

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53

City of Montgomery
City Council Business Session Minutes
August 1, 2007

Present

Cheryl Hilvert, City Manager
Terry Donnellon, Law Director
Susan Hamm, Clerk of Council
Frank Davis, Community Development Director
Peter Hames, Finance Director
Bob Nikula, Public Works Director
Amber Morris, Recreation Director
Don Simpson, Police Chief
Paul Wright, Fire Chief
Matthew Vanderhorst, Customer Service Director

Council Members Present

Gerri Harbison, Mayor
William Niehaus
Barry Joffe
Lynda Roesch
Ken Suer

Council Member Absent

Mark Comb
Todd Steinbrink

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

ROLL CALL

Mayor Harbison asked that the roll be called.

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

PRESENT: Harbison, Joffe, Niehaus, Roesch, Suer
ABSENT: Combs, Steinbrink

Mayor Harbison asked for a motion to excuse Mr. Combs and Mr. Steinbrink because they are both out of town this evening.

Mr. Joffe moved to excuse Mr. Combs and Mr. Steinbrink. Mr. Niehaus seconded. City Council unanimously excused Mr. Combs and Mr. Steinbrink.

GUESTS AND RESIDENTS

There were no residents or guests to address council tonight.

LEGISLATION FOR CONSIDERATION TONIGHT

Pending Legislation

An Ordinance Adopting Goals and Policies for a Montgomery Comprehensive Community Plan

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

Mr. Suer explained that if approved this ordinance will establish the goals and policies for the Montgomery Comprehensive Community Plan. He further explained that this ordinance has been discussed at several previous meetings and that this plan is something that is done every twenty years and is not re-done and revised on a real rapid basis with the last plan being done in 1986. He explained that a committee was formed and took a look at the 1986 plan, looked at what should be retained and found that the plan had some good philosophical statements and

City Council Business Session Minutes

August 1, 2007

Page 2.

54 guidelines that the committee agreed to retain. Then the committee took a look at what might need to be added in
55 light of the years that had passed. The Committee met a number of times and updated the plan to the version that
56 is in front of City Council tonight with a recent change to the original draft, most notability in the area of
57 environment and sustainability. When the Planning, Zoning and Landmarks Committee of City Council reviewed
58 the original draft, it was determined that this section would be enhanced with some additional language. The
59 Environmental Commission reviewed the section and made some suggestions as to how this section could be
60 strengthened. Those changes were incorporated and approved at the July 18, 2007 City Council work session.

61
62 Mayor Harbison asked Mr. Suer if he would mention those people that worked on the committee.

63
64 Mr. Suer indicated that the committee that worked on this comprehensive plan involved Council members,
65 Planning Commission members, Community Development Director, City Planner, and Law Director. This
66 committee had number meetings, with a number of people from the public attending the meetings and there was
67 quite a bit of discussion on what needed to be done to update this plan. He further indicated that this plan is a
68 rough guideline to guide the city, City Council and the commissions as to the direction the city is going, so there is
69 not a great amount of detail in this plan. This is more a general framework that lays out in a general way what the
70 City of Montgomery is trying to accomplish.

71
72 Mr. White, 10205 Glenash Court, noted that he was looking for the Comprehensive Community Plan on the
73 website and he could not find it. He asked where he could obtain a written copy of the plan. He further noted that
74 what he saw was a plan that was several months old that was about 45 pages long.

75
76 Mayor Harbison stated that it was an early version.

77
78 Mr. White noted that he was also looking for some ordinances that were passed this year. He further noted that the
79 ordinances are listed by title on the website, but there is no way he could find out what the ordinance actually said.
80 He asked if the ordinances are available on the website or how can he see the actual ordinance.

81
82 Mayor Harbison explained that if Mr. White wanted to see copies of the ordinances, he could contact Susan
83 Hamm, Clerk of Council.

84
85 Ms. Hilvert explained that the ordinances go onto the website once the code has been updated or recodified and
86 then it becomes a part of the city's code of ordinances.

