor, Clerk of Council

Todd A. Steinbrink, Mayor

APPROVED AS TO FORM:



Terrence M. Donnellon, Law Director

RESOLUTION NO. , 2015

**A RESOLUTION AUTHORIZING INTERNET AUCTION OF SURPLUS PERSONAL
PROPERTY THROUGH GOVDEALS.COM**

WHEREAS, Ohio law authorizes the City to dispose of surplus and abandoned personal property through internet auction; and

WHEREAS, by § 50.02 of the Code of Ordinances, Council has set forth a procedure for the sale and disposition of lost, abandoned, stolen, seized or forfeited property ("Surplus Property") through internet auction; and

WHEREAS, consistent with the procedure of § 50.02, Council does desire to designate its appropriate internet auction agent for disposal of Surplus Property for the period of September 1, 2015 through August 31, 2016; and

WHEREAS, the Administration has determined that the most efficient disposition of Surplus Property is through the internet auction service of Liquidity Services, Inc., d/b/a GovDeals.com, which has served the City well in the past; and

WHEREAS, Council, by this Resolution, does desire to designate GovDeals.com as its internet auction agent.

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

SECTION 1. Consistent with Ohio law and § 50.02 of the Code of Ordinances, Council does hereby designate GovDeals.com as its internet auction agent for the disposal of Surplus Property for the year September 1, 2015 through August 31, 2016. The City Manager is hereby authorized to enter into an appropriate contract with Liquidity Services, Inc., 1920 L Street, NW, 6th Floor, Washington, DC, 20036, 1-800-310-4604, *d/b/a GovDeals.com*, for the receipt, disposition and sale of Surplus Property. The terms of such contract shall designate

that the property shall be offered for sale As /s with the purchaser to pay all costs necessary for shipping, handling and insuring the property, and any taxes associated with the sale of such property. The terms of such contract shall provide that the minimum period of time during which bids may be accepted is fifteen (15) days including Saturdays, Sundays and legal holidays.

SECTION 2. The Administration shall take the appropriate steps to provide notice of its intent to sell such Surplus Property by way of internet auction consistent with Ohio law and § 50.02 of the Code of Ordinances.

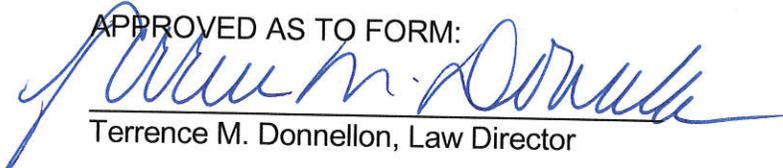
SECTION 3. This Resolution shall be in full force and effect from and after its passage.

PASSED: _____

ATTEST: _____
Connie M. Gaylor, Clerk of Council

Todd A. Steinbrink, Mayor

APPROVED AS TO FORM:



Terrence M. Donnellon, Law Director

RESOLUTION NO. _____, 2015

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO
AN AGREEMENT WITH THE SYCAMORE COMMUNITY SCHOOL
DISTRICT BOARD OF EDUCATION TO ASSIGN A SCHOOL RESOURCE OFFICER**

WHEREAS, the City of Montgomery and the Sycamore Community Schools have agreed to enter into a contract to assign a patrol officer from the Montgomery Police Department to serve as a School Resource Officer for the Sycamore Community School District; and

WHEREAS, within such Agreement the City and School District intend to outline the obligations and responsibilities among the parties and to allocate the cost of such assignment.

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

SECTION 1. The City Manager is hereby authorized to enter into an agreement with the Sycamore Community School District Board of Education to provide a School Resource Officer to Sycamore High School for the school year 2015 – 2016 as set forth in the agreement submitted by Sycamore Community School District Board of Education attached hereto as “Exhibit A”.

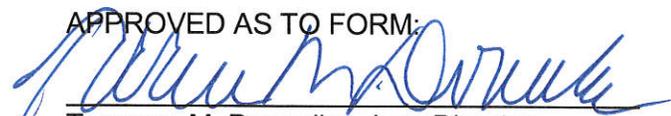
SECTION 2. This Resolution shall be in full force and effect from and after its passage.

PASSED: _____

ATTEST: _____
Connie M. Gaylor, Clerk of Council

Todd A. Steinbrink, Mayor

APPROVED AS TO FORM:



Terrence M. Donnellon, Law Director

School Resource Officer Agreement 2015-16 School Year

This agreement entered into at Cincinnati, Ohio, this ____ day of ____, 2015 by and between Montgomery City Council, hereinafter referred to as “**Montgomery**” and the Sycamore Community School District Board of Education, hereinafter referred to as “**Sycamore.**”

Duration: This agreement will be in effect for the 2015-16 school year and renewal in increments of one year thereafter by mutual agreement of **Montgomery** and **Sycamore**. If **Sycamore** chooses to renew this agreement in years subsequent to the 2015-16 school year, then notice must be given to **Montgomery** by April 1st of the current contract year.

