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City of Montgomery
City Council Business Session Minutes
March 4, 2009

Present

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

City Council Members Present

Gerri Harbison, Mayor
Vicki Hirsch
Barry Joffe
Lynda Roesch
Ken Suer

City Council Members Absent

Mark Combs
Todd Steinbrink

City Council convened in Council Chambers for the business session 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, Hirsch, Joffe, Suer, Roesch
ABSENT: Combs, Steinbrink

Mayor Harbison noted that Mr. Combs and Mr. Steinbrink were out of town. She asked for a motion to excuse Mr. Combs and Mr. Steinbrink

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

GUESTS AND RESIDENTS

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

LEGISLATION FOR CONSIDERATION TONIGHT

Pending Legislation

An Ordinance Amending Portions of Sections 151.32 and 151.34 of the Code of Ordinances Providing Parking and Landscape/Screening Regulations

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

Ms. Roesch explained that if approved, this ordinance proposes the adoption of amendments to the City's parking and landscaping regulations. He further explained that City Council adopted the updated Comprehensive Community Plan, which established goals for the City in several areas, including

54 Environment and Sustainability. The Planning, Zoning and Landmarks Committee of City Council
55 referred this matter to a joint sub-committee of the Planning Commission and Environmental Advisory
56 Commission to review the zoning code to ensure compatibility with the environmental goals
57 established in the Comprehensive Community Plan. The sub-committee reviewed the zoning code and
58 proposed several changes to the parking and landscaping sections of the code, as well as some new
59 definitions. The Planning Commission has reviewed the proposed changes and has recommended that
60 City Council adopt the revisions to the parking and landscaping regulations. He also explained that
61 approval of the proposed changes addresses the policies as outlined in the Comprehensive Community
62 Plan and is in line with current trends towards greener development in the county.

63
64 The roll was called and showed the following vote:

65
66 AYE: Harbison, Hirsch, Joffe, Roesch, Suer (5)
67 NAY: (0)
68 ABSENT: Combs, Steinbrink (2)
69

70 **New Legislation**

71
72 **A Resolution Authorizing the City Manager to Enter into a Contract with Capital Recovery Systems, Inc.**
73 **for Professional Services Related to Providing Assistance in Recovering Delinquent Debts Due through**
74 **the Mayor's Court**

75
76 Mr. Suer moved to read the resolution by title only. Mrs. Hirsch seconded. City Council unanimously agreed.

77
78 Mr. Suer read the resolution by title only and moved passage of the resolution. Mr. Joffe seconded.

79
80 Mr. Suer explained that if approved, this resolution would authorize the City Manager to enter into a contract
81 with Capital Recovery Systems, Inc. to assist in the collection of delinquent debts due through the Mayor's
82 Court. He further explained that the Ohio law now allows court systems to retain third party collection agencies
83 to assist in recovering delinquencies from the court. He also explained that the City of Montgomery does not
84 have a serious problem with delinquencies; however, with the City being very low on the priority list for jail
85 space, which is the alternative for non-payment of delinquent debts, and with most offenders knowing this, they
86 ignore the punishment from the court. Therefore, using a collection agency may add another tool to collect
87 these delinquencies. He noted that staff is recommending that the City enter into a one year contract with
88 Capital Recovery Systems, Inc. The roll was called and showed the following vote:

89
90 AYE: Harbison, Hirsch, Joffe, Roesch, Suer (5)
91 NAY: (0)
92 ABSENT: Combs, Steinbrink (2)
93

94 **ADMINISTRATION REPORT**

95
96 Ms. Hilvert reported on the following items:

- 97
- 98 • Staff has completed another round of Economic Stimulus funding grant applications this week. To date,
99 the City of Montgomery has applied for funding for 14 projects. All 14 of these projects were submitted
100 to the Ohio Recovery Website administered through Governor Strickland's office. Seven of these
101 projects were submitted to OKI and at this point we believe one or two of these projects may be selected
102 by OKI for funding. Seven projects were submitted to ODOT for review and funding consideration.