87
88 Mr. White indicated that he looked back two or three years and he couldn't find anything pertaining to ordinances
89 on the website.

90
91 Ms. Hilvert noted that the last time the city did a code update was at the end of 2006.

92
93 Mr. Donnellon explained that the city's website contained a link to the American Legal Publishing website, which
94 contained the most current version of the code. He further explained that this version of the Code of Ordinances
95 includes all ordinances and all updated state laws picked up through the end of 2006. He also explained that as the
96 city adds new ordinances and the code is recodified, American Legal adds them into the text of that recodification.

97
98 Ms. Ricci, 10360 Pendery Drive, asked if the Comprehensive Community Plan that was just given to Mr. White
99 was substantially different than the one that would have been available on the website.

100
101 Mayor Harbison explained that the original plan contained typo, and clerical errors and was amended at the July
102 18, 2007 work session to include enhancements to the Environmental section of the plan.

City Council Business Session Minutes

August 1, 2007

Page 3.

103

104

105

106

107

108

109

110

111

112

113

114

115

116

117

118

119

120

121

122

123

124

125

126

127

128

129

130

131

132

133

134

135

136

137

138

139

140

141

142

143

144

145

146

147

148

149

150

151

Ms. Ricci indicated that the plan looks terrific and that she understands that City Council has to do this kind of thing and obviously it is a long-term planning tool and that there was a lot of good thinking and consideration to keep up with the changing aspects of our lives. She further indicated that as stated before, things don't stay the same even though we might want them to. She also indicated that she wished there was a forum where people could see it and get involved in it. She noted that there are ways where it can be published more and gotten out there. She further noted that she religiously reads the monthly newsletter and that is about the sum total information that she gets on the city, despite the fact, as Mr. White said, she also looks on the website and tries to get as much information as she can. She explained that she likes the vision that the Comprehensive Community Plan has, particularly the inclusion of things like the environmental sustainability where the city needs to be leading that and not just waiting until it's too late to do anything about it. She further explained that she was interested to see in the section that deals with office and medical land use, if the City has laid out some issues and has factored in to the thinking the considerations that would be put forward for future considerations. She also explained that one of the statements relative to policies and, to take Mr. Suer's point about that, these are general guidelines and that they cannot be too specific. She stated that she appreciates that but she thinks that the lack of specificity is sometimes where people get concerned about what it could mean and what was the intent and how do we make sure that the intent is lived up to as opposed to be taken more broadly than what was intended. She noted that in the section entitled "Office and Medical Land Use", under "Policies for the Future" number two; it discusses that the city will work with Bethesda North and the surrounding property owners to establish a vibrant medical campus that becomes a regionally recognized destination and provides branding of Montgomery as a medical center. She further noted that to her, this was an interesting concept and she didn't realize that it had been adopted by the city as a factor that would be taken into consideration in dealing with the zoning and development policies. She asked for some background on how the city arrived or reached this point of view and why City Council wanted Montgomery to be known as a regionally recognized medical center.

Mr. Frank Davis, Community Development Director, explained that when the committee looked at this section, they recognized that the northern part of Montgomery Road is dominantly a medical campus, and is the most important economic engine in the community. He further explained that it is important, going into the future, that this medical campus maintains its strength at this location. He also explained that the City of Montgomery is already recognized as a medical campus because of Bethesda North, so he didn't know why the city would be branded any differently than what people already recognize it as; however, the committee felt that it was important because the city needs to continue to work with Bethesda to try and make sure that it remains a strong market in the community. He explained that the committee also felt that it would be a detriment to the city if Bethesda moved out. It is important that the city be constantly aware that the city cannot take Bethesda for granted and assume that it will always be the economic force for the community that it is now; therefore, the city needs to keep working on making sure that it is competitive and that they are competitive and that the city is doing everything it can do to support them, while maintaining the residential area around it.

