

City of Montgomery
City Council Business Session Minutes
October 5, 2005

Present

Cheryl Hilvert, City Manager
Terry Donnellon, Law Director
Evelyn Dumont, Acting Clerk of Council
Wayne Davis, Finance Director
Bob Nikula, Public Works Director
Paul Wright, Fire Chief
Matthew Vanderhorst, IT Director

Council Members Present

Gary Blomberg, Mayor
Ed Daniel
Gerri Harbison
William Niehaus
Lynda Roesch
Todd Steinbrink
Ken Suer

Council convened in Council Chambers at 7:00 p.m. with Mayor Blomberg presiding.

ROLL CALL

Mayor Blomberg asked that the roll be called.

The roll was called and showed the following Council Members present:

PRESENT: Blomberg, Daniel, Harbison, Niehaus, Roesch, Steinbrink, Suer

ABSENT:

ADMINISTRATION REPORT

Ms. Hilvert reminded council that the budget review will be Tuesday, October 11 at 5:00 p.m. and a light dinner will be provided

Ms. Hilvert reported that the city has retained McBride Dale Clarion, and in particular one of the associates from their Chapel Hill, North Carolina office to assist in the planning for the redevelopment of the dealership properties in the Heritage District. Mr. Roger Waldon of McBride Dale Clarion will be traveling to Montgomery to meet with us on October 19th in preparation for our next meeting with Bear Creek Capital on October 20th. She stated that he will be attending the October 19th council meeting in order for Council to meet him and share any ideas that Council may have for these dealership sites.

Ms. Hilvert reported that she spoke with Mr. Niehaus regarding the law director evaluation and that the same process will be used as has been used in the past few years. She stated that she will get the process started and will have everyone's comments compiled for the committee to discuss sometime in November.

Ms. Hilvert reported that Ms. Hamm's father passed away last week and she wishes to extend her condolences to Susan and her family at this time.

Ms. Hilvert reported that the ICMA presentation team recently returned from the Minneapolis, Minn. conference where they had presented a full day session on high performance organization theory that was very well received by those in attendance.

Ms. Hilvert asked that council go into executive session in order to discuss matters of real estate and also for discussion on the topic of labor negotiations.

GUESTS AND RESIDENTS

Mr. Mike Karbowski, 8772 Arcturus Drive, was present to address an issue with a house being built at 8764 Arcturus Drive which is a tear down. Mr. Garboski had several objections to the house being constructed there including a proximity issue with the driveway and the height of the foundation which appears to be much higher than it should be. He asked City Council for their support in making sure that all homes being built are held to the zoning and building laws and in particular this house on Arcturus Drive.

Ms. Hilvert assured Mr. Karbowski that staff would take a look at the situation and address any violations of any building or zoning codes.

Ms. Bonnie Arend, 7172 Pfeiffer Road, addressed Council regarding a problem on her street with unattractive vehicles parked in people's driveways and other items on people's porches that she deems unattractive. She stated that 7845 Pfeiffer Road is the address she is complaining about. She also had complaints about the brush and yardwaste at the house across the street from her house.

Ms. Hilvert stated that she would have the property maintenance officer check these locations.

COMMUNICATIONS

There were no communications to present tonight.

MINUTES

Mr. Steinbrink moved to approve the minutes from the July 20, 2005 Work Session, August 3, 2005 Business Session, August 24, 2005 Work Session and September 7, 2005 Business Session. Mr. Niehaus seconded. City Council unanimously approved the minutes.

At this point, Ms. Hilvert requested that City Council adjourn into executive session to discuss matters regarding the purchase and sale of real estate.

Mr. Suer moved that City Council adjourn into executive session to discuss matters regarding the purchase and sale of real estate. Mr. Niehaus seconded the motion.

The roll was called and showed the following vote:

AYE: Blomberg, Daniel, Harbison, Niehaus, Roesch, Steinbrink, Suer	(7)
NAY:	(0)

City Council adjourned into executive session at 7:40 p.m.

City Council then reconvened in regular session at 7:48 p.m.

LEGISLATION FOR CONSIDERATION TONIGHT

Ms. Roesch moved that the following pieces of legislation be tabled to the October 19, 2005 work session. Mr. Niehaus seconded the motion. City Council unanimously agreed.

