

September 11, 2015

TO: Mayor and City Council Members  
FROM: Wayne S. Davis, City Manager *WSD*  
SUBJECT: City Council Work Session of Wednesday, September 16, 2015

As a reminder, City Council is scheduled to meet in Work Session on Wednesday, September 16, 2015 immediately following the conclusion of the Montgomery Community Improvement Corporation (CIC) meeting at 6:00 p.m., at City Hall.

**Montgomery Community Improvement Corporation**

At 6:00 p.m., the Montgomery Community Improvement Corporation (CIC) Board of Trustees is scheduled to meet to hear an update on the Master Developer selection process from members of the CIC Gateway Redevelopment Area (GRA) Ad Hoc Committee.

**Work Session**

1. Call to Order
2. Roll Call
3. Special Presentation
4. Guests and Residents
5. Legislation for Consideration Tonight
6. Establishing an Agenda for October 7, 2015

**Pending Legislation**

- a. An Ordinance Accepting Publicly Dedicated Easement Rights and Storm Water Improvements from Property Owners in the 7900 Block of Shelldale Way—(Mr. Suer- 3<sup>rd</sup> 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.

***Read the Ordinance by title only***

***Move passage of the Ordinance***

***Roll Call Vote***

## New Legislation

- a. A Resolution Accepting the Amounts and Rates as Determined by the Budget Commission and Authorizing the Necessary Tax Levies and Certifying Them to the County Auditor—Please find attached correspondence from Jim Hanson, Finance Director, requesting that City Council adopt this Resolution accepting the rates and amounts determined by the Hamilton County Budget Commission. As a State of Ohio taxing authority and pursuant to the Ohio Revised Code, the City is required to adopt an annual tax budget. City Council adopted the Tax Budget on July 1, 2015, and the 2016 Tax Budget was then submitted to the Hamilton County Auditor for review by that office and the Hamilton County Budget Commission. Those reviews did not generate any questions and the proposed Tax Budget was accepted by the Budget Commission and Auditor. City Council is now requested to act to accept the Budget Commission's rates and amounts, which would result in the estimated collections as specified in the City's 2016 Tax Budget. This action will then permit the Budget Commission to collect property taxes at the rates established for the upcoming year.

***Add this Resolution to the October 7, 2015 Business Session agenda. Assign the Resolution to a City Council member for reading.***

- b. An Ordinance to Make Appropriations for Current Expenses and Other Expenditures of the City of Montgomery, State of Ohio, During the Fiscal Year Ending December 31, 2016—This legislation represents the appropriations Ordinance establishing the City's budget for fiscal year 2016. These documents will be presented to and reviewed with the Financial Planning Committee of City Council at their September 15 meeting. On October 6, City Council is scheduled to conduct its formal review of the 2016 Operating and Capital Budget with Four Year Forecast and 2016-2020 Capital Improvement Program.

***Staff recommends that City Council add this Ordinance to the October 7, 2015 Business Session agenda and assign it to a City Council Member for first reading that evening. The second reading of the Ordinance will be held at the November 4, 2015 Business Session. The third reading of the Ordinance will be held at the December 2, 2015 Business Session with adoption of the Ordinance requested at that meeting.***

- c. A Resolution Authorizing the City Manager to enter into a LPA Local-Let Project Agreement with the Ohio Department of Transportation (ODOT) for the Ham-US 22-15.35 Montgomery Road Sidewalk project, PID No. 99954—Please find attached correspondence from Brian Riblet, Public Works Director, requesting that City Council adopt this Resolution that would authorize the City Manager to enter into a LPA Local-Let Project Agreement with the Ohio Department of Transportation (ODOT) for the Ham-US 22-15.35 Montgomery Road Sidewalk project, PID No. 99954. This LPA agreement will allow the City of Montgomery to be the "lead" agency for advertising and awarding the construction project that has been approved for a reimbursement grant of up to \$497,760 to complete the construction of a concrete sidewalk on the east side of Montgomery Road from Weller Road to the main entrance of Bethesda Hospital. The amount listed above represents 80% of the overall project cost estimate of \$622,200. The LPA agreement includes the requirement for the City of Montgomery to be responsible for up to \$124,440 of the total project cost estimate. If the project cost exceeds \$622,200 the City of Montgomery would be responsible for 100% of project costs exceeding that amount. Funding for this project is included in the 2016 City of Montgomery Capital Improvement Program (CIP) budget.

