

City of Montgomery  
City Council Business Session Minutes  
November 1, 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  
Peter Hames, Finance Director  
Bob Nikula, Public Works Director  
Don Simpson, Police Chief  
Matthew Vanderhorst, Information Technology

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. Combs seconded. City Council unanimously agreed.

**GUESTS AND RESIDENTS**

There were no guests or residents to address City Council tonight.

**LEGISLATION FOR CONSIDERATION TONIGHT**

**Pending Legislation**

**An Ordinance Establishing a Procedure for the Receipt and Disposition of Personal Property**

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

Mr. Suer explained that this ordinance, if approved, would amend the City's surplus property disposal processes. He further explained that these modifications to the processes would provide additional flexibility for disposal of surplus and junk properties and, at the same time, take advantage of new intranet based web sites for the disposal process.

The roll was called and showed the following vote:

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

**An Ordinance for the Allocation of Earnings Tax Revenues and Amending Section 44.14 of the Montgomery Code of Ordinances (2<sup>nd</sup> Reading)**

Mr. Combs read the ordinance by title only and moved passage of the 2nd reading. Ms. Roesch seconded.

Mr. Combs explained that this ordinance, if approved, would adjust the allocation of the City's Earnings Tax revenues. He further explained that the City's changing financial needs, as well as the progress that is being made toward the repayment of general obligations debt, has necessitated a re-examination of the current earnings tax allocations to more accurately reflect the operating, capital improvement, and debt service needs of the community.

The roll was called and showed the following vote:

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

**An Ordinance Establishing a Vintage Club Capital Construction Fund (2<sup>nd</sup> Reading)**

Mr. Niehaus read the ordinance by title only and moved passage of the 2nd reading. Mr. Combs seconded.

Mr. Niehaus explained that this ordinance, if approved, would establish the Vintage Club Capital Construction Fund. He further explained that with the creation of the Tax Increment Financing District at the Vintage Club property, the City will need to create a new fund for the reporting and accounting of the revenues and expenditures that are associated with the construction of the two (2) proposed parking garages.

The roll was called and showed the following vote:

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

**An Ordinance Creating the Vintage Club Tax Increment Financing Fund (2<sup>nd</sup> Reading)**

Mr. Steinbrink read the ordinance by title only and moved passage of the 2nd reading. Ms. Roesch seconded.

Mr. Steinbrink stated that this ordinance, if approved, would create the Vintage Club Tax Increment Financing Fund. He further stated that with the creation of the Tax Increment Financing District at the Vintage Club property, the City would need to create a new fund to account for the receipts of tax increment financing collections; capitalized interest to support the initial operations of this fund; compensation payments to the Sycamore School District and Hamilton County; and debt service payments.

The roll was called and showed the following vote:

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

**An Ordinance Establishing a Special Revenue Fund for the Maintenance and Operation of the Municipal Swimming Pool (2<sup>nd</sup> Reading)**

Ms. Roesch read the ordinance by title only and moved passage of the 2<sup>nd</sup> reading. Mr. Steinbrink seconded.

Ms. Roesch noted that this ordinance, if approved, would convert the Municipal Pool Fund from an Enterprise Fund to a Special Revenue Fund. She further noted that in 1998, the Municipal Swimming Pool Fund was established as an enterprise fund. As an enterprise fund, the pool was expected to generate enough revenues to support its maintenance and operations, as well as capital improvement projects. Only twice during the past six (6) years has the fund generated revenue in excess of its operating expenses. In the same period, four (4) general fund "transfer in" have been made into the fund to cover the fund's operating deficits. In 2002, the City moved the fund's capital expenditures to the capital improvement project fund in an attempt to increase the odds of supporting operational expenditures. Even with this change, the fund was still unable to meet its operating expenses, and cash transfers from the general fund continues to be necessary. With these trends expected to continue, staff is recommending that this fund be reclassified as a special revenues fund, as this fund receives revenues which need to be restricted for the operations of the municipal pool. She also noted that this modification is more consistent with the operation of the fund than its current enterprise fund designation.

