

June 25, 2020

TO: Mayor and City Council Members

FROM: Brian K. Riblet, City Manager *BKR*

SUBJECT: City Council Business Session of Wednesday, July 1, 2020

As a reminder, City Council is scheduled to meet in Business Session on Wednesday, July 1, 2020 at 7:00 p.m. The meeting will be offered both in place at City Hall and by teleconference for those who cannot attend in person or feel safer sheltering at home. To participate in this meeting by teleconference please use the following phone number: 1-866-228-9900 with a passcode of 204938.

Business Session

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Special Presentation
  - a. Tom Wolf will be presented with a Certificate of Appreciation for his years of service to the Montgomery Fire Department and in honor of his retirement.
5. Guest and Residents
6. Legislation for Consideration this Evening

Pending Legislation

- a. An Ordinance Authorizing The Issuance Of Not To Exceed \$23,000,000 Special Obligation Revenue Bonds Of The City Of Montgomery; Providing For The Pledge Of Revenues For The Payment Of Such Bonds; Authorizing A Trust Agreement Appropriate For The Protection And Disposition Of Such Revenues To Further Secure Such Bonds; Authorizing An Official Statement; Authorizing Other Necessary And Appropriate Documents; And Authorizing Other Actions In Connection With The Issuance Of Such Bonds-(Mr. Suer) Information has been previously supplied on this Ordinance that, if approved, authorizes the issuance of \$23,000,000 in TIF Bonds to support the public improvements for

the Montgomery Quarter Project. The Bonds are to be repaid from payments in lieu of taxes (PILOT) generated from the private improvements to be developed on the site. In a separate Service Agreement, these PILOT payments are pledged to support repayment of the bonds

*Make a motion to read Ordinance by title only*

*Voice Vote*

*Make a motion to suspend the rules to require three separate readings of the Ordinance*

*Roll Call Vote*

*Move for passage of the Ordinance*

*Roll Call Vote*

- b. An Ordinance Creating Section 92.05 of The Code of Ordinances, Entitled "Littering", And Amending Section 92.99 Entitled "Penalty"—(Mrs. Bissmeyer, 2<sup>nd</sup> Reading) Information has been previously supplied on this Ordinance that, if adopted, would update Chapter 92 of the Code to add a section regulating Littering. Littering includes illegal dumping. The purpose of updating our Code is to be able to control Littering and dumping on vacant properties within the City, and to control Littering and dumping within either City dumpsters or private dumpsters. This legislation was presented at the Law and Safety Committee of Council at their May 4, 2020 meeting.

*Move for passage of the second reading of the Ordinance*

*Roll Call Vote*

*The third reading of the Ordinance will be at the August 5, 2020 Business Session with adoption requested that evening.*

### New Legislation

- a. A Resolution Adopting A Tax Budget For 2021—( Mr. Suer) Information has been previously supplied on this Resolution that, if approved, would adopt the 2021 Tax Budget. The preparation of the Tax Budget is an annual requirement for governmental jurisdictions per the Ohio Revised Code, Section 5705.28. The Financial Planning Committee of City Council reviewed the City's 2021 Tax Budget at its May 4, 2020 meeting. The Tax Budget will be submitted to the Hamilton County Budget Commission for approval, and will, in turn, be used to determine Local Government Fund allocations. The proposed budget is essentially based on the year 2021 projections as reflected in the City's 2020-2024 Five-Year Operating and Capital Budget.

*Move to read the Resolution by title only*

*Voice Vote*

*Move for passage of the Resolution*

*Roll Call Vote*

- b. A Resolution Approving the Process to Receive and Disburse Coronavirus Relief Funds—(Mr. Suer) Information has been previously supplied on this Resolution that, if approved, would allow the City of Montgomery to participate in the SB310 Funding Program. Part of the requirement prior to any political subdivision receiving payment is for each subdivision to adopt a Resolution affirming that the subdivision will spend the funds only on pandemic-related expenses, as required under the CARES Act. Staff has been and continues to track expenses on supplies and materials such as Personal Protective Equipment (PPE), sanitation products, disinfecting services, signage and other miscellaneous items related to COVID-19.

*Move to read the Resolution by title only*

*Voice Vote*

*Move for passage of the Resolution*

*Roll Call Vote*

- c. A Resolution Accepting A Bid and Authorizing The City Manager To Enter Into A Contract With Strawser Construction, Inc., for the 2020 Crack Seal Program Through The Ohio Department Of Transportation (ODOT) Cooperative Purchasing Program Contract #1011-21—(Mr. Cappel) Information has been previously supplied on this Resolution that, if approved, would allow the City Manager to enter into a contract with Strawser Construction for the 2020 Crack Seal Program. The Crack Seal Program includes 6.97 centerline miles which equates to approximately 99,945 square-yards of roadway surface to be treated. The program is included in the 2020 Capital Improvement 410-261-5470 account in the amount of \$75,000.00. It is requested that the Crack Seal Program be approved for funding in the amount of \$52,770.00, which includes a 10% contingency of \$4,797.00. The Crack Seal Program will be contracted with Strawser Construction, Inc. through the ODOT Cooperative Purchasing Program.

*Move to read the Resolution by title only*

*Voice Vote*

*Move for passage of the Resolution*

*Roll Call Vote*

7. Administration Report
8. Minutes- June 17, 2020 Public Hearing and Work Session
9. Mayor's Court Report
10. Other Business
11. Executive Session
12. Adjournment

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

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

July 1, 2020

7:00 p.m.

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*Make a motion to read Ordinance by title only*

*Voice Vote*

*Make a motion to suspend the rules to require three separate readings of the Ordinance*

*Roll Call Vote*

*Move for passage of the Ordinance*

*Roll Call Vote*

- b. An Ordinance Creating Section 92.05 of The Code of Ordinances, entitled "Littering", And Amending Section 92.99 Entitled "Penalty"—(Mrs. Bissmeyer)

*Move for passage of the second reading of the Ordinance*

*Roll Call Vote*

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New Legislation

- a. A Resolution Adopting A Tax Budget For 2021—( Mr. Suer)

*Move to read the Resolution by title only*

*Voice Vote*

*Move for passage of the Resolution*

*Roll Call Vote*

- b. A Resolution Approving the Process to Receive and Disburse Coronavirus Relief Funds—(Mr. Suer)

*Move to read the Resolution by title only*

*Voice Vote*

*Move for passage of the Resolution*

*Roll Call Vote*

- c. A Resolution Accepting A Bid and Authorizing the City Manager to Enter into A Contract with Strawser Construction, Inc., for the 2020 Crack Seal Program Through the Ohio Department of Transportation (ODOT) Cooperative Purchasing Program Contract #1011-21—(Mr. Cappel)

*Move to read the Resolution by title only*

*Voice Vote*

*Move for passage of the Resolution*

*Roll Call Vote*

7. Administration Report

8. Approval of Minutes - June 17, 2020 Public Hearing and Work Session

9. Mayor's Court Report

10. Other Business

11. Executive Session

12. Adjournment

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

# Certificate of Appreciation

to

## Tom Wolf

*WHEREAS, Tom Wolf has served the citizens of Montgomery and the surrounding communities as a member of Fire Department and Life Squad from 1977 to 2020, a total of 43 years; and,*

*WHEREAS, Tom was certified as one of the earliest paramedics in the Greater Cincinnati area; and,*

*WHEREAS, in 1993, Tom was hired as a Fire Lieutenant and assisted in the creation of the City of Montgomery's Fire Department; and,*

*WHEREAS, Tom was promoted to the position of Assistant Fire Chief in 1995, in which position he served until he transitioned back to Fire Lieutenant in 2014 in anticipation of his pending retirement; and,*

*WHEREAS, in his role with the City, Tom epitomizes a true public servant by serving the community as a professional, thoughtful, open-minded leader who always had the best interests of the City at heart; and,*

*WHEREAS, Tom served on many employee teams such as the Energy Team, Masters of Disasters, We Thrive, HPO Presentation Team, PODS, MERT, as well as many others; and,*

*WHEREAS, Tom spearheaded Breakfast with Santa for many years thereby providing funds to buy Christmas gifts for many needy children and families throughout the community; and,*

*WHEREAS, Tom taught many people Basic First Aid, EMT Basic Training, Paramedic Skills and certified many in CPR; and,*

*WHEREAS, Tom shared his gift of maintenance repair knowledge and saved the City tens of thousands of dollars by repairing vehicles and equipment; and,*

*WHEREAS, his meritorious service to his community should be acknowledged as he retires from his position.*

**NOW THEREFORE, BE IT CERTIFIED** by the City Council of the City of Montgomery, Ohio, all members concurring:

**SECTION 1.** On behalf of all citizens of the City of Montgomery, the City Council wishes to thank Tom Wolf for his commitment and dedication to our community. The citizens of Montgomery shall benefit now and hereafter from his efforts.

  
\_\_\_\_\_  
Lee Ann Bissmeyer, Councilmember

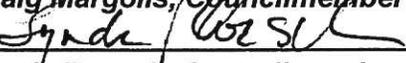
  
\_\_\_\_\_  
Mike Cappel, Councilmember  
**CHRIS DOBROZSI**

\_\_\_\_\_  
Chris Dobrozsi, Councilmember

  
\_\_\_\_\_  
Ken Suer, Councilmember

  
\_\_\_\_\_  
Gerri Harbison, Councilmember

  
\_\_\_\_\_  
Craig Margolis, Councilmember

  
\_\_\_\_\_  
Lynda Roesch, Councilmember

ORDINANCE NO. \_\_\_\_\_, 2020

AN ORDINANCE AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$23,000,000 SPECIAL OBLIGATION REVENUE BONDS OF THE CITY OF MONTGOMERY; PROVIDING FOR THE PLEDGE OF REVENUES FOR THE PAYMENT OF SUCH BONDS; AUTHORIZING A TRUST AGREEMENT APPROPRIATE FOR THE PROTECTION AND DISPOSITION OF SUCH REVENUES AND TO FURTHER SECURE SUCH BONDS; AUTHORIZING AN OFFICIAL STATEMENT; AUTHORIZING OTHER NECESSARY AND APPROPRIATE DOCUMENTS; AND AUTHORIZING OTHER ACTIONS IN CONNECTION WITH THE ISSUANCE OF SUCH BONDS.

WHEREAS, Sections 5709.40 - 5709.43 of the Ohio Revised Code authorize the issuance by municipalities of tax increment bonds to pay the costs of constructing public improvements, as therein defined; and

WHEREAS, the City Council (the "Council") of the City of Montgomery (the "City"), Ohio pursuant to Ordinance Nos. 7-2019 and 8-2019, has determined to undertake public improvement projects including, the planning, design and construction of public street improvements including pavements, walkways, bike paths, traffic control devices and alterations to existing streets; the planning, design and construction of utilities including but not limited to water, sanitary sewers, communication facilities, storm water sewers and detention facilities; the planning, design and construction of parking facilities; the preparation of plans for land use in the area; the creation or enhancement of buffer areas, recreation facilities and open areas necessary for ensuring the compatibility of adjacent land uses; the creation and/or enhancement of public service facilities and operations; and, the purchase of property rights of way and easements or other rights in property necessary for the completion of the public improvements listed above; for the creation of jobs, increasing property values, and the provision of adequate public services in the City; and

WHEREAS, in order to provide funds for the construction of public infrastructure improvements, including the acquisition of real property and the construction of public parking facilities, utilities, streets, street lighting, landscaping and related improvements (the "Project"), the City deems it necessary to issue and sell the bonds herein authorized in accordance with the terms and conditions set forth herein; and

WHEREAS, as security for the bonds the City has, by ordinances duly adopted, required the payment of service payments in lieu of taxes (the "Service Payments") by the owners of certain residential and commercial real property directly benefitting from the public improvements which constitute the Project; and

WHEREAS, it is desired to finance the costs of the Project and expenditures incident thereto and incident to such financing, by the issuance and sale of revenue bonds to be designated "City of Montgomery, Ohio Special Obligation Revenue Bonds, Series 2020 (Montgomery

Quarter Phase I Project)”, which bonds (hereinafter called the “Bonds”) are to be secured by the Trust Agreement hereinafter provided for (hereinafter referred to as the “Trust Agreement”);

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

SECTION 1. Rules of Construction. Any reference herein to the City or the Council, or to any officers or members thereof, shall include those which succeed to their functions, duties or responsibilities pursuant to or by operation of law or who are lawfully performing their functions.

Unless the context shall otherwise indicate, words importing the singular number shall include the plural number, and vice versa, and the terms “hereof,” “hereby,” “hereto,” “hereunder,” and similar terms, mean this Bond Legislation.