Mrs. Ricci indicated that the city didn't want Bethesda to leave because she felt that they had some kind of an anchor holding them in the city. She further indicated that she felt that people are concerned with having an idea of how big is big enough. She also indicated that she likes the availability of having all the professional help and she lives next to the hospital and she appreciates that as much as anyone using the facilities; however, she thought that the city should have an idea of how big the city wants it to get. She indicated that she understood the point or conclusion and she understood a lot of the strategies and policies that are being suggested because it establishes a priority; however, at what balance point would it be to the residents since the mission, as it has been laid out, is to maintain a residential community. She further indicated that Bethesda is listed as one of the top 10 employers, as well as tax revenue, and she was wondering how the tax revenue was calculated. She asked if it is calculated on the taxes that the hospital itself pays or is that earnings tax of the employees or the property tax or a combination.

City Council Business Session Minutes

August 1, 2007

Page 4.

152 Ms. Hilvert explained that it is earning tax based on employment.

153

154 Mrs. Ricci indicated that it is not really Bethesda itself; that it's the fact that it is an employer. She asked how that
155 number stacks up to the residents who pay earnings tax.

156

157 Ms. Hilvert noted that Bethesda North is the city's top employer in terms of numbers.

158

159 Mrs. Ricci indicated that she understood; however, she was wondering how it would compare to individual
160 residents who pay earnings tax.

161

162 Ms. Hilvert stated that she would have to get this information for Mrs. Ricci; however, because of confidentiality
163 she could not be able to provide Mrs. Ricci with numbers on individual residents.

164

165 Mrs. Ricci noted that she didn't want numbers on individual residents; that what she wanted to know is when the
166 city looks at the budget for the sources of revenue, would it be property taxes, earnings taxes, or employees who
167 pay earning tax. She further noted that what she was questioning was the total and not anything on individuals.

168

169 Ms. Hilvert explained that the confidentiality not only applies to individual it also applies to businesses; therefore it
170 would difficult for the city to say that Bethesda North, Montgomery Inn and Kroger generates this amount of
171 earning tax.

172

173 Mrs. Ricci noted that she appreciates that and understands the sensitivity; however, she would be interested in the
174 amount of earning tax paid by the residents compared to Bethesda North and if it is one times or one tenth of the
175 amount paid by the residents. She further noted that she understands that Bethesda is an important source of
176 revenue, but so are the residents and there is a quality of living aspect involved.

177

178 Mr. Frank Davis explained that about two months ago there was an article published in the city newsletter that
179 talked about the percentage of the general fund that comes from business versus earnings tax revenue from people
180 who live in the City of Montgomery.

181

182 Mrs. Ricci stated that she found this helpful, but she didn't know if there was any opportunity for this to be tested
183 with the broader population, or if this is the decision, or the collective judgment of the committee who put this
184 together, but her input would be to balance the needs of Bethesda as an important employer and provider of
185 services in the community and balance it against the residential needs. She further stated that the second question
186 that she wanted to understand more fully was in the section regarding single family, residential land uses, which is
187 on page 13. In this section the city has captured some of the background and existing conditions and also stated
188 that the city prides itself in its residential character. She also stated that is true for her and many of the people she
189 talks with and that is the reputation that Montgomery has today; as being a residential community, very desirable,
190 excellent school system, but she was not sure that the fact that Bethesda North here leaps to mind. But in the
191 section on single family residential then, the city is talking about the future plans and this skips over to page 15,
192 which makes a reference under roman numeral III; strategy 2; that the city will evaluate the "A" single family
193 residential zoning along the Montgomery Road corridor to determine if this zoning is causing a deterioration of
194 property values. She asked if City Council could provide more background on what was contemplated with that
195 strategy.

196

197 Mr. Suer explained that there was some discussion on this matter in the committee meeting when working on the
198 comprehensive plan. He further explained that as you go up Montgomery Road, there are various residential
199 houses, some of which are rental properties, and it was his opinion that some of those rental properties are not
200 maintained as well as they could be. He asked Mrs. Ricci if she agreed.

City Council Business Session Minutes

August 1, 2007

Page 5.

201

Mrs. Ricci stated that she agreed, and that there is one piece of property there that should get a call from the city, about not living up to the standards.