The roll was called and showed the following vote:

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

**An Ordinance to Make Appropriations for Current Expensed and Other Expenditures of the City of Montgomery, State of Ohio, During the Fiscal Year Ending December 31, 2007 (2<sup>nd</sup> Reading)**

Mr. Combs read the ordinance by title only and moved passage of the 2<sup>nd</sup> reading. Mr. Joffe seconded.

Mr. Combs explained that this ordinance, if approved, would represent the appropriation ordinance establishing the City's budget for the year 2007. He further explained that on September 5, 2006, the Financial Planning Committee of City Council completed its review of the 2007 operating and capital budget and five year capital improvement program. He also explained that City Council conducted its formal budget review session of these documents on October 5, 2006.

The roll was called and showed the following vote:

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

**New Legislation**

**A Resolution Accepting the Amounts and Rates as Determined by the Budget Commission and Authorizing the Necessary Tax Levies and Certifying Them to the County Auditor**

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

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

Mr. Combs noted that if approved, this resolution would certify the tax rates and amounts as submitted to and approved by the Hamilton County Budget Commission, which would result in the estimated collections as specified in the City's 2007 Tax Budget.

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 Morton International, Inc., Morton Salt Division, for the Purchase of De-Icing Rock Salt**

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

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

Mr. Niehaus stated that, if approved, this resolution would authorize the City Manager to enter into a contract with Morton International Inc., Morton Salt Division for the purchase of de-icing rock salt. He further stated that this purchase is part of the City's annual street and road maintenance program and is included in the 2006, as well as the 2007 Street Maintenance & Repair Operating budget.

Mr. Niehaus asked what the typical amount of de-icing rock salt is purchased in a year.

Mr. Nikula explained that last year the City purchased approximately 950 tons of de-icing rock salt. He further explained that for bidding and budget purposes, the City forecasts the purchase of 1,000 tons of de-icing rock salt during an average winter. He also explained that this contract would not, however, obligate the City to purchase any more salt than is necessary for snow removal and de-icing during the 2006-2007 winter season.

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 City Manager to Enter into a Contract with Bobcat Company for the Purchase of Skid Steer Loader and Attachments**

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

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

Mr. Niehaus noted that this resolution, if approved, would authorize the City Manager to enter into a contract with Bobcat Company for the purchase of a skid steer loader and attachments. He further noted that this skid steer and attachments are included in the City's 2007 Operating and Capital Improvement Program budget.

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 Internet Auction of Surplus Personal Property and Authorizing a Contract with Propertyroom.Com, Inc.**

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

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

Mr. Suer stated that if approved, this resolution would authorize the City Manager to enter into a contract with Propertyroom.Com, Inc. He further stated that with the adoption of the "Ordinance Establishing a Procedure for the Receipt and Disposition of Personal Property," the City is required to designate an internet auction site, then publicly advertise that internet auction site by publication in the community and through the City's website. He also stated that Propertyroom.Com would be designated as the initial internet auction site. The proposed contract allows the City to designate property to be sold to Propertyroom.Com, who will then come to the Police Department, inventory the property and ship it to their auction warehouse. The property will then be made available for sale, disposed of, and proceeds of the sold property returned to the City.

The roll was called and showed the following vote:

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

**An Ordinance Granting a Storm Sewer Easement Within Weller Park to Vintage Club Associates LTD**

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

Ms. Roeach read the ordinance by title only and moved passage of the 1<sup>st</sup> reading. Mr. Steinbrink seconded.

Ms. Roesch explained that if approved, this ordinance would grant a storm water easement to Vintage Club Associates, LTD. She further explained that as part of the conditions approving the Vintage Club development, a storm water sewer management system had to be reviewed and accepted by the City Engineer. A plan has been submitted, reviewed and accepted by the City Engineer, which includes storm sewer construction and storm waster discharge upon City property within Weller Park. She also explained that this ordinance would also authorize the City Manager to execute all documents necessary to implement the terms of this Grant of Easement once such improvements have been completed and accepted by the City.