SECTION 2. Authorization of Bonds. It is hereby determined to be necessary to, and the City shall, issue, sell and deliver, as provided herein and pursuant to the authority of Sections 5709.40-5709.43 of the Ohio Revised Code, revenue bonds of the City for the purpose of paying the cost of acquiring and constructing public infrastructure improvements including, (i) the acquisition of real property and real property easements; (ii) the construction of public parking facilities, utilities, streets, street lighting, landscaping and related improvements; and (iii) paying certain other costs related to the issuance of Bonds together with other permissible costs under the Uniform Public Securities Law, including the cost of printing the Bonds, expense of delivery of the Bonds, service charges of the paying agent and registrar, legal services and obtaining an approving legal opinion and all necessary costs in connection therewith. The Bonds shall be secured by (i) service payments in lieu of taxes to be paid by owners of benefitted properties, (ii) a pledge, subject to annual appropriation, of legally available and appropriated funds sufficient to make up the difference between the amount needed to pay debt service on the bonds, on any payment date, and the amount of available Service Payments plus amounts in the Bond Account, as established and defined in the Trust Agreement, and (iii) such funds established in the Trust Agreement (the “Pledged Revenues”). Nothing in this ordinance shall be construed as pledging the general credit of the City to the payment of said Bonds or any part thereof, or the interest thereon.

SECTION 3. Terms of the Bonds. The Bonds of the City shall be issued in the principal sum of not to exceed \$23,000,000, for the purposes aforesaid. The Bonds shall be designated “Special Obligation Revenue Bonds, Series 2020 (Montgomery Quarter Phase I Project)” and may have other distinguishing series or name designations as determined by the Finance Director. The Bonds shall be dated the date of issuance if authenticated prior to the first interest payment date on the Bonds and otherwise will be dated as of the interest payment date next preceding the date the Bonds are authenticated, except that if the Bond is authenticated on an interest payment date, it will be dated as of such date of authentication; provided that if at the time of authentication, interest hereon is in default, the Bond will be dated as of the date to which interest has been paid. The Bonds shall be issued as fully registered bonds in the denomination of \$5,000 each or any integral multiple thereof. However, temporary bonds may be issued pending delivery of bonds in definitive form. The Bonds shall bear interest at the rates, payable semi-annually on each June 1 and December 1, commencing December 1, 2020, or as otherwise set forth in the Bond Purchase Agreement, as hereinafter defined and authorized, until maturity, and shall mature on the 1st day

of December, in such years and principal amounts as are agreed upon by the City and the Original Purchaser. Such principal amounts and interest rates as are agreed upon shall be set forth in the Bond Purchase Agreement authorized in Section 5 hereof, and the City's approval shall be evidenced by the signatures of the City Manager and the Finance Director on the Bond Purchase Agreement, without further action by this Council.

The Bonds are subject to redemption prior to maturity at the option of the City in whole or in part, as set forth in the Bond Purchase Agreement.

Notice of the call for redemption of the Bonds, specifying the numbers of the Bonds to be redeemed, shall be sent by the Trustee, as defined herein, by first class mail to the registered holders thereof, not less than thirty (30) days nor more than sixty (60) days prior to the date of redemption, upon which date all interest upon the Bonds or portions thereof so called shall cease except those as to which default shall be made, upon presentation, in the payment of the redemption price. Prior to any notice of call for redemption funds for such redemption shall be on deposit with the Trustee and the City shall direct the Trustee in writing to make any notice of call for redemption, except mandatory sinking fund redemption.

If less than all of the Bonds shall be called for redemption at the option of the City, those Bonds to be called shall be determined by the Trustee by lot, provided, however, that the portion of any Bond to be redeemed shall be in the principal amount of \$5,000 or any integral multiple thereof.

The Bonds shall initially be numbered from R-1 upwards; provided, however, that in the event of the exchange or transfer of any Bond, any new Bonds issued by the Trustee as a result of such exchange or transfer shall be numbered in a manner which will assure that such new Bonds retain the same terms with respect to redemption as were possessed by the exchanged or transferred Bonds.

The principal of, and interest on, the Bonds shall be payable to the registered holders thereof by check or draft of the Trustee, as paying agent, and such payment shall be made without deduction for the services of such paying agent. At the written request of the registered owner of at least \$100,000 aggregate principal amount of the Bonds received by the Trustee at least one business day prior to the corresponding record date, interest accrued on the Bonds will be payable by wire transfer within the continental United States in immediately available funds to the bank account number of such owner specified in such request and entered by the Trustee on the registration records; provided that interest payable at maturity or upon redemption shall be paid only upon presentation and surrender of such owner's Bonds.

SECTION 4. Execution of the Bonds. Upon the face of each of the Bonds shall be recited a reference to the statutory provision and the ordinance under which issued. Each of the Bonds shall express upon its face the purpose for which the same is issued; that the Bond is secured by and payable from the Pledged Revenues. The Bonds shall bear the manual or facsimile signature of the City Manager and the Finance Director, shall be authenticated manually by the Trustee, and may but shall not be required to bear manual or facsimile impression of the corporate seal of the City. The Bonds shall be prepared, issued, and delivered to the Original Purchaser, as defined in Section 1 hereof, under the direction of the City Manager as hereinafter provided.

SECTION 5. Sale of the Bonds. The Bonds are being purchased by Fifth Third Securities, Inc., Cincinnati, Ohio (the "Original Purchaser") and are hereby awarded upon payment therefore, at the purchase price set forth in the Bond Purchase Agreement, to the Original Purchaser. The appropriate officers of the City are authorized and directed to make on behalf of the City the necessary arrangements to establish the date, location, procedure and conditions for the delivery of the Bonds to the Original Purchaser, and to take all steps necessary to effect due execution and delivery to the Original Purchaser of the Bonds (or temporary Bonds delivered in lieu of definitive Bonds until their preparation and delivery can be effectuated) under the terms of this Bond Legislation.

Such award and sale shall be evidenced by the execution and delivery of the Bond Purchase Agreement by and between the City and the Original Purchaser, which is hereby authorized, setting forth such award and sale, the other matters referred to in this ordinance and such other matters as the City Manager and the Finance Director determine are consistent with this ordinance and the Trust Agreement securing the Bonds. The City Manager and the Finance Director are hereby authorized and directed in the name of and on behalf of the City to make, execute and deliver to the Original Purchaser the Bond Purchase Agreement, and other necessary documents as approved by bond counsel pertaining to the Bonds.

SECTION 6. Proceeds of the Sale. The proceeds of the sale of the Bonds, less the underwriting discount of Original Purchaser, plus other lawfully available funds of the City as set forth in the Bond Purchase Agreement and/or the letter of instructions from the City to the Trustee, and except for accrued interest, shall be deposited with the Trustee, and the City as set forth in the Trust Agreement and the Letter of Instructions to the Trustee.

The funds derived from the sale of the Bonds authorized by this legislation become and they are hereby set aside and appropriated for the payment as described in this authorizing legislation, including for the reimbursement of City funds used for the payment of costs associated with acquiring and constructing the Project which may be paid from available City funds prior to the issuance of the Bonds. The City has previously declared its intent to reimburse such funds up to the maximum amount of the Bonds authorized by this Ordinance.

Sums which are expended from the above appropriations and which are proper charges against and are repaid by any other department, any firm, person or corporation, shall be considered re-appropriated for such original purpose; provided that the total appropriation as increased by any such repayment shall not be exceeded.

The Finance Director of the City be and is hereby authorized to draw her warrants on the City Treasury and Depository for payments from any of the foregoing appropriations upon receiving proper approval in accordance with the ordinances of the City.

SECTION 7. Appointment of Trustee, Registrar and Paying Agent. The Trustee, Registrar and Paying Agent for the Bonds shall be such bank or trust company as is agreed upon by the City and the Original Purchaser and named in the Bond Purchase Agreement.

SECTION 8. Arbitrage Provisions. This Council, for the City, hereby covenants that, if any of the Bonds are designated as "tax-exempt" for federal income tax purposes, it will restrict

the use of the proceeds of the Bonds hereby authorized in such manner and to such extent, if any, and take such other action as may be necessary, after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute obligations the interest on which is subject to federal income taxation or “arbitrage bonds” under Section 103 (b)(2) and 148 of the Internal Revenue Code of 1986, as amended (the “Code”) and the regulations prescribed thereunder. The Finance Director or any other officer having responsibility with respect to the issuance of the Bonds is authorized and directed to give an appropriate certificate on behalf of the City, on the date of delivery of the Bonds, for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the proceeds thereof and the provisions of said Sections 103(b)(2) and 148 and regulations thereunder, if deemed applicable by bond counsel.

SECTION 9. Authorization of Trust Agreement and All Other Documents to be Executed by the City. In order to better secure the payment of the principal of, premium, if any, and interest on the Bonds as the same shall become due and payable, the City Manager is authorized and directed to execute, acknowledge and deliver in the name and on behalf of the City, to the Trustee, in trust for the bondholders, a Trust Agreement, secured by and payable from the Pledged Revenues. Said Trust Agreement, a draft of which is on file with the Finance Director, shall be in such form as is satisfactory to the City’s counsel and to bond counsel, with such changes therein not inconsistent with this Bond Legislation and not substantially adverse to the City as may be permitted by Sections 5709.40-5709.43 of the Ohio Revised Code and approved by the officers executing the same on behalf of the City. The approval of such changes by said officers, and that such are not substantially adverse to the City, shall be conclusively evidenced by the execution of such Trust Agreement by such officers.

The Pledged Revenues shall be administered as set forth in the Trust Agreement.

The Mayor, the City Manager, the Finance Director and any other City Official are each hereby separately authorized to take any and all actions and to execute such other documents, financing statements, assignments, certificates and other instruments that may be necessary or appropriate in the opinion of Dinsmore & Shohl LLP, as bond counsel, in order to effect the issuance of the Bonds and the intent of this Bond Legislation. The Clerk of Council, or other appropriate officer of the City, shall certify a true transcript of all proceedings had with respect to the issuance of the Bonds, along with such information from the records of the City as is necessary to determine the regularity and validity of the issuance of the Bonds.

SECTION 10. Disclosure and Continuing Disclosure. The content, form and distribution of the Official Statement (including a preliminary official statement) or similar documents prepared in connection with the Bonds be and the same is hereby approved and ratified and any official having charge with respect to the issuance of the Bonds is hereby authorized to execute on behalf of the City a certification with respect thereto. This Council hereby determines that the preliminary official statement is in final form in accordance with Securities and Exchange Commission Rule 15c-12.

The City Manager or the Finance Director are hereby further authorized to execute, on behalf of the City, a Continuing Disclosure Certificate in such form and containing such terms, covenants and conditions not inconsistent herewith, and to take such other actions as may be

necessary to comply with the requirements of Securities and Exchange Commission Rule 15c2-12, as amended from time to time.

SECTION 11. Municipal Bond Ratings and Bond Insurance. The City Manager or the Finance Director are hereby authorized to apply, if he/she deems it appropriate, for a rating on the Bonds from either Standard & Poor's Corporation or Moody's Investors Service, and/or to purchase bond insurance, and to pay the fee or premium for said rating and/or insurance to the extent authorized by law and approved by bond counsel.

Any official having charge with respect to the issuance of the Bonds is hereby further authorized to take such actions as may be reasonably requested by the Original Purchaser in order to make the Bonds eligible for the services of the Depository Trust Company, New York, New York.

SECTION 12. No Personal Liability. No recourse under or upon any obligation, covenant, acceptance or agreement contained in this Bond Legislation, or in any Bond, or in the Trust Agreement, or under any judgment obtained against the City or by the enforcement of any assessment or by any legal or equitable proceeding by virtue of any constitution or statute or otherwise, or under any circumstances, shall be had against any officer as such, past, present, or future, of the City, either directly or through the City, or otherwise, for the payment for or to the City or any receiver thereof, or for or to any holder of any Bond, or otherwise, of any sum that may be due and unpaid by the City upon any of the Bonds. Any and all personal liability of every nature, whether at common law or in equity, or by statute or by constitution or otherwise, of any such officer, as such, to respond by reason of any act or omission on his or her part, or otherwise, for, directly or indirectly, the payment for or to the City or any receiver thereof, or for or to the owner or any holder of any Bond, or otherwise, of any sum that may remain due and unpaid upon any Bond, shall be deemed to be expressly waived and released as a condition of and consideration for the execution and delivery of the Trust Agreement and the issuance of the Bonds.

SECTION 13. No Debt or Tax Pledge. Anything in this Bond Legislation, the Trust Agreement, the Bonds or any other agreement or instrument to the contrary notwithstanding, neither this Bond Legislation, the Bonds, nor the Trust Agreement shall represent or constitute a debt or pledge of the faith and credit of the taxing power of the City, and each Bond shall contain on the face thereof a statement to that effect. Nothing herein shall be deemed to prohibit the City, of its own volition, from using, to the extent it may be lawfully authorized to do so, any other resources or revenues for the fulfillment of any of the terms, conditions or obligations of the Trust Agreement, this Bond Legislation or the Bonds.