Services Rendered: Montgomery agrees to assign a School Resource Officer, hereinafter referred to as “SRO” to Sycamore High School. The SRO will work eight (8) hours per day on all student attendance days as mutually agreed upon by **Montgomery** and **Sycamore** for a total of one hundred and seventy-eight days (178) per school year. When not assigned to **Sycamore**, the SRO will be assigned to **Montgomery**.

Scope of Accountability:

1. The SRO is supervised by the City of Montgomery Police Department in accordance with the current chain of command.
2. The SRO is a police officer.
3. **Montgomery** is the employer of the SRO and agrees to carry all applicable Federal, State and local income taxes, state mandated pension funds, unemployment, workers’ compensation and liability insurance for said SRO. **Montgomery** will also provide all other fringe benefits pursuant to the current labor agreements for the City of Montgomery Police Department.
4. **Sycamore** will provide input into the selection process of the SRO.
5. Daily assignment of duties will be made in cooperation with the **Sycamore** High School Administration.
6. School principals will continue to assume full responsibility for the enforcement of discipline and school rules and regulations.

Compensation: In consideration of Services Rendered, **Sycamore** promises and agrees to pay **Montgomery** the following:

1. **Montgomery** will establish the daily cost of all salary and fringe benefits associated with this position pursuant to current labor agreements for the City of Montgomery Police Department. The SRO salary and fringe benefits will be shared with **Sycamore** covering 60% and **Montgomery** covering 40%.
2. **Sycamore** will reimburse **Montgomery** for all overtime hours requested by **Sycamore** at the overtime rate for this position pursuant to the current labor agreements for the City of Montgomery Police Department. Authorization for billing of said overtime cost will be provided by **Sycamore** Administration.
3. **Sycamore** will reimburse **Montgomery** for 60% of the cost of departmental equipment, i.e. uniforms and accessories for the SRO.
4. **Sycamore** will reimburse **Montgomery** for the cost of special in-service training, if said training is at the request of Sycamore and is above and beyond the regular police department training. Authorization for billing said in-service training will be provided by **Sycamore** Administration.
5. **Montgomery** will provide mobile phone or equivalent technology with **Sycamore** covering 60% and **Montgomery** covering 40%.
6. **Montgomery** will invoice **Sycamore** on a quarterly basis for all services with invoice to be paid within 21 days of receipt.

For Montgomery:

Wayne Davis, City Manager Date

For Sycamore:

Diane Adamec, President

Beth Weber, Treasurer

ORDINANCE NO. , 2015

**AN ORDINANCE ACCEPTING PUBLICLY DEDICATED EASEMENT RIGHTS AND
STORM WATER IMPROVEMENTS FROM PROPERTY OWNERS IN THE
7900 BLOCK OF SHELLDALE WAY**

WHEREAS, Oleg Edelman and Mary Edelman as Trustees of the Edelman Family Trust dated January 13, 2012, are property owners in the 7900 block of Shelldale Way, Montgomery, Ohio, being Hamilton County Auditor's Parcel Number 603-0008-0177 ("Edelman Property"), which property is more fully described within Exhibit A within the Easement Agreement accepted by the property owners; and

WHEREAS, the City of Montgomery, Ohio has contracted with the property owners to reconstruct a storm sewer management system on and across the Edelman Property to appropriately manage storm water runoff from the Edelman Property and storm water runoff from the right-of-way of the Montgomery Heights subdivision; and

WHEREAS, the property owners have agreed to grant certain permanent easement rights to the City of Montgomery to allow the City access to the property to maintain such storm water management and surface drainage improvements, now and in the future; and

WHEREAS, Council does desire to accept these property rights for and on behalf of the City and to commit to the maintenance of such storm water management and surface drainage improvements now and in the future.

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

SECTION 1. Council hereby accepts the permanent easement rights from the property owners Oleg Edelman and Mary Edelman, Trustees of the Edelman Family Trust dated January 13, 2012, upon and across property located on Shelldale Way, being Auditor's

Parcel Number 603-0008-0177 set forth within the Easement Agreement attached hereto and incorporated herein by reference and being more particularly described on Exhibit A within such Agreement. The easement area in which the improvements will be constructed as described on the Exhibit B-1 within such Easement Agreement. Such easement area is further depicted in the plat depicted on Exhibit B-2 within such Agreement. It shall be the City of Montgomery's responsibility to construct these storm water management and surface drainage improvements within the easement area and to maintain such public improvements consistent with the terms of the separate Easement Agreement executed by and between the property owners and the City of Montgomery.

