

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 Business Session Minutes  
December 2, 2015

Present

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

City Council Members Present

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

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City Council convened in Council Chambers for the Business Session at 6:38 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**

Todd Steinbrink and his family were present to accept a Certificate of Appreciation for his contributions to the City as a member of City Council and former Mayor.

**GUESTS AND RESIDENTS**

**LEGISLATION FOR CONSIDERATION TONIGHT**

Mayor Dobrozsi stated that before we moved on to pending legislation that he needed to make some reassignments and assignments.

Mayor Dobrozsi reassigned the 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 to Mr. Suer.

Mayor Dobrozsi assigned the Resolution Authorizing an Amendment to the Current Contract with Donnellon, Donnellon and Miller for Legal Services to the City of Montgomery to Mrs. Harbison.

Mayor Dobrozsi stated that a motion was needed to add the Ordinance Rezoning property located at 9876 Montgomery Road from 'GB' – General Business District to 'D-2' – Multi-Family Residential District to the agenda for tonight.

Mr. Margolis moved to add the legislation to the agenda. Mrs. Combs seconded. City Council unanimously agreed.

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55 **Pending Legislation**

56  
57 **An Ordinance to Make Appropriations for Current Expenses and Other Expenditures of the City of**  
58 **Montgomery, State of Ohio, During the Fiscal Year Ending December 31, 2016 (3<sup>rd</sup> Reading)**  
59

60 Mr. Suer moved to read the Ordinance by title only and for passage of the third reading. Mr. Margolis seconded.  
61 City Council unanimously agreed.  
62

63 Mr. Suer explained that if adopted this Ordinance will establish the City's budget for the year 2016. These  
64 documents were presented to and reviewed with the Financial Planning Committee of City Council at their  
65 September 15 meeting. On October 6, City Council conducted its formal review of the 2016 Operating and  
66 Capital Budget with Four Year Forecast and 2016-2020 Capital Improvement Program.  
67

68 Mr. Suer asked if there were any updates at this time. Ms. Greis stated there were none.  
69

70 The roll was called and showed the following vote:  
71

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

76 **New Legislation**

77  
78 **A Resolution Authorizing a Contract with Dynegy Energy Services (East), LLC**  
79

80 Mr. Margolis moved to read the Resolution by title only. Mrs. Harbison seconded. City Council unanimously  
81 agreed.  
82

83 Mr. Margolis read the Resolution by title only and moved passage. Ms. Roesch seconded.  
84

85 Mr. Margolis explained that if adopted this Resolution would authorize the City Manager to sign a contract with  
86 Dynegy Energy Services (East), LLC to continue to provide electrical service to City of Montgomery facilities. The  
87 City has had a contract in place with Dynegy for several years and this Resolution authorizes the City Manager to  
88 execute the continuing contract. Mr. Margolis further explained that the rates proposed by Dynegy are competitive  
89 in the marketplace.  
90

91 Mr. Margolis asked if there were any updates.  
92

93 Ms. Greis reported that as the rates follow the market, that as of the time of the meeting the rate had decreased by .05  
94 cents and that the rates could be lower when we finalize the agreement and lock the rates in.  
95

96 The roll was called and showed the following vote:  
97

98 AYE: Cappel, Harbison, Dobrozsi, Roesch, Suer, Margolis, Combs (7)  
99 NAY: (0)  
100 ABSENT: (0)  
101

102 **A Resolution Adopting a Five Year Capital Improvement Program For the City Of Montgomery**  
103

104 Mr. Suer moved to read the Resolution by title only. Mr. Margolis seconded. City Council unanimously agreed.  
105

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

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107 Mr. Suer explained that if passed this Resolution would adopt the City's proposed Five-Year Capital Improvement  
108 Program. This program was reviewed by City Council as a companion piece to the proposed 2016 Operating and  
109 Capital Budget with Four Year Forecast and represents a comprehensive planning tool for capital investment in  
110 the community over the next five years.

