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City of Montgomery
City Council Work Session Minutes
May 19, 2010

Present

Cheryl Hilvert, City Manager
Terry Donnellon, Law Director
Susan Hamm, Clerk of Council
Frank Davis, Community Development Director
Wayne Davis, Assistant City Manager
Ellen Hall, Communications Coordinator
Jim Hanson, Finance Director
Amber Morris, Recreation and Communications Director
Brain Riblet, Assistant 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
Barry Joffe
Lynda Roesch
Todd Steinbrink
Ken Suer

City Council convened in Council Chambers for the work session 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. Joffe moved to dispense with the roll call. Mr. Steinbrink seconded. City Council unanimously agreed.

SPECIAL PRESENTATION

Mayor's Proclamation to the Montgomery Kiwanis Club

Mayor Harbison read the proclamation in its entirety and declared Wednesday, May 19, 2010 as the Montgomery Kiwanis Club day.

City Council expressed its sincere appreciation to the members of the Montgomery Kiwanis Club for their contributions to the City of Montgomery.

Mayor Harbison presented the proclamation to the Club.

GUESTS AND RESIDENTS

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

ESTABLISHING AN AGENDA FOR JUNE 2, 2010

Pending Legislation

An Ordinance Establishing Schedules of Municipal Compensation (2nd Reading)

Mayor Harbison explained that this ordinance has been discussed at previous meetings and if approved, will establish a general schedule of municipal compensation for all offices and positions in the City.

54 **An Ordinance Amending Chapter 151.14 of the Code of Ordinances Regarding Heritage District Design**
55 **Guidelines**
56

57 Mayor Harbison explained that this ordinance has been discussed at previous meetings and if approved, the
58 ordinance will update and make changes to the existing Heritage District Design Guidelines.
59

60 Mr. Gary Betz, facilities manager for the Mason House, located at 9257 Montgomery Road, recommended that
61 the Heritage District Design Guidelines be amended to include wording recognizing the importance of the
62 concept of 'reversibility'.
63

64 Mr. Frank Davis, Community Development Director, agreed to meet with Mr. Betz to discuss this further and
65 see if it was appropriate to modify the ordinance.
66

67 **An Ordinance Amending Chapter 151.30 of the Code of Ordinances Regarding Sign Regulations**
68 **Applicable to Temporary Political Signs**
69

70 Mayor Harbison explained that this ordinance has been discussed at previous meetings and if approved, the
71 ordinance will amend the existing temporary sign regulations.
72

73 **An Ordinance Updating and Amending the Land Usage Code**
74

75 Mayor Harbison explained that this ordinance has been discussed at previous meetings and if approved, the
76 ordinance will provide updates and amendments to certain sections of the Land Usage Code.
77

78 **New Legislation**
79

80 **A Resolution Accepting a Bid and Authorizing the City Manager to Enter into a Contract with Atkins &**
81 **Stang Inc. for the Purchase and Installation of an Emergency Generator for the Public Works Facility**
82

83 Mr. Bob Nikula, Public Works Director, explained that staff was requesting that City Council adopt a resolution
84 a the June 2, 2010 business session authorizing the City Manager to enter into a contract with Atkins & Stang,
85 Inc. for the purchase and installation of an emergency generator for the public works facility that will supply
86 back-up electrical power during electric service interruptions. He further explained that during recent years,
87 electrical service interruptions have resulted from ice storms, wind storms and the effects of Hurricane Ike.
88 These electrical outages at the public works facility have ranged from hours to several days. These electrical
89 outages, impact our staff's ability to effectively provide the level of services that the community expects during
90 weather-related emergencies. The public works facility serves as a work base during weather-related electrical
91 outages with the City's fueling stations located there and much of the emergency response support activities also
92 coordinated from this location. He also explained that a total of seven (7) bids were received for this project.
93 Staff has reviewed the bids received and determined that the bid received from Atkins & Stang Inc. is the lowest
94 and best received for this project. He noted that funding for this project is included in the 2010 capital
95 improvement program.
96