- 103 • On Saturday, MCLA participants will receive in-depth training on the City's park and public works
104 functions. The next session of the MCLA will be held on Saturday, March 14, 2009 and will feature a
105 session on history and development in the Heritage District. Additionally, it will be necessary to
106 reschedule the school presentation again as facilities emergency necessitated the cancellation of this
107 program that was scheduled for this past Tuesday.
- 108
- 109 • The fist of five free Green Landscaping Presentations will be held at Terwilliger Lodge on Thursday
110 evening from 6:30 – 8:00 p.m. The session is titled "Rain Gardens and Contour Planting"
- 111
- 112 • The "Little Red Haus", an art studio/classroom for children's art has signed a lease for the Johnson
113 Murdough building. They will be having some promotional activities during the next week, with the
114 grand opening scheduled for the third week of March.
- 115
- 116 • Congratulations to the presentation team of Wayne Davis, Paul Wright, Brian Riblet and Terry
117 Willenbrink who did a great job in presenting to the ICMA Leading Practices conference. The program
118 was called "Leading from the Sandbox to the Orchestra Pit" and focused on the City's work culture and
119 its applications to Daniel Pink's high touch aptitudes of pay and symphony. The team did a great job
120 and was truly the hit of the conference. In fact, the team has been asked to reprise the performance at
121 additional ICMA program in the future, all of which continue to contribute to the development of our
122 staff and the recognition of our community as one of the best across the nation.
- 123

124 Ms. Hilvert noted that the Government Affair, Parks and Recreation, Public Works, and Law & Safety
125 Committees of City Council are scheduled to met on March 17, 2009.

126

127 City Council agreed that the regularly scheduled meeting of the Government Affairs Committee would be held
128 on March 17, 2009 at 2:30 p.m. and that the Parks and Recreation, Public Works, and Law & Safety Committees
129 of City Council would be cancelled.

130

131 **MAYORS COURT REPORT**

132

133 Mayor Harbison reported that the total Mayor's Court collections for the month of February, 2009 were
134 \$15,303.

135

136 Mr. Joffe moved to accept the Mayor's Court collections for the month of February, 2009. Ms. Roesch
137 seconded. City Council unanimously accepted the collections.

138

139 **MINUTES**

140

141 Mrs. Hirsch moved to approve the January 7, 2009 Business Session, February 4, 2009 Business Session and
142 February 18, 2009 Work Session minutes. Ms. Roesch seconded. City Council unanimously agreed.

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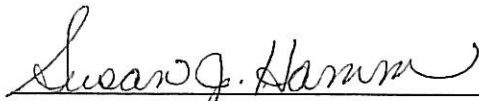
144 **OTHER BUSINESS**

145

146 Mr. Donnellon explained that the City has received a notice from the Ohio Department of Liquor Control asking
147 whether the City wished to request a hearing on the transfer of the economic development liquor license from
148 Fournos Café LLC to Dhilwan Inc. dba Kanak India Restaurant. He further explained that recently the City was
149 asked to provide a letter to the Department of Liquor Control on this economic development license. He also
150 explained that this current request represents the second step in the approval process for these types of liquor
151 licenses.

152
153 Mr. Joffe moved to not request a hearing on this transfer. Mr. Suer seconded. City Council unanimously agreed.
154
155 Mayor Harbison asked if there was any further business to discuss in public session. There being none, she
156 asked for a motion to adjourn.
157
158 Mrs. Hirsch moved to adjourn. Mr. Joffe seconded.
159
160 City Council unanimously agreed.
161
162 City Council adjourned at 7:22 p.m.
163
164 Mr. Suer moved to reconvened into public session at 7:26 p.m. Mrs. Hirsch seconded. City Council
165 unanimously agreed.
166
167 Mr. Suer noted that the Planning, Zoning and Landmarks Committee of City Council met and discussed
168 appointments to the Board of Zoning Appeals. He further noted that the Committee unanimously agreed to
169 recommend to City Council the appointment of Mr. Richard White to the Board of Zoning Appeals for a term
170 expiring January 31, 2011.
171
172 City Council unanimously agreed with the appointment.
173
174 Mayor Harbison asked if there was any further business to discuss in public session. There being none, she
175 asked for a motion to adjourn.
176
177 Mr. Suer moved to adjourn. Mrs. Hirsch seconded.
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179 City Council unanimously agreed.
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181 City Council adjourned at 7:30 p.m.

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Clerk of Council