111  
112 Mr. Suer asked if there were any updates. Ms. Greis stated there were none.

113  
114 The roll was called and showed the following vote:

115  
116 AYE: Harbison, Dobrozsi, Roesch, Suer, Margolis, Combs, Cappel (7)  
117 NAY: (0)  
118 ABSENT: (0)

119  
120 **A Resolution Designating Records Managers and Training Designees for Public Officials in the City of**  
121 **Montgomery**

122  
123 Mrs. Harbison moved to read the Resolution by title only. Mr. Cappel seconded. City Council unanimously  
124 agreed.

125  
126 Mrs. Harbison read the Resolution by title only and moved passage. Ms. Roesch seconded.

127  
128 Mrs. Harbison explained that if passed this Resolution will designate Records Managers and Training Designees  
129 for Public Officials in the City of Montgomery. This Resolution will designate the Communications and  
130 Engagement Coordinator, Faith Lynch, and alternately the Administrative Coordinator, Connie Gaylor, as  
131 designated representatives of City Council to attend Ohio public records training and to serve as Records  
132 Managers for the City. Mrs. Harbison stated that Ohio law requires all public officials to either attend the training  
133 or to designate a person to attend on their behalf.

134  
135 Mrs. Harbison asked if there were any updates. Mr. Davis stated there were none.

136  
137 The roll was called and showed the following vote:

138  
139 AYE: Dobrozsi, Roesch, Suer, Margolis, Combs, Cappel, Harbison (7)  
140 NAY: (0)  
141 ABSENT: (0)

142  
143 **An Ordinance Rezoning property located at 9441 Orchard Club Drive and Approving an Application for a**  
144 **Planned Development Overlay**

145  
146 Ms. Roesch moved to read the Ordinance by title only. Mr. Margolis seconded. City Council unanimously  
147 agreed.

148  
149 Ms. Roesch read the Ordinance by title only and moved passage of the first reading. Mrs. Combs seconded.

150  
151 Ms. Roesch explained that if passed this Ordinance would rezone the property located at 9441 Orchard Club Drive  
152 and approve an application for a Planned Development Overlay. Ms. Roesch stated that based on a motion made  
153 during the Public Hearing held on November 18, City Council moved to accept the recommendations of the  
154 Planning Commission to rezone this site to a D-3 District, to impose a Planned District Overlay on such site, and  
155 the terms and conditions of the Overlay District.

156  
157 Ms. Roesch asked if there were any updates.

158

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159 Ms. Roblero reported that she has received two additional E-Gov submissions that have been provided to every  
160 City Council Member from residents at 10667 Creeknoll Court and 7878 Symphony Lane in support of keeping  
161 the greenbelt area in the proposed development.  
162

163 Mrs. Kaye Gaffney, 10545 Crescendo Court-addressed City Council stating that she has two concerns regarding  
164 the proposed Camden Home Development. The first being the amount of homes that are planned for the 7.89  
165 acres of the development and secondly, the issue of losing 150 feet of a tree buffer at the back of the development.  
166 She stated that she hopes the plan will be revised to reduce the amount of homes on the plan as well as saving  
167 some of the trees. Mrs. Gaffney provided Ms. Gaylor with a copy of a Tree Preservation Ordinance from the City  
168 of Dublin, Ohio to be considered in the future. (Attached)  
169

170 The roll was called and showed the following vote:

171  
172 AYE: Harbison, Dobrozsi, Roesch, Suer, Margolis, Combs, Cappel (7)  
173 NAY: (0)  
174 ABSENT: (0)  
175

176 **A Resolution Authorizing an Amendment to the Current Contract with Donnellon, Donnellon and Miller**  
177 **for Legal Services to the City of Montgomery**  
178