An Ordinance Authorizing The City Manager To Enter Into A Contract With Montgomery Gateway Partners, LLC Pursuant To R.C. §5709.40 *et seq* For The Redevelopment Of Property Known As The Montgomery Road Triangle Site

An Ordinance Declaring Improvements to Parcels of Real Property Located in the City Of Montgomery, Ohio to be a Public Purpose Under Section 5709.40 (B) of the Ohio Revised Code, Exempting Such Improvements From Real Property Taxation, Authorizing the Execution of a Tax Incentive Agreement, a Service Agreement and Such Other Documents as may be Necessary

An Ordinance Authorizing The Sale Of Certain Real Estate Known As The Montgomery Triangle Property Pursuant To An Urban Renewal And Redevelopment Plan

A Resolution Authorizing a Parking Agreement Between the City of Montgomery and Montgomery Gateway Partners, LLC

An Ordinance Vacating a Portion of Main Street in the City of Montgomery, Ohio

New Legislation

An Ordinance To Make Appropriations For Current Expenses And Other Expenditures Of The City Of Montgomery, State Of Ohio, During The Fiscal Year Ending December 31, 2006

Mr. Suer moved that this resolution be read in title only. Mrs. Harbison seconded. City Council unanimously agreed.

Mr. Suer read the ordinance in title only and moved passage to the second reading. Mrs. Harbison seconded.

Mr. Suer stated that if approved, this ordinance will establish the City's budget for the year 2006.

The roll was called and showed the following vote:

AYE: Blomberg, Daniel, Harbison, Niehaus, Roesch, Steinbrink, Suer	(7)
NAY:	(0)
ABSENT:	(0)

COUNCIL COMMITTEE REPORTS

Mayor's Court Report

Vice-Mayor Harbison reported that the total Mayor's Court collections for the month of September, 2005 were \$21,127.90.

Mrs. Harbison moved to accept the Mayor's Court collections for the month of September, 2005. Mr. Steinbrink seconded. City Council unanimously accepted the collections.

Parks & Recreation

Mr. Daniel had nothing to report at this time.

Financial Planning

Mr. Suer had nothing to report at this time.

Law & Safety

Mr. Niehaus had nothing to report at this time

Governmental Affairs

Mrs. Harbison reported that the committee is working on a policy for memorial expenditures, such as flowers for funerals of former mayors.

Ms. Roesch stated that she has some concern over absolutely prohibiting it, stating that if a fireman dies in the line of duty, it would seem appropriate for the city to send flowers to the funeral.

Ms. Hilvert stated that the issue is a difficult one due to the expenditure of public funds.

Mr. Daniel stated that it is very common practice in the business world for the employer to send a floral arrangement to an employee's funeral.

A guest in the audience asked to speak on this issue and stated that he has worked for two county agencies and two state agencies and that in none of those organizations was public money spent for any type of memorial or funeral arrangements. He stated that a "pass the hat" type of collection was utilized instead.

Ms. Hilvert stated that it might be more appropriate for the City to plant a tree in memory of someone which could be justified as money being spent to better the community. She suggested that this issue go back to the committee for further discussion.

Mrs. Harbison asked City Council to get their comments to her within the next few weeks.

Public Works

Ms. Roesch had nothing to report at this time.

Planning, Zoning & Landmarks

Mr. Steinbrink reported that the committee discussed the Montgomery road corridor guidelines and asked Mr. Frank Davis to give this report to City Council.

Mr. Frank Davis reported that the internal Montgomery Road Corridor task team has been meeting regarding guidelines for the Montgomery road corridor. Some of the ideas the group has come up with are to put utilities underground, which, after some study was found to be prohibitively expensive. They also discussed the installation of center islands for landscaping but upon study, this idea was not feasible either due to the number of driveway openings along this stretch of roadway and also the current practice the police utilize to pull over traffic violators in these striped middle lane areas. More feasible ideas the group has come up with are improvements along the sidewalks and also upgrades to the streetlights in this area. They are also recommending two bus shelters of a decorative nature and in conjunction with the bus stops the installation of two drinking fountains, new trash cans and some decorative flower pots. He also outlined a proposal where the city would work with legal non-conforming (grandfathered) businesses who are not in compliance with recently enacted landscaping requirements with regard to their peripheral landscaping where the city would partner with the businesses and provide matching funds up to four thousand dollars per property to bring these properties into compliance with the new landscaping requirements and thereby greatly improving the appearance of these businesses.

OTHER BUSINESS

Mayor Blomberg asked if there was any further business to discuss in public session. There being none, he asked for a motion to adjourn into executive session for matter of personnel.

Mr. Suer moved that City Council adjourn into executive session for matter of personnel. Mr. Niehaus seconded the motion.

The roll was called and showed the following vote:

AYE:	Blomberg, Daniel, Harbison, Niehaus, Roesch, Steinbrink, Suer	(7)
NAY:		(0)

City Council adjourned into executive session at 8:25 p.m.

City Council then reconvened into regular session at 9:27 p.m.

Mayor Blomberg asked if there was any further business to discuss in public session. There being none, he asked for a motion to adjourn.

Mr. Niehaus moved that City Council adjourn. Mr. Suer seconded. Motion passed unanimously.

City Council adjourned at 9:27 p.m.

Clerk of Council