SECTION 2. The City Manager is directed to execute such Easement Agreement and any and all additional documentation as may be necessary to accept these property rights, and thereafter to accept responsibility for maintenance of such public improvements upon the property.

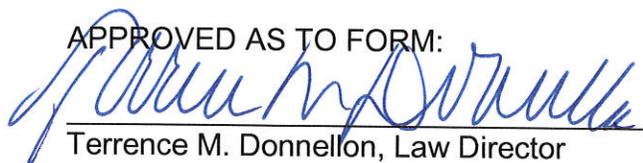
SECTION 3. This Ordinance shall take effect the earliest opportunity as allowable by law.

PASSED: _____

ATTEST: _____
Connie M. Gaylor, Clerk of Council

Todd A. Steinbrink, Mayor

APPROVED AS TO FORM:



Terrence M. Donnellon, Law Director

RESOLUTION NO. , 2015

A RESOLUTION AUTHORIZING AMENDMENT TO DEVELOPMENT/SERVICE AGREEMENT WITH MONTGOMERY GATEWAY PARTNERS, LLC

WHEREAS, Council did enact Ordinance No. 8, 2005 creating a Tax Increment Financing District encompassing properties bounded by Montgomery Road, Cooper Road and Main Street known as Montgomery Gateway District to exempt certain improvements from real property taxation for a period of twenty (20) years; and

WHEREAS, under the terms of such Ordinance, Council did authorize the City Manager to enter into a Development/Service Agreement with the Developer and Owners of such property to create an obligation for the payment of Service Payments in lieu of taxes to provide for the cost of public improvements in, around and in support of the District; and

WHEREAS, as a result of various economic factors over the past several years, including the re-evaluation of real estate within the District, the Service Payments in lieu of taxes have proved to be insufficient to meet the debt service for such public improvements; and

WHEREAS, the City Manager has negotiated an Amendment to the Development/Service Agreement to allow Montgomery Gateway Partners, LLC as the Developer and the Owner of Auditor's Parcel 603-0004-0192 within the District to pay such deficiencies over the life of the tax exemption, which the City administration believes will be beneficial to the Owner and tenants of such property; and

WHEREAS, under the terms of the Development/Service Agreement, any amendment must be approved by City Council in a format acceptable for recording; and

WHEREAS, the intent of this Resolution is to authorize the City Manager to enter into an Amendment to the Service Agreement, a copy of which proposed Amendment is attached hereto.

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

SECTION 1. The City Manager is hereby authorized to enter into the attached Amendment to Development/Service Agreement between the City and Gateway Partners, LLC to govern current deficiencies and any future deficiencies in the Service Payment in lieu of taxes for Montgomery Gateway District.

SECTION 2. Further, the City Manager is authorized to execute any additional documentation necessary to implement this Amendment so it may be properly recorded in the Official Records of Hamilton County, Ohio.

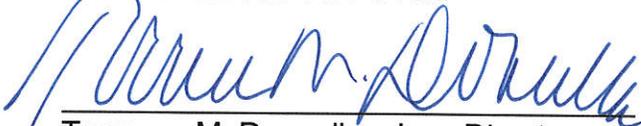
SECTION 3. This Resolution shall be in full force and effect from and after its passage.

PASSED: _____

ATTEST: _____
Connie M. Gaylor, Clerk of Council

Todd A. Steinbrink, Mayor

APPROVED AS TO FORM:



Terrence M. Donnellon, Law Director

AMENDMENT TO DEVELOPMENT/SERVICE AGREEMENT

This Amendment To Development/Service Agreement (“Amendment”) is entered into this _____ day of _____, 2015, by and between the City of Montgomery, Ohio, an Ohio municipal corporation (“City”) and Montgomery Gateway Partners, LLC, an Ohio limited liability corporation (“Developer”).