SECTION 14. Bond Counsel. The firm of Dinsmore & Shohl LLP (“Dinsmore”) is hereby engaged as the City’s “bond counsel” pursuant to the engagement letter of Dinsmore on file with the City.

SECTION 15. Rebate Account. This Council hereby establishes a Rebate Account and, if any of the Bonds are designated as “tax-exempt” for federal income tax purposes, covenants to take all actions necessary to comply with the rebate requirements applicable to investment of the bond proceeds contained in Section 148 of the Code and the Treasury regulations thereunder. The Finance Director is hereby authorized and directed to execute and deliver on behalf of the City a Rebate Calculation and Yield Reduction Calculation Agreement with Dinsmore & Shohl LLP to

provide professional services in accordance with the requirements of the Code and applicable regulations thereunder with respect to arbitrage rebate, if applicable.

SECTION 16. Severability. If any section, paragraph or provision of this Bond Legislation shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Bond Legislation.

SECTION 17. Sunshine Law. This Council hereby finds and determines that all formal actions relative to the adoption of this Bond Legislation were taken in an open meeting of this Council, and that all deliberations of this Council and of its committees, if any, which resulted in formal action, were in meetings open to the public, in full compliance with the law, including Section 121.22, Ohio Revised Code or Am Sub HB 197.

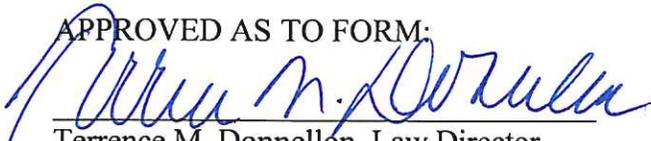
SECTION 18. Effective Date. This Ordinance shall take effect at the earliest opportunity as allowable by law.

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

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

\_\_\_\_\_  
Christopher P. Dobrozsi, Mayor

APPROVED AS TO FORM:

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

CERTIFICATE

The undersigned hereby certifies that the foregoing is a true and correct copy of Ordinance  
No. \_\_\_\_\_.

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

Dated: \_\_\_\_\_, 2020

CERTIFICATE

The undersigned hereby certifies that a copy of the foregoing ordinance was certified this  
day to the County Auditor.

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

Dated: \_\_\_\_\_, 2020

RECEIPT

The undersigned hereby acknowledges receipt of a certified copy of the foregoing  
ordinance.

\_\_\_\_\_  
Hamilton County Auditor

Dated: \_\_\_\_\_, 2020

ORDINANCE NO. \_\_\_\_\_, 2020

**AN ORDINANCE CREATING SECTION 92.05 OF THE CODE OF ORDINANCES, ENTITLED “LITTERING”, AND AMENDING SECTION 92.99 ENTITLED “PENALTY”**

**WHEREAS**, the City of Montgomery has recently discovered incidents on vacant land located within the City and owned by the City in which individuals are dumping garbage, litter and other refuse on vacant land; and

**WHEREAS**, the City of Montgomery has several construction projects within the City that involve vacant land and the potential for increased illegal dumping and littering on these sites; and

**WHEREAS**, the City of Montgomery does desire to retain jurisdiction over these incidents as they become more pervasive, rather than cite violations under the State Code; and

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

**SECTION 1.** Section 92.05 of the Montgomery Code of Ordinances is hereby created, which shall read as follows:

(A) *Definitions.* For purposes of Section 92.05, *Litter* shall include garbage (as defined by Section 93.21), waste, peelings of vegetables or fruits, rubbish, ashes, cans, bottles, wire, paper, cartons, boxes, and other materials of an unsightly or unsanitary nature, and discarded materials as defined by Section 93.21.

(B) No person, regardless of intent, shall deposit Litter or cause Litter to be deposited on any public property, on private property not owned by such person unless one of the following applies:

(1) The person is directed to do so by a public official as part of a Litter collection drive;

(2) Except as provided in division (C) of this section, the person deposits the Litter in an appropriate Litter receptacle as defined in Section 92.04(A) in a manner that prevents it being carried away by the elements;

(C) No person, without privilege to do so, shall knowingly deposit Litter, or cause it to be deposited, in a Litter receptacle located on any public property or on any private property not owned by the person unless one of the following applies:

(1) The Litter was generated or located on the property on which the Litter receptacle is located;

(2) The person is directed to do so by a public official as part of a Litter collection drive;

(3) The person is directed to do so by a person whom the person reasonably believes to have the privilege to use the Litter receptacle;

(4) The Litter consists of any of the following:

(a) The contents of a Litter bag or container of a type and size customarily carried and used in a motor vehicle;

(b) The contents of an ash tray of a type customarily installed or carried and used in a motor vehicle;

(c) Beverage containers and food sacks, wrappings, and containers of a type and in an amount that reasonably may be expected to be generated during routine commuting or business or recreational travel by a motor vehicle;

(d) Beverage containers, food sacks, wrappings, containers, and other materials of a type and in an amount that reasonably may be expected to be generated during a routine day by a person and deposited in a litter receptacle by a casual passerby.

(D)(1) As used in division (C)(1) of this section, "public property" includes property owned by the City and any private property open to the public for the conduct of business or the provision of a service, but does not include any private property to which the public otherwise does not have a right of access.

(2) As used in division (C)(4) of this section, "casual passerby" means a person who does not have depositing litter in a litter receptacle as the person's

primary reason for traveling to or by the property on which the litter receptacle is located.

**SECTION 2.** Section 92.99 of the Code of Ordinances shall be amended to read as follows:

Except as provided in Section (A) herein, anyone who violates any provisions of this chapter shall be subject to penalty provided in §10.99;

(A) Whoever violates section 92.05 of this chapter is guilty of a misdemeanor of the third degree. The sentencing court may, in addition to or in lieu of the penalty provided in this division, require a person who violates section 92.05 of the Code, to remove litter from any public or private property.

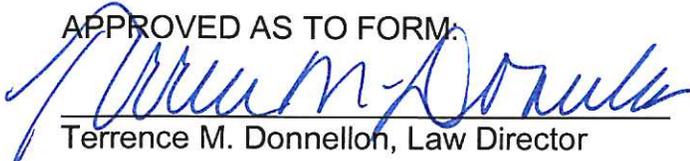
**SECTION 3.** This Ordinance shall take effect the earliest opportunity as allowable by law.

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

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

\_\_\_\_\_  
Christopher P. Dobrozsi, Mayor

APPROVED AS TO FORM:

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

RESOLUTION NO. \_\_\_\_\_, 2020

**A RESOLUTION ADOPTING A TAX BUDGET FOR 2021**

**WHEREAS**, pursuant to Section 5705.30 of the Ohio Revised Code, the taxing authority of each municipality is required to adopt a tax budget on or before the 15th day of July for the next succeeding year; and

**WHEREAS**, a public hearing was held June 17, 2020 and public notice was given in the manner provided by law; and

**WHEREAS**, copies of the budget have been filed in the Office of the City Manager for public inspection for the ten (10) day period preceding the Public Hearing.

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

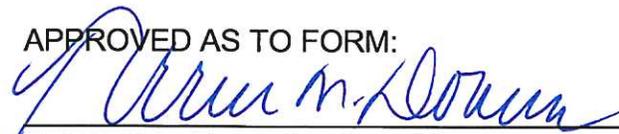
**SECTION 1.** The Council hereby adopts the tax budget proposed for 2021 in the form in which it has been proffered to this Council by the Finance Department, a copy of which is attached hereto and included herein by reference. In further conformity with Section 5705.30 of the Revised Code, the budget shall be submitted to the County Auditor on or before July 19, 2020.

**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

City of Montgomery, Ohio  
Hamilton County, Ohio  
July 15, 2020

This Budget must be adopted by the Council of Montgomery Ohio on or before July 15th, and two copie must be submitted to the County Auditor on or before July 20th. FAILURE TO COMPLY WITH SEC. 5705.28 R.C. SHALL RESULT IN LOSS OF LOCAL GOVERNMENT FUND ALLOCATION.

To the County Auditor of said County:

The following Budget year beginning January 1, 2021, has been adopted by Council and is herewith submitted for consideration of the County Budget Commission.

Signed	 Katie M. Smiddy, Director of Finance
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SCHEDULE A

**SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET COMMISSION,  
AND COUNTY AUDITOR'S ESTIMATED RATES**

For Municipal Use	For Budget Commission Use			For County Auditor Use	
FUND	Budget Year Amount Requested of Budget Commission Inside/Outside	Budget Year Amount Approved Budget Commission 10 Mill Limitation	Budget Year Amount Derived From Levies Outside 10 Mill Limitation	County Auditor's Estimate of Tax Rate to be Levied	
				Inside 10 Mill Limit Budget Year	Outside 10 Mill Limit Budget Year
<b>GOVERNMENT FUNDS</b>					
GENERAL FUND	2,300,000				
FIRE LEVY FUND	5,264,388				
<b>PROPRIETARY FUNDS</b>					
<b>FIDUCIARY FUNDS</b>					
<b>TOTAL ALL FUNDS</b>	<b>7,564,388</b>				



**FUND NAME: GENERAL FUND**  
**FUND TYPE/CLASSIFICATION: GOVERNMENTAL-GENERAL**

DESCRIPTION	2018 Actual	2019 Actual	Current Year Estimated for 2020	Budget Year Estimated for 2021
<b>REVENUES</b>				
<b>Local Taxes</b>				
General Property Taxes-Real Estate	2,299,971	2,323,421	2,300,000	2,300,000
Tangible Personal Property Taxes	-	-	-	-
Municipal Income Taxes	7,466,845	7,931,123	7,596,759	7,672,727
Other Local Taxes	-	-	100	100
<b>Total Local Taxes</b>	<b>9,766,816</b>	<b>10,254,545</b>	<b>9,896,859</b>	<b>9,972,827</b>
<b>Intergovernmental Revenues</b>				
Local Government- State	-	19,397	16,200	16,200
Local Government- County	123,599	130,963	105,000	105,000
Estate Tax	-	-	-	-
Cigarette Tax	129	213	100	100
Liquor Tax	19,536	21,009	22,500	22,500
Property Tax Allocation (homestead rollback)	285,540	287,168	289,000	291,000
Other State Shared Taxes and Permits	-	-	-	-
<b>Total State Shared Taxes and Permits</b>	<b>428,804</b>	<b>458,750</b>	<b>432,800</b>	<b>434,800</b>
<b>Federal Grants or Aid</b>				
State Grants or Aid	-	-	-	-
Other Grants or Aid	-	6,651	2,000	2,000
<b>Total Intergovernmental Revenues</b>	<b>428,804</b>	<b>465,401</b>	<b>434,800</b>	<b>436,800</b>
<b>Interest Income</b>	<b>224,067</b>	<b>210,398</b>	<b>210,000</b>	<b>210,000</b>
<b>Special Assessments</b>				
Building and Construction Permits	427,505	283,610	325,000	325,000
Charges for Services	353,125	383,067	408,851	409,858
Fines, Licenses and Permits	118,493	103,568	117,050	118,050
Miscellaneous Revenues	320,907	261,958	117,454	117,039
<b>Other Financing Sources:</b>				
Lease Payments	-	-	-	-
Transfers	51	-	930	90
Reimbursements	-	-	-	-
Other Sources	11,477	3,712	-	-
<b>TOTAL REVENUES</b>	<b>11,651,245</b>	<b>11,966,259</b>	<b>11,510,944</b>	<b>11,589,664</b>

