

December 30, 2015

TO: Mayor and City Council Members
FROM: Wayne S. Davis, City Manager 
SUBJECT: City Council Business Session of Wednesday, January 6, 2016

As a reminder, City Council is scheduled to meet in Business Session on Wednesday, January 6, 2016 at 7:00 p.m., at City Hall.

Work Session

1. Call to Order
2. Roll Call
3. Special Presentation
4. Guests and Residents
5. Legislation for Consideration Tonight

Pending Legislation

- a. An Ordinance Rezoning property located at 9441 Orchard Club Drive and Approving an Application for a Planned Development Overlay—(Ms. Roesch-2nd Reading) Information has been supplied previously on this Ordinance that, if approved, will rezone the property located at 9441 Orchard Club Drive and approve an application for a Planned Development Overlay. Based on a motion made during a Public Hearing held on November 18, 2015, City Council moved to accept the recommendations of the Planning Commission to rezone this site to a D-3 District, to impose a Planned District Overlay on such site, with the terms and conditions of the Overlay District.

Make a motion to approve the second reading of this Ordinance.

Roll Call Vote

The third reading will be held at the February 3, 2016 Business Session with adoption of the Ordinance requested at that meeting.

- b. An Ordinance Rezoning property located at 9876 Montgomery Road from 'GB' – General Business District to 'D-2' – Multi-Family Residential District —(Mr. Suer-2nd Reading) Information has been supplied previously on this Ordinance that, if approved, will rezone the property located at 9876 Montgomery Road from 'GB' – General Business District to 'D-2' – Multi-Family Residential District. Based on a motion made during the Public Hearing held on December 2, 2015, City Council moved to accept the recommendations of the Planning Commission to rezone this site to a D-2 District.

Make a motion to approve the second reading of this Ordinance.

Roll Call Vote

The third reading will be held at the February 3, 2016 Business Session with adoption of the Ordinance requested at that meeting.

New Legislation

- a. A Resolution Authorizing the City Manager to Enter into a Contract with CT Consultants, Inc. for Professional Services Related to General Engineering and Architectural Services for Calendar Year 2016—(Mr. Cappel) Information has been supplied previously on this Resolution that, if approved, will authorize the City Manager to enter into a contract with CT Consultants, Inc. for professional engineering and architectural services for calendar year 2016. The City has contracted for approximately 24 years with CDS Associates Inc., which in 2014 merged with CT Consultants, Inc., to provide civil, traffic, structural, electrical and storm water engineering services. CT Consultants has provided a competitive fee structure for 2016 including slight hourly rate increases for engineering services. As was provided in previous years, CT Consultants has deleted the line item for billing of the "Principal" from the fee schedule. If for any reason the Principal Engineer provides engineering services during the contract year for development/design review or project design/review, that work would be billed at the hourly rate of a "Senior Manager". Funding for this professional services contract is included in the City's 2016 Operating Budget in both the Public Works and Community Development operating budgets.

Move to read the Resolution by title only

Voice Vote

Move passage of the Resolution

Roll Call Vote

- b. A Resolution Accepting a Bid and Authorizing the City Manager to Enter into a Contract with Elex, Inc. for the Ham-Var-Montgomery Signals Project PID #94300—(Mr. Cappel) Information has been supplied previously on this Resolution that, if approved, will authorize the City Manager to enter into a contract with Elex, Inc. for the Ham-Var-Montgomery Signals Project PID #94300. In 2012, the City of Montgomery applied for grant funding through the Ohio Kentucky Indiana Regional Council of Governments (OKI) and was awarded a grant up to \$849,442 representing 80% of the estimated project cost. These funds were awarded to complete this project which includes installation of a fiber optic system to the central traffic signal system, installation of pan, tilt, zoom (PTZ) cameras at identified locations, and the installation of a new traffic signal system including decorative poles and mast arms at the intersection of Cooper Road and Delray Drive. On July 10, 2013 City Council passed Resolution No. 23 authorizing the City Manager to enter into a Federal Local Let Project Agreement with the Ohio Department of Transportation which allows for ODOT's administration of this project within Montgomery. Staff has reviewed the bids received and determined that the bid received from Elex Inc. is the lowest and best bid received to complete the HAM-VAR-Montgomery Signals Project PID#94300.

Move to read the Resolution by title only

Voice Vote

Move passage of the Resolution

Roll Call Vote

- c. An Ordinance amending Section 44.13 of the Code of Ordinances Concerning Appointment of the Board of Review—(Mr. Suer) Information has been supplied previously on this Ordinance that, if approved, will amend current Section 44.13 of the Code of Ordinances, Board of Review, to reconcile the appointment process with a new Code mandated by the State of Ohio. While the new Code begins with tax year 2016 and any appeal would not likely occur until 2017, this Ordinance amends our current Code to recognize two year terms for appointees and to allow City Council to appoint an alternate Member to hear cases in the event of a conflict. The third Member of the Board of Review under the new Code and under the amended Code would be appointed by the City Manager.