WHEREAS, City and Developer did enter into a Development/Service Agreement dated December 27, 2005 (“Agreement”), which was executed by the City on December 27, 2005 and executed and accepted by Developer on January 11, 2006. The Agreement was recorded in the Official Records of Hamilton County, Ohio April 12, 2006 at Official Record Book 10216, Page 394 and applied to property described within Schedule A of such Agreement now consisting of Hamilton County Auditor Parcel Numbers 603-0004-0192 and 603-0004-0193; and

WHEREAS, under the terms of such Agreement, Developer, as Owner of the Site located within the City bounded by Montgomery Road, Cooper Road and Main Street, did agree to complete certain private improvements (“Private Improvements”), which Private Improvements were to be exempt from real property taxation for a period of twenty (20) years under R.C. § 5709.40; and

WHEREAS, under the terms of such Agreement, the City was to complete certain public improvements (“Public Improvements”), the cost of which were to be funded by Service Payments to be paid by the Developer and the owners of such Site in lieu of taxes during such twenty (20) year period; and

WHEREAS, under the terms of such Agreement, and the Schedules and Exhibits attached thereto, the total cost of such Public Improvements was established at One Million Two Hundred Thirty Thousand Dollars (\$1,230,000.00), which Public Improvements have been completed, and which according to Paragraph 1(A) of such Agreement were to be repaid to the City by the Developer and future Owners of the Site in semi-annual Statutory Service Payments in the total annual amount of Eighty One Thousand Eight Hundred Fifty Nine Dollars (\$81,859.00) commencing in tax year 2007, collection year 2008; and

WHEREAS, under the terms of such Agreement, if such Statutory Service Payments were inadequate to service the annual debt obligation of Eighty One Thousand Eight Hundred Fifty Nine Dollars (\$81,859.00), the Developer and Owner of Auditor's Parcel 603-0004-0192 were obligated to pay Minimum Service Payments equivalent to the difference between the Statutory Service Payments and the minimum debt service of Eighty One Thousand Eight Hundred Fifty Nine Dollars (\$81,859.00) per year. Such obligation to Minimum Service Payments was not an obligation of any subsequent Owner of Auditor's Parcel 603-0004-0193; and

WHEREAS, under the terms of Paragraph 1(D) of such Agreement, if the Developer did default in the payment of the Minimum Statutory Payment, there would be a ten percent (10%) per annum penalty added to such Minimum Statutory Payment until appropriately paid; and

WHEREAS, although the Private Improvements have been completed, the assessed value for such improvements on the Site have proved to be insufficient to meet the minimum debt service obligation and a deficiency has accrued through tax year 2013 in the total amount of Two Hundred Sixteen Thousand Forty Six Dollars and Six Cents (\$216,046.06) which should have been paid as Minimum Service Payments since 2006; and

WHEREAS, to support the economic development of the Site and to establish a schedule for payments to meet this deficiency, the parties do desire to amend the Agreement consistent with Paragraph 22, which amendments are set forth within this document.

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

1. It is hereby agreed that the deficiency accumulated in the Minimum Statutory Payments through tax year 2013 is Two Hundred Sixteen Thousand Forty Six Dollars and Six Cents (\$216,046.06) ("Deficiency"). This includes all collections and payments through the collection year 2014. The parties hereby agree that in addition to any other payment to which Developer may be obligated under the terms of the Agreement, this Deficiency will be paid by the Developer and Owner of Auditor's Parcel 603-0004-0192, more particularly described upon Exhibit 1 attached hereto, in twenty-three (23) equal installments of Nine Thousand Three Hundred Ninety Three and Thirty-One Cents (\$9,393.31) due on or before February 1 and August 1 of each calendar year commencing August 1, 2015 and continuing during the remaining term of the Agreement. These semi-annual installments due as a separate obligation under the terms of this Amendment are hereinafter referred to as "Deficiency Payments".

2. So long as Developer remains current in paying the Deficiency Payments, there shall be no additional interest penalty assessed against such Deficiency and the amortized balance of the Deficiency then due. Provided, however, if Developer should default at any time in making the Deficiency Payments, interest shall begin to accrue from the date of such payment default and be due and payable upon such Deficiency consistent with Paragraph 1(D) of the Agreement at Ten Percent (10%) per annum until such Deficiency Payment is brought current.

3. The City agrees that if during the term of the Agreement there accrues any excess in the Statutory Service Payments over the debt service in any calendar year, that the City will apply such excess to the outstanding Deficiency and ratably reduce the balance of any Deficiency Payments which may be due during the remaining term. During the remaining term of the Agreement, after all deficiencies have been satisfied, any excess Statutory Service Payments will be applied in the priority established under Paragraph 4(C) of the Agreement.

4. It is understood and agreed by all parties that no additional deficiency shall accrue under the terms of the Agreement. This Amendment shall not in any other way modify Developer's obligations now and through the balance of the term of the Agreement to pay Statutory Service Payments and/or Minimum Service Payments in the future. Provided, however, the parties further agree to amend Paragraph 4(B) of the Agreement in part to provide that if there accrues any additional deficiencies triggering a Minimum Service Payment, commencing with tax year 2014/collection year 2015, then the Minimum Service Payment shall be due and payable for such tax year on or before August 1 of the collection year. Deferring such Minimum Service Payment to the second installment date in a collection year will allow the parties to calculate any Minimum Service Payment in a timely manner and it will allow the Developer/Owner to accrue sufficient funds to pay such Minimum Service Payment in a timely manner.