202

203

204

Mr. Suer indicated that some of them have gotten numerous calls.

205

Mrs. Ricci asked if the properties ignore it, or does the city fine them or is there penalty.

206

Mr. Suer noted that there is process and some of the people have gone through the process or they are going through the process, and the city is trying to work with these people.

207

Mrs. Ricci asked if the property owners have been notified that they are not being maintained.

208

Mr. Suer explained that this is the city's usual procedure. He further explained that some of these rental properties could look a lot better and that the city is working with existing property owners to try and get that to happen. He also explained that during the committee meetings, he indicated that he could foresee a developer tearing down an existing house and building a new house in its place, especially with the new development being built at the corner of Montgomery Road and Radabaugh Lane, which may encourage some redevelopment of the rental properties. He continued to explain that throughout the committee's conversations, at no time, did the committee discuss getting rid of any of the residential zoning or residential nature of that area and the only thing that he suggested was that there could be some possibilities for teardowns. He continued to explain that what Section III is making a reference to is that the city will take a look at the maintenance of those properties with the general intent being that the city would try and upgrade the appearance of the Montgomery Road corridor.

209

Mrs. Ricci asked if the city would have to alter the current zoning to accommodate a teardown.

210

Mr. Suer explained that if there is an existing residential house and it is going to be replaced with a residential house, that is not a change in the zoning.

211

Mrs. Ricci asked if City Council consider rewording this strategy statement to more clearly indicate that there is no change to "A" single family zoning.

212

Mr. Suer indicated that for some reason people got onto this idea that City Council wants to eliminate the existing residential houses on Montgomery Road. He further indicated that he has heard some rumors to that effect, and he did not know how they got started, because that was not the discussion that the committee had.

213

Mrs. Ricci noted that she could only read what is on the page and it suggests that the city will in fact evaluate the zoning.

214

Mr. Suer explained that the committee did have discussions on Bethesda North and it was decided that it is an important employer for Montgomery. He further explained that the city does have a medical community because there is not just the hospital; there are various other medical offices and building in that immediate area.

215

Mrs. Ricci stated that she agreed and that she bought her property because she liked the idea of being close to the hospital. She further stated that it still comes down to the question of "is bigger always better" and is there a rationale to say that this is big enough and now what else can we do to make sure that we keep it vigorous and attract the kind of employees that they need to keep it a premier hospital.

216

Mr. Suer indicated that the committee did talk about not wanting all the business area to turn into medical.

217

250
251
252
253
254
255
256
257
258
259
260
261
262
263
264
265
266
267
268
269
270
271
272
273
274
275
276
277
278
279
280
281
282
283
284
285
286
287
288
289
290
291
292
293
294
295
296
297
298

Mayor Harbison indicated that Mr. Donnellon has written some language that could be added, which would read as follows: “while maintaining residential zoning within the area”.

Mrs. Ricci suggested adding the words “single family zoning”.

Mr. Donnellon indicated that what City Council is talking about is this being single family residential zoning and what this would open the city up to is still single family residents but it might allow the city to re-evaluate the setbacks, lot lines, and clustering without getting into multi-family. He further indicated that he did think that people do not want multi-family and they did not want commercial in that area. He also indicated that City Council could clarify it by indicating: “while maintaining single family residential zoning within the area”.

Mrs. Ricci stated that if that was the intent, then she thought that it would clarify it and would help find that right balance between not being so specific but at the same time being a little more indicative of the committee’s thinking.

Mr. Frank Davis explained that property maintenance can be an ongoing problem and even meeting the minimum property standards does not necessarily meet the goals of what the city wants to see in the community. He also explain that there is a concern that single family residential is tough in that area and under the existing zoning there is a lot of rentals in the area and they are not selling as owner occupied. He continued to explain that he suggested looking at the setbacks, allowing home occupations, which would allow someone to operate their business there and live there; not that the zoning would be changed to office. The current home occupation regulations are very restrictive and one of the things the city might want to look at is making the home occupation regulations a little more flexible, which is one way to keep this area occupied with people who are willing to put some money into their property.