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 February 3, 2016 Business Session. The third reading of the Ordinance will be held at the March 2, 2016 Business Session with adoption of the Ordinance requested at that meeting.

- d. A Resolution Authorizing Amendments to the City's Section 125 Premium Only Plan—(Mrs. Harbison) Information has been supplied previously on this Resolution that, if approved, will authorize Amendments to the City's Section 125 Premium Only Plan. This Resolution ratifies and reaffirms the City's Section 125 Premium Only Plan for employees. Under this Plan employees are able to pay their health insurance premiums with pre-tax dollars. This Resolution reaffirms the current Plan and authorizes the City Manager to sign updates to the Plan as may be required by federal law.

Move to read the Resolution by title only

Voice Vote

Move passage of the Resolution

Roll Call Vote

6. Administration Report
7. Approval of Minutes-December 16, 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

January 6, 2016

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

1. Call to Order
2. Roll Call
3. Special Presentation
4. Guests and Residents
5. Legislation for Consideration Tonight

Pending Legislation

- a. **An Ordinance Rezoning property located at 9441 Orchard Club Drive and Approving an Application for a Planned Development Overlay—(Ms. Roesch-2nd Reading)**

Make a motion to approve the second reading of this Ordinance.

Roll Call Vote

The third reading will be held at the February 3, 2016 Business Session with adoption of the Ordinance requested at that meeting.

- b. **An Ordinance Rezoning property located at 9876 Montgomery Road from 'GB' – General Business District to 'D-2' – Multi-Family Residential District—(Mr. Suer-2nd Reading)**

Make a motion to approve the second reading of this Ordinance.

Roll Call Vote

The third reading will be held at the February 3, 2016 Business Session with adoption of the Ordinance requested at that meeting.

New Legislation

- a. **A Resolution Authorizing the City Manager to Enter into a Contract with CT Consultants, Inc. for Professional Services Related to General Engineering and Architectural Services for Calendar Year 2016—(Mr. Cappel)**

Move to read the Resolution by title only

Voice Vote

Move passage of the Resolution

Roll Call Vote

- b. **A Resolution Accepting a Bid and Authorizing the City Manager to Enter into a Contract with Elex, Inc. for the Ham-Var-Montgomery Signals Project PID #94300—(Mr. Cappel)**

Move to read the Resolution by title only

Voice Vote

Move passage of the Resolution

Roll Call Vote

c. An Ordinance amending Section 44.13 of the Code of Ordinances Concerning Appointment of the Board of Review—(Mr. Suer)

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 February 3, 2016 Business Session. The third reading of the Ordinance will be held at the March 2, 2016 Business Session with adoption of the Ordinance requested at that meeting.

d. A Resolution Authorizing Amendments to the City's Section 125 Premium Only Plan—(Mrs. Harbison)

Move to read the Resolution by title only

Voice Vote

Move passage of the Resolution

Roll Call Vote

6. Administration Report

7. Approval of Minutes – December 16, 2015 Work Session

8. Mayor's Court Report

9. Other Business

10. Executive Session

11. Adjournment

ORDINANCE NO. , 2015

**AN ORDINANCE REZONING PROPERTY AT 9441 ORCHARD CLUB DRIVE,
MONTGOMERY, OHIO AND APPROVING AN APPLICATION FOR A
PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT FOR SUCH PROPERTY**

WHEREAS, Bayer Becker as applicant, on behalf of the property owner, Montgomery Swim and Tennis Club, Inc., and the anticipated Developer, Camden Homes, Inc. and/or its subsidiary, has petitioned the City to rezone property at 9441 Orchard Club Drive, Montgomery, Ohio, currently owned and operated as the Montgomery Swim and Tennis Club to rezone such property as part of the process to approve a Planned Unit Development Overlay District (“PUD”) and General Development Plan for such property; and

WHEREAS, the Planning Commission has reviewed the application and recommended the approval of a Planned Unit Development Overlay District with specific conditions, the General Development Plan with an equivalency allowing open area within a conservation easement to satisfy the open space requirements of the PUD, and further rezoning the property to a Residential D-3 District allowing for the development of single-family homes; and

WHEREAS, Council did hold a public hearing on November 18, 2015 to consider the recommendation and findings from the Planning Commission after appropriate public notice was completed as required by the Montgomery Zoning Code; and

WHEREAS, Council did accept the recommendations and findings of the Planning Commission which support rezoning these properties to D-3 Residential as a

part of a Planned Unit Development Overlay District with conditions specific to such PUD district, and Council did accept the General Development Plan September 3, 2015 with the equivalency to meet the open space requirements; and

WHEREAS, Council does find that the zoning amendment, as proposed and accepted at the public hearing, will be consistent with the Comprehensive Community Plan for the City.

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

SECTION 1. Property currently owned by Montgomery Swim and Tennis Club, Inc., being Auditor's parcel number 603-0018-0178, and more commonly known as 9941 Orchard Club Drive, Montgomery, Ohio 45242, as more particularly described on Schedule A attached hereto and incorporated herein by reference, shall be rezoned to the D-3 Residential District.