5. This Amendment represents the entire modification to the Agreement between the parties and represents an appropriate and binding Amendment to the Agreement as provided by Paragraph 22 of the Agreement. Further, by executing this Amendment the parties hereby ratify and reaffirm all other terms and conditions of the Agreement as if fully restated herein.

This Amendment to Development/Service Agreement has been appropriately authorized and executed effective the day and date set forth above.

[SIGNATURE PAGES TO FOLLOW]

CITY:

CITY OF MONTGOMERY

By: _____

Wayne S. Davis

Its: City Manager

STATE OF OHIO)
) ss:
COUNTY OF HAMILTON)

On this _____ day of _____, 2015, personally appeared before me, a Notary Public in and for the State of Ohio, Hamilton County Ohio, Wayne S. Davis, City Manager of the City of Montgomery Ohio, who acknowledged the signing and sealing of the said Amendment to Development/Service Agreement for himself and on behalf of said City, to be his voluntary act and deed, and the voluntary act and deed of said City.

Notary Public

DEVELOPER:

MONTGOMERY GATEWAY
PARTNERS, LLC

By: _____

Name: _____

Its: _____

STATE OF OHIO)
) ss:
COUNTY OF HAMILTON)

On this _____ day of _____, 2015, personally appeared before me, a Notary Public in and for the State of Ohio, Hamilton County Ohio, _____, _____ of Montgomery Gateway Partners, LLC, who acknowledged the signing and sealing of the said Amendment to Development/Service Agreement for _____ self and on behalf of said company, to be _____ voluntary act and deed, and the voluntary act and deed of said company.

Notary Public

APPROVED AS TO FORM:

Terrence M. Donnellon, Law Director

These minutes are a draft of the proposed minutes from the City Council meeting. They do not represent the official record of proceedings until formally adopted by the City Council. Formal adoption is noted by signature of the Clerk within the minutes.

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City of Montgomery
City Council Work Session Minutes
July 22, 2015

Present

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

City Council Members Present

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

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

ROLL CALL

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

Mrs. Harbison moved to dispense with the roll call. Mr. Suer seconded. City Council unanimously agreed.

SPECIAL PRESENTATIONS

Mayor's Proclamation

Coach Tim Held and members from the Moeller Baseball Team were present to accept a Mayor's Proclamation proclaiming July 23, 2015 as Archbishop Moeller High School Baseball Team Day.

Presentation by the Healthcare Benefits Committee

Members of the Healthcare Benefits Committee: James Martin, Patrick Morgan, Julie Prickett, and Scott Schulte were in attendance to present to City Council the results of the annual solicitation of quotes for healthcare benefits and the Committee's recommendations to City Council.

ESTABLISHING AN AGENDA FOR AUGUST 5, 2015

New Legislation

A Resolution Authorizing the City Manager to Enter into a Contract with Humana Health Plan of Ohio, Inc. to Provide Medical Coverage and Life Insurance for Full-Time Employees

Mr. Wayne Davis, City Manager, acknowledged the attendance of the Health Care Benefits Committee (HCBC). Officer James Martin spoke on behalf of the Committee and presented their recommendations for the proposed health insurance coverage contract with Humana Health Plan of Ohio, Inc. Officer Martin explained that the Health Care Benefit Committee has been working closely with Horan Associates which takes into account benefit levels and coverage costs to make a recommendation as to the desired provider of health insurance coverage, as well as any changes to current benefit levels to achieve cost savings. For the insurance period that runs from September 1, 2015 through September 30, 2016, the Health Care Benefits Committee is recommending Humana

These minutes are a draft of the proposed minutes from the City Council meeting. They do not represent the official record of proceedings until formally adopted by the City Council. Formal adoption is noted by signature of the Clerk within the minutes.

City Council Work Session Minutes

July 22, 2015

Page 2.

54 as the carrier. Mr. Martin noted that at the suggestion of our insurance broker, Horan, the HCBC is
55 recommending a 13 month renewal period in order to delay the implementation of higher costing community rated
56 premiums which will eventually be mandated under current provisions of the Affordable Care Act. He stated that
57 Humana's proposal would provide full-time employees one High Deductible Health Plan with a Health Savings
58 Account (HDHP/HSA) with deductible levels of \$3,000/\$6,000 (single/family). The health care plan being
59 recommended would continue to include four levels of coverage: single, employee with child(ren), employee with
60 spouse and family. The Humana proposal represents a 5.0% decrease from the 2014-2015 plan year premium.
61 Finally, it should be noted that the City's current carrier for group life and accidental death and dismemberment
62 (AD&D) benefits, Lincoln Financial, quoted an 8% increase for our group's renewal. By moving our group's life
63 and AD&D coverage to Humana, we will be able to receive a 5% decrease in health insurance rates from Humana
64 and keep our life and AD&D benefit renewal rate at 0.0%.