Mrs. Ricci indicated that she thought changing the zoning to address that issue was a little extreme.

Mr. Frank Davis indicated that changing the zoning code did not necessarily mean allowing additional permitted uses. He further indicated that one area he was looking at was what is known as dimensional requirements of the zoning district, for instance, building and parking setback requirements.

Mrs. Ricci noted that just this degree of clarity would help a lot on what was really being contemplated in this particular section.

Mr. Niehaus moved to amend page 15, roman numerical III, Strategies 2 to read as follows:

“The city will evaluate the “A” single family residential zoning along Montgomery Road Corridor to determine if this zoning is causing a deterioration of property values, while maintaining single family residential zoning within the area, to determine if the zoning restrictions in the applicable district are causing a deterioration of property values.”

Mr. Suer seconded. City Council unanimously agreed.

The roll was called on the passage of the ordinance and showed the following vote:

AYE:	Joffe, Harbison, Niehaus, Roesch, Suer,	(5)
NAY:		(0)
ABSENT:	Combs, Steinbrink	(2)

299
300
301
302
303
304
305
306
307
308
309
310
311
312
313
314
315
316
317
318
319
320
321
322
323
324
325
326
327
328
329
330
331
332
333
334
335
336
337
338
339
340
341
342
343
344
345
346
347

An Ordinance Establishing Regulations for Street Furniture/Furnishings in the Heritage Overlay District

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

Mr. Niehaus explained this ordinance, if approved, will establish regulations for street furniture/furnishings in the Heritage Overlay District. He further explained that to complete the aesthetic controls within the Heritage Overlay District, it is appropriate to develop design criteria and controls for street furniture and other free standing equipment, which are necessary accessories for business and residential uses in the District, and should complement the design criteria in place for building construction and streetscaping within the District. He also explained that it is important to have complementary design criteria in place for street furnishings; it is also appropriate to regulate and control placement of street furnishings so that such furnishings do not impede the flow of pedestrian traffic nor unreasonably interfere with the maintenance of streetscape throughout the District.

The roll was called and showed the following vote:

AYE:	Joffe, Harbison, Niehaus, Roesch, Suer,	(5)
NAY:		(0)
ABSENT:	Combs, Steinbrink	(2)

New Legislation

A Resolution Accepting a Bid and Authorizing the City Manager to Enter into a Contract with Don S. Cisle Contractor Inc. for the 2007 Remington Road Improvement Project

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

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

Mr. Suer explained that if approved, this resolution would accept a bid and authorize the City Manager to enter into a contract with Don S. Cisle Contractor Inc. for the 2007 Remington Road Improvement Project.

Mr. Nikula, Public Works Director, explained that the road improvements included in this project include resurfacing, brick paver crosswalks at the intersection of Remington Road and Main Street, and traffic signal upgrades Remington Road and Main Street. He further explained that the bid received from Don S. Cisle Contractor Inc. was \$276,828.90, which was the only bid received lower than the Engineers estimate of \$281,155.50. He also explained that this project will be funded partially through the Hamilton County Engineer's Municipal Road Fund, which the city made application for last year, and was approved for a grant in the amount of \$85,750. The city's outlay will be approximately \$200,000 to complete the work.

The roll was called and showed the following vote:

AYE:	Joffe, Harbison, Niehaus, Roesch, Suer,	(5)
NAY:		(0)
ABSENT:	Combs, Steinbrink	(2)

A Resolution to Adopt Recommendation of the Montgomery Tax Incentive Review Council with Respect to the Compliance of all Tax Increment Financing Districts within the City of Montgomery