SECTION 2. The property proposed for development by Camden Homes, Inc. currently owned by the Montgomery Swim and Tennis Club, Inc. encompassing Auditor's Parcel number 603-0018-0178 is hereby approved as a Planned Unit Development Overlay District pursuant to Chapter 150.13 of the Code of Ordinances.

SECTION 3. In addition to the underlying zoning district regulations for a D-3 Residential District, the property in the Planned Unit Development Overlay shall be subject to the general conditions and specific conditions as set forth in Schedule B attached hereto and incorporated herein by reference. To the extent that the general and specific conditions of the Planned Unit Development District as described on

Schedule B are inconsistent with the underlying zoning district regulations, the regulations of the Planned Unit Development District shall supersede.

SECTION 4. The Community Development Director is hereby directed to make a change in the Zoning Map to reflect the new underlying zone, the Planned Unit Development Overlay District, and the boundaries for such zone and District.

SECTION 5. 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. , 2015

**AN ORDINANCE REZONING PROPERTY AT 9876 MONTGOMERY ROAD
MONTGOMERY, OHIO TO THE D-2 MULTI-FAMILY RESIDENTIAL DISTRICT**

WHEREAS, Twin Lakes, operating in the City as a retirement community, has petitioned the City to rezone a portion of the property which it owns at 9876 Montgomery Road, Montgomery, Ohio, being Hamilton County Auditor's parcel number 603-0008-0009, to the D-2 Multi-Family Residential District; and

WHEREAS, such lot currently is situated in the GB General Business District, however the property to the east of the subject lot is owned by Twin Lakes and is similarly zoned within the D-2 Multi-Family Residential District; and

WHEREAS, rezoning the subject lot will facilitate the expansion of the retirement campus onto such lot, and it will not disrupt the Montgomery Road Commercial Corridor as the companion lot frontage will remain in the GB General Business District; and

WHEREAS, Council did hold a public hearing on December 2, 2015 to consider the recommendation and findings from the Planning Commission after appropriate public notice was completed as required by the Montgomery Zoning Code; and

WHEREAS, Council did accept the recommendations and findings of the Planning Commission which support rezoning the property to the D-2 Multi-Family Residential District; and

WHEREAS, Council does find that the zoning amendment, as proposed and accepted at the public hearing, will be consistent with the Comprehensive Community Plan for the City.

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

SECTION 1. Property currently owned by Twin Lakes, being Auditor's parcel number 603-0008-0009, more commonly known as 9876 Montgomery Road, Montgomery, Ohio 45242, as more particularly described on Schedule A attached hereto and incorporated herein by reference, shall be rezoned to the D-2 Multi-Family Residential District.

SECTION 2. The Community Development Director is hereby directed to make a change in the Zoning Map to reflect the new residential zone and the boundaries for such zone and District.

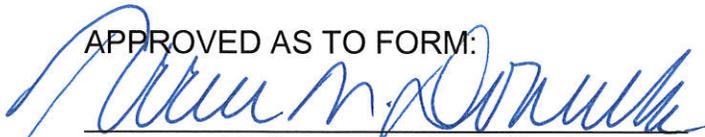
SECTION 3. This Ordinance shall take effect the earliest opportunity as allowable by law.

PASSED: _____

ATTEST: _____
Connie M. Gaylor, Clerk of Council

Christopher P. Dobrozsi, Mayor

APPROVED AS TO FORM:



Terrence M. Donnellon, Law Director

RESOLUTION NO , 2016

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO
A CONTRACT WITH CT CONSULTANTS, INC. FOR PROFESSIONAL SERVICES
RELATED TO GENERAL ENGINEERING AND ARCHITECTURAL SERVICES
FOR CALENDAR YEAR 2016**

WHEREAS, Section 9.03 of Article IX of the Charter of the City of Montgomery, Ohio, provides the method under which the City Manager shall make certain purchases and enter into contracts on behalf of the City; and

WHEREAS, it is appropriate to provide contract authority for professional services that are generally not subject to competitive bidding but will exceed a total of \$50,000 in a calendar year; and

WHEREAS, it is the desire of the Council of the City of Montgomery to enter into a contract with CT Consultants, Inc. for calendar year 2016 to perform general engineering and architectural services for the City.

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 CT Consultants, Inc. for professional services to be provided to the City of Montgomery for calendar year 2016 according to the schedule submitted by CT Consultants, attached hereto as Exhibit "A" and incorporated herein by reference.

SECTION 2. The City Manager is hereby authorized to pay CT Consultants, Inc. according to the rates set forth in said schedule.

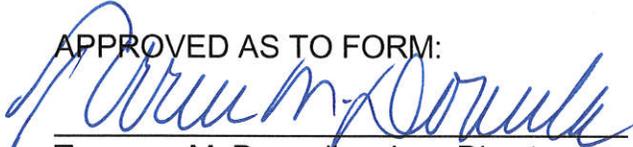
SECTION 3. This Resolution shall be in full force and effect from and after its passage.

