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City of Montgomery  
City Council Work Session Minutes  
December 16, 2009

Present

Cheryl Hilvert, City Manager  
Terry Donnellon, Law Director  
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  
Paul Wright, Fire Chief  
Matthew Vanderhorst, Customer Service Director

City Council Members Present

Gerri Harbison, Mayor  
Chris Dobrozsi  
Vicki Hirsch  
Lynda Roesch  
Ken Suer

City Council Member Absent

Barry Joffe  
Todd Steinbrink

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City Council convened in Council Chambers for the work 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: Dobrozsi, Harbison, Hirsch, Suer, Roesch  
ABSENT: Joffe, Steinbrink

Mayor Harbison noted that Mr. Joffe and Mr. Steinbrink had indicated at an earlier meeting that they would be absent from tonight's meeting. She asked for a motion to excuse Mr. Joffe and Mr. Steinbrink.

Mr. Suer moved to excuse Mr. Joffe and Mr. Steinbrink. Ms. Roesch seconded. City Council unanimously excused Mr. Joffe and Steinbrink.

**GUESTS AND RESIDENTS**

Mr. Gerry Houchell, 10015 Windzag Lane, requested to be considered a candidate for the vacant position on the Landmarks Commission. He listed and outlined his credentials and accomplishments including the events he participates in the community through Son of American Revolution, Bastille Day, Montgomery Historic Preservation Association, Montgomery Citizens' Academy graduate, American Legion.

**ESTABLISHING AN AGENDA FOR JANUARY 6, 2010**

**Pending Legislation**

**An Ordinance Recognizing the Exception to the General Prohibition Against Farm Animals Within the City (3rd Reading, Ms. Roesch)**

Mayor Harbison explained that this ordinance has been discussed at previous meetings and if approved will amend Ordinance No. 4, 2009, to allow for an exception to recognize events such as petting zoos and other events directed and/or sponsored by the Recreation Department.

54 **An Ordinance Authorizing an Amendment to Lease for Property at Cooper and Montgomery**  
55 **Roads (2<sup>nd</sup> reading, Mr. Joffe)**  
56

57 Mayor Harbison explained that this ordinance has been discussed at previous meetings and if approved  
58 will amend an existing lease with James and Paul Grammas for property they own at the corner of  
59 Montgomery and Cooper Roads, including Neuilly Plaisance Plaza. She also explained that this  
60 amendment will more clearly define the portion of the property that will retain public status after the  
61 conclusion of the Tax Increment Financing which is the area utilized as Neuilly Plaisance Plaza,  
62 including new area on which current improvements are being made.

63  
64 **New Legislation**  
65

66 **A Resolution Authorizing the City Manager to Enter into a Contract with CDS Associates, Inc. for**  
67 **Professional Services Related to General Engineering and Architectural Services**  
68

69 Ms. Hivert explained that staff was requesting authorization from City Council for the City Manager to enter  
70 into a contract with CDS Associates, Inc. for general engineering and architectural services for the City in 2010.  
71 She further explained that the City has contracted with CDS Associates, Inc. for a number of years and has been  
72 very satisfied with the company's services. The proposed 2010 fee schedule from CDS Associates, Inc. is in  
73 keeping with their commitment to the City to utilize its previous year's fee schedule. She also explained that as  
74 was provided in 2009 and again for 2010, CDS Associates, Inc. has deleted the line for billing of the "Principal"  
75 from the fee schedule. If for some reason the Principal is utilized, his work will be charged at the hourly rate of  
76 the Senior Manager. She noted that the funding for this general services contract is included in the City's 2010  
77 Operating Budget in both the Public Works and Community Development operating funds.  
78

79 **A Resolution Authorizing the City Manager to Enter into a Contract with Ray Kingsbury for Professional**  
80 **Services Related to Communications, Public Relations, and Citizen Outreach**  
81

82 Ms. Amber Morris, Recreation and Communications Director, explained that staff was requesting authorization  
83 from City Council for the City Manager to enter into a contract with Ray Kingsbury for communications, public  
84 relations and citizen outreach services. She further explained that in the 2006 Strategic Plan, the City identified the  
85 development of a citizen outreach program as one of its primary goals. Ray Kingsbury has been working with the  
86 City to provide needed support for such programs as the Montgomery Citizens' Leadership Academy, and  
87 outreach work with neighborhood associations and civic groups. She noted that the funding for this project is  
88 included in the City's 2010 Operating Budget.  
89

90 **LEGISLATION FOR CONSIDERATION TONIGHT**  
91

92 Ms. Hilvert explained that both of the following projects were budgeted and anticipated to be completed in the  
93 fall of 2009. However, as the design of these projects became more defined, the need to advertise for bids  
94 became apparent. She further explained that because of the need to competitively bid the projects, timing of the  
95 projects was delayed. Due to the quickly approaching end of the City's budget year, it is important that these  
96 contracts be approved by City Council at this work session and prior to the loss of the 2009 budgeted project  
97 funds. She also explained that City staff is requesting that City Council consider taking action on the following  
98 pieces of legislation to enable these projects to be funded from budgeted 2009 funds.  
99

100 Mayor Harbison asked for a motion to add these pieces of legislation to the agenda.  
101

102 Mrs. Hirsch moved to add these pieces of legislation to the agenda for consideration. Mr. Suer seconded. City  
103 Council unanimously agreed.

