

City of Montgomery  
City Council Business Session Minutes  
June 7, 2006

Present

Cheryl Hilvert, City Manager  
Terry Donnellon, Law Director  
Susan Hamm, Clerk of Council  
Frank Davis, Community Development Director  
Wayne Davis, Assistant City Manager/Finance Director  
Bob Nikula, Public Works Director  
Don Simpson, Police Chief  
Matthew Vanderhorst, Information Technology  
Paul Wright, Fire Chief

City Council Members Present

Gerri Harbison, Mayor  
Mark Combs  
Barry Joffe  
William Niehaus  
Lynda Roesch  
Todd Steinbrink  
Ken Suer

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

**ROLL CALL**

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

Mr. Steinbrink moved to dispense with the roll call. Mr. Joffe seconded. City Council unanimously agreed.

**ADMINISTRATION REPORT**

Ms. Hilvert reported on the following items:

- The Strategic Plan review session is scheduled for Monday, June 12, 2006 at 5:30 p.m. at City Hall.
- The Law & Safety Committee of City Council will be meeting on Tuesday, June 13, 2006 at 5:30 p.m. at City Hall.
- There are two (2) public hearings scheduled for the June 21, 2006, prior to the work session: the 2007 Tax Budget, beginning at 6:15 p.m. and the proposal for the creation of a Tax Increment Incentive District for the Vintage Club, beginning at 6:30 p.m.
- Hamilton County Commissioner Pat DeWine is scheduled to give the State of the County Address to City Council on June 21, 2006.
- The City of Montgomery Annual Report has been completed and everyone should have received a copy at their places tonight. This report was prepared in-house by staff and was designed by Evelyn Dumont.
- The Fact Finding Session with the IAFF is scheduled for Friday, June 16, 2006 at City Hall.

**GUESTS AND RESIDENTS**

There were no residents or guests to address Council tonight.

**COMMUNICATIONS**

There were no communications to present tonight.

**MINUTES**

Mr. Combs moved to approve the minutes from the April 19, 2006 Work Session and May 3, 2006 Business Session. Mr. Joffe seconded. City Council unanimously approved the minutes.

**LEGISLATION FOR CONSIDERATION TONIGHT**

**Pending Legislation**

**New Legislation**

**A Resolution Accepting a Bid and Authorizing the City Manager to Enter into a Contract with Evans Landscaping, Inc. for the 2006 Swaim Park Pond Improvements**

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

Ms. Roesch read the resolution by title only and moved passage. Mr. Niehaus seconded.

Ms. Roesch explained, if approved, this resolution would authorize the City Manager to enter into a contract with Evans Landscaping, Inc. for the Swaim Park Pond Improvements. This project includes dredging, regrading, and landscaping, thereby eliminating and correcting erosion damage along the perimeter of the northern pond at Swaim Park. Funding for this program is included in the 2006 capital improvement program.

The roll was called and showed the following vote:

AYE:	Harbison, Combs, Joffe, Niehaus, Roesch, Steinbrink, Suer	(7)
NAY:		(0)
ABSENT:		(0)

**A Resolution Accepting a Bid and Authorizing the City Manager to Enter into a Contract with R.A. Miller Construction Co. Inc. for the 2006 Curb Replacement Program**

Mr. Niehaus moved to read the resolution by title only. Mr. Joffe seconded. City Council unanimously agreed.

Mr. Niehaus read the resolution by title only and moved passage. Ms. Roesch seconded.

Mr. Niehaus explained that this resolution, if approved, would authorize the City Manager to enter into a contract with R.A. Miller Construction Co. Inc. for the 2006 Curb Replacement Program. This is an annual capital improvement project that replaces deteriorated curbs throughout the City. Funding for this annual project is included in the capital improvement budget.

Mr. Nikula noted that the 2006 Curb Replacement Program will include approximately one half of the Swaim Field Subdivision, cul-de-sacs that are either east, or north of Monte Drive, and approximately 15 other locations based on resident requests received through April, 2006.

The roll was called and showed the following vote:

AYE: Harbison, Combs, Joffe, Niehaus, Roesch, Steinbrink, Suer (7)  
NAY: (0)  
ABSENT: (0)

**A Resolution Accepting a Bid and Authorizing the City Manager to Enter into a Contract with Bansal Construction Inc. for the Cooper Road and Main Street Signal Modifications Project**

Mr. Combs moved to read the resolution by title only. Mr. Steinbrink seconded. City Council unanimously agreed.

Mr. Combs read the resolution by title only and moved passage. Mr. Joffe seconded.

Mr. Combs explained that this resolution, if approved, would authorize the City Manager to enter into a contract with Bansal Construction Inc. for the Cooper Road and Main Street Signal Modifications Project. This project includes traffic signal work including: relocation of one traffic signal, relocation of the traffic controller cabinet, and retro-fitting the existing equipment with LED traffic lamps at the Main Street-Cooper Road intersection. This work is necessary to support the construction of the Triangle Development project currently underway by Montgomery Gateway Partners LLC. Funding for this program is included in the 2006 Triangle Tax Increment Equivalent Fund.

The roll was called and showed the following vote:

AYE: Harbison, Combs, Joffe, Niehaus, Roesch, Steinbrink, Suer (7)  
NAY: (0)  
ABSENT: (0)

**A Resolution Accepting a Bid and Authorizing the City Manager to Enter into a Contract with Adleta, Inc. for the 2006 Weller Road Improvements Project**

Mr. Steinbrink moved to read the resolution by title only. Mr. Combs seconded. City Council unanimously agreed.

Mr. Steinbrink read the resolution by title only and moved passage. Ms. Roesch seconded.