PASSED: _____

ATTEST: _____
Connie Gaylor, Clerk of Council

Christopher P. Dobrozsi, Mayor

APPROVED AS TO FORM:



Terrence M. Donnellon, Law Director

CITY OF MONTGOMERY
2016 HOURLY FEE SCHEDULE

Principal	\$ 195.00
Senior Project Engineer	150.00
Project Engineer	130.00
Engineer 2	110.00
Engineer 1	98.00
Designer 3	95.00
Designer 2	80.00
Engineer Intern	50.00
Construction Rep 3	84.00
Technical Support	51.00
Survey Crew	140.00

Expenses at Cost Plus 10%

CT CONSULTANTS, INC.



RESOLUTION NO. , 2016

**A RESOLUTION ACCEPTING A BID AND AUTHORIZING THE CITY MANAGER
TO ENTER INTO A CONTRACT WITH ELEX INC. FOR THE
HAM-VAR-MONTGOMERY SIGNALS PROJECT PID # 94300**

WHEREAS, by Resolution 23, 2013, Council did authorize the City Manager to enter into a Federal Local Let Project Agreement for the funding and administration of the HAM-VAR-Montgomery Signals Project PID # 94300 (“Project”); and

WHEREAS, such grant funding for the Project has been approved and the City’s proportionate share of the funding has been appropriated in the 2016 Capital Improvement Budget; and

WHEREAS, the City has advertised for bids for the Project, and the City has received a bid from Elex Inc., which the Administration has determined to be the lowest and best bid and has recommended acceptance.

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

SECTION 1. The bid of \$841,000.00 received from Elex Inc. for the HAM-VAR-Montgomery Signals Project PID # 94300 (which includes contingency funds) is hereby determined to be the lowest and best bid received in response to an advertisement for the same.

SECTION 2. The bid is hereby accepted and the City Manager is authorized and directed to enter into a contract in accordance with the terms described in the specifications.

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

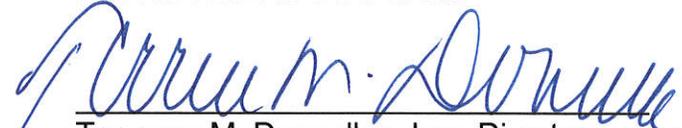
its passage.

PASSED: _____

ATTEST: _____
Connie M. Gaylor, Clerk of Council

Christopher P. Dobrozsi, Mayor

APPROVED AS TO FORM:



Terrence M. Donnellon, Law Director

ORDINANCE NO. _____, 2016

**AN ORDINANCE AMENDING SECTION 44.13 OF THE CODE OF ORDINANCES
CONCERNING APPOINTMENT OF THE BOARD OF REVIEW**

WHEREAS, Council did adopt an updated Tax Code to be effective January 1, 2016 to meet the statutory mandates of Amended Substitute House Bill 5; and

WHEREAS, under Section 44.1.8 of the new Code, the City has adopted the procedure, mandated by the State, for the appointment of the Board of Tax Review and the process for appeal to the Board of Tax Review; and

WHEREAS, the current Code must remain in place to govern tax years prior to January 1, 2016; and

WHEREAS, Council does desire to update current Code Section 44.13, *Board of Review*, to provide a consistent process for the appointment of the Board of Review while transitioning to the new Code.

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

SECTION 1. Section 44.13, Board of Review, of the Montgomery Code of Ordinances is hereby amended to create a consistent process for tax appeals for all tax years prior to January 1, 2016 which will mirror the process for Board appointments in the new Code while the City transitions to its new Code outlined in Chapter 44.1. Section 44.13 of the current Code of Ordinances shall read as follows:

44.13 BOARD OF TAX REVIEW

(A) Composition. The Board of Tax Review shall consist of three members. The three members of the Board of Tax Review must be domiciled in the City of Montgomery, Ohio. Two members shall be appointed by the Montgomery City Council,

which may also appoint an alternate to serve when there may be a conflict, illness, temporary absence or similar reason. The Council appointees may not be employees, elected officials, or contractors with the City at any time during their term or in the five years immediately preceding the date of appointment. One member shall be appointed by the City Manager. This member may be an employee of the Municipality, but may not be the director of finance or equivalent officer, or the Tax Administrator or other similar official or an employee directly involved in municipal tax matters, or any direct subordinate thereof.

(B) Term. The term for members of the Board of Tax Review appointed by the City Council shall be two years. There is no limit on the number of terms that a member may serve should the member be reappointed by the City Council. The Board member appointed by the City Manager shall serve at the discretion of the City Manager.

(C) Removal. Members of the Board of Tax Review appointed by the City Council may be removed by the City Council as set forth in Section 718.11(A)(4) of the Revised Code. A member of the Board who, for any reason, ceases to meet the qualifications for the position prescribed by this section shall resign immediately by operation of law.