97 Mr. Suer asked what the life expectancy of the unit would be.
98

99 Mr. Nikula indicated that if maintained properly, the unit should last 15 to 20 years.
100
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103

104 **A Resolution Authorizing the City Manager to Contract with Frost Brown Todd, LLC to Provide Special**
105 **Counsel Services**
106

107 Mr. Wayne Davis, Assistant City Manager, explained that staff was requesting that City Council adopt a
108 resolution authorizing the City Manager to enter into a contract with Frost Brown Todd, LLC to provide special
109 legal services for labor negotiations/labor relations/human resource activities. He further explained that in 2004,
110 the City contracted with Frost Brown Todd, LLC to provide legal services for the negotiations of a contract with the
111 International Association of Fire Fighters (IAFF). Since that time, the City has used the services of Frost Brown
112 Todd, LLC in negotiations with the Fraternal Order of Police (FOP) and in the negotiation of an initial collective
113 bargaining agreement with the American Federation of State, County and Municipal Employees (AFSCME)
114 bargaining unit. He also explained that the work of Frost Brown Todd, LLC has been invaluable to the success of
115 the City's labor negotiations/relations efforts, and it is important that the City is able to maintain this relationship as
116 it continues its current labor negotiations with the FOP and for its upcoming negotiations with AFSCME in 2011.
117

118 **ADMINISTRATION REPORT**
119

120 Ms. Hilvert reported on the following items:
121

- 122 • The Planning, Zoning and Landmarks, Law and Safety and Financial Planning Committees are
123 scheduled to meet on Monday, June 7, 2010 at 3:30 p.m., 4:30 p.m. and 5:30 p.m. at City Hall
124
- 125 • Great News!!!! I am very pleased to announce that the City's credit rating was recalibrated from its
126 previous Aa1 rating to Aaa by Moody's Credit Rating service. This action is reflective of the City's
127 positive financial position and policies and is the collective result of everyone's efforts toward
128 stewardship of our City's resources. Thanks to all who have contributed to this great achievement!!!!
129
- 130 • Staff has been scheduling interviews with the ICMA Capstone Leadership team and planning for a
131 Community Conversation on Monday, May 24, 2010, from 7:00 to 9:00 p.m. at Terwilliger Lodge.
132 Some MCLA graduates, volunteers and City Council have been invited and asked to bring a friend or
133 neighbor who likes living here but has not yet become involved in the community. At the May 24, 2010
134 meeting, we hope to gain insight on the barriers that keep people from getting involved and hear the
135 group's thoughts on Montgomery's future.
136
- 137 • The University of Cincinnati has been receiving resident surveys through the mail over the past few
138 weeks, so they kept counting them until the end of the day on May 18, 2010 at which time they closed
139 out the process. They are currently in the process of finalizing the dataset but they were able to provide
140 some preliminary numbers: total invitations sent: 3,873; total completions 197 paper surveys were
141 mailed and 170 were returned: 86%; the current response rate is 41%. Once the dataset is finalized, Dr.
142 Rademacher will prepare a final report, which will be presented to City Council and staff.
143
- 144 • The 2009 City of Montgomery Annual Report was distributed this week. Thanks to all staff members
145 who assisted in the preparation of this comprehensive report on City operations, projects and financial
146 activity.
147
- 148 • Pre-construction meetings were held for the two Greater Cincinnati Water Works (GCWW) water
149 transmission main projects. Staff will be posting the projected work schedules for the Castleford-Jolain
150 and the Montgomery-Jolain portions on the City's website. Staff will be working to confirm dates for
151 open house meetings for both projects with Greater Cincinnati Water Works and Smith and Brown
152 Construction, as well as scheduling a general open house meeting with Greater Cincinnati Water Works
153 and City staff.