104  
105 **A Resolution Accepting a Bid and Authorizing the City Manager to Enter into a Contract with Dueco,**  
106 **Inc. for the Purchase of a 43' Bucket Truck**

107  
108 Mr. Suer moved to read the resolution by title only. Ms. Roesch seconded. City Council unanimously agreed.

109  
110 Mr. Suer read the resolution by title only and moved passage. Ms. Roesch seconded.

111  
112 Mr. Suer explained that this resolution, if approved, will authorize the City Manager to enter into a contract with  
113 Dueco, Inc. for the purchase of a 43' aerial tower bucket truck. He further explained that this aerial tower  
114 purchase replaces a unit that was purchased used from Cinergy approximately 15 years ago. Due to that unit's  
115 condition and age it was removed from service in mid-2009. Staff investigated the possibility of purchasing the  
116 replacement aerial tower through the State of Ohio Cooperative Purchasing Program. Further review indicated  
117 that while significant cost savings could be achieved through this cooperative purchase program, the aerial  
118 towers included in the State Cooperative Purchase Program were all built on a chassis that would require the  
119 operator to have a CDL driver's license. He also explained the staff immediately began the process to develop  
120 bid specifications for an aerial tower that would have a working height of at least 43 feet that could be built on a  
121 non-CDL chassis. Specifications were finalized, the aerial tower truck was publicly advertised and bids were  
122 opened on December 4, 2009.

123  
124 The roll was called and showed the following vote:

125  
126 AYE: Dobrozsi, Harbison, Hirsch, Roesch, Suer (5)  
127 NAY: (0)  
128 ABSENT: Joffe, Steinbrink, (2)

129  
130 **A Resolution Accepting a Bid and Authorizing the City Manager to Enter into a Contract with Graybach,**  
131 **LLC for the Yost Tavern Renovations**

132  
133 Ms. Roesch moved to read the resolution by title only. Mr. Dobrozsi seconded. City Council unanimously agreed.

134  
135 Ms. Roesch read the resolution by title only and moved passage. Mrs. Hirsch seconded.

136  
137 Ms. Roesch explained that this resolution, if approved, will authorize the City Manager to enter into a contract  
138 with Graybach, LLC for the Yost Tavern Renovations. She further explained that since acquiring the building,  
139 the City has rented it to private businesses. Following the departure of KLM studios, staff began discussing  
140 different options to make the building more usable for tenants. Plans to make renovations were developed and  
141 included modest structural work to strengthen and reinforce the second floor, expand the existing bathroom and  
142 make it handicap accessible, install a new higher energy efficient furnace and AC unit on the second floor and  
143 demolish the current utility room, replace existing ductwork with new expanded ductwork, upgrade electric  
144 service and install an electric tankless water heater in bathroom, remove lighting installed by a previous tenant  
145 that does not meet code and upgrade lighting suitable for office or retail use, install interior storm windows; and  
146 miscellaneous exterior repair work where wood is deteriorated. She also explained that the effects of these  
147 renovations will be to improve the structural integrity of the building, make the building more suitable for an  
148 office type use by creating a more consistent climate, increase the usable square footage and make the restroom  
149 suitable for a variety of tenants. These renovations will also improve energy efficiency significantly. She noted  
150 that bids were publicly advertised and opened on December 1, 2009. Staff reviewed the bids and compared the  
151 base bid and alternate for each contractor, with Graybach LLC being the lowest and best bid.

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The roll was called and showed the following vote:

AYE: Dobrozsi, Harbison, Hirsch, Roesch, Suer (5)  
NAY: (0)  
ABSENT: Joffe, Steinbrink (2)

**ADMINISTRATION REPORT**

Ms. Hilvert reported on the following items:

- Our POD site at Sycamore High School is now filled and we are not accepting any more reservations for the H1N1 vaccines at this location. We reached our maximum capacity of 2,000 registrations on Wednesday. People can still get the H1N1 vaccines at three other clinics in Hamilton County. Information on these other locations is on the City’s website and also on the Hamilton County Health Department’s website. Tom Wolf, Jerry Beitman, and Phil Schwartz are organizing the event which will take place on Monday, December 21.
- The Recreation team is working with TriHealth to plan a new incentive program called *Get Moving Montgomery* that is unique in duration and scope compared to other community-wide health initiatives. The program is designed to motivate participants to be physically active and to promote healthy lifestyles for Montgomery residents with participation and tracking of activities, and recognition and awards. Participation in *Get Moving Montgomery* is one way for residents to meet the Physical Activity Guidelines for Americans and promote a healthier community. Details are being planned and the program is expected to be rolled out mid-March.
- Staff met with Joanne Gerson and Chip Herrod to discuss ideas that we could include to make sure that all feel welcome in events the City has or sponsors. The next meeting is scheduled for January. Staff is looking for one or two more volunteers from the community to help out. She asked City Council to forward any ideas or names to her and she will follow up.
- City offices will be closed in observance of the Christmas Eve and Christmas holidays next Thursday, December 24 and Friday, December 25. The offices will also be closed on Friday, January 1 in observance of New Year’s Day.

Ms. Hilvert indicated that she heard from nearly all council members regarding the scheduling of City Council Committee meetings. The only suggested change request she received was to move the Planning Zoning and Landmarks Committee to 4:30 p.m. and leave the Finance Committee at 5:30 p.m. She further indicated that the schedule would be as follows:

First Monday of Each Month  
Law and Safety Committee—3:30  
Planning, Zoning and Landmarks Committee—4:30  
Finance Committee—5:30  
  
Third Tuesday of Each Month  
Parks and Recreation Committee—3:30  
Public Works Committee—4:30  
Government Affairs Committee—5:30

201  
202 She also indicated that normally, we do not have all the committees meeting every month and we can adjust  
203 times when one or more committees cancel.  
204

205 Ms. Hilvert requested an executive session to discuss matters related to the purchase of real estate.  
206

207 **LAW DIRECTOR REPORT**  
208

209 Mr. Donnellon stated that he would reserve report and comments for the executive session.  
210

211 **CITY COUNCIL MEMBERS REPORTS**  
212

213 Mr. Dobrozsi reported on the Holiday in the Village and the enjoyable time everyone had at the event.  
214

215 Mr. Suer indicated that he met with City of Blue representatives and discussed the City of Montgomery's  
216 Citizens' Leadership Academy.  
217

218 Mrs. Hirsch reported on the Environmental Advisory Commission meeting and noted what a powerful group  
219 they are and how they are dedicated to educating the community about environmental issues. She also reported  
220 that Ms. Luann Diffin won the Hamilton County Solid Waste District, Friends of Recycling Award.  
221

222 Ms. Roesch reported that she attended the Parks and Recreation and Beautification and Tree Commission  
223 meetings.  
224

225 Ms. Hilvert noted that she had received an email from Ray Miller regarding tree sculptures as seen in San Diego  
226 and asked how City Council would like staff to respond. It was agreed that Ms. Hilvert will send an email to all  
227 of City Council for follow up.  
228

229 Mayor Harbison reported that she, Ms. Hilvert, Mr. Wayne Davis, and Vice Mayor Suer met with Mr. Dobrozsi.  
230 She also attended Lincoln Heights Holiday in the Village along with Representative Pillach.  
231

232 **OTHER BUSINESS**  
233

234 Mayor Harbison reported that the appointment to the Ohio-Kentucky-Indiana Regional Council of Government  
235 Board of Directors for 2010 expires on January 14, 2010. In order for the new Board of Directors to be duly  
236 convened at the Board of Directors meeting, it is requested that the City submit the name of its appointment to  
237 the OKI Board of Directors by January 8, 2010.  
238

239 Ms. Roesch stated that she has served on this board for a long time and that any council member that would like  
240 to take this on is welcome to volunteer for the post.  
241

242 Mr. Suer volunteered to serve on the Ohio-Kentucky-Indiana Regional Council of Government Board of  
243 Directors for 2010.  
244

245 Ms. Roesch moved to appoint Mr. Suer to the Ohio-Kentucky-Indiana Regional Council of Government Board  
246 of Directors for 2010. Mr. Joffe seconded. City Council unanimously agreed.  
247

248 Mayor Harbison asked if there was any further business to discuss in public session. There being none, she  
249 asked for a motion to adjourn into executive session to discuss matters related to the purchase of real estate.  
250

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251 Mr. Suer moved to adjourn into executive session. Mr. Dobrozsi seconded.  
252

253 The roll was called and showed the following vote:  
254

255 AYE: Dobrozsi, Harbison, Hirsch, Roesch, Suer (5)

256 NAY: (0)

257 ABSENT: Joffe, Steinbrink (2)  
258

259 City Council adjourned into executive session at 7:50 p.m.  
260

261 City Council reconvened into public session at 8:19 p.m.  
262

263 Mayor Harbison asked if there was any further business to discuss in public session. There being none, she  
264 asked for a motion to adjourn.  
265

266 Mr. Suer moved to adjourn. Mr. Dobrozsi seconded.  
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268 City Council unanimously agreed.  
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270 City Council adjourned at 8:20 p.m.  
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Clerk of Council

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