***Add this Resolution to the October 7, 2015 Business Session agenda. Assign the Resolution to a City Council member for reading.***

**7. Administration Report**

**8. Law Director Report**

**9. City Council Member Reports**

- a. Mr. Margolis
- b. Mrs. Combs
- c. Mrs. Harbison
- d. Ms. Roesch
- e. Mr. Suer
- f. Vice Mayor Dobrozsi
- g. Mayor Steinbrink

**10. Approval of Minutes** September 2, 2015 Business Session

**11. Other Business**

- a. Liquor License Hearing Request—The City has received a notice from the Ohio Department of Liquor Control asking if City Council wishes to request a hearing on a transfer application for a D5, D6 liquor license from Hillview Properties, Inc. to Cibo Oggi, LLC at 9721 Montgomery Road. Attached is a memorandum from Police Chief, Don Simpson indicating that there is no objection to the transfer application based on a review of the operations at the current location and the background of the owners of Cibo Oggi, LLC. You will recall that the application for this Trex license was discussed at the August 19, 2015 City Council Work Session. This is the next step in the process for Mr. Bassett obtaining approval through the State for this liquor permit. Staff recommends that City Council adopt a motion to indicate that it does not request a hearing on this transfer, at which time staff will notify the State of Ohio Liquor Control Board.

**12. Executive Session**

**13. Adjournment**

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

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



**Meeting of Board of Trustees – 6:00 P.M.**

**September 16, 2015**

**City of Montgomery  
10101 Montgomery Road  
Montgomery, Ohio 45242  
Council Chambers**

**A G E N D A**

- 1. Call to Order**
- 2. Minutes** – September 2, 2015 CIC Trustees meeting
- 3. New Business**
  - a. Update on the Master Developer selection process from members of the CIC Gateway Redevelopment Area (GRA) Ad Hoc Committee.
- 4. Old Business**
- 5. Other Business**
- 6. Adjournment**

These minutes are a draft of the proposed minutes from the Community Improvement Corporation. They do not represent the official record of proceedings until formally adopted by the Corporation. Formal adoption is noted by signature of the Secretary/Treasurer within the minutes.

City of Montgomery  
Community Improvement Corporation  
Meeting of the Board of Trustee  
September 2, 2015

**Present**

Wayne Davis, City Manager  
Terry Donnellon, Law Director  
Tracy Roblero, Community Development Director  
Jim Hanson, Finance Director  
Connie Gaylor, Clerk of Council  
Julie Kipper, Customer Service Representative

**Board of Trustee Members Present**

Chris Dobrozsi, President  
Todd Steinbrink  
Ann Combs  
Gerri Harbison  
Lynda Roesch  
Ken Suer

**Board of Trustee Members Absent**

Craig Margolis, Vice President

President Dobrozsi called a meeting of the members of the Community Improvement Corporation (CIC) to order at 6:01 p.m. at Montgomery City Hall. President Dobrozsi noted that Vice President Margolis was absent due to vacation.

**Approval of Minutes**

Mrs. Harbison moved to approve the minutes from the July 22 CIC Trustees meeting and the GRA Ad Hoc Committee meeting minutes of April 9, August 4, August 13, August 17, and August 24. Mr. Suer seconded. The minutes were unanimously approved.

**Executive Session**

President Dobrozsi asked for a motion to adjourn into Executive Session to discuss matters related to economic development and confidential marketing strategies.

Mr. Steinbrink moved to adjourn to Executive Session to discuss matters related to economic development and confidential marketing strategies. Mr. Suer seconded. The members unanimously agreed.

The members adjourned into Executive Session at 6:04 p.m.

The members reconvened into Public Session at 7:08 p.m.

**Old Business**

There was no old business to discuss.

**Other Business**

President Dobrozsi stated that the CIC Board of Trustees will meet on September 16 at 6:00 p.m. prior to the City Council Work Session.

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

Mr. Suer moved to adjourn. Mrs. Harbison seconded. The meeting was adjourned at 7:10 p.m.

\_\_\_\_\_  
Secretary/Treasurer

\_\_\_\_\_  
Date

September 16, 2015

**Montgomery Community Improvement Corporation (CIC) - 6:00 p.m.**

The Montgomery Community Improvement Corporation (CIC) Board of Trustees is scheduled to meet to hear an update on the Master Developer selection process from members of the CIC Gateway Redevelopment Area (GRA) Ad Hoc Committee.