(D) Vacancies. A vacancy in an unexpired term shall be filled in the same manner as the original appointment within sixty days of when the vacancy was created. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which the member's predecessor was appointed shall hold office for the remainder of such term. No vacancy on the Board shall impair the power and authority of the remaining members to exercise all the powers of the Board.

(E) Temporary Appointment. If a member is temporarily unable to serve on the Board due to a conflict of interest, illness, absence, or similar reason, the alternate

designated by City Council temporarily shall serve in the place of a Council appointed member's absence. The City Manager shall appoint another individual to temporarily serve on the Board in the member's place if the City Manager appointed member is absent. This appointment shall be subject to the same requirements and limitations as are applicable to the appointment of the member temporarily unable to serve.

SECTION 2. The initial Term of appointment for Members appointed by City Council shall commence upon the effective date of this Ordinance and continue until January 31, 2017. Thereafter, Members appointed by City Council shall serve two (2) year terms.

SECTION 3. Current Code Section 44.13(A) is hereby repealed. All other parts of Section 44.13 are hereby ratified and reaffirmed.

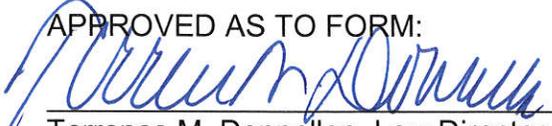
SECTION 4. This Ordinance shall take effect the earliest opportunity as allowable by law.

PASSED: _____

ATTEST: _____
Connie M. Gaylor, Clerk of Council

Christopher P. Dobrozsi, Mayor

APPROVED AS TO FORM:



Terrence M. Donnellon, Law Director

RESOLUTION NO. , 2016

**A RESOLUTION AUTHORIZING AMENDMENTS TO THE CITY'S
SECTION 125 PREMIUM ONLY PLAN**

WHEREAS, in 2005 Council authorized the City Manager to enter into a contract with Chard, Snyder & Associates, Inc. to administer a Flexible Benefit Plan; and

WHEREAS, with changes in the employee benefit structure, the Section 125 Plan has become a Premium Only Plan; and

WHEREAS, with the implementation of the Affordable Care Act and regulations adopted thereunder, updates to the Plan are required; and

WHEREAS, Chard, Snyder & Associates, Inc. has updated the Plan Documents for the City; and

WHEREAS, Council does desire to ratify and reaffirm the Plan and to authorize the City Manager to accept such amendments as are mandated by federal law.

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

SECTION 1. The City Manager is hereby authorized to execute any and all agreements and other Plan Documents as are necessary to update the Section 125 Premium Only Plan. The Plan as implemented in calendar year 2006 is hereby ratified and reaffirmed with all modifications and updates to such Plan as may have occurred and as may have been mandated during prior Plan years.

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

PASSED: _____

ATTEST: _____
Connie M. Gaylor, Clerk of Council

Christopher P. Dobrozsi, Mayor

APPROVED AS TO FORM:



Terrence M. Donnellon, Law Director

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 of Montgomery
City Council Work Session Minutes
December 16, 2015

Present

Wayne Davis, City Manager
Terry Donnellon, Law Director
Tracy Roblero, Community Development Director
Michelle Greis, Finance Director
Kelly Beach, Assistant Finance Director/Tax Commissioner
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
Mike Cappel
Gerri Harbison
Ken Suer
Craig Margolis

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

ROLL CALL

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

Mr. Margolis moved to dispense with the roll call. Mr. Cappel seconded. City Council unanimously agreed.

SPECIAL PRESENTATION

Certificate of Appreciation

Mary Goard was present to accept a Certificate of Appreciation for her contributions to the City as a member of the Board of Zoning Appeals.

Mayor's Proclamation

Christopher and Stephen Hartkemeier and their parents were present to accept a Mayor's Proclamation proclaiming December 17, 2015 as Christopher Hartkemeier Day and December 18, 2015 as Stephen Hartkemeier Day in recognition of their accomplishments of earning their rankings as an Eagle Scout.

LEGISLATION FOR CONSIDERATION TONIGHT

An Ordinance to Amend Appropriations for Current Expenses and Other Expenditures of the City of Montgomery, State of Ohio, During the Fiscal Year Ending December 31, 2015

Mayor Dobrozsi assigned the legislation to Mr. Suer.

Mr. Suer moved to read the Ordinance by title only. Mr. Margolis seconded. City Council unanimously agreed.

Mr. Suer read the Ordinance and moved to suspend the rules requiring three separate readings. Mr. Margolis seconded.

The roll was called and showed the following vote to approve the suspension of rules:

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

December 16, 2015

Page 2.

54 AYE: Combs, Cappel, Harbison, Dobrozsi, Roesch, Suer, Margolis (7)
55 NAY: (0)
56 ABSENT: (0)

57
58 Mr. Suer moved for passage. Mr. Margolis seconded. City Council unanimously agreed.