**FUND NAME: GENERAL FUND**  
**FUND TYPE/CLASSIFICATION: GOVERNMENTAL-GENERAL**

DESCRIPTION	2018 Actual	2019 Actual	Current Year Estimated for 2020	Budget Year Estimated for 2021
<b>EXPENDITURES</b>				
<b>Security of Persons and Property</b>				
Personal Services and Benefits	3,103,093	3,283,230	3,738,846	3,806,506
Travel Transportation	28,789	32,461	29,100	29,985
Contractual Services	343,787	294,091	307,526	308,994
Supplies and Materials	22,892	82,366	34,233	34,233
Capital Outlay	94,393	131,813	68,960	136,317
<b>Total Security of Persons and Property</b>	<b>3,592,954</b>	<b>3,823,961</b>	<b>4,178,665</b>	<b>4,316,035</b>
<b>Public Health Services</b>				
Personal Services and Benefits	-	-	-	-
Travel Transportation	-	-	-	-
Contractual Services	-	-	-	-
Supplies and Materials	43,783	54,593	57,750	58,250
Capital Outlay	-	-	-	-
<b>Total Public Health Services</b>	<b>43,783</b>	<b>54,593</b>	<b>57,750</b>	<b>58,250</b>
<b>Lelsure Time Activities</b>				
Personal Services and Benefits	535,936	572,933	616,760	630,697
Travel Transportation	7,038	7,653	10,500	11,000
Contractual Services	387,924	387,412	399,261	419,154
Supplies and Materials	122,489	154,092	154,524	156,490
Capital Outlay	151,972	32,190	56,850	60,000
<b>Total Lelsure Time Activities</b>	<b>1,205,359</b>	<b>1,154,280</b>	<b>1,237,895</b>	<b>1,277,341</b>
<b>Community Environment</b>				
Personal Services and Benefits	352,714	338,287	416,723	419,493
Travel Transportation	6,546	6,549	9,700	10,600
Contractual Services	56,256	415,024	459,000	443,000
Supplies and Materials	-	13,538	11,450	11,500
Capital Outlay	-	1,107	17,198	17,199
<b>Total Community Environment</b>	<b>415,516</b>	<b>774,505</b>	<b>914,071</b>	<b>901,792</b>
<b>Basic Utility Services</b>				
Personal Services and Benefits	-	-	-	-
Travel Transportation	-	-	-	-
Contractual Services	626,128	681,736	660,000	660,000
Supplies and Materials	-	-	-	-
Capital Outlay	-	-	-	-
<b>Total Basis Utility Services</b>	<b>626,128</b>	<b>681,736</b>	<b>660,000</b>	<b>660,000</b>

**FUND NAME: GENERAL FUND**  
**FUND TYPE/CLASSIFICATION: GOVERNMENTAL-GENERAL**

DESCRIPTION	2018 Actual	2019 Actual	Current Year Estimated for 2020	Budget Year Estimated for 2021
Public Works				
Personal Services and Benefits	394,355	495,986	574,622	597,153
Travel Transportation	1,634	5,741	8,000	8,000
Contractual Services	98,538	116,210	130,200	133,300
Supplies and Materials	8,933	8,886	13,700	13,700
Capital Outlay	121,541	3,400	23,800	3,400
<b>Total Public Works</b>	<b>625,001</b>	<b>630,223</b>	<b>750,322</b>	<b>755,553</b>
General Government				
Personal Services and Benefits	1,209,898	1,366,699	1,864,854	1,833,141
Travel Transportation	48,539	104,472	103,224	118,140
Contractual Services	1,140,927	1,358,686	1,417,355	1,489,555
Supplies and Materials	77,041	94,786	98,500	100,700
Capital Outlay	96,743	9,237	19,200	3,600
<b>Total General Government</b>	<b>2,573,148</b>	<b>2,933,880</b>	<b>3,523,133</b>	<b>3,545,136</b>
<b>Total General Fd Before Other Uses</b>	<b>9,081,889</b>	<b>10,053,178</b>	<b>11,321,836</b>	<b>11,514,107</b>
Debt Service				
Redemption of Principal				
Interest				
<b>Total Debt Service</b>				
Other Uses of Funds				
Transfers				
to Street Maintenance Fund	650,000	683,000	999,000	900,000
to Municipal Pool	15,000	-	-	15,000
to Downtown Improvement Fund	3,000,000	-	-	-
to General Bond Retirement	-	-	-	-
to School Resource Officer Fund	57,600	-	-	64,400
to Environmental Impact	25,500	-	-	24,000
<b>Total Other Uses of Funds</b>	<b>3,748,100</b>	<b>683,000</b>	<b>999,000</b>	<b>1,003,400</b>
Advances Out				
<b>TOTAL EXPENDITURES</b>	<b>12,829,989</b>	<b>10,736,178</b>	<b>12,320,836</b>	<b>12,517,507</b>
Revenues over/(under) Expenditures	(1,178,744)	1,230,082	(609,892)	(927,843)
Beginning Unencumbered Balance	14,763,860	13,585,116	14,815,198	14,005,306
Ending Cash Balance	13,585,116	14,815,198	14,005,306	13,077,463
Estimated Encumbrances (outstanding at year end)	181,594	181,594	300,000	300,000
Estimated Ending Unencumbered Fund Balance	13,403,522	14,633,604	13,705,306	12,777,463

FUND NAME: FIRE LEVY FUND

FUND TYPE/CLASSIFICATION: GOVERNMENTAL-SPECIAL REVENUE FUND

DESCRIPTION	2018 Actual	2019 Actual	Current Year Estimated for 2020	Budget Year Estimated for 2021
<b>REVENUES</b>				
Real Estate				
Real Estate Property Tax	1,786,396	5,388,333	5,264,388	5,264,388
Personal Property Tax		-	-	-
Property Tax Allocation	205,286	242,572	230,000	230,000
Other	242,187	70,776	19,050	38,640
Interest	34,736	68,705	24,500	24,500
EMS Fees	197,424	223,491	175,000	175,000
<b>Total Real Estate Taxes</b>	<b>2,466,029</b>	<b>5,993,877</b>	<b>5,712,938</b>	<b>5,732,528</b>
Transfer from General Fund				
Miami Conservancy	-	-	-	-
Charter Fire Force				
Proceeds From Debt				
Charter Fire Force				
<b>TOTAL REVENUES</b>	<b>2,466,029</b>	<b>5,993,877</b>	<b>5,712,938</b>	<b>5,732,528</b>
<b>EXPENDITURES</b>				
Personal Services and Benefits	2,121,233	2,390,855	3,106,893	3,672,526
Travel Transportation	23,212	34,520	40,000	41,200
Contractual Services	235,803	264,146	384,786	416,430
Supplies and Materials	7,986	45,051	64,050	67,149
Capital Outlay	260,169	295,886	982,350	483,500
			-	-
<b>TOTAL EXPENDITURES</b>	<b>2,648,402</b>	<b>3,030,458</b>	<b>4,578,079</b>	<b>4,680,805</b>
Revenues over/(under) Expenditures	(182,374)	2,963,419	1,134,859	1,051,723
Beginning Unencumbered Balance	3,849,208	3,666,834	6,580,253	7,715,112
Ending Cash Balance	3,666,834	6,580,253	7,715,112	8,766,835
Estimated Encumbrances (outstanding at year end)	99,282	2,364,420	500,000	65,000
Estimated Ending Unencumbered Fund Balance	3,567,552	4,215,833	7,215,112	8,701,835

STATEMENT OF PERMANENT IMPROVEMENTS

DESCRIPTION	Estimated Cost of Permanent Improvements	Amount to be Budgeted During Current Year	Name of Paying Fund
<b>City Parks</b>			
Parking Lot Repairs/Striping	\$17,100	\$17,100	Capital Improvement Fund
Asphalt Path Repairs	\$15,000	\$15,000	Capital Improvement Fund
Resurface Basketball Courts	\$31,000	\$31,000	Capital Improvement Fund
Resurface Tennis Courts	\$28,600	\$28,600	Capital Improvement Fund
Restroom Floor Protective/Asthetic Coating	\$10,000	\$10,000	Capital Improvement Fund
<b>Swaim and Terwilliger Lodges</b>			
Building Repair and Maintenance	\$3,500	\$3,500	Capital Improvement Fund
Replacement of Existing Swaim Lodge Facility	\$450,000	\$450,000	Capital Improvement Fund
Staining/Sealing of deck	\$3,800	\$3,800	Capital Improvement Fund
<b>Historical Building Operations</b>			
Yost Tavern Roof Replacement	\$10,700	\$10,700	Capital Improvement Fund
Wilder-Swaim House Exterior Painting	\$13,200	\$13,200	Capital Improvement Fund
<b>Public Works Administration</b>			
Replacment of City Hall Roof system	\$15,000	\$15,000	Capital Improvement Fund
<b>Street Maintenance and Repair</b>			
Annual Resurfacing	\$1,000,000	\$1,000,000	Capital Improvement Fund
Asphalt Surface Treatments	\$125,000	\$125,000	Capital Improvement Fund
Crack Sealing Program	\$75,000	\$75,000	Capital Improvement Fund
Curb Repairs	\$55,000	\$55,000	Capital Improvement Fund
Contingencies	\$35,000	\$35,000	Capital Improvement Fund
Sidewalk Repairs	\$48,000	\$48,000	Capital Improvement Fund
Small Drainage Projects	\$90,000	\$90,000	Capital Improvement Fund
Repair/Replace Corrugated Metal Pipe Infrastructure	\$30,000	\$30,000	Capital Improvement Fund
Traffic Signal Improvements South System	\$213,000	\$213,000	Capital Improvement Fund
Mill and Replace Asphalt at Public Works Building	\$131,000	\$131,000	Capital Improvement Fund
<b>Municipal Pool</b>			
Bathhouse Repairs	\$3,000	\$3,000	Capital Improvement Fund
Concession Area Updates	\$1,000	\$1,000	Capital Improvement Fund
Paint, Repair Pool Facility	\$4,000	\$4,000	Capital Improvement Fund
Paint, Repair Pool Structure	\$2,000	\$2,000	Capital Improvement Fund
Pool Deck	\$1,000	\$1,000	Capital Improvement Fund
ADA Compliance/Access to pool	\$10,000	\$10,000	Capital Improvement Fund
Main Pump	\$25,000	\$25,000	Capital Improvement Fund
Shade Deck	\$12,000	\$12,000	Capital Improvement Fund
Site Parking and Paving	\$9,100	\$9,100	Capital Improvement Fund
<b>GRA(Montgomery Quarter)</b>	\$4,000,000	\$4,000,000	Tax Increment Financing
<b>Urban Redevelopment Fund</b>			
Heritage District Pedestrian Improvements	\$15,000	\$15,000	Urban Redevelopment Fund
Streetscape Fill-in Projects	\$20,000	\$20,000	Urban Redevelopment Fund
<b>Cemetery Expendable Trust</b>			
Asphalt Road and Curb Repairs	\$4,000	\$4,000	Capital Improvement Fund
Sealing of Asphalt Walking Paths	\$4,000	\$4,000	Capital Improvement Fund
<b>TOTAL PERMANENT IMPROVEMENTS</b>	<b>\$6,510,000</b>	<b>\$6,510,000</b>	
<b>Break Down by Name of Paying Fund</b>			
Capital Improvement Fund	\$2,475,000	\$2,475,000	
Tax Increment Financing	\$4,000,000	\$4,000,000	
Urban Redevelopment Fund	\$35,000	\$35,000	
<b>Total of all Funds</b>	<b>\$6,510,000</b>	<b>\$6,510,000</b>	

PURPOSE OF BONDS AND NOTES	Authority for Levy Outside 10 Mill Limit	Date of Issue	Due Date	Ordinance or Resolution	Serial or Term	Rate of Interest	Amount of Bonds & Notes Outstanding Beginning of Budget Year 1-1-2021	Amount Required for Interest	Amount Required for Principal
<b>INSIDE THE 10 MILL LIMIT</b>									
<b>Special Assessments</b>									
Montgomery Woods Sidewalk- Special Assessment		09/97	12/17	97-17	S	6.00%			
Tanager Woods 1989		12/04	12/19	99-8	S	6.00%			
Various Purpose Refunding 2003		Various	Various	030-3	S	3.80-2.00%			
<b>Total</b>							46,710	1,710	46,710
<b>General Obligation Notes</b>							46,710	1,710	46,710
<b>Total</b>									
<b>Special Obligation Revenue Bonds</b>									
Series 2013 Bonds/Refunding- Vintage Club		05/13	Dec-37	9/13	S	4.30%	14,183,767	3,185,767	11,020,000
Series 2018 Bonds- Vintage Club North PH II		6/18	Dec-37	5/18	S	4.60%	8,302,319	2,637,319	5,665,000
<b>Total</b>							22,486,076	5,801,076	16,685,000
<b>Grand Total</b>							22,532,786	5,802,786	16,731,710