65
66 **A Resolution Establishing City Contributions for Health Care Benefits**

67
68 Mr. James Hanson explained that if approved this Resolution would establish the City's incentive contribution for
69 the High Deductible Health Plan/Health Savings Account. The maximum contribution by the City to the High
70 Deductible Health Plan/Health Savings Account is recommended to be established at \$1,050 for a family plan and
71 \$750 for a single plan for the 2015-2016 insurance plan year. In addition to the base City incentive contribution,
72 it is recommended that the City match the employee's contribution to his/her health savings account in an amount
73 up to \$700 for employees with family plans and \$500 for employees with single plans.

74
75 **A Resolution to Adopt Recommendation of the Montgomery Tax Incentive Review Council with Respect to**
76 **the Compliance of all Tax Increment Financing Districts within the City of Montgomery**

77
78 Mr. Wayne Davis explained that the Montgomery Tax Incentive Review Council met on Thursday, July 16, 2015
79 to review all existing tax increment financing districts to ensure their compliance with all requirements of the
80 agreements that created the districts. The Tax Incentive Review Council is comprised of one representative from
81 the Hamilton County Auditor's Office, one representative of the Sycamore Community Schools, one
82 representative of the Great Oaks Joint Vocational School District, one Montgomery City Council Member and
83 himself. He further explained that the Ohio law mandates that City Council approve, reject or remand the
84 decision of the of the Tax Incentive Review Council relative to the compliance of the tax increment financing
85 districts. The Resolution indicating City Council's action is required to be filed with the Ohio Department of
86 Development by September 1 of each year. Mr. Davis stated that the Review Council is recommending that City
87 Council adopt this Resolution affirming the action of the Tax Incentive Review Council, relative to the
88 compliance of the current tax increment financing districts in the City.

89
90 **A Resolution Authorizing Internet Auction of Surplus Personal Property through GovDeals.com**

91
92 Police Chief Simpson explained that annually City Council is asked to adopt a Resolution that will designate
93 GovDeals.com as internet auction agents for the disposal of surplus property for a period of September 1, 2015
94 through August 31, 2016. He further explained that the Ohio law authorizes the City to dispose of surplus and
95 abandoned personal property through an internet auction. He stated that Section 50.02 of the Code of Ordinances
96 sets forth a procedure for the sale and disposition of lost, abandoned, stolen, seized or forfeited property ("Surplus
97 Property") through internet auction agents. He noted that staff has determined that the efficient disposition of
98 surplus property has been accomplished utilizing the internet auction service, GovDeals.com, which the City has
99 used on multiple occasions with success.

100
101 **A Resolution Authorizing the City Manager to Enter into an Agreement with the Sycamore Community**
102 **School District Board of Education To Assign A School Resource Officer**

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103 Police Chief Simpson stated that annually City Council is asked to adopt a Resolution that will authorize the City
104 Manager to execute an agreement with the Sycamore Community School District Board of Education for the
105 School Resource Officer (SRO) position for Sycamore High School for a one-year period. He further explained
106 that since 2001, the City of Montgomery has partnered with the Sycamore Community School District for an SRO
107 program at Sycamore High School. This program was initially funded through a three-year COPS in Schools
108 grant from the Department of Justice, as well as through a local funding commitment from both the School
109 District and the City. In 2005, City staff, City Council and School District Administrators agreed the SRO
110 program was beneficial to the community and the school district, and should be continued with the City and the
111 school district continuing to share the cost of the program through a written agreement detailing how costs would
112 be split. He also explained that this year's agreement continues the 60/40% split in costs for the School District
113 and City, respectively.

114
115 **An Ordinance Accepting Publicly Dedicated Easement Rights and Storm Water Improvements from**
116 **Property Owners in the 7900 Block of Shelldale Way**
117

118 Mr. Terry Donnellon, Law Director, explained to City Council that if approved this Ordinance would authorize
119 the City Manager to execute an Easement Agreement for property at 7919 Shelldale Way owned by Oleg
120 Edelman and Mary Edelman, Trustees of the Edelman Family Trust. This Easement encompasses certain
121 stormwater improvements completed by the Public Works Department this past year on and across this property.
122

123 **A Resolution Authorizing an Amendment to the Development/Service Agreement with Montgomery**
124 **Gateway Partners, LLC**
125