**City Council Business Session - immediately following the CIC meeting**

1. Call to Order
2. Roll Call
3. Special Presentation
4. Guests and Residents
5. Legislation for Consideration Tonight
6. Establishing an Agenda for October 7, 2015

**Pending Legislation**

- a. An Ordinance Accepting Publicly Dedicated Easement Rights and Storm Water Improvements from Property Owners in the 7900 Block of Shelldale Way—(Mr. Suer- 3<sup>rd</sup> 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.

***Staff recommends that City Council add this Ordinance to the October 7, 2015 Business Session agenda with adoption of the Ordinance requested at that meeting.***

**New Legislation**

- a. A Resolution Accepting the Amounts and Rates as Determined by the Budget Commission and Authorizing the Necessary Tax Levies and Certifying Them to the County Auditor—Please find attached correspondence from Jim Hanson, Finance Director, requesting that City Council adopt this Resolution accepting the rates and amounts determined by the Hamilton County Budget Commission. As a State of Ohio taxing authority and pursuant to the Ohio Revised Code, the City is required to adopt an annual Tax Budget. City Council adopted the Tax Budget on July 1, 2015. The 2016 Tax Budget was submitted to the Hamilton County Auditor for review by that office and the Hamilton County Budget Commission. Those reviews did not generate any questions and the proposed tax budget was accepted by the Budget Commission and Auditor. City Council is now requested to act to accept the Budget Commission's rates and amounts, which would result in the estimated collections as specified in the City's 2016 Tax Budget. This action will then permit the Budget Commission to collect property taxes at the rates established for the coming year.

**Add this Resolution to the October 7, 2015 Business Session agenda. Assign the Resolution to a City Council member for reading.**

- b. An Ordinance to Make Appropriations for Current Expenses and Other Expenditures of the City of Montgomery, State of Ohio, During the Fiscal Year Ending December 31, 2016—This legislation represents the appropriations Ordinance establishing the City's budget for the year 2016. These documents will be presented to and reviewed with the Financial Planning Committee of City Council at their September 15 meeting. On October 6, City Council is scheduled to conduct its formal review of the 2016 Operating and Capital Budget with Four Year Forecast and 2016-2020 Capital Improvement Program.

***Staff recommends that City Council add this Ordinance to the October 7, 2015 Business Session agenda and assign it to a City Council Member for first reading that evening. The second reading of the Ordinance will be held at the November 4, 2015 Business Session. The third reading of the Ordinance will be held at the December 2, 2015 Business Session with adoption of the Ordinance requested at that meeting.***

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***Add this Resolution to the October 7, 2015 Business Session agenda. Assign the Resolution to a City Council member for reading.***

## **7. Administration Report**

## **8. Law Director Report**

## **9. City Council Member Reports**

- a. **Mr. Margolis**
- b. **Mrs. Combs**
- c. **Mrs. Harbison**
- d. **Ms. Roesch**
- e. **Mr. Suer**
- f. **Vice Mayor Dobrozsi**
- g. **Mayor Steinbrink**

## **10. Approval of Minutes—September 2, 2015 Business Meeting**

## **11. Other Business**

- a. Liquor License Hearing Request— The City has received a notice from the Ohio Department of Liquor Control asking if City Council wishes to request a hearing on a transfer application for a D5, D6 liquor license from Hillview Properties, Inc. to Cibo Oggi, LLC at 9721 Montgomery Road. Attached is a memorandum from Police Chief, Don Simpson indicating that there is no

objection to the transfer application based on a review of the operations at the current location and the background of the owners of Cibo Oggi, LLC. You will recall that the application for this Trex license was discussed at the August 19, 2015 City Council Work Session. This is the next step in the process for Mr. Bassett obtaining approval through the State for this liquor permit. Staff recommends that City Council adopt a motion to indicate that it does not request a hearing on this transfer, at which time staff will notify the State of Ohio Liquor Control Board.

## **12. Executive Session**

## **13. Adjournment**

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.

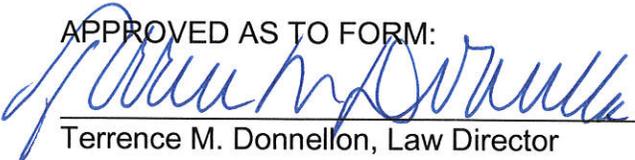
**SECTION 3.** This Ordinance shall take effect the earliest opportunity as allowable by law.