59
60 Mr. Suer explained that if passed this Ordinance will amend appropriations for current expenses and other
61 expenditures during the fiscal year ending December 31, 2015. The year-end supplemental appropriations are
62 necessary to reconcile line items which had expenditures exceed budget for various reasons, which need
63 additional appropriations or are required to be reduced by law. The aggregate effect of the supplemental
64 appropriations is to increase total appropriations by \$2,005,500. Most of the increase is the result of a proposed
65 transfer to the Downtown Improvement Fund. Furthermore, there are reductions in appropriations as the result of
66 actual revenues that were less than estimated. Under Ohio Revised Code, appropriations should be reduced in
67 these funds.

68
69 Mayor Dobrozsi asked if there were any updates at this time.

70
71 Ms. Greis reported there were none.

72
73 The roll was called and showed the following vote to approve passage:

74
75 AYE: Cappel, Harbison, Dobrozsi, Roesch, Suer, Margolis, Combs (7)
76 NAY: (0)
77 ABSENT: (0)

78
79 **ESTABLISHING AN AGENDA FOR JANUARY 6, 2016**

80
81 **Pending Legislation**

82
83 **An Ordinance Rezoning property located at 9441 Orchard Club Drive and Approving an Application for a
84 Planned Development Overlay**

85
86 Mayor Dobrozsi stated that this will be the second reading of this Ordinance for the rezoning of the property
87 located at 9441 Orchard Club Drive and approving an application for a Planned Development Overlay. He asked
88 Ms. Roblero if there were any updates.

89
90 Ms. Roblero stated there were none.

91
92 **An Ordinance Rezoning property located at 9876 Montgomery Road from 'GB' – General Business District
93 to 'D-2' – Multi-Family Residential District**

94
95 Mayor Dobrozsi stated that this will be the second reading of this Ordinance rezoning the property located at 9876
96 Montgomery Road from 'GB' – General Business District to 'D-2' – Multi-Family Residential District. He asked
97 Ms. Roblero if there were any updates.

98
99 Ms. Roblero stated there were none.

100
101
102
103

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

December 16, 2015

Page 3.

104
105
106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127
128
129
130
131
132
133
134
135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153

New Legislation

A Resolution Authorizing the City Manager to Enter into a Contract with CT Consultants, Inc. for Professional Services Related to General Engineering and Architectural Services for Calendar Year 2016

Mr. Riblet explained that if approved this Resolution will authorize the City Manager to enter into a contract with CT Consultants, Inc. for professional engineering and architectural services for calendar year 2016. The City has contracted for approximately 24 years with CDS Associates Inc. which recently merged with CT Consultants, Inc., to provide civil, traffic, structural, electrical and storm water engineering services. CT Consultants has provided a competitive fee structure for 2016 including slight hourly rate increases for engineering services. Funding for this professional services contract is included in the City's 2016 Operating Budget in both the Public Works and Community Development departmental operating budgets.

Mr. Cappel inquired about the Principal Engineer fees on the fee sheet.

Mr. Riblet explained that as was provided in previous years, CT Consultants has deleted the line item for billing of the "Principal" from the fee schedule. If for any reason the Principal Engineer provides engineering services during the contract year for development/design review or project design/review, that work would be billed at the hourly rate of a "Senior Manager".

A Resolution Accepting a Bid and Authorizing the City Manager to Enter into a Contract with Elex, Inc. for the Ham-Var-Montgomery Signals Project PID #94300

Mr. Riblet explained that if approved this Resolution will authorize the City Manager to enter into a contract with Elex, Inc. for the Ham-Var-Montgomery Signals Project PID #94300. In 2012, the City of Montgomery applied for grant funding through the Ohio Kentucky Indiana Regional Council of Governments (OKI) and was awarded a grant up to \$849,442 to complete this project which represented 80% of the estimated project costs which primarily includes installing a fiber optic system to the central traffic signal system, installation of pan, tilt, zoom (PTZ) cameras at identified locations, and installation of a new traffic signal system including decorative poles and mast arms at the intersection of Cooper Road and Delray Drive. On July 10, 2013 City Council passed Resolution No. 23 authorizing the City Manager to enter into a Federal Local Let Project Agreement with the Ohio Department of Transportation. Staff has reviewed the bids received and determined that the bid received from Elex Inc. is the lowest and best bid received to complete the HAM-VAR-Montgomery Signals Project PID#94300.

Mr. Cappel asked if this system includes a central control unit.

Mr. Riblet responded that it would. He explained that the central control unit would bring the north and south systems together. The live cameras will allow the public works and police departments, and CT Consultants to monitor traffic in real time.

An Ordinance amending Section 44.13 of the Code of Ordinances Concerning Appointment of the Board of Review

Mr. Donnellon explained that if approved this Ordinance will amend the current Section 44.13 of the Code of Ordinances, Board of Review, to reconcile the appointment process with a new Code mandated by the State of Ohio. While the new Code begins with tax year 2016 and any appeal would not likely occur until 2017, this Ordinance amends our current Code to recognize two year terms for appointees, and to allow City Council to appoint an alternate member to hear cases in the event of a conflict. The third member of the Board of Review under the new Code and under the amended Code would be appointed by the City Manager.