348 Ms. Roesch moved to read the resolution by title only. Mr. Joffe seconded. City Council unanimously agreed.
349

350 Ms. Roesch read the resolution by title only and moved passage. Mr. Suer seconded.
351

352 Ms. Roesch explained that this resolution, if approved, would affirm the report of the Montgomery Tax
353 Incentive Review Council regarding the status of all current tax increment financing districts in the City in terms
354 of their compliance with all requirements of the agreements that created the districts. Ohio Law mandates that
355 City Council approve, reject or remand the decision of local tax incentive review councils relative to the
356 compliance of the existing tax increment financing district. A resolution indicating City Council's action is
357 required to be filed with the Ohio Department of Development by September 1st of each year.
358

359 Ms. Hilvert explained that this group does meet annually and is comprised of a representative from the
360 Sycamore School District, the Great Oaks Joint Vocational School District, the Hamilton County Auditor, Mr.
361 Suer and herself. She further explained that there are five tax incentive districts currently in the community.
362 She also explained that each district was established by either a resolution or an ordinance approved by City
363 Council, which specifies what the proceeds of the tax incentive financing district are to be used for. She
364 continued to explain that the Montgomery Tax Incentive Review Council generally looks to see that the
365 businesses are current on their payments, relative to the Hamilton County Auditor, as well as ensuring that the
366 improvements have been made. She continued to explain that the city is planning on the defeasance of debt to
367 terminate the Ohio Tax Incentive District, which was put in place by the city in 1995 and was originally planned
368 to be a twenty-year district in 2008. This will enable the city to terminate that district approximately seven years
369 earlier than anticipated, which is due largely to the higher than anticipated evaluation of the Ohio National
370 building.
371

372 The roll was called and showed the following vote:
373

374	AYE:	Joffe, Harbison, Niehaus, Roesch, Suer,	(5)
375	NAY:		(0)
376	ABSENT:	Combs, Steinbrink	(2)

377
378 **A Resolution Designating Records Managers for the City of Montgomery**
379

380 Mr. Joffe moved to read the resolution by title only. Ms. Roesch seconded. Council unanimously approved.
381

382 Mr. Joffe read the resolution by title only and moved passage. Mr. Niehaus seconded.
383

384 Mr. Joffe explained that if approved, this resolution would name the Executive Secretary and Administrative
385 Coordinator as the city's public record request custodians. He further explained that with the adoption of House
386 Bill 9, the procedure for public records disclosure has been changed by the State of Ohio. The most significant
387 changes require training for elected officials or their designee(s) and the designation of a person or persons who
388 will have overall responsibility for managing the records requests. He also explained that the specific records to be
389 disclosed and the requirement for prompt disclosure remains the same, but the Bill has enacted procedures
390 requiring the City to more specifically identify our records disclosure policy, and provide training. The Bill also
391 specifies penalties for violations
392

393 The roll was called and showed the following vote:
394

395	AYE:	Joffe, Harbison, Niehaus, Roesch, Suer,	(5)
396	NAY:		(0)

397 ABSENT: Combs, Steinbrink (2)

398

399 **A Resolution Authorizing the City Manager to Enter into a Contract with United Healthcare to Provide**
400 **Medical Coverage for Full-Time Employees**

401

402 Mr. Suer moved to read the resolution by title only. Mr. Niehaus seconded. Council unanimously approved.

403

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

405

406 Mr. Suer explained that this resolution, if approved, would authorize the City Manager to enter into a contract with
407 UnitedHealthcare for health insurance coverage for the City's full-time employees. Each year, the City must bid
408 its health insurance coverage. He further explained that the proposals are evaluated by the Health Care Benefits
409 Committee, which takes into account benefits levels and coverage costs to make a recommendation as to the
410 desired provider of health insurance coverage, as well as any changes to current benefit levels to achieve cost
411 savings. He also explained that for the insurance year that runs from September 1, 2007 through August 31, 2008,
412 the Health Care Benefits Committee has recommended UnitedHealthcare as the carrier, with two plans for
413 employee coverage: a Preferred Provider Organization (PPO) plan and a High Deductible Health Plan with a
414 Health Savings Account (HDHP/HSA). The PPO plan offers a 4% increase over last year's premium, while the
415 HDHP/HSA plan reflects a 7.5% increase from the 2006-2007 plan costs.