179 Mrs. Harbison moved to read the Resolution by title only. Mr. Margolis. City Council unanimously agreed.  
180

181 Mrs. Harbison read the Resolution by title only and moved passage. Mrs. Combs seconded.  
182

183 Mrs. Harbison explained that if passed this Resolution will authorize an amendment to the current contract with  
184 Donnellon, Donnellon and Miller for legal services to the City of Montgomery. Mrs. Harbison stated that this  
185 Resolution is the result of the recent performance appraisal of the Law Director conducted by City Council and  
186 staff. Mrs. Harbison explained that this is the same evaluation process used for staff.  
187

188 The roll was called and showed the following vote:

189  
190 AYE: Suer, Margolis, Combs, Cappel, Harbison, Dobrozsi, Roesch (7)  
191 NAY: (0)  
192 ABSENT: (0)  
193

194 **An Ordinance Rezoning property located at 9876 Montgomery Road from 'GB' – General Business District**  
195 **to 'D-2' – Multi-Family Residential District**  
196

197 Mr. Suer moved to read the Ordinance by title only. Mr. Margolis seconded. City Council unanimously agreed.  
198

199 Mr. Suer read the Ordinance by title only and moved passage of the first reading. Ms. Roesch seconded.  
200

201 Mr. Suer explained that if passed this Ordinance would rezone the property located at 9876 Montgomery Road  
202 from 'GB' – General Business District to 'D-2' – Multi-Family Residential District. Mr. Suer stated that staff  
203 believes this rezoning will enhance the Montgomery Road Corridor and the Twin Lakes campus and it is  
204 requested that City Council consider accepting the recommendation of the Planning Commission to rezone this  
205 site to a D-2 District. Mr. Suer stated that since this recommendation had been presented at the Public Hearing  
206 held prior to the Business Session meeting and a motion had been made to approve the recommendation, that  
207 there was no additional information at this time.  
208

209 The roll was called and showed the following vote:  
210

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211 AYE: Margolis, Combs, Cappel, Harbison, Dobrozsi, Roesch, Suer (7)  
212 NAY: (0)  
213 ABSENT: (0)  
214

215 **ADMINISTRATION REPORT**

216  
217 Mr. Davis reported on the following items:

- 218 • The Financial Planning Committee of Council will meet on Monday, December 7 at 4:00 p.m.
- 219 • The Planning, Zoning and Landmarks and Law and Safety Committees of Council have cancelled their  
220 meetings for the month of December.
- 221 • City Council Work Session is scheduled for December 16 at 7:00 p.m.
- 222 • On Wednesday, November 25, dayshift officers conducted a search warrant at Peach Garden Asian  
223 Massage on Cooper Road. With the assistance of an undercover officer from another Hamilton County  
224 police agency, Detective Jim Lacalameto coordinated the investigation stemming from illegal sexual acts  
225 in exchange for money on Tuesday evening, November 24. The Asian female suspect was arrested and  
226 charged with prostitution, a misdemeanor of the third degree, and is awaiting trial in Hamilton County  
227 Municipal Court. This investigation resulted after several months of surveillance and several complaints  
228 from area businesses of suspicious activity.
- 229 • Income tax revenues for the month of November were \$661,699, which is an increase of 9.6% compared  
230 to collections of \$603,207 for November of 2014. Year-to-date revenues are up 5.3% over last year and  
231 exceed estimated revenues by 4.1%. The November Income Tax Variance Report is attached for  
232 reference.
- 233 • A bid opening was held for the Montgomery Signals Project PID#94300 which includes installation of  
234 fiber optics to connect all of our traffic signal infrastructure and installation of a new traffic signal system  
235 at the intersection of Cooper Road and Delray Drive. All bids came in under the estimated budget and  
236 staff will be reviewing in an effort to present legislation to City Council at the December 16, 2015 Work  
237 Session.
- 238 • Public works staff installed the 2015 Holiday Tree at Neuilly Plaisance Plaza in advance of this  
239 weekend's tree lighting ceremony and festivities. This tree was graciously donated by Robert and Gail  
240 Hellman and as several people have already noted, it is quite nice. Public works staff has also been busy  
241 sprucing up and cleaning the Heritage District for the event.
- 242 • Tracy Roblero and I met with representatives of Twin Lakes Senior Living Community to discuss the  
243 latest concept for the property located south of the Safety Center on Montgomery Road. Twin Lakes is in  
244 the process of determining the best use for this property and has several questions in regards to zoning  
245 regulations, access and site conditions.
- 246 • Tracy Roblero, Terry Donnellon, Brian Riblet, Michelle Greis, Frank Davis, Matt Davis and I met with  
247 Mark Policinski, CEO of Ohio Kentucky Indiana Regional Council of Governments to discuss the  
248 Gateway Redevelopment Area. The team discussed potential funding sources for traffic improvements  
249 for the project and next steps moving forward.
- 250 • As a reminder, Holiday in the Village is this Saturday, December 5. The tree lighting ceremony will be  
251 held at 5:00 p.m. at the Neuilly-Plaisance Plaza.