The roll was called and showed the following vote:

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

**ADMINISTRATION REPORT**

Ms. Hilvert stated that the following Committees of City Council are scheduled to meet on Monday, November 6, 2006:

Financial Planning  
Planning, Zoning, and Landmarks

City Council agreed that these regularly scheduled meetings of the Financial Planning and Planning, Zoning and Landmarks Committees of City Council would be cancelled, however, the Financial Planning Committee of City Council would be rescheduled for Monday, December 5, 2006.

Ms. Hilvert stated that the following Committees of City Council are scheduled to meet on Tuesday, November 21, 2006:

Government Affairs  
Parks & Recreation  
Law & Safety  
Public Works

City Council agreed that these regularly scheduled meetings of the Government Affairs, Parks and Recreation, Law & Safety and Public Works Committees of City Council would be cancelled, however, they would be rescheduled for Tuesday, December 5, 2006.

Ms. Hilvert reported on the following items:

- Staff originally met with five (5) public relations consultants, and the list has been narrowed down to three (3) with the goal of having the recommended firm provide City Council with a presentation immediately prior to the City Council business session on Wednesday, December 6, 2006 at 6:00 p.m.
- The annual Volunteer Dinner is scheduled for Tuesday, November 14, 2006 beginning at 6:30 p.m. at the Montgomery Business Club. Please submit your RSVP's to Joyce Yock by Wednesday, November 8, 2006.
- The Cincinnati Enquirer published a list recognizing members of the Cincinnati Association of Volunteer Administrators, which included, Joyce Yock. Congratulations to Joyce on this honor and for leading the way in terms of local government volunteer programs in our area.
- The Service Department completed the fall brush collection program with this year's program serving a total of 305 households and generating approximately 205 cubic yards of wood chips.
- Phone interviews were completed last week for the two (2) Service Workers positions that are to be filled due to the retirements of Glenn Smith and Larry Rohrig. The next step in the process will include a written test and a personal interview with the top candidates during the week of November 6, 2006.
- In our efforts to promote the history of giving in Montgomery and providing of information about charitable giving opportunities to the restricted funds, the City just recently received a generous donation of \$1,000 from Vicki Hirsch, a long time Montgomery resident.

Ms. Hilvert noted that she met with Ms. Adrian James, the new superintendent for the Sycamore Community Schools, regarding communications between the City and the School District. They are planning a series of meetings to assist one another in their work. They are also in the process of setting up meetings to enable City Council members and Board members to have discussions and work together on mutual topics of interest.

### **MAYORS COURT REPORT**

Mayor Harbison reported that the total Mayor's Court collections for the month of October, 2006 were \$10,048.96.

Mr. Steinbrink moved to accept the Mayor's Court collections for the month of October, 2006. Mr. Combs seconded. City Council unanimously accepted the collections.

### **OTHER BUSINESS**

Mr. Steinbrink asked the City Council members if anyone had given any consideration to writing an article for the Council Corner in the City's newsletter.

The following City Council members indicated that they would write articles for the following months:

- Ms. Roesch                      December Newsletters
- Mayor Harbison                January Newsletter
- Mr. Joffe                         February Newsletter
- Mr. Suer                         March Newsletter

Mr. Suer indicated that he had developed a list of topics on which articles could be written.

Mayor Harbison indicated that she would be willing to take on writing articles for the Employee's Newsletter.

Mr. Suer requested an executive session to discuss matters regarding personnel.

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

Mr. Suer moved to adjourn into executive session to discuss matters regarding personnel. Mr. Joffe seconded.

The roll was called and showed the following vote:

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

City Council adjourned into executive session at 7:37 p.m.

City Council reconvened into public session at 8:07 p.m.

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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. Ms. Roesch seconded.

Council unanimously agreed.

Council adjourned at 8:07 p.m.

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Clerk of Council