FUND	Estimated Unencumbered Fund Balance 1-Jan-20	Budget Year Estimated Receipts	Total Available for Expenditures	Budget Year Expenditures and Encumbrances			Estimated Unencumbered Fund Balance 31-Dec-20
				Personal Services	Other	Total	
<b>GOVERNMENTAL-SPECIAL REVENUE:</b>							
209 Memorial Fund	33,594	3,000	36,594	-	4,000	4,000	32,594
210 Parks and Recreation	10,334	500	10,834	-	500	500	10,334
215 Law Enforcement	31,681	1,700	33,381	-	4,500	4,500	28,881
218 Drug Enforcement	5,339	1,000	6,339	-	400	400	5,939
217 DUI Enforcement and Education	16,000	1,000	17,000	-	10,500	10,500	6,500
218 Mayor's Court Technology	49,556	15,138	64,694	-	11,761	11,761	52,933
219 School Resource Officer	66,961	193,108	260,069	194,286	-	194,286	65,783
220 Law Enforcement Assistance	15,520	1,000	16,520	-	1,000	1,000	15,520
227 Environmental I	38,309	9,000	47,309	-	8,000	8,000	39,309
228 Environmental II	35,620	24,000	59,620	-	25,000	25,000	34,620
229 Environmental III	44,500	9,000	53,500	-	10,000	10,000	43,500
230 Environmental IV	18,000	6,000	24,000	-	5,000	5,000	19,000
261 Street Maintenance and Repair	834,875	1,555,784	2,390,659	800,000	298,057	1,098,057	1,292,602
265 State Highway	88,813	64,849	153,662	-	34,000	34,000	119,662
266 Permissive MVL Fund	181,359	82,248	263,607	-	81,000	81,000	182,607
275 Municipal Pool	292,555	239,961	532,516	-	274,227	274,227	258,289
485 Art and Amenities	633,374	30,400	663,774	-	106,300	106,300	557,474
Total Special Revenue Funds	2,396,390	2,237,688	4,634,078	994,286	874,245	1,868,531	2,765,547
<b>DEBT SERVICE FUNDS:</b>							
322 Special Assessment Bond Retirement	178,010	-	178,010	-	-	-	178,010
324 General Bond Retirement	707,396	6,000	713,396	-	-	-	713,396
326 Reserve Bond Retirement	90,515	199,000	289,515	-	184,670	184,670	104,845
329 Montgomery Quarter TIF	-	-	-	-	-	-	-
331 Vintage Club TIF	3,658,670	2,852,491	6,511,161	-	2,685,458	2,685,458	3,825,703
332 Vintage Club North TIF	390,728	21,900	412,628	-	285,656	285,656	126,972
Total Debt Service Funds	5,023,319	3,079,391	8,102,710	-	3,155,784	3,155,784	4,946,926
<b>CAPITAL PROJECT FUNDS:</b>							
410 Capital Improvements	3,590,411	2,013,900	5,604,311	-	2,831,950	2,831,950	2,772,361
460 Urban Redevelopment Fund	794,407	11,700	806,107	-	67,150	67,150	738,957
461 Triangle Tax Increment	110,736	246,633	357,369	-	165,000	165,000	192,369
463 Vintage Club Capital Construction-North	1,296,587	32,079	1,318,666	-	-	-	1,318,666
464 Gateway Redevelopment Area Const	-	6,250,000	6,250,000	-	6,000,000	6,000,000	250,000
465 GRA Roundabout	5,252,220	15,330,000	15,330,000	-	8,000,000	8,000,000	7,330,000
480 Downtown Improvements	11,034,361	46,000	5,298,220	-	20,000	20,000	5,278,220
Total Capital Project Funds	11,034,361	23,930,312	34,964,673	-	17,084,100	17,084,100	17,880,573
<b>PROPRIETARY: ENTERPRISE FUNDS</b>							
Total Enterprise Funds	-	-	-	-	-	-	-
<b>INTERNAL SERVICE FUNDS:</b>							
Total Internal Service Funds	-	-	-	-	-	-	-
<b>FIDUCIARY: TRUST AND AGENCY FUNDS</b>							
548 Trust Reimbursements	140,153	100,000	240,153	-	100,000	100,000	140,153
601 State Fees	6,286	8,000	14,286	-	8,000	8,000	6,286
838 Historical Trust Fund	36,617	1,250	37,867	-	1,200	1,200	36,667
840 Cemetery Expendable Trust	397,006	42,500	439,506	-	57,350	57,350	382,156
875 Compensated Absence	461,287	58,689	519,976	-	50,000	50,000	469,976
890 Unclaimed Monies Fund	1,672	1,000	2,672	-	1,430	1,430	1,242
Total Trust and Agency Funds	1,043,021	211,439	1,254,460	-	217,980	217,980	1,036,480
<b>TOTAL FOR MEMORANDUM ONLY</b>							
	19,497,091	29,458,830	48,955,921	994,286	21,332,109	22,326,395	26,629,526

**OFFICIAL CERTIFICATE OF ESTIMATED RESOURCES**

Budget Commission of Hamilton County, Ohio, hereby makes the following Official Certificate of Estimated Resources for the City of Montgomery, Ohio for the BUDGET YEAR beginning January 1, 2021.

FUND	Estimated Unencumbered Fund Balance 1-Jan-20	Real Estate Property Tax	Personal Property Tax	Local Government Allocation	Rollback, Homestead and Personal Prop Tax Exemption	Other Sources	Total
<b>NONREVENUE FUND TYPES</b>							
General Fund	14,005,306	2,300,000	-	105,000	-	9,184,664	25,594,970
Special Revenue Funds	10,111,502	5,264,388	-	-	-	2,705,828	18,081,718
Debt Service Funds	5,023,319	-	-	-	-	3,079,391	8,102,710
Capital Project Funds	11,034,361	-	-	-	-	23,930,312	34,964,673
<b>REVENUE FUND TYPES</b>							
Enterprise Funds							
Internal Service Funds							
<b>TRUST AND AGENCY FUND TYPE</b>							
Trust and Agency Funds	1,043,021	-	-	-	-	211,439	1,254,460
<b>ALL FUNDS</b>	<b>41,217,509</b>	<b>7,564,388</b>	<b>-</b>	<b>105,000</b>	<b>-</b>	<b>39,111,634</b>	<b>87,998,531</b>

Budget Commission further certifies that its action on the foregoing budget and the County Auditor's estimate of the rate of each tax necessary to be levied within and outside mill limitation is set forth in the proper columns of the preceding pages and the total amount approved for each must govern the amount of appropriation from such fund.

Date \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Budget Commission





**OFFICIAL CERTIFICATE OF ESTIMATED RESOURCES-continued**

FUND	Estimated Unencumbered Fund Balance 1-Jan-20	Real Estate Property Tax	Personal Property Tax	Local Government Allocation	Rollback, Homestead and Personal Prop Tax Exemption	Other Sources	Total
<b>AGRI-CULTURAL:</b>							
<b>ENTERPRISE FUNDS</b>							

**ENTERPRISE FUNDS**

**AGRI-CULTURAL:**

**TRUST AND AGENCY FUNDS**

**FOR MEMORANDUM ONLY**

**COUNTY AUDITOR'S ESTIMATE**  
**Tax Levies and Rates for**  
**Assessed Valuation \$ \_\_\_\_\_**

	Amount Approved By Budget Commission	County Auditor's Estimate of Rate in Mills
<b>LEVIES WITH IN 10 MILL LIMITATION</b>		
COUNTY		
TOWNSHIP		
SCHOOL		
VILLAGE		
CITY		
<b>TOTAL</b>		
<b>LEVIES OUTSIDE 10 MILL LIMITATION</b>		
COUNTY		
TOWNSHIP		
SCHOOL		
VILLAGE		
CITY		
STATE		
<b>TOTAL</b>		
<b>TOTAL LEVY FOR ALL PURPOSES</b>		

RESOLUTION NO. \_\_\_\_\_, 2020

**A RESOLUTION APPROVING THE PROCESS TO RECEIVE  
AND DISBURSE CORONAVIRUS RELIEF FUNDS**

**WHEREAS**, the Coronavirus Aid, Relief, and Economic Security Act, 116 Public Law 136, (the "CARES Act") was signed into law by the President of the United States on March 27, 2020; and

**WHEREAS**, the Ohio General Assembly established a process for distributing funds provided by the CARES Act in ~~Senate~~House Bill ~~310~~481 of the 133<sup>rd</sup> General Assembly (~~S.B. 310~~H.B. 481); and

**WHEREAS**, ~~S.B.~~H.B. 310~~481~~ requires subdivisions receiving funds under Section 1 of the Act, to pass a resolution affirming that funds from the County Coronavirus Relief Distribution Fund may be expended only to cover costs of the subdivision consistent with the requirements of Section 5001 of the CARES Act as described in 42 U.S.C. 601(d), and any applicable regulations before receiving said funds; and

**WHEREAS**, the City of Montgomery is requesting its share of funds from the County Coronavirus Relief Distribution Fund.

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

**SECTION 1.** Council affirms that all funds received from the County Coronavirus Relief Distribution Fund pursuant to ~~S.B.~~H.B. 310~~481~~ be expended only to cover costs of the subdivision consistent with the requirements of Section 5001 of the CARES Act as described in 42 U.S.C. 601(d), and any applicable regulations and

guidance only to cover expenses that:

- (1) Are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
- (2) Were not accounted for in the City of Montgomery's most recently approved budget as of March 27, 2020; and
- (3) Were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

**SECTION 2.** In compliance with S.B.H.B. 310481, Be It Resolved by the Council of the City of Montgomery that Katie Smiddy, Director of Finance, take all necessary action to:

- (1) On or before October 15, 2020, pay any unencumbered balance of money in the City of Montgomery's local Coronavirus Relief Fund to the County Treasurer;
- (2) On or before December 28, 2020, pay the balance of any money in the City of Montgomery's local Coronavirus Relief Fund to the State Treasury in the manner prescribed by the Director of the Ohio Office of Budget and Management; and
- (3) Provide any information related to any payments received under S.B.H.B. 310481 to the Director of the Ohio Office of Budget and Management as requested.

**SECTION 3.** There is hereby established the Coronavirus Relief Fund to receive and segregate monies received through the Hamilton County Relief Distribution Fund. Expenditures from the Fund are limited to the purposes identified herein and by appropriate federal and state guidelines.

**SECTION 4.** The City Manager and Director of Finance are hereby authorized to execute any additional documents as may be required to participate within this program and to administer and account for such funds received and expended.

**SECTION 5.** 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

conditions of the sale as prescribed in this division shall forfeit the ten per cent of the purchase price paid to the state as liquidated damages. Should a purchaser not complete the conditions of the sale as described in this division, the Director of Administrative Services is authorized to accept the next highest bid, subject to the foregoing conditions. If the Director of Administrative Services rejects all bids from the sealed bid auction, the Director may repeat the sealed bid auction process described in this section or public auction, or may use an alternative sale process that is acceptable to the Department of Veterans Services.

The Department of Veterans Services shall pay advertising and costs incident to the sale of the real estate.

(D) The real estate described in division (A) of this section may be conveyed as an entire tract or as multiple parcels.

(E) Purchaser shall pay all costs, other than those specified above, associated with the purchase, closing and conveyance, including surveys, title evidence, title insurance, transfer costs and fees, recording costs and fees, taxes, and any other fees, assessments, and costs that may be imposed.

The net proceeds of the sale shall be deposited into the state treasury to the credit of the Department of Veterans Services General Fund.

(F) Upon receiving written request from the Department of Administrative Services, the Auditor of State, with the assistance of the Attorney General, shall prepare a Governor's Deed to the real estate described in division (A) of this section. The Governor's Deed shall state the consideration and shall be executed by the Governor in the name of the State, countersigned by the Secretary of State, sealed with the Great Seal of the State, presented in the Office of the Auditor of State for recording, and delivered to the Grantee. The Grantee shall present the Governor's Deed for recording in the Office of the Erie County Recorder.

(G) This section shall expire three years after its effective date.

**SECTION 27. (A) As used in this section:**

(1) "Subdivision" means a county, township, or municipal corporation, and does not include a park district.

(2) "Ineligible subdivision" means a county or municipal corporation receiving a direct payment under section 5001 of the "Coronavirus Aid, Relief, and Economic Security Act," as described in 42 U.S.C. 601(b)(2).

(3) "2019 LGF allocation" means the amount that would have been deposited to a county's county undivided local government fund in 2019 disregarding any reduction under section 5747.502 of the Revised Code and excluding any amounts deposited in that fund that were paid in that year to ineligible subdivisions or pursuant to section 5747.503 of the Revised Code.

(4) "2019 CULGF allocation" means the amount of funds from a county's county undivided local government fund a subdivision would have received in 2019 under section 5747.51 or 5747.53 of the Revised Code disregarding any reduction under section 5747.502 of the Revised Code and any adjustment because the subdivision, pursuant to an ordinance or resolution, elected to forgo all or a portion of its share of such funds.

(5) "Population" has the same meaning as in section 1.59 of the Revised Code.

(B) As soon as is practicable after the effective date of this section, the Director of Budget

and Management, in consultation with the Tax Commissioner, shall provide for payment from the Coronavirus Relief Fund to each county treasury, to be deposited into a new fund in the county treasury to be named the county coronavirus relief distribution fund, which the county auditor shall create for this purpose. The amount of the payment to each county coronavirus relief distribution fund shall equal the amount appropriated under Section 28 of this act multiplied by a fraction, the numerator of which is the 2019 LGF allocation for that county and the denominator of which is the sum of the 2019 LGF allocations for all counties.