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

December 16, 2015

Page 4.

154 Mr. Donnellon also stated that the legislation was written for three separate readings with a 30 day wait period. He
155 stated that City Council could choose to suspend the rules and pass with emergency language.

156
157 City Council declined to suspend the rules and to hold all three readings.

158
159 Mr. Donnellon stated that Board of Tax Review member Ed Steinebrey would need to be reappointed until the
160 Ordinance is passed and then his term limits changed to reflect that of the new Board.

161
162 **A Resolution Authorizing Amendments to the City's Section 125 Premium Only Plan**

163
164 Mr. Donnellon explained that if approved this Resolution will authorize Amendments to the City's Section 125
165 Premium Only Plan. This Resolution ratifies and reaffirms the City's Section 125 Premium Only Plan for
166 employees. Under this Plan employees are able to pay their health insurance premiums with pre-tax dollars. This
167 Resolution reaffirms the current Plan and authorizes the City Manager to sign updates to the Plan as may be
168 required by federal law.

169
170 **ADMINISTRATION REPORT**

171
172 Mr. Wayne Davis reported on the following items:

- 173
174
- The Law and Safety Committee has cancelled their meeting for the month of December.
 - City Council has the option to consider changing the meeting times of the Financial Planning, Planning, Zoning and Landmark, and Law and Safety Committees that meet the first Monday of the month. Due to the infrequencies of the Law and Safety and Planning, Zoning and Landmark Committee meetings, it may better accommodate Committee Members schedules to reassign meeting times.
 - City Council discussed and determined that meeting times would be as follows:
 - Law and Safety Committee-3:30 p.m.
 - Financial Planning Committee-4:30 p.m.
 - Planning, Zoning and Landmarks-5:30 p.m.
 - The Financial Planning and Planning, Zoning and Landmarks Committees of City Council will meet on Monday, January 4, 2016 at 4:30 and 5:30 p.m. respectively.
 - City Council Business Session is scheduled for January 6, 2016 at 7:00 p.m.
 - Breakfast with Santa occurred on Saturday, December 12, with 248 attendees enjoying hot cakes and sausage while giving their Christmas wish list to jolly old Saint Nick. Thanks to all who helped from Recreation, Police and Fire.
 - Tracy Roblero and I met with representatives from the Village of Indian Hill and representatives from Twin Lakes to discuss the potential for connecting an existing access easement for the manor homes south of the Safety Center. This connection would allow for Twin Lakes to construct additional villa homes on the property located in the City of Montgomery south of the Safety Center without an additional curb cut on Montgomery Road. The representatives from the Village of Indian Hill stated that they will provide preliminary feedback on the concept from their Planning Commission to allow Twin Lakes to make decisions moving forward.
- 175
176
177
178
179
180
181
182
183
184
185
186
187
188
189
190
191
192
193
194
195
196
197
198
199
200
201
202
203

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

December 16, 2015

Page 5.

- 204 • The Civil Service Commission met on Wednesday, December 16, to certify the patrol officer eligible list
205 based on results from the December 5 written exam. A total of 32 candidates took the exam and all
206 candidates received a passing score. Chief Simpson presented the test results to the Commission. Chief
207 Wright outlined a proposed exam process for firefighter/paramedic to take place in 2016. There are no
208 vacant fulltime positions in the fire department at this time.
209
- 210 • Tracy Roblero, Terry Donnellon, Brian Riblet, Michelle Greis, Frank Davis and I met on Wednesday,
211 December 16, for an internal analysis of the Gateway Project proforma. While we are still in the very
212 early stages of the project it is important to begin the discussion of public versus private costs as well as
213 funding strategies.
214
- 215 • On Wednesday, December 16, Brian Riblet, Gary Heitkamp, Jay Korros (CT Consultants) and Jeff
216 Heimann (Strand Associates) met with ODOT officials regarding the preliminary traffic study that was
217 completed at the interchange of Ronald Reagan Highway and Montgomery Road which included
218 proposals for modifications. The meeting went well and ODOT officials advised the City to move
219 forward with collecting additional data and submitting a request for certified traffic to ODOT.
220
- 221 • Michelle Greis, Kelly Beach and I conducted interviews with candidates for the Financial Advisor and
222 Underwriter roles for the Gateway Redevelopment Area (GRA). These individuals will work closely with
223 the internal team throughout the project. We hope to have a recommendation by the end of the year.
224
- 225 • As a reminder, City offices will be closed on Thursday, December 24 and Friday, December 25 in
226 observance of the Christmas holiday and also on January 1, 2016 in observance of New Year's Day.
227
- 228 • The date and location for the Community Leadership Forum has been set. The forum is scheduled for
229 February 6, 2016 from 8:15 to 11:00 a.m. and will be held at the Golder conference room at Bethesda
230 North Hospital. Senior staff is working to finalize the agenda in time to send out invitations during the
231 week of January 4, 2016.
232
- 233 • As a reminder, I will be out of the office Friday, December 18 and Monday December 21, but will be in
234 town and accessible by phone and email.
235
- 236 • Merry Christmas and Happy Hanukah to everyone and also have a safe and prosperous New Year.
237
- 238 • A Request for an Executive Session for matters relating to the Sale/Purchase of Real Estate.
239