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
Connie M. Gaylor, Clerk of Council

\_\_\_\_\_  
Todd A. Steinbrink, Mayor

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Terrence M. Donnellon, Law Director



September 1, 2015

To: Wayne Davis, City Manager  
From: James A. Hanson, Finance Director   
Subject: Resolution Accepting the Amounts and Rates

**REQUEST**

It is necessary for City Council to pass a resolution accepting the amounts and rates as determined by the Hamilton County Budget Commission.

**FINANCIAL IMPACT**

Resolution authorizes the necessary tax levies to be collected for budget year 2016 to the County Auditor.

**BACKGROUND**

In accordance with ORC section 5705.34, each taxing authority must pass a resolution to accept and authorize the necessary tax levies and to certify the levies to the County Auditor. The preliminary amounts are from the 2015 tax budget and are estimates of the amounts the City will receive in property taxes:

	<b>Millage</b>	<b>2016 Estimate</b>
General Fund	4.50	\$2,263,050
Fire/EMS Levy Fund	<u>5.55</u>	<u>1,897,338</u>
Totals	10.05	\$4,160,388

**STAFF RECOMMENDATION**

A copy of the resolution from the Hamilton County Budget Commission has not been received by the City but it is anticipated that they will be available for the October Business Meeting of City Council. It is recommended that the City Council place a resolution accepting the amounts and rates as determined by the Hamilton County Budget Commission on the October Business Session for approval that evening.

RESOLUTION NO. \_\_\_\_\_, 2015

**A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE HAMILTON COUNTY BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR**

**WHEREAS**, this Council, in accordance with the provisions of law, has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1, 2016; and

**WHEREAS**, the Budget Commission of Hamilton County, Ohio, has certified its action thereon to the Council together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Council and what part thereof is without, and what part is within the ten mill tax limitation.

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

**SECTION 1.** The rates, as determined by the Budget Commission in its certification, as set forth on the attached Schedule A, are hereby accepted.

**SECTION 2.** There is hereby levied on the City of Montgomery's tax duplicate the rate of each tax necessary to be levied without and within the ten mill limitation, as detailed on attached Schedule A, which Schedule A is adopted by reference as if fully restated herein.

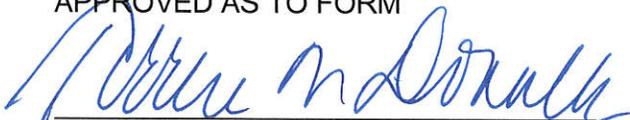
**SECTION 3.** This Resolution shall be in full force and effect from and after its passage.

PASSED \_\_\_\_\_

ATTEST \_\_\_\_\_  
Connie M. Gaylor, Clerk of Council

\_\_\_\_\_  
Todd A. Steinbrink, Mayor

APPROVED AS TO FORM

  
\_\_\_\_\_  
Terrence M. Donnellon, Law Director

September 9, 2015

**TO:** Wayne Davis, City Manager

**FROM:** Kelly J. Beach, Assistant Finance Director



**SUBJECT:** 2016 Annual Operating Budget

### INTRODUCTION

It is necessary for City Council to pass the annual appropriation ordinance for the 2016.

### FINANCIAL IMPACT

Total City expenditures, which include the departmental budgets, debt service and transfers as contained in the 2016 Operating and Capital Budget, are \$20,546,700.

### BACKGROUND

The Annual Operating budget is prepared and submitted annually to the Montgomery City Council in accordance with Article IV, Section 4.02 (3) of the Montgomery City Charter.

The budget is the primary fiscal planning tool for moving the City forward toward accomplishing its mission—Providing superior services with integrity. Partnering with you to build a great community.—consistent with its values and vision. It also provides the resources to support the City's goal of becoming a higher performing organization.

Briefly, this budget accomplishes three key objectives:

- Continues stewardship of City resources in a prudent manner while delivering superior services;
- Follows priorities from the 2011 strategic plan for new initiatives;
- Provides additional resources for the City's capital assets; specifically, technology improvements, street/sidewalk/curb infrastructure maintenance and enhancements to the parks.

### STAFF RECOMMENDATION

It is recommended that City Council authorize and direct the preparation of legislation adopting the 2016 Annual Operating and Capital Budget.