(C) Within seven days of deposit in the county coronavirus relief distribution fund of the payment described in division (B) of this section, the county auditor shall distribute that money to the county, unless the county is an ineligible subdivision, and to each municipal corporation and township that is not an ineligible subdivision, in an amount equal to the amount of money in that fund multiplied by a fraction, the numerator of which equals the subdivision's 2019 CULGF allocation and the denominator of which equals the sum of the 2019 CULGF allocations from that county's county undivided local government fund for all such subdivisions.

Upon making the distribution, the county auditor shall report to the Director of Budget and Management the amount distributed to each subdivision. The report shall be made in the manner prescribed by the Director.

(D) To be eligible to receive a payment under division (C) of this section, the legislative authority of a county, township, or municipal corporation must adopt a resolution or ordinance affirming that the funds so received may be expended only to cover costs of the subdivision consistent with the requirements of section 5001 of the "Coronavirus Aid, Relief, and Economic Security Act," as described in 42 U.S.C. 601(d), and any applicable regulations. Subject to division (F) of this section, until the legislative authority adopts this resolution or ordinance, the subdivision's share of the money from the county coronavirus relief distribution fund shall remain in that fund. The legislative authority shall certify a copy of the resolution or ordinance to the county auditor and the Director of Budget and Management.

(E) Money received under division (C) of this section by a subdivision shall be deposited into a new fund in the subdivision's treasury to be named the local coronavirus relief fund, which the subdivision's fiscal officer shall create for this purpose. Money in that fund shall be used to cover only costs of the subdivision consistent with the requirements of section 5001 of the "Coronavirus Aid, Relief, and Economic Security Act," as described in 42 U.S.C. 601(d). Money in a subdivision's local coronavirus relief fund shall be audited by the Auditor of State during the subdivision's next regular audit under section 117.11 of the Revised Code to determine whether money in the fund has been expended in accordance with the requirements of this section.

(F) Not later than October 15, 2020, the fiscal officer of each subdivision shall pay the unencumbered balance of money in the subdivision's local coronavirus relief fund to the county treasurer, who shall deposit this revenue in the county coronavirus relief distribution fund. On or before October 22, 2020, the county auditor shall distribute all money to the credit of the county coronavirus relief distribution fund as follows to the county and to each municipal corporation and township in that county, unless the subdivision is an ineligible subdivision or paid an unencumbered balance to the treasurer under this division or the subdivision's legislative authority has not adopted the resolution or ordinance required under division (D) of this section:

(1) Twenty-five per cent of the money to the county if it qualifies for a distribution under this division;

(2) The remaining balance to each such qualifying municipal corporation or township, of which the distribution to each shall equal the amount of the remaining balance multiplied by a fraction, the numerator of which is the population of the municipal corporation or the unincorporated area of the township, and the denominator of which is the sum of the populations of all such municipal corporations and the unincorporated areas of all such townships in the county eligible to receive a payment under division (F) of this section.

Money received by a subdivision under division (F) of this section shall be deposited in the subdivision's local coronavirus relief fund and used as required under division (E) of this section.

Upon making the distribution under this division, the county auditor shall report to the Director of Budget and Management the amount of the unencumbered balance paid to the county treasury by each subdivision making such a payment and the amount distributed to each subdivision receiving a distribution under this division. If no subdivision made such a payment to the county treasury, the auditor shall report that no such payments were made. The report shall be made in the manner prescribed by the Director.

(G) Not later than December 28, 2020, the fiscal officer of each subdivision shall pay the balance of money in the subdivision's local coronavirus relief fund that remains unexpended on that date to the state treasury in the manner prescribed by the Director of Budget and Management.

(H) A county, municipal corporation, or township receiving a payment from a county coronavirus relief distribution fund under this section shall, upon request, provide any information related to those payments or their expenditure to the Director of Budget and Management.

SECTION 28. All appropriation items in this section are appropriated out of money in the state treasury to the credit of the Coronavirus Relief Fund (Fund 5CV1). For all appropriations made in this section, the amounts in the first column are for fiscal year 2020 and the amounts in the second column are for fiscal year 2021. The appropriations made in this section are in addition to any other appropriations made for the FY 2020-FY 2021 biennium.

	1	2	3	4	5
A	OBM OFFICE OF BUDGET AND MANAGEMENT				
B	Dedicated Purpose Fund Group				
C	5CV1	042501	Coronavirus Relief - Local Govt	\$ 350,000,000	\$ 0

D TOTAL DPF Dedicated Purpose Fund Group \$ 350,000,000 \$ 0

E TOTAL ALL BUDGET FUND GROUPS \$ 350,000,000 \$ 0

Amounts appropriated in line item 042501, Coronavirus Relief - Local Govt, are to be distributed as specified in Section 1 of this act. Any unencumbered and unexpended amounts left at the end of fiscal year 2020 are hereby reappropriated in fiscal year 2021.

Within the limits set forth in this act, the Director of Budget and Management shall establish accounts indicating the source and amount of funds for each appropriation made in this act, and shall determine the form and manner in which appropriation accounts shall be maintained. Expenditures from appropriations contained in this act shall be accounted for as though made in H.B. 166 of the 133rd General Assembly.

The appropriations made in this act are subject to all provisions of H.B. 166 of the 133rd General Assembly that are generally applicable to such appropriations.

SECTION 29. That sections 124.393, 5165.01, 5165.15, 5165.16, 5165.17, 5165.19, 5165.26, and 5166.01 of the Revised Code be amended to read as follows:

Sec. 124.393. (A) As used in this section:

(1) "Exempt employee" means a permanent full-time or permanent part-time county, township, or municipal corporation employee who is not subject to a collective bargaining agreement between a public employer and an exclusive representative.

(2) "Fiscal emergency" means any of the following:

(a) A fiscal emergency declared by the governor under section 126.05 of the Revised Code.

(b) A fiscal watch or fiscal emergency has been declared or determined under section 118.023 or 118.04 of the Revised Code.

(c) Lack of funds as defined in section 124.321 of the Revised Code.

(d) Reasons of economy as described in section 124.321 of the Revised Code.

(3) "Lack of work" has the same meaning as in section 124.321 of the Revised Code.

(B)(1) A county, township, or municipal corporation appointing authority may establish a mandatory cost savings program applicable to its exempt employees. Each exempt employee shall participate in the program of mandatory cost savings for not more than eighty hours, as determined by the appointing authority, in each of state fiscal years 2010 to 2013. The program may include, but is not limited to, a loss of pay or loss of holiday pay. The program may be administered differently among employees based on their classifications, appointment categories, or other relevant distinctions.

(2) After June 30, 2013, a county, township, or municipal corporation appointing authority may implement mandatory cost savings days as described in division (B)(1) of this section that apply to its exempt employees in the event of a fiscal emergency.

(C) A county, township, or municipal corporation appointing authority shall issue guidelines concerning how the appointing authority will implement the cost savings program.

(D)(1) A county, township, or municipal corporation appointing authority may establish a mandatory cost savings program applicable to its exempt employees in the event of a fiscal

RESOLUTION NO. \_\_\_\_\_, 2020

**A RESOLUTION ACCEPTING A BID AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH STRAWSER CONSTRUCTION, INC., FOR THE 2020 CRACK SEAL PROGRAM THROUGH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) COOPERATIVE PURCHASING PROGRAM CONTRACT #101L-21**

**WHEREAS**, the City of Montgomery is a participant in the State of Ohio's Cooperative Purchasing Program; and

**WHEREAS**, the City has determined that separate bids for the 2020 Crack Seal Program would exceed the price available through the Ohio Cooperative Purchasing Program, and the project services available through the Cooperative Purchasing Program will meet the City Engineer's recommendation for appropriate street resurfacing.

**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 contract with Strawser Construction, Inc., through the Ohio Cooperative Purchasing Program Contract #101L-21 for the application of Crack Seal for an amount not to exceed \$52,770.00 for those public streets or parts of public streets identified on the attached Schedule A.

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

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

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

\_\_\_\_\_  
Christopher P. Dobrozsi, Mayor

APPROVED AS TO FORM:

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

## SCHEDULE A

<u>Street</u>	<u>Limits</u>	<u>Centerline Miles</u>
Trailwind Drive	#7597 to #7615	0.118
Bridgewater Lane	Entire Length	0.079
Capricorn Drive	Entire Length	0.200
Elbrecht Drive	Entire Length	0.275
Londonderry Court	Entire Length	0.087
Ashley Court	Entire Length	0.043
Samstone Court	Entire Length	0.054
Shelly Lane	Entire Length	0.125
West Street	Entire Length	0.057
Snider Street	Entire Length	0.038
Straight Street	Entire Length	0.041
Taulman Alley	Entire Length	0.042
Ted Gregory Lane	Entire Length	0.199
Terwilligers Run Drive	Entire Length	0.306
Terwilligers Trail Drive	Entire Length	0.208
Terwilligers Valley Lane	Entire Length	0.155
Old Legend Court	Entire Length	0.048
Stone Court	Entire Length	0.126
Wellerstation Drive	Entire Length	0.162
Woodgate Lane	Entire Length	0.085
Bookmark Place	Entire Length	0.067
Grand Oaks Lane	Entire Length	0.090
Londonridge Court	Entire Length	0.139
Peachtree Lane	Entire Length	0.211
Pfeiffer Road	I-71 to Stone Court	0.953
Croton Drive	Entire Length	0.295
Mellon Drive	Entire Length	0.107
Higgins Court	Entire Length	0.042
Trabant Drive	Entire Length	0.059
Traverse Court	Entire Length	0.184
Timberknoll Drive	Entire Length	0.054
Forestknolls Drive	Entire Length	0.112
Remington Road	Zig Zag Road to Montgomery Road	0.291
Village Green Drive	Entire Length	0.407
Carriage Lane	Entire Length	0.184
Golf Green Drive	Entire Length	0.181
Wild Orchard Lane	Entire Length	0.324
Zephyr Lane	Entire Length	0.147
Symphony Lane	Entire Length	0.179
Crescendo Court	Entire Length	0.125
Ivygate Lane	Entire Length	0.293
Lanyard Drive	Entire Length	0.080

**Total – 6.97 Centerline Miles**

*These minutes are a draft of the proposed minutes from the Public Hearing. 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 Public Hearing Minutes  
June 17, 2020

**Present**

Brian Riblet, City Manager  
Terry Donnellon, Law Director  
Tracy Roblero, Assistant City Manager/Acting Comm. Dev. Dir.  
John Crowell, Police Chief  
Gary Heitkamp, Public Works Director  
Katie Smiddy, Finance Director  
Matthew Vanderhorst, Community and Information Services Director  
Paul Wright, Fire Chief  
Connie Gaylor, Clerk of Council

**City Council Members Present**

Chris Dobrozsi, Mayor  
Craig Margolis, Vice Mayor  
Lee Ann Bissmeyer-Teleconference  
Mike Cappel-Teleconference  
Gerri Harbison  
Lynda Roesch-Teleconference  
Ken Suer

City Council convened its Public Hearing for June 17, 2020 at 6:45 p.m. in a hybrid meeting at City Hall and by telephone conference with Mayor Dobrozsi presiding. This remote access meeting was allowed by emergency legislation adopted by the Ohio General Assembly and approved by the Governor. The emergency legislation added language to RC Section 121.22 allowing public meetings by telephone conference during the current pandemic and declared State of Emergency. As required by the statute, notice of the telephonic meeting was publicized more than 24 hours in advance to allow public access through the same conference call in service. The public was also given a backup number to call in the event there were technical difficulties. This Notice was posted on the City's website and a similar Notice was sent to The Cincinnati Enquirer.

**ROLL CALL**

The roll was called, and all Council Members answered as present.

**GUESTS AND RESIDENTS**

Mayor Dobrozsi explained that in an effort to better manage the teleconference meeting he would like to move this portion of the agenda to the end of the agenda and allow any public participating in the call to speak at that time. He stated that comments will be allowed but asked that all questions be forwarded by email to City Manager Brian Riblet. He stated that all comments will be limited to three minutes in total.

Vice Mayor Margolis made a motion to move the Guests and Residents item to the end of the agenda. Mr. Cappel seconded. City Council unanimously agreed.

**2021 Tax Budget**

Ms. Smiddy explained that as a part of the preparation required for the 2021 annual operating and capital budget is the approval and submission of the City's Tax Budget. The Ohio Revised Code requires City Council to pass a resolution approving the Tax Budget by July 15 and must submit the approved budget to the County Auditor before July 20 of each year. She stated that failure to approve and submit the Tax Budget by the required deadline could jeopardize the City's share of Local Government Funds.