416

417 Ms. Hilvert explained that the Health Care Benefits Committee meets throughout the year. In May, the committee
418 starts negotiating with the various healthcare providers with the assistance of the City's Insurance Broker. She
419 further explained that the Committee evaluated thirteen different proposals from five different providers and they
420 very rarely accept any proposal that is given to them as it comes in initially, so there is a lot of negotiation back and
421 forth. The employees have become very savvy in terms of what these plans are and the city is one of the first
422 communities in the area that has a Health Care Benefits Committee and one of the first in the area that has gone to
423 the High Deductible Health Plan with a Health Savings Account. She also explained that for a small organization,
424 the city only insures about sixty or so families, and offers eight different types of coverage in two plans, with four
425 tiers in each plan.

426

427 The roll was called and showed the following vote:

428

429 AYE: Joffe, Harbison, Niehaus, Roesch, Suer, (5)

430 NAY: (0)

431 ABSENT: Combs, Steinbrink (2)

432

433 **A Resolution Authorizing the City Manager to Enter into a Contract with Dental Care Plus to Provide**
434 **Dental Coverage for Full-Time Employees**

435

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

437

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

439

440 Ms. Roesch explained that if approved, this resolution would authorize the City Manager to enter into a contract
441 with Dental Care Plus for dental insurance coverage for the City's full-time employees. Each year, the City must
442 bid its dental insurance coverage. The proposals are evaluated by the Health Care Benefits Committee, which
443 takes into account coverages and costs and makes a recommendation as to the desired provider of dental insurance
444 coverage as well as any changes to current coverages to achieve cost savings. Due to extremely competitive rates

445 submitted by Dental Care Plus, the City's current provider, the committee elected to review only one proposal.
446 The Dental Care Plus proposal represents a 3% increase over 2006-07 premiums.
447

448 The roll was called and showed the following vote:
449

450 AYE: Joffe, Harbison, Niehaus, Roesch, Suer, (5)
451 NAY: (0)
452 ABSENT: Combs, Steinbrink (2)
453

454 **A Resolution Authorizing the City Manager to Enter into a Contract with Lincoln Financial Group to**
455 **Provide Life Insurance Coverage for Full-Time Employees**
456

457 Mr. Niehaus moved to read the resolution by title only. Ms. Roesch seconded. Council unanimously approved.
458

459 Mr. Niehaus read the resolution by title only and moved passage. Mr. Joffe seconded.
460

461 Mr. Niehaus explained that if approved, this resolution would authorize the City Manager to enter into a one year
462 contract with Lincoln Financial Group for life insurance coverage for the City's full-time employees. The
463 proposals are evaluated by the Health Care Benefits Committee, which takes into account coverages and costs and
464 makes a recommendation as to the desired provider of life insurance coverage. The Lincoln Financial proposal is
465 staying at the current level of coverage for a one year contract.
466

467 The roll was called and showed the following vote:
468

469 AYE: Joffe, Harbison, Niehaus, Roesch, Suer, (5)
470 NAY: (0)
471 ABSENT: Combs, Steinbrink (2)
472

473 **A Resolution Authorizing Grant to the Montgomery Community Improvement Corporation**
474

475 Mr. Suer moved to read the resolution by title only. Mr. Joffe seconded. Council unanimously approved.
476

477 Mr. Suer read the resolution by title only and moved passage. Mr. Niehaus seconded.
478

479 Mr. Suer explained if approved, this resolution would authorize the transfer of funds in the amount of \$21,000
480 from the City of Montgomery to the Montgomery Community Improvement Corporation. He further explained
481 that the Community Improvement Corporation is a vehicle that can be used for economic development within the
482 city and would be responsible for approving a matching grant program for Montgomery Road Corridor businesses
483 that do not meet the current regulations for peripheral and interior landscaping requirements.
484