Mr. Steinbrink explained that this resolution, if approved, would authorize the City Manager to enter into a contract with Adleta, Inc. for the 2006 Weller Road Improvements Project. This project includes the replacement of approximately 1,200 linear feet of existing water main; construction of approximately 600 linear feet of new storm sewer; installation of approximately 500 linear feet of new curb, and the resurfacing of Weller Road between the Weller-Weil intersection and Bridgewater Lane. Funding for this program is included in a grant from the Hamilton County Engineer's Municipal Road Fund, the Greater Cincinnati Water Works and the 2006 capital improvement program.

Mr. Nikula stated that the anticipated project cost breakdown would be as follows:

Greater Cincinnati Water Works	\$151,489.00
Municipal Road Fund Project Grant	\$ 61,500.00
City of Montgomery	<u>\$ 42,205.50</u>
Total	\$257,689.50

The roll was called and showed the following vote:

AYE: Harbison, Combs, Joffe, Niehaus, Roesch, Steinbrink, Suer (7)  
NAY: (0)  
ABSENT: (0)

**A Resolution Approving the Update of the Solid Waste Management Plan of the Hamilton County Solid Waste Management District**

Mr. Suer moved to read the resolution by title only. Mr. Combs seconded. City Council unanimously agreed.

Mr. Suer read the resolution by title only and moved passage. Mr. Niehaus seconded.

Mr. Suer explained that this resolution, if approved, would approve the update of the Solid Waste Management Plan. The Solid Waste Management Plan covers a planning period through 2021. As required by State law, the plan must undergo a complete update every five (5) years. Thus, the programming contained in this plan update will be effective through 2011. The plan update is similar to past versions of the plan, with some notable exceptions.

The roll was called and showed the following vote:

AYE: Harbison, Combs, Joffe, Niehaus, Roesch, Steinbrink, Suer (7)  
NAY: (0)  
ABSENT: (0)

**A Resolution Authorizing the Sale of a 1993 International Saulsbury Rescue Pumper Fire Truck**

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

Mr. Joffe read the resolution by title only and moved passage. Mr. Steinbrink seconded.

Mr. Joffe explained that this resolution, if approved, would authorize the City Manager to sell the 1993 International Saulsbury Rescue Pumper to the Exeter Fire Department in Exeter, Pennsylvania. He further explained that the Fire Department replaced the 1993 International Rescue Pumper with a 2005 Summit Rescue Pumper. With the new Rescue Pumper being placed in-service, the 1993 International Rescue Pumper was declared surplus by the Government Affairs Committee of City Council. He also explained that the Fire Department advertised the Rescue Pumper on E-Bay for seven (7) days and received a number of bids, however, none of the bids reached the set minimum bid. Following the closure of the E-Bay bidding process, the department received three (3) calls from interested departments. In working with the different interested departments, the Exeter Fire Department from Exeter Pennsylvania traveled to see the truck and subsequently supplied the department with an offer to purchase the truck for \$38,000. In consulting with the City's Law Director, the department was advised that since the City had advertised the truck through a competitive bid process, and that no acceptable bids were received, the City could sell the truck to another jurisdiction.

The roll was called and showed the following vote:

AYE: Harbison, Combs, Joffe, Niehaus, Roesch, Steinbrink, Suer (7)

NAY: (0)  
ABSENT: (0)

### **COUNCIL COMMITTEE REPORTS**

#### **Financial Planning**

Mr. Combs had nothing to report at this time.

#### **Governmental Affairs**

Mr. Suer moved to recommend the appointment of Mrs. Betty Will to the Environmental Advisory Commission for a term expiring January 31, 2009. Ms. Roesch seconded. City Council unanimously approved the appointment of Mrs. Betty Will.

#### **Public Works**

Mr. Niehaus had nothing to report at this time.

#### **Parks & Recreation**

Ms. Roesch had nothing to report at this time.

#### **Law & Safety**

Mr. Joffe had nothing to report at this time.

Ms. Hilvert explained that the City has received a notice from the Ohio Department of Liquor Control asking whether or not there is a request for a hearing on the transfer of the economic development liquor license from HMS Entertainment LTD dba Burning Desires to the Corner Pub that has previously been approved at this location. She further explained that the Police Department has submitted a report indicating that there is no objection on their part to the transfer, based on the operations at the current location, or the background of the new owners of the Corner Pub.

Mr. Joffe moved to not request a hearing on the transfer of the economic development liquor license from HMS Entertainment LTD dba Burning Desires to the Corner Pub. Ms. Roesch seconded.

Mr. Steinbrink indicated that he would be abstaining from the vote due to business.

The roll was called and showed the following vote:

AYE: Harbison, Combs, Joffe, Niehaus, Roesch, Suer (6)  
NAY: (0)  
ABSTAIN: Steinbrink (1)  
ABSENT: (0)

#### **Planning, Zoning & Landmarks**

Mr. Steinbrink had nothing to report at this time.

**OTHER BUSINESS**

Mr. Steinbrink asked if a response had been prepared and sent to the people who submitted the "Petition for Pedestrian Safety for the Pemmican Run Subdivision".

Ms. Hilvert noted that a response had not been prepared and that she was not sure to whom a response would be sent.

Mr. Frank Davis indicated that the original petition that was sent to the Hamilton County Commissioners and the Symmes Township Trustees and that the City of Montgomery, Good Shepherd Church, Great Traditions Developer, and Businesses in the Harper Point Area were copied on the petition.

Mr. Steinbrink indicated that he felt that it would be appropriate to send a response.

Ms. Hilvert stated that a response would be prepared and sent.

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

Mr. Steinbrink moved to adjourn. Mr. Joffe seconded.

Council unanimously agreed.

Council adjourned at 7:43 p.m.

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Clerk of Council