Ms. Smiddy explained that currently the City has two funds which derive money from property taxes: The General Fund and the Fire Levy fund. She provided a detailed explanation of the following:

**Assessed Valuation:**

It is estimated that the total assessed valuation for the year 2020, collected in 2021, for the City of Montgomery is estimated to be \$587 million. This is an estimated .17% increase property values from the assessed valuation for

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City Council Public Hearing Minutes

June 17, 2020

Page 2.

54 tax year 2019 of \$586 million.

55

56 General Fund:

57 The General Fund collects 4.5 mills (3 mills inside, 1.5 mills outside) on real property. It is estimated that  
58 \$2,615,000 will be collected in property taxes in 2021 for the General Fund; this is an increase of 1% over the  
59 2020 anticipated collections.

60

61 Income tax collections in the General Fund are estimated to be \$7,672,727 of the total income tax collection of  
62 \$9.4 million estimated for 2021; the assumption is that total income tax revenues are estimated to increase 1%  
63 over the amount collected in 2020. The amount of income tax revenues allocated to the General Fund is 80% in  
64 2020. It is estimated that the General Fund will have a cash balance of approximately \$13.0 million at the end of  
65 fiscal year 2021.

66

67 Other General Fund revenues are estimated to remain relatively flat due to the economy. Total revenues of the  
68 General Fund for 2021 are estimated at \$11,590,000 as compared to \$11,510,944 estimated for 2020. This is an  
69 increase of \$78,720 or approximately .68% which is attributed to the conservative increase in income and property  
70 tax revenues.

71

72 Expenditures of the General Fund are estimated to be \$12,517,507 in 2021, as compared to \$12,320,836 in 2019.  
73 This is an increase of \$196,671 which can be attributed to increased allocations to capital outlay.

74

75 Fire Levy Fund:

76 The Fire Fund consists of two permanent levies with no expiration date. The 5.55 mill levy was passed in 1999  
77 and a 6.0 mill levy was approved by the voters in May of 2018. Total revenues in the Fire Levy Fund are  
78 estimated to be \$5,732,528 in 2021 keeping estimated revenues at 2020 levels.

79

80 Total expenditures for the 2021 Fire Levy Fund are estimated at \$4,680,805, as compared to \$4,578,079 estimated  
81 for 2020. This is an increase of \$102,726 or 2.24%.

82

83 The estimated ending cash balance for the Fire Levy Fund for 2021 is \$8,766,835. This is \$1,051,723 higher than  
84 the estimated 2020 ending cash balance. This is an operating reserve of 22 months, which meets the City's fund  
85 balance reserve policy of 6 to 12 months.

86

87 Other Operating Funds:

88 The other operating funds addressed in the 2021 Tax Budget are estimated to be continuations of current budget  
89 spending levels with adjustments made for healthcare and personnel costs by labor contracts.

90

91 Capital Projects Spending:

92 Capital spending is projected at \$6,510,000 being spent on permanent improvements. These projects were taken  
93 from the 2017-2021 Capital Improvement Program and are projects which were reviewed and approved by  
94 Council on an individual basis. The presentation of these projects in this Tax Budget is intended to indicate a  
95 level of spending for capital outlay.

96

97 Debt Service:

98 A schedule of Outstanding Debt is presented in the 2021 Tax Budget. It is estimated that the City will have  
99 approximately \$22.5 million outstanding in debt as of January 1, 2021 for Special Obligation and Special  
100 Assessment debt. Debt service payments for this debt in 2021 will be \$615,000 for principal repayment and  
101 \$548,433 for interest expense.

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City Council Public Hearing Minutes  
June 17, 2020  
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The City has not had any outstanding General Obligation Debt since 2014.

Ms. Smiddy concluded her presentation and asked for any questions.

Mr. Suer stated that the Finance Committee has reviewed the Tax Budget at a previous meeting and found everything to be in order.

Vice Mayor Margolis asked Ms. Smiddy if capital expenditures have been appropriated.

Ms. Smiddy replied that for 2020 capital expenses have been appropriated but not for 2021. She stated that would not be done until the 2021 Budget is approved.

Vice Mayor Margolis followed up by asking for confirmation that capital funds could not be legally appropriated because the Tax Budget had not been approved and submitted to the County.

Ms. Smiddy replied that was correct.

Vice Mayor Margolis asked if the assumptions of revenues were conservative enough.

Ms. Smiddy replied that the City always budgets with a very conservative perspective in order to prepare for situations like we are in. She stated that she was hoping for better revenue numbers in the 4<sup>th</sup> Quarter.

Mayor Dobrozsi asked if there were any further questions or comments related to the Tax Budget.

There being none, he closed the floor to public discussion of the Tax Budget.

**GUESTS AND RESIDENTS**

Mayor Dobrozsi explained that the Guests and Residents portion of the agenda was moved from the beginning of the agenda. He asked if there were guests and residents on the line to please state their name.

No Guests or Residents responded.

Mayor Dobrozsi stated that as there was no additional business to conduct in the Public Hearing, a motion would be needed to close the Public Hearing.

Vice Mayor Margolis made a motion to adjourn the Public Hearing. Mrs. Harbison seconded. City Council unanimously agreed.

The meeting was adjourned at 6:56 p.m.

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Connie Gaylor  
Clerk of Council

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City of Montgomery  
City Council Work Session Minutes  
June 17, 2020

**Present**

Brian Riblet, City Manager  
Terry Donnellon, Law Director  
Tracy Roblero, Asst. City Manager/Acting Comm. Dev. Dir.  
John Crowell, Police Chief  
Gary Heitkamp, Public Works Director  
Katie Smiddy, Finance Director  
Matthew Vanderhorst, Community, and Information Services Dir.  
Paul Wright, Fire Chief  
Connie Gaylor, Clerk of Council

**City Council Members Present**

Chris Dobrozsi, Mayor  
Craig Margolis, Vice Mayor  
Lee Ann Bissmeyer -teleconference  
Mike Cappel - teleconference  
Gerri Harbison  
Lynda Roesch - teleconference  
Ken Suer

City Council convened its Work Session for June 17, 2020 at 7:00 p.m. in a hybrid meeting at City Hall and by telephone conference with Mayor Dobrozsi presiding. This remote access meeting was allowed by emergency legislation adopted by the Ohio General Assembly and approved by the Governor. The emergency legislation added language to RC Section 121.22 allowing public meetings by telephone conference during the current pandemic and declared State of Emergency. As required by the statute, notice of the telephonic meeting was publicized more than 24 hours in advance to allow public access through the same conference call in service. The public was also given a backup number to call in the event there were technical difficulties. This Notice was posted on the City's website and a similar Notice was sent to The Cincinnati Enquirer.

**ROLL CALL**

The roll was called, and all Council Members answered as present.

**GUESTS & RESIDENTS**

Mayor Dobrozsi explained that in an effort to better manage the teleconference meeting he would like to move this portion of the agenda to after item number 12, Other Business, and allow any public participating in the call to speak at that time. He stated that comments will be allowed but asked that all questions be forwarded by email to City Manager Brian Riblet. He stated that all comments will be limited to three minutes in total.

Mr. Cappel made a motion to move the Guests and Residents item to the end of the agenda. Vice Mayor Margolis seconded. City Council unanimously agreed.

**ESTABLISHING AN AGENDA FOR JULY 1, 2020 BUSINESS SESSION**

**PENDING LEGISLATION**

**An Ordinance Authorizing The Issuance Of Not To Exceed \$23,000,000 Special Obligation Revenue Bonds Of The City Of Montgomery; Providing For The Pledge Of Revenues For The Payment Of Such Bonds; Authorizing A Trust Agreement Appropriate For The Protection And Disposition Of Such Revenues To Further Secure Such Bonds; Authorizing An Official Statement; Authorizing Other Necessary And Appropriate Documents; And Authorizing Other Actions In Connection With The Issuance Of Such Bonds**

Mayor Dobrozsi asked Mr. Donnellon for an update on the legislation.

Mr. Donnellon stated that it is requested to move the legislation from the table to the agenda of the July 1 Business Session for approval. He explained that the legislation has been requested to be approved for up to \$23M for flexibility based on the market at this time.

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55 Ms. Roesch stated that she will recuse herself also from the vote due to possible professional conflicts.

56

57 Mayor Dobrozsi stated that he will recuse himself from the discussion and vote. He explained that although he  
58 has no ownership interest in Neyer Properties, Inc. nor any in the limited liability companies in partnership to  
59 develop the Montgomery Quarter, he will continue to recuse himself from discussion and abstain from voting  
60 upon legislation related to the Montgomery Quarter project.

61

62 Mayor Dobrozsi stated that he would ask Vice Mayor Margolis to run the meeting during the discussion and vote  
63 on this item at the July 1 Business Session.

64

65 Mayor Dobrozsi asked for a motion to move the legislation from the table and onto the July 1, 2020 Business  
66 Session.

67

68 Mr. Cappel moved to add the legislation to the July 1 Business Session agenda. Vice Mayor Margolis seconded.  
69 City Council unanimously agreed.

70

71 **An Ordinance Creating Section 92.05 of The Code of Ordinances, entitled “Littering”, and Amending Section**  
72 **92.99 entitled “Penalty”**

73

74 Mayor Dobrozsi stated this would be the second reading of this Ordinance and asked Chief Crowell if there were  
75 any updates.

76

77 Chief Crowell replied there were none.

78

79 **NEW LEGISLATION**

80

81 **A Resolution Adopting A Tax Budget For 2021**

82

83 Mayor Dobrozsi assigned the legislation to Mr. Suer

84

85 Ms. Smiddy stated that as explained in the previously held Public Hearing this evening, that the passing  
86 of a Tax Budget is an annual requirement and that if this Resolution is approved, that the City would  
87 comply with the Ohio Revised Code, Section 5705.28. She stated that the Financial Planning Committee  
88 of City Council reviewed the City’s 2021 Tax Budget at its May 4, 2020 meeting.

89

90 **A Resolution Approving the Process to Receive and Disburse Coronavirus Relief Funds**

91

92 Mayor Dobrozsi assigned the legislation to Mr. Suer

93

94 Mr. Riblet explained that, if approved, this Resolution would allow the City of Montgomery to participate in the  
95 SB310 Funding Program. Part of the requirement prior to any political subdivision receiving payment is for each  
96 subdivision to adopt a Resolution affirming that the subdivision will spend the funds only on pandemic-related  
97 expenses, as required under the CARES Act. Staff has been and continues to track expenses on supplies and  
98 materials such as Personal Protective Equipment (PPE), sanitation products, disinfecting services, signage and other  
99 miscellaneous items related to COVID-19.

100

101 Vice Mayor Margolis asked if the money was coming from the State or the County.

102

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103 Mr. Riblet replied that it would come from the State to the County then distributed to the local governments. He  
104 stated that an amount would be disbursed to each entity then based on expenses and unspent funds would be  
105 refunded back to the State.

106  
107 Ms. Roesch asked if the funding was only for this year.

108  
109 Mr. Riblet replied that it was.

110  
111 Mrs. Bissmeyer asked when the funds would be expected.

112  
113 Mr. Riblet replied that once the Governor has signed the Bill, it is effective immediately and it is estimated that we  
114 could received funding within 7-10 days.

115  
116 Mr. Cappel asked if we had an idea of the amount that the City would qualify for.

117  
118 Mr. Riblet stated that based on expenses at this time, he estimated between \$8,000-\$10,000.

119  
120 **A Resolution Accepting A Bid and Authorizing the City Manager to Enter into A Contract with Strawser**  
121 **Construction, Inc., for the 2020 Crack Seal Program Through the Ohio Department of Transportation**  
122 **(ODOT) Cooperative Purchasing Program Contract #1011-21**

123  
124 Mayor Dobrozsi assigned the legislation to Mr. Cappel

125  
126 Mr. Heitkamp explained that, if approved, this Resolution would allow the City Manager to enter into a contract  
127 with Strawser Construction for the 2020 Crack Seal Program.

128  
129 The Crack Seal Program includes 6.97 centerline miles which equates to approximately 99,945 square-yards of  
130 roadway surface to be treated. The program is included in the 2020 Capital Improvement 410-261-5470 account in  
131 the amount of \$75,000.00. It is requested that the Crack Seal Program be approved for funding in the amount of  
132 \$52,770.00, which includes a 10% contingency of \$4,797.00. The Crack Seal Program will be contracted with  
133 Strawser Construction, Inc. through the ODOT Cooperative Purchasing Program.

134  
135 Vice Mayor Margolis asked Mr. Heitkamp the factors of deciding if a street would be crack sealed or resurfaced.