485 Mr. Frank Davis explained that in 2001, the city rewrote the zoning code and brought the landscaping standards
486 dealing with parking lot landscaping up to speed; however, this created some non-conforming parking lots along
487 Montgomery Road. He further explained that since these parking lots pre-dated these changes, there is no current
488 legal obligation to meet the peripheral and interior landscaping requirements. He also explained that the thought
489 was to create an incentive to encourage these property owners to put in some peripheral and interior landscaping in
490 these parking lots.
491

492 The roll was called and showed the following vote:
493

543
544
545
546
547
548
549

The roll was called and showed the following vote:

AYE:	Joffe, Harbison, Niehaus, Roesch, Suer,	(5)
NAY:		(0)
ABSENT:	Combs, Steinbrink	(2)

550
551

MINUTES

552
553
554
555

Mayor Harbsion noted that the packet included minutes from the May 23, 2007 work session, June 6, 2007 business session, June 27, 2007 business session and July 18, 2007 work session. She suggested that the minutes be deferred until the August 22, 2007 business session to allow Mr. Combs and Mr. Steinbrink the opportunity to review them.

556
557

ADMINISTRATION REPORT

558
559

Ms. Hilvert reminded everyone of the following items:

560
561
562
563
564
565
566

- As a reminder, City Council members are scheduled to meet as an initiative petition committee of the whole on Wednesday, August 8th at 6:30 p.m. at City Hall to conduct a public hearing on this topic. It is anticipated that the committee would make a recommendation on this topic to City Council, which has indicated it would take any legislative action on the initiative petition and the park levy request on August 22nd.

567
568
569
570
571
572

- The Financial Planning Committee will meet at 5:00 p.m. on August 8th at City Hall. The Planning, Zoning and Landmarks Committee has cancelled its meeting for the month of August. The Parks and Recreation, and Public Works Committee meetings have also been cancelled. The Government Affairs Committee is scheduled to meet on August 21, 2007 at 3:30 p.m. The Law & Safety Committee is scheduled to meet on August 21, 2007 at 4:30 p.m.

573
574
575
576
577
578

- Internal budget reviews have begun with all individual departments. These reviews consist of examining the individual departmental requests for funding for 2008 and beyond as well as any recommended changes in personnel or services. Once these reviews have been completed, staff will begin to put the budget together in its entirety with the goal of submitting it to the Financial Planning Committee in September.

579
580
581
582

Ms. Hilvert explained that at the last meeting Mrs. Crittenden raised an issue relative to a conversation she had with the Attorney General's office. She further explained that Mrs. Crittenden did call her with a name and phone number of the person she talked to and this information has been forwarded onto Mr. Donnellon.

583
584
585
586
587

Mr. Donnellon indicated that the name and phone number are for a person in the Attorney General's office, from the Constitutional Law and Records section. He called and got someone else and left a message asking that either one of the individuals call him back, stating specifically the reason he was calling. To date, he has not heard from anyone and he will be following up before the next meeting.

588
589
590

Ms. Hilvert requested an executive session to discuss matters related to purchase of real estate and labor negotiations.

591

MAYORS COURT REPORT

592
593
594
595
596
597
598
599
600
601
602
603
604
605
606
607
608
609
610
611
612
613
614
615
616
617
618
619
620
621
622
623
624
625
626
627
628
629

Mrs. Harbison reported that the total Mayor's Court collections for the month of July, 2007 were \$18,218.

Ms. Roesch moved to accept the Mayor's Court collections for the month of July, 2007. Mr. Suer seconded. City Council unanimously accepted the collections.

OTHER BUSINESS

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 the purchase of real estate and labor negotiations.

Mr. Niehaus moved that Council adjourn to executive session to discuss matters regarding the purchase of real estate and labor negotiations. Mr. Joffe seconded.

The roll was called and showed the following vote:

AYE:	Joffe, Harbison, Niehaus, Roesch, Suer,	(5)
NAY:		(0)
ABSENT:	Combs, Steinbrink	(2)

City Council adjourned into executive session at 8:10 p.m.

City Council reconvened at 8:49

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. Niehaus moved to adjourn. Mr. Suer seconded.

City Council unanimously agreed.

City Council adjourned at 8:50 p.m.

Clerk of Council