ORDINANCE NO. \_\_\_\_\_, 2015

**AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF MONTGOMERY, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2016**

**WHEREAS**, Council previously did approve and submit to the Budget Commission a budget for revenues and expenses for the fiscal year commencing January 1, 2016 and ending December 31, 2016; and

**WHEREAS**, the proposed budget has been accepted and approved, and Council does desire to appropriate funds according to the budget to meet current expenses and other expenditures for the 2016 fiscal year.

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

**SECTION 1.** Commencing January 1, 2016 and for the fiscal year ending December 31, 2016, in order to provide for the current expenses and other expenditures of the City, the sums detailed on the attached schedule are hereby appropriated as if such schedule is fully set forth herein.

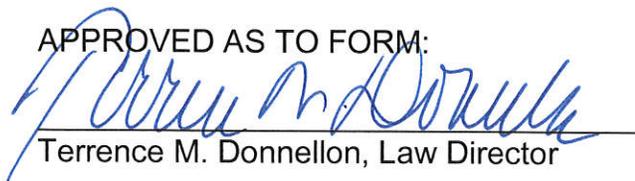
**SECTION 2.** This Ordinance shall be in full force and effect from and after the earliest period allowed by law.

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
Connie M. Gaylor, Clerk of Council

\_\_\_\_\_  
Todd A. Steinbrink, Mayor

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Terrence M. Donnellon, Law Director

September 11, 2015

TO: Wayne Davis, City Manager

FROM: Brian Riblet, Public Works Director 

SUBJECT: ODOT HAM-US 22-15.35 Montgomery Road Sidewalk Project, PID #99954 Local-Let LPA Legislation Request

**Request**

It is necessary for City Council to adopt a Resolution authorizing the City Manager to enter into a LPA Local-Let Project Agreement with the Ohio Department of Transportation (ODOT) for the HAM-US 22-15.35 Montgomery Road Sidewalk Project, PID No. 99954.

**Financial Impact**

This LPA agreement will allow the City of Montgomery to be the “lead” agency for advertising and awarding the construction project that has been approved for a reimbursement grant of up to \$497,760 to complete the construction of a concrete sidewalk on the east side of Montgomery Road from Weller Road to the main entrance of Bethesda Hospital.

The amount listed above represents 80% of the overall project cost estimate of \$622,200. The LPA agreement includes the requirement for the City of Montgomery to be responsible for up to \$124,440 of the total project cost estimate.

If the project cost exceeds \$622,200 the City of Montgomery would be responsible for 100% of project costs exceeding that amount.

Funding for this project is included in the 2016 City of Montgomery Capital Improvement Program (CIP) budget.

**Background**

Staff recently secured required certification through the Ohio Department of Transportation (ODOT) for a three year period which allows the City of Montgomery to apply for State and Federal funding. The LPA Local-Let certification also allows the City of Montgomery to complete contract bidding, award and administration as well as retaining authority for project inspection and coordination responsibility.

## **Recommendation**

Staff requests City Council to approve the requested legislation at the October 7 City Council Business Session. Adoption of this legislation will simply authorize the City Manager to enter into an LPA Local-Let project agreement with ODOT for the HAM-US 22-15.35 Montgomery Road Sidewalk Project, PID #99954.

If there are any questions or concerns please do not hesitate to contact me.

RESOLUTION NO.       , 2015

**A RESOLUTION AUTHORIZING THE CITY MANAGER  
TO ENTER INTO A FEDERAL LOCAL LET PROJECT AGREEMENT WITH THE OHIO  
DEPARTMENT OF TRANSPORTATION FOR THE PROJECT KNOWN AS THE  
HAM-US 22-15.35 MONTGOMERY ROAD SIDEWALK PROJECT, PID NO. 99954**

**WHEREAS**, the City of Montgomery and the Ohio Department of Transportation desire to enter into a Federal Local Let Project Agreement which will delineate responsibility for the funding and the administration of the HAM-US 22-15.35 Montgomery Road Sidewalk Project.

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

**SECTION 1.** On behalf of the City of Montgomery, the City Manager is hereby authorized to enter into a Federal Local Let Project Agreement for the funding and the administration of the HAM-US 22-15.35 Montgomery Road Sidewalk Project with the Ohio Department of Transportation.

**SECTION 2.** It is hereby found and determined that all formal actions of the City Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this City Council, and that any and all deliberations of this City Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all Ohio legal requirements.