126 Mr. Donnellon explained to City Council that if approved this Resolution would authorize the City Manager to
127 enter into an Amendment to a Development/Service Agreement between the City and Montgomery Gateway
128 Partners, LLC dating to December 27, 2005. Mr. Donnellon stated that Montgomery Gateway Partners developed
129 the Triangle Property and in the Service Agreement called for Service Payments in lieu of taxes to reimburse the
130 City for public improvements in and around the Triangle. Since the signing of the original agreement the property
131 values have proven to be insufficient in recent years to meet the Minimum Service Payments and this Agreement
132 will allow the City to spread out that deficiency over several years, so as not to unfairly burden the tenants in the
133 property with the pass-through charges in their lease. The Amendment also allows any future deficiencies to be
134 paid solely during the second half settlement each year.
135

136 **ADMINISTRATION REPORT**
137

138 Mr. Wayne Davis reported on the following items:
139

140 Committee meetings scheduled for Monday, August 3, 2015

- 141 • Financial Planning-Request to Cancel
 - 142 • Planning, Zoning & Landmarks-Request to Cancel
 - 143 • Law & Safety-Request to Cancel
- 144

145 City Council Business Session is scheduled for August 5, 2015 at 7:00 p.m.
146

- 147 • Prior to the City Council Business Session staff would like the opportunity to discuss the Leaf
148 Management program of the City with City Council. Staff is requesting to set a time for that presentation
149 tonight. City Council and staff agreed to set the Special Meeting at 6:30 p.m. City Council voted by
150 Motion to set a Special Meeting of City Council on Wednesday, August 5 at 6:30 p.m. solely to receive a
151 presentation from Staff concerning their evaluation of a program for curbside leaf vacuuming. This is an

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- 152 information gathering session from Staff. Any follow up action would occur at a regular session of City
153 Council and not this Special Session.
154
- 155 • At your seats tonight you received a copy of a letter from State Representative Dever regarding the 2016-
156 2017 State of Ohio operating budget. I have contacted Mr. Hucke, a staff member of Representative
157 Dever, to schedule his attendance at the 8/19 Work Session to discuss the budget in more detail with City
158 Council and staff.
159
 - 160 • Kelly Beach is in the process of scheduling the 2016 budget reviews between August 3 and 14. It is
161 anticipated that City Council budget review sessions will be scheduled at the September 2, Business
162 Session.
163
 - 164 • Matthew Vanderhorst and Amy Paul are busy preparing the Strategic Plan Briefing Book that will be
165 presented at the Strategic Plan Retreat. The retreat is scheduled for Friday, August 21 from 3:00-8:00 and
166 Saturday, August 22 from 8:30-12:30. The retreat will be held at the Three Chimneys building in the
167 Vintage Club.
168
 - 169 • Bastille Day was a success this year even with the sweltering heat and rain. I would like to thank City
170 Staff, the Sister Cities Commission and all the many volunteers who give of their time and talents to make
171 this our signature event.
172
 - 173 • Intern Astrid Cabello will be starting on Monday, July 27. Astrid is a student from Sycamore High
174 School, and will be an working at City Hall through the end of July. She will be helping with the
175 performance benchmarking program with the Center for Local Government.
176
 - 177 • Detectives are currently following up on leads established from the Robbery at CVS on Saturday during
178 the Bastille Day Celebration. Officers have been in contact with Blue Ash PD, Norwood PD, and CVS
179 Loss Prevention as they have experienced similar incidents recently. We are happy to report that there
180 were no incidents to report from the actual Bastille Day Celebration.
181
 - 182 • Terry Donnellon and Kelly Beach are working on the legislation for House Bill 5, Municipal Income Tax
183 Ordinance that will be placed on the Financial Planning agenda on August 3, and then if approved,
184 presented to City Council on the August 19 Work Session Agenda. This will ensure the amended
185 Ordinance is in effect by January 1, 2016, as required by ORC 718.
186
 - 187 • Interviews for the positon of Finance Director are being conducted this week. The hiring team consisting
188 of Wayne Davis, Jim Hanson, Brian Riblet and Julie Prickett are interviewing a total of four candidates
189 with Kelly Beach being one of the four candidates under consideration. We plan to have the new Finance
190 Director in place sometime in September to allow overlap with Jim Hanson before his September 30 end
191 date of employment with the City.
192
 - 193 • One of the two vacant patrol officer positions was filled this week with David Mulcahy starting
194 employment with the City on Monday. David is a graduate of Xavier University and received his Ohio
195 Peace Officer certification through the Great Oaks Police Academy. The second vacant position will be
196 filled by Alexis Gilkey who will start employment with the City on August 10. Alexis is currently
197 employed as an Ohio State Trooper and is a UC graduate.
198
 - 199 • The City is waiting to hear back from the IAFF regarding the City's latest proposal submitted during a
200 negotiations session held on June 5. No negotiations meeting has been set pending response from the
201 IAFF. Depending on the response from the IAFF, the next step in the process could be mediation.