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- 262 • As a reminder, the annual Staff Holiday Luncheon is scheduled for Friday, December 11 from 11:00 a.m.  
263 to 1:00 p.m. at Terwilliger Lodge.
- 264 • The Civil Service exam for the position of patrol officer is scheduled for Saturday, December 5. The City  
265 has received 36 applications as of this time.
- 266 • Michelle Greis and I met today to review the submissions for the Request for Proposals (RFP) for the  
267 Gateway Redevelopment Area (GRA) Underwriting and Financial Advising Services. The City received  
268 five submissions for Underwriting Services and four for the Financial Advisor Services. Michelle and I  
269 will be meeting with the internal GRA team to discuss the submissions before presenting a  
270 recommendation to City Council.
- 271 • Congratulations to our new City Council Members as well as to Mayor Dobrozsi and Vice Mayor Roesch.  
272  
273  
274  
275

### APPROVAL OF MINUTES

276 Mrs. Harbison moved to approve the November 18, Public Hearing and Work Session minutes. Mr. Margolis  
277 seconded. City Council unanimously agreed.

### MAYOR'S COURT REPORT

281 Mayor Dobrozsi reported that the total Mayor's Court collections for the month of November 2015 were  
282 \$17,541.00.

283 Mr. Margolis moved to accept the Mayor's Court collections for the month of November 2015. Ms. Roesch  
284 seconded. City Council unanimously accepted the collections.

### OTHER BUSINESS

288 Mayor Dobrozsi informed City Council Members that he would be sending out an email requesting City Council  
289 Committee assignment interests and would be issuing those assignments as well as the bulletin article schedule by  
290 Friday, December 11.

291 Mrs. Harbison congratulated Faith Lynch on the 2016 Calendar. She stated that not only is it attractive but she  
292 liked the format of the calendar.

293 Mr. Suer explained to City Council that the Planning, Zoning and Landmarks Committee held interviews for two  
294 open positions on the Board of Zoning Appeals (BZA) and would like to appoint to the BZA:

295 Livia Santschi for a term expiring on 1/31/2018

296 Doug King for a term expiring on 1/31/2017

297 Mr. Suer explained that this was a Committee recommendation so a second was not needed. City Council  
298 unanimously agreed.

299 Ms. Roesch reminded those in attendance of the Blue Ash Montgomery Symphony Orchestra (BAMSO) Holiday  
300 Concert to be held on Sunday, December 6 at the Montgomery Assembly of God.

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

312

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313 Mr. Margolis moved to adjourn. Mrs. Harbison seconded. City Council unanimously agreed.

314

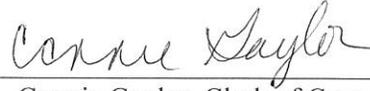
315 City Council adjourned at 7:33 p.m.

316

317

318

319



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Connie Gaylor, Clerk of Council

DRAFT