**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

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City of Montgomery  
City Council Business Session Minutes  
September 2, 2015

Present

Wayne Davis, City Manager  
Terry Donnellon, Law Director  
Tracy Roblero, Community Development Director  
Jim Hanson, Finance Director  
Gary Heitkamp, Assistant 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  
Julie Kipper, Customer Service Representative

City Council Members Present

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

City Council Members Absent

Craig Margolis

---

City Council convened in Council Chambers for the Business Session at 7:10 p.m. with Mayor Steinbrink presiding.

**ROLL CALL**

Mayor Steinbrink explained that Mr. Margolis was out of town on vacation.

Mr. Steinbrink asked for a motion to excuse Mr. Margolis from tonight's meeting. Mr. Dobrozsi moved to excuse Mr. Margolis from the meeting. Mr. Suer seconded the motion. City Council unanimously approved the absence.

**SPECIAL PRESENTATION**

**Mayor's Proclamation - Prostate Cancer Awareness Month**

Linda Hoetger, along with her husband, Ray, were present to accept a Mayor's Proclamation proclaiming the month of September as Prostate Cancer Awareness Month.

**LEGISLATION FOR CONSIDERATION TONIGHT**

**Pending Legislation**

**An Ordinance Accepting Publicly Dedicated Easement Rights and Storm Water Improvements from Property Owners in the 7900 Block of Shelldale Way (2<sup>nd</sup> Reading)**

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

Mr. Suer read the Ordinance by title only and moved passage of the second reading. Mr. Dobrozsi seconded.

Mr. Suer explained that if adopted this Ordinance 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.

Mr. Suer asked if there were any updates at this time. Mr. Donnellon stated there were none.

The roll was called and showed the following vote:

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City Council Business Session Minutes

September 2, 2015

Page 2.

55  
56 AYE: Combs, Harbison, Steinbrink, Roesch, Suer, Dobrozsi (6)  
57 NAY: (0)  
58 ABSENT: Margolis (1)  
59

60 **New Legislation**

61  
62 **A Resolution Authorizing an Assessment for the Cutting of Noxious Weeds and Removal of Debris/Trash—**  
63 **10750 Wellerwoods Drive**

64  
65 Mr. Suer moved to read the Resolution by title only. Mrs. Combs seconded. City Council unanimously agreed.

66  
67 Mr. Suer read the Resolution by title only and moved passage. Ms. Roesch seconded.

68  
69 Mr. Suer explained that if approved, this Resolution will authorize an assessment for the cutting of noxious weeds  
70 at 10750 Wellerwoods Drive. He further explained that the City has been forced to maintain the property located at  
71 10750 Wellerwoods Drive since its owners abandoned the property. Section 302.11 of the Montgomery Code of  
72 Ordinances provides that all weeds and plant growth in excess of 6 inches shall be cut and destroyed within five  
73 (5) days after service of a notice of violation. If the owner fails to comply with the notice within the time allotted,  
74 the City may begin minor nuisance abatement. He also explained that the owner of the property at 10750  
75 Wellerwoods Drive has been notified and has failed or refused to take action within the time allowed pursuant to  
76 the notice. The City, after submitting the notice, has entered upon the property to cut the noxious weeds at a cost  
77 of \$75. He noted that the City now desires to assess a lien upon the property for the cost incurred by the City to  
78 cut the noxious weeds, and an additional administrative fee of \$25. He further noted that the adoption of this  
79 Resolution will allow for the assessment to be included in the upcoming property tax bills that will be mailed in  
80 January.

81  
82 The roll was called and showed the following vote:

83  
84 AYE: Combs, Harbison, Steinbrink, Roesch, Suer, Dobrozsi (6)  
85 NAY: (0)  
86 ABSENT: Margolis (1)  
87

88  
89 **A Resolution Authorizing an Assessment for the Cutting of Noxious Weeds and Removal of Debris/Trash—**  
90 **8318 Turtlecreek Lane**

91  
92 Mrs. Combs moved to read the Resolution by title only. Mr. Dobrozsi seconded. City Council unanimously agreed.

93  
94 Mrs. Combs read the Resolution by title only and moved passage. Mrs. Harbison seconded.