240 **CITY COUNCIL REPORTS**

241
242 Mrs. Harbison reported that the Government Affairs Committee met on December 14. She stated that at this
243 meeting, the Committee reviewed and approved the new Service to Community Grant that was formerly the
244 Community Engagement Grant. She explained that the new grant includes a service component as well as a focus
245 on community engagement.
246

247 Mrs. Harbison also reported that at the same Government Affairs meeting that Blair Davis was appointed to the
248 Sister Cities Commission with a term ending February 28, 2016. City Council was unanimously in favor.
249

250 Mrs. Harbison stated that the public works, police, fire and community and information services departments all
251 requested approval of the disposal of surplus equipment at this meeting.
252

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

December 16, 2015

Page 6.

253 Mrs. Harbison stated that there will be a joint meeting of the First Suburbs Consortium and the Hamilton County
254 Municipal league held on January 27, 2016 from 6:00 to 8:00 p.m. at the Evendale Boy Scout Center. She stated
255 that Joy Pierson would be speaking about grants available in Hamilton County.

256
257 Ms. Roesch reported that she attended the Beautification and Tree, and Parks and Recreation Commissions
258 holiday meetings.

259
260 Ms. Roesch reported that the Blue Ash Montgomery Symphony Orchestra Holiday Concert was the best attended
261 holiday concert of record.

262
263 Mr. Suer reported on the work of Cincinnati Bell installing fiber optics in his neighborhood and the complaints he
264 has received from neighbors and area residents. He asked staff if Cincinnati Bell has provided a timetable for the
265 work. He also asked staff to speak with Utility Solutions, a subcontractor for Cincinnati Bell regarding complaints
266 he has received regarding mud on the streets. He indicated that they are leaving yards torn up and mud on the
267 streets.

268
269 Mr. Riblet stated that he would contact Cincinnati Bell to follow through on Mr. Suer's concerns.

270
271 Mr. Margolis stated that he was transitioning off the Environmental Advisory Commission as Council Liaison and
272 that Mr. Cappel would be stepping in to fill that position.

273
274 Mayor Dobrozsi thanked staff for their time and efforts in making this year's Holiday in The Village a huge
275 success. He stated that the inclusion of the Montgomery Community Church Carolers added a new dimension to
276 the event making it a very special evening.

277
278 **APPROVAL OF MINUTES**

279
280 Mr. Margolis moved to approve the December 2, 2015 Organizational, Public Hearing and Business Session
281 minutes. Mr. Cappel seconded. City Council unanimously agreed.

282
283 **OTHER BUSINESS**

284
285 Mayor Dobrozsi stated that on the agenda was a Liquor License hearing request.

286
287 Mr. Donnellon stated that the City has received a notice from the Ohio Department of Liquor Control asking
288 whether or not City Council wishes to request a hearing on a transfer application for a D5 and a D6 liquor license
289 from Allure Restaurant Inc. to Pacific Kitchen LLC at 8300 Market Place Lane. Chief Simpson stated that he had
290 no objection to the transfer application based on a review of the operations at the current location and the
291 background of the owners of Pacific Kitchen LLC. Staff recommends that City Council adopt a motion to indicate
292 that it does not request a hearing on this transfer.

293
294 Mrs. Harbison made a motion to not request a hearing. Mr. Margolis seconded. City Council unanimously agreed.

295
296 Mayor Dobrozsi stated that he would be appointing Vice Mayor Roesch as Acting Mayor beginning on Saturday,
297 December 20 through Saturday, January 2, 2016 as he will be traveling out of the country.

298
299 Mayor Dobrozsi requested a motion to adjourn into Executive Session for matters related to the Sale/Purchase of
300 Real Estate.

301

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

City Council Work Session Minutes

December 16, 2015

Page 7.

302 Mr. Margolis made a motion to adjourn into Executive Session for matters related to the Sale/Purchase of Real
303 Estate. Ms. Roesch seconded.

304
305 The roll was called and showed the following vote:

306
307 AYE: Harbison, Dobrozsi, Roesch, Suer, Margolis, Combs, Cappel (7)
308 NAY: (0)
309 ABSENT: (0)

310
311 City Council adjourned into Executive Session at 7:55 p.m.

312
313 City Council reconvened into Public Session at 8:39 p.m.

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

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

319
320 City Council adjourned at 8:39 p.m.

321
322
323
324
325

Connie Gaylor, Clerk of Council