136  
137 Mr. Heitkamp replied that he looks at the resurfacing cycle the street was in and if it has been a number of years  
138 since its last resurfacing. He explained that crack sealing is intended to be the best use of funding to extend the life  
139 of pavement.

140  
141 Mr. Cappel asked how many lane miles is typically done in a year.

142  
143 Mr. Heitkamp replies that it varies yearly based on the planned resurfacing and cycle of the streets. He said on  
144 average it is normally around 5 center lane miles.

145  
146 Mr. Cappel asked if the streets needed to be closed during the application.

147  
148 Mr. Heitkamp stated that the contractor can maintain traffic with leaving one lane of the street open. He stated that  
149 the sealant dries relatively quickly within 10-15 minutes.

150  
151  
152

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**ADMINISTRATION REPORT**

Mr. Riblet reported the following items:

- Mr. Riblet read a letter of Commendation he received from the Hamilton County Sheriff Department recognizing Chief Crowell and Patrol Officer Bertz for their participation with the Hamilton County S.W.A.T. Team in offering support during the riots in Cincinnati on June 1, June 5 and June 6.
- The City Council Business Session is scheduled for July 1, 2020 at 7:00 p.m.
- It is anticipated the Financial Planning Committee will meet on Monday, July 1 in a hybrid meeting at City Hall and also using the teleconference phone line at 4:30 p.m. The Law and Safety and Planning, Zoning and Landmarks Committee have cancelled their meetings for the month of July.
- The Government Affairs and Public Works Committees will meet Monday, July 13 in a hybrid meeting at City Hall and also using the teleconference phone line. The Parks and Recreation Committee has cancelled their meeting for the month of July. Mr. Riblet stated he would provide an update on these meetings at the July 1 Business Session.
- John R. Jurgensen Company (JRJ) continues to place fill and compact the area that the loop “run around” will be constructed. Phase 2 traffic pattern is anticipated to occur in early July. JRJ has also been installing storm sewer infrastructure.
- On the Montgomery Quarter, Bray Construction has performed a substantial amount of earthwork, and have been working on the underground utility duct bank along Main Street and future Cameron Lane. They also are beginning the storm sewer and sanitary relocation work.
- J.K. Meurer has completed the asphalt resurfacing on Weller Road (east of Bridgewater Lane) and Weil Road, leaving only pavement markings to be completed. They continue curb replacement in the Winds Subdivision and are anticipating resurfacing the streets within the next several weeks.
- At this time, there are 70 cars signed up to attend the Drive in Movie on Friday, June 19 at Sycamore High School. Starting at 9:00 p.m. a family comedy, Sonic The Hedgehog, will be shown. Families can tune in to a designated FM station and listen to the movie from their vehicle.
- The Pool opened on Monday, June 15 and 311 people attended during the first two days.
- Save the Date- The 2020 TWP Celebration will be held on Friday, August 14 from 11:00 a.m. to 2:00 p.m. Please mark your calendars to attend and help us celebrate a back to back win of the TWP honor.

**CITY COUNCIL REPORTS**

**Mr. Cappel**

Mr. Cappel reminded everyone that the Environmental Advisory Commission would hold a Shredding Event along with its monthly Cardboard Recycling on Saturday, June 27 from 10:00 a.m. to 1:00 p.m. at the Public Works Facility.

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202 **Mrs. Bissmeyer**

203

204 No report.

205

206 **Mrs. Harbison**

207

208 Mrs. Harbison reported the following items discussed at the Government Affairs Committee, Arts Commission and  
209 Sister Cities Commission meetings.

210

211 **Government Affairs Committee**

212 • Razor Marketing and Kolar Designs made a presentation during the Zoom meeting that focused on the  
213 Board and Commission logos. She explained that the internal commissions would have the lamppost with  
214 a red circle around it, the active commissions would have a blue circle and the natural commissions would  
215 have a green circle. She stated that since not all Commission members had responded to the survey, the  
216 Committee recommended going back to the Commissions as a follow up for final feedback then report back  
217 to the Committee at a future meeting.

218

219 **Sister Cities Commission**

220 • Bastille Day Events are being identified in which each day of that week an activity could be recognized.  
221 She stated that a virtual tour of Neuilly-Plaisance is being worked out that may also feature Mayor  
222 Demuynck.  
223 • 1<sup>st</sup> Suburbs will hold a virtual meeting on Thursday, July 30 from 6:00-8:00 p.m. with Kent Scarrett and  
224 Bridgette Kelly officiating.

225

226 **Ms. Roesch**

227

228 Ms. Roesch reported that the Parks and Recreation Commission met via Zoom and discussed the pool reopening  
229 and the July 4<sup>th</sup> parade.

230

231 Ms. Roesch reported that the Beautification and Tree Commission held a teleconference meeting that Wendi Van  
232 Buren with the Ohio Department of Natural Resources, Division of Forestry, Regional Forester, participated in. Ms.  
233 Van Buren will be hosting the Tree City 2021 Awards to be hosted by the City.

234

235 Ms. Roesch reported that BAMSO met to continue working on the virtual July 3<sup>rd</sup> Concert and hope to have the  
236 recorded concert completed by June 26.

237

238 **Mr. Suer**

239

240 No report.

241

242 **Vice Mayor Margolis**

243

244 Vice Mayor Margolis complimented the contractors working at the roundabout in their maintenance of traffic. He  
245 stated that it appears to be flowing very smoothly from what he has seen.

246

247 **Mayor Dobrozi**

248

249 Mayor Dobrozi also thanked John R. Jurgensen for the nice job they were doing in maintaining traffic and taking  
250 advantage of the diminished traffic during the Covid crisis and getting work done.

251

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252 Mayor Dobrozi reported that he and Mr. Riblet participated in a teleconference meeting with Pete Metz and area  
253 leaders from Cincinnati and Butler, Warren, and Boone counties on restarting their local governments. He stated  
254 that they have discussed shared services and felt it was a good start to identifying how neighboring entities can work  
255 together to share the burden of services during this time.

256

### 257 **APPROVAL OF MINUTES**

258

259 Mayor Dobrozi asked for a motion to approve the June 3, 2020 Business Session minutes.

260

261 Mr. Cappel made a motion to approve the minutes. Vice Mayor Margolis seconded. City Council unanimously  
262 agreed.

263

### 264 **OTHER BUSINESS**

265

266 Mr. Riblet explained that at the May 20 Work Session staff presented information to City Council regarding a  
267 Designated Outdoor Refreshment Area (DORA) and asked for feedback and support to move forward with the  
268 preparation of the submittal of an application and map to the State of Ohio, Division of Liquor Control.

269

270 Mr. Riblet stated that to consider the creation of a DORA, he must file an application with City Council which meets  
271 certain statutory requirements outlined below. The application filing must be advertised for two consecutive weeks  
272 in a newspaper of general circulation. Not earlier than 30 days, but not later than 60 days, after initial publication  
273 of the notice, City Council may approve or disapprove of the application by ordinance or resolution. The creation  
274 of a DORA will serve as an economic tool to attract patrons to the City of Montgomery, generate additional sales  
275 at local restaurants, increase foot traffic and continue to highlight the area as a destination for dining and  
276 entertainment.

277

278 Mr. Riblet explained that the application includes the following sections:

279

- A map of the proposed Designated Outdoor Refreshment Area (150 acres or less)
- A statement of the nature and type of establishments in the proposed area
- A statement verifying that not less than four liquor permit holders are included in the area
- Evidence that the proposed Designated Outdoor Refreshment Area is in accord with the City of Montgomery's Comprehensive Community Plan and Strategic Plan
- Proposed requirements that ensure the public health and safety in the Designated Outdoor Refreshment Area
- Dates and hours of operations

280

281

282

283

284

285

286

287

288 Mr. Riblet stated that in accordance with ORC 4301(B)(3) the DORA will encompass not fewer than four (4)  
289 qualified permit holders. He referred to a list of permit holders within the City. He added that the proposed  
290 Designated Outdoor Refreshment Area is 63.8 acres in size which is well below the requirements of the area being  
291 150 acres or less.

292

293 Mr. Riblet stated that if City Council is supportive of moving forward, the process would include publishing a public  
294 notice of the DORA in the Cincinnati Enquirer on Monday, June 29 and Monday, July 6. Staff would also propose  
295 a public hearing for the DORA prior to the City Council Work Session on Wednesday, July 22 beginning at 6:30  
296 p.m. This schedule will allow City Council to receive input and either approve or disapprove the DORA application  
297 within the required timeframe, most likely at the August 5 City Council Business Session.

298

299

300

Mrs. Harbison asked if there were any businesses that we could be missing.

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301 Mr. Riblet replied that after the initial proposal we would have the ability to add or take away locations within the  
302 DORA.

303  
304 Mr. Donnellon stated that the final determination of locations would be after the Public Hearing would be held.

305  
306 Mrs. Harbison asked if businesses would get notice.

307  
308 Ms. Roblero stated that businesses would be notified of the Public Hearing. She added that there has been some  
309 concern from businesses that are more on the outer edge of the district that people may drink in their parking lots.  
310 She added that we could add businesses and still be well below the allowed acreage.

311  
312 Mr. Suer stated that he thought this was a good economic development tool. He added that he felt it would benefit  
313 the restaurants, promote walkability, and add a sense of vibrancy to the City.

314  
315 Vice Mayor Margolis stated that he thought it was good to include the discussion in a public meeting.

316  
317 Mrs. Bissmeyer asked if there had been any negative feedback.

318  
319 Ms. Roblero replied that the only negative feedback was what she had shared about people lingering in parking lots  
320 of businesses that were not in the main areas. She added that we could look to expand the area if there are no issues.

321  
322 Mrs. Bissmeyer asked if those businesses in the main areas are excited.

323  
324 Ms. Roblero replied that she has received a lot of support. She stated that the businesses within the Marketplace  
325 area were particularly excited as it helps to support their "Drive-In" comedy shows and walkability in that area.

326  
327 Mrs. Bissmeyer asked about the preliminary pricing on the cups used for the DORA and if there was potential  
328 revenue.

329  
330 Mr. Riblet replied that he has been discussing that with neighboring communities that have DORAs and has found  
331 that the cost of the cup to the customer varies from free to \$1 per cup. He stated that it would not be a great deal of  
332 revenue and could offer at a discounted rate or fee to help support the local restaurants who have suffered during  
333 this time.

334  
335 Mrs. Bissmeyer asked if there would be additional trash or recycling bins placed in these areas.

336  
337 Mr. Riblet stated that there would be.

338  
339 Mr. Cappel asked how we would market Montgomery as a family friendly community when we promote drinking  
340 on the streets.

341  
342 Mr. Riblet replied that customers would be restricted to areas of the DORA which would be largely on patios. He  
343 stated that part of this would be to educate the community and businesses on how a DORA is managed. He stated  
344 that it would be a community effort.

345  
346 Ms. Roesch stated that she thought it was a great concept, but the devil would be in the details.

347  
348 Mrs. Harbison stated that her concerns were the safety and sanitation factors. She asked if there would be a public  
349 works employee there.

350

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351 Mr. Riblet stated that Public Works staff would empty the bins during their normal downtown area and park  
352 cleanings. He stated that staff is also on call as needed but would not be on duty necessarily throughout the entire  
353 time.

354  
355 Mayor Dobrozsi asked for a motion of support of the submittal of the application for the establishment of the DORA,  
356 to set a Public Hearing for July 22 at 6:30 p.m. and to go directly into the July 22 Work Session at the completion  
357 of the Work Session.

358  
359 Mrs. Harbison made the motion for all three actions. Vice Mayor Margolis seconded.

360  
361 Mrs. Bissmeyer, Mrs. Harbison, Mayor Dobrozsi, Ms. Roesch, Mr. Suer and Vice Mayor Margolis all replied yeah.

362  
363 Mr. Cappel replied nay.

364  
365 Mayor Dobrozsi stated that he would be out of town from June 23 through June 29 and appointed Vice Mayor  
366 Margolis as Acting Mayor during that time.

367  
368 Mayor Dobrozsi asked if there was any Other Business to discuss.

369  
370 There was none.

371  
372 **GUESTS AND RESIDENTS**

373  
374 Mayor Dobrozsi explained that the Guests and Residents portion of the agenda was moved from the beginning of  
375 the agenda. He asked if there were guests and residents on the line to please state their name.

376  
377 No Guests or Residents responded.

378  
379 Mayor Dobrozsi asked if there was any further business to discuss in Public Session. There being none he asked for  
380 a motion to adjourn.

381  
382 Vice Mayor Margolis moved to adjourn. Mr. Cappel seconded. City Council unanimously agreed.

383  
384 City Council adjourned at 7:47 p.m.

385

386

387

388

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Connie Gaylor, Clerk of Council