95  
96 Mrs. Combs referred to Mr. Suer's explanation of the previous Resolution. If approved, this Resolution will  
97 authorize an assessment for the cutting of noxious weeds at 8318 Turtlecreek Lane. Due to a foreclosure, the City  
98 was forced to maintain the residential property at 8318 Turtlecreek Lane. The property has been vacant for a  
99 number of months after the property owner passed away and is currently in the foreclosure process. The grass is  
100 not being cut and the City has contracted to have the grass cut twice thus far this year as it was becoming a  
101 property maintenance issue. Section 302.11 of the Montgomery Code of Ordinances provides that all weeds and  
102 plant growth in excess of 6 inches shall be cut and destroyed within five (5) days after service of a notice of  
103 violation. If the owner fails to comply with the notice within the time allotted, the City may begin minor nuisance  
104 abatement. The City, after submitting the notice, has entered upon the property to cut the noxious weeds at a cost  
105 of \$100. The City now desires to assess a lien upon the property for the cost incurred by the City to cut the

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106 noxious weeds, and an additional administrative fee of \$25. The adoption of this Resolution will allow for the  
107 assessment to be included in the upcoming property tax bills that will be mailed in January.

108  
109 The roll was called and showed the following vote:

110  
111 AYE: Harbison, Steinbrink, Roesch, Suer, Dobrozsi, Combs (6)  
112 NAY: (0)  
113 ABSENT: Margolis (1)

114  
115  
116 **ADMINISTRATION REPORT**

117  
118 Mr. Davis reported on the following items:

- 119  
120 • The Government Affairs and Planning, Zoning, and Landmarks Committees of Council have cancelled  
121 their meetings for the month of September.
- 122  
123 • The Parks and Recreation and Public Works Committees of Council will meet on Monday, September 14  
124 at 4:30 and 5:30 p.m., respectively.
- 125  
126 • The Financial Planning and Law and Safety Committees of Council will meet on Tuesday, September 15  
127 at 4:30 and 5:30 p.m., respectively.
- 128  
129 • City Council Work Session is scheduled for September 16 at 7:00 p.m.
- 130  
131 • Prior to the City Council Work Session, the Montgomery Community Improvement Corporation (CIC)  
132 Board of Trustees will meet at 6:00 p.m.
- 133  
134 • The November 23, 2016 City Council Work Session will be rescheduled for November 16, 2016 due to  
135 the Thanksgiving holiday.
- 136  
137 • Income tax revenues for the month of August were \$674,343, which is an increase of 8.7% compared to  
138 collections of \$620,183 for August of 2014. Year-to-date revenues are up 4.4% over last year and exceed  
139 estimated revenues by 3.2%.
- 140  
141 • Recruitment for MCLA is still going strong. Thanks to your efforts we now have 17 applications. We  
142 will continue to take applications through September 30. Please let Faith know if you have any other  
143 candidates that we should contact.
- 144  
145 • This Friday, the City and the IAFF will begin a mediation process as part of on-going collective  
146 bargaining efforts. The City and the IAFF were unable to reach a tentative agreement for a new labor  
147 contract and are seeking assistance from a mediator to resolve outstanding issues and reach a tentative  
148 agreement.
- 149  
150 • The Annual Pavement Marking Program contracted to Aero-Mark started work today. They will be  
151 adding paint to the existing pavement markings on portions of Montgomery Road, Cooper Road,  
152 Remington Road, Weller Road, Zig Zag Road, and Stop bars and crosswalks at miscellaneous locations  
153 throughout the City.
- 154  
155 • Public Works staff is working with contractors to complete the Montgomery and Pfeiffer Roads  
156 Improvement Project, and the 2015 Street Resurfacing Program. Staff will assure all punch-list items are  
157 completed and it is anticipated that all projects will be completed at or below the budgeted amounts.

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- Public Works staff continued to work on drainage issues this week, including catch basin repairs on Montgomery Road close to Valley Creek, catch basin modification on Weller Road, drainage improvement at the gazebo in Pioneer Park, and drainage ditch on Margaret Lane.
- Connect Montgomery's Making A Difference Day will be held on Saturday, October 24. This year, Faith will be organizing a group of City staff and City Council members to assist the Blue Ash Montgomery Rotary Club with volunteer duties at Matthew 25 Ministries, 11060 Kenwood Road, from 9:00 a.m. to 11:00 a.m. Please let Faith know if you are interested in participating. Afterwards, the MCLA Class of 2014 is hosting a volunteer celebration cookout at Swaim Lodge from 11:00 a.m. to 4:00 p.m.
- Faith Lynch, Melissa Hays, and Sergeant Mike Plaatje met on August 19 to discuss the upcoming Neighborhood Leaders Forum in November. We have selected two dates for Council to consider. The primary date is Thursday, November 12 and the second date is Monday, November 9. The forum starts at 6:30 p.m. and concludes at 8:00 p.m. This session will include a timely update from Tracy Roblero on development news, Melissa Hays will give a 20 minute presentation on property maintenance and Sergeant Plaatje will discuss crime prevention during the last 10 minutes.
- Connie Gaylor will be traveling to Virginia to attend LEAD training September 14 through September 19.
- Gerri Harbison, Chris Dobrozsi, Tracy Roblero, Lieutenant John Crowell, and I will depart for Montgomery, New York on September 11 to attend the General Montgomery Day festivities on September 12.