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202 Mr. Davis reported that there was a need for an Executive Session for matters related to the sale/purchase of real
203 estate.

204
205 **CITY COUNCIL REPORTS**

206
207 Mr. Margolis wanted to thank staff and all the volunteers who made Bastille Day such a success.

208
209 Mr. Margolis reported that the Environmental Advisory Commission implemented the new PlugShare service
210 installed at the public parking lot on Shelly Lane.

211
212 Mr. Margolis reported that he rode along with Officer Alex Janszen on Friday, July 17, and was thankful for the
213 opportunity to do so.

214
215 Mrs. Harbison reported that due to the resignation of Amy Emery from the Sister Cities Commission, a vacancy
216 will need to be filled.

217
218 Mrs. Harbison reported that once again Bastille Day was nominated for Cincy Magazine's 2015 Best of the North
219 Celebration contest. She stated that the nomination was discussed at the Sister Cities Commission meeting held on
220 Tuesday, July 18, where the Commission decided not to actively participate in the contest.

221
222 Mrs. Harbison reported that Council Member Roesch attended the Arts Commission meeting held on July 6, to
223 share history about the process in which permanent structures of art have been budgeted and chosen in the past.
224 The Commission discussed possible locations for placing the art throughout the City.

225
226 Mrs. Harbison reminded everyone about the Much In Common, Economic Development series to be held on July
227 30, at the Riff Distillery.

228
229 Mrs. Harbison also thanked staff for volunteering their time at Bastille Day.

230
231 Ms. Roesch reported that the Beautification and Tree Commission met on July 6, and discussed the Garden Tour.
232 She stated that the event went very well and that the Commission is planning to hold another tour next year.

233
234 Mr. Dobrozsi thanked staff and all volunteers for working during the extreme heat on Bastille Day.

235
236 Mayor Steinbrink also thanked staff for their dedication in making Bastille Day run so smoothly and for
237 everyone's efforts in working behind the scenes over the July 4th holiday to ensure the July 3rd and July 4th's
238 events were a success.

239
240 Mayor Steinbrink gave highlights about the July 4th Inauguration ceremonies in Neuilly-Plaisance, France at
241 which City Manager, Wayne Davis; Sister Cities Commission Member, Jack Wild; Honorary Ambassador to
242 Neuilly-Plaisance, Gary Blomberg and himself attended on behalf of the City.

243
244 **APPROVAL OF MINUTES**

245
246 Mrs. Harbison moved to approve the July 1, 2015 Business Session minutes and Public Hearing minutes. Mr.
247 Suer seconded. City Council unanimously agreed.

248
249 **OTHER BUSINESS**

250
251 **A Resolution Supporting Safe Teen Driving**

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252

253 Mr. Donnellon explained to City Council that a draft Resolution was prepared to consider support of the Safe
254 Teen Driving program presented by Mason High School students earlier this summer. He stated that if City
255 Council is in support of this Resolution it can be added to the agenda for the August 5, 2015 Business Session.

256

257 Mr. Donnellon stated that Ordinance No. 1, 2013 implementing prohibitions against using wireless
258 communication devices while operating a vehicle was similar to this legislation and could also be sent to the
259 students in support of their program.

260

261 After discussion, City Council directed Mr. Donnellon to send a copy of Ordinance No. 2, 2013 in support of the
262 Mason High School Students Safe Teen Driving pledge.

263

264 Mayor Steinbrink asked if there was any further business to discuss in Public Session. There being none, he asked
265 for a motion to adjourn into Executive Session to discuss matters related to the sale/purchase of real estate.

266

267 Mr. Margolis moved to adjourn to Executive Session for reasons to discuss matters related to the sale/purchase of
268 real estate. Mr. Dobrozsi seconded.

269

270 The roll was called and showed the following vote:

271

272 AYE: Margolis, Combs, Harbison, Steinbrink, Roesch, Suer, Dobrozsi (7)

273

274 NAY: (0)

275

276 ABSENT: (0)

277

278 City Council adjourned into Executive Session at 8:29 p.m.

279

280 City Council reconvened into Public Session at 9:00 p.m.

281

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

284

285 Mrs. Combs moved to adjourn. Mr. Dobrozsi seconded. City Council unanimously agreed.

286

287 City Council adjourned at 9:01 p.m.

288

289

290

Connie Gaylor, Clerk of Council