An Executive Session is requested to meet on matters related to personnel, hiring and economic development.

**APPROVAL OF MINUTES**

Mrs. Harbison moved to approve the August 19, 2015 Work Session minutes. Ms. Roesch seconded. City Council unanimously agreed.

**MAYOR'S COURT REPORT**

Mayor Steinbrink reported that the total Mayor's Court collections for the month of August 2015 were \$15,515.

Mr. Suer moved to accept the Mayor's Court collections for the month of August 2015. Mr. Dobrozsi seconded. City Council unanimously accepted the collections.

**OTHER BUSINESS**

Mr. Dobrozsi moved to have the City Council Work Session begin immediately following the Montgomery Community Improvement Corporation (CIC) Board of Trustees meeting at 6:00 p.m. Mrs. Harbison seconded. City Council unanimously agreed.

Mayor Steinbrink asked if there was any further business to discuss in Public Session. There being none, he asked for a motion to adjourn into Executive Session to discuss matters related to personnel, hiring and economic development.

Mr. Dobrozsi moved to adjourn to Executive Session for reasons to discuss matters related to personnel, hiring and economic development. Mrs. Combs seconded.

The roll was called and showed the following vote:

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210

211 AYE: Steinbrink, Roesch, Suer, Dobrozsi, Combs, Harbison, (6)

212 NAY: (0)

213 ABSENT: Margolis (1)

214

215 City Council adjourned into Executive Session at 7:45 p.m.

216

217 City Council reconvened into Public Session at 8:40 p.m.

218

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

221

222 Mr. Dobrozsi moved to adjourn. Mr. Suer seconded. City Council unanimously agreed.

223

224 City Council adjourned at 8:40 p.m.

225

226

227

228

---

Connie Gaylor, Clerk of Council

DRAFT

September 9, 2015

To: Connie Gaylor, Clerk of Council

From: Don Simpson, Police Chief

Subject: Liquor Permit

---

Regarding the 8/27/2015 notification from the Ohio Division of Liquor Control for Cibo Oggi LLC 9721 Montgomery Road, I am not aware of any information that would cause the City of Montgomery to object to the issuance of the liquor permit transfer or any need to request a hearing.

Should you have any questions, please do not hesitate to contact me.

NOTICE TO LEGISLATIVE  
AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL  
6606 TUSSING ROAD, P.O. BOX 4005  
REYNOLDSBURG, OHIO 43068-9005  
(614)644-2360 FAX(614)644-3166

TO

1475989		TREX		CIBO OGGI LLC 9721 MONTGOMERY RD MONTGOMERY OH 45242
06 01 2015				
08 25 2015				
D5 D6				
31	264	A	F14720	

FROM 08/27/2015 SAFEKEEPING

38557790010				HILLVIEW PROPERTIES INC GOLF COURSE/PRO SHOP/CLUBHOUSE/POOL 7414 PICKWAY & PATIO/DECK MIAMI TWP CINCINNATI OHIO 45238
06 01 2015				
08 25 2015				
D5 D6				
31	932			



MAILED 08/27/2015

RESPONSES MUST BE POSTMARKED NO LATER THAN. 09/28/2015

**IMPORTANT NOTICE**

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL  
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES **A TREX 1475989**

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT  
THE HEARING BE HELD  IN OUR COUNTY SEAT.  IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)-  Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

CLERK OF MONTGOMERY CITY COUNCIL  
10101 MONTGOMERY RD  
MONTGOMERY OHIO 45242

1475989 PERMIT NBR  
CIBO OGGI LLC  
9721 MONTGOMERY RD  
MONTGOMERY OH 45242

\*\*\*\*\*

GARY BASSETT

08/25/2015 ACTIVE

PRESIDENT

5% MEMSHIP

PA2-KEY = END SESSION, CLEAR-KEY = END OPTION, ENTER-KEY = TO CONTINUE