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- The OKI Regional Council of Governments Board of Directors met on May 13, 2010 and authorized grant funding for FY 2012-2015. Included in the OKI funding authorization was approval for a City of Montgomery request for \$686,400 to construct intersection improvements, an additional turn lane on east bound Pfeiffer Road at Montgomery Road, a right turn lane on north bound Montgomery Road at the main entrance to Bethesda Hospital and installation of a sidewalk on the east side of Montgomery Road between Radabaugh and the main entrance to the hospital. The amount requested by the City represents 80% of projected construction costs.

Mr. Joffe asked for an update on the Diversity Committee.

Ms. Hilvert explained that the Diversity/Inclusiveness Advisory Group met on Monday, May 10, 2010. She further explained that the group is comprised of Montgomery residents from various cultural backgrounds and is charged with advising the City on activities associated with its events and programs. She also explained that the Group will be meeting monthly through August and will be reviewing the City's various events, programs, policies and challenges faced.

LAW DIRECTOR REPORT

Mr. Donnellon explained that the City received a draft copy of bill (LSC 128 1901-2) from Senator Seitz. He further explained that the draft bill proposes amendments and enactments to sections of the Ohio Revised Code, which will establish conditions for the operation of certain specialized motor vehicles, including low-speed and under speed vehicles, mopeds and scooters, cab-enclosed motorcycles and mini-trucks. He also explained that the draft bill addresses the concern of City Council regarding the operation of golf carts within the City of Montgomery.

CITY COUNCIL MEMBERS REPORTS

Mr. Dobrozsi reported that he is participating in the Mapledale Elementary Parent Planning Committee.

Mr. Suer thanked Mayor Harbison, Terry Donnellon, Susan Hamm, Cheryl Hilvert and Wayne Davis for their participation in this week's board and commission member training program. A total of 23 persons attended this year's training program.

Ms. Roesch reported that she attended the Tree City USA Luncheon, the Beautification and Tree Commission and the Blue Ash/Montgomery Symphony Orchestra meetings.

Mr. Steinbrink noted that the Financial Planning Committee met on Monday, May 3, 2010 and discussed the following items:

- April 2010 Earnings Tax Report: For the month of April 2010, the City's total earnings tax receipts were \$1.1M, which is a decrease of 5.52% compared to the actual amount collected in April, 2009; it is a decrease of 4.5% compared to the amount estimated to be collected in 2010. Note: The estimated figures for 2010 are based on the total annual revised budget estimate of \$6.7M. (Please find this report attached.)
- 2010 First Half Real Estate Settlement: In April 2010, the City received \$2.7M from the Hamilton County Auditor for the first half real estate settlement. This is an increase of roughly 15.5% when compared to the first half real estate settlement received in 2009. The increase was the result of increased TIF collection in the Vintage Club and an adjustment made in TIF revenues from the Gateway (Triangle) Project, which was established as a TIF district beginning in the tax year 2005.

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- 203 • Red Flag Policy: In March 2009, the City adopted policy VII-22 on Identity Theft Prevention and Red
204 Flag rules. As of June 1, 2010, the Federal Trade Commission requires the implementation of the Red
205 Flag Policy. Therefore, the Finance Department will be conducting two training sessions on Monday,
206 May 10, 2010 at 9:00AM (Safety Center) and 2:00PM (Council Chambers). Representation from
207 customer service, recreation, mayor's court, police, and fire is highly recommended.
208

209 Mayor Harbison reported that she received an invitation to the Sycamore Junior High School Memorial Day
210 Celebration on Friday, May 28, 2010. She further reported that she attended the Bastille Day Committee
211 meeting, a meeting between staff and the Women's Club regarding the holiday decorating, and the First Suburbs
212 meeting.
213

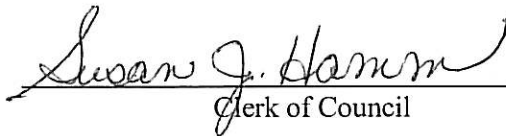
214 **OTHER BUSINESS**

215 Mayor Harbison asked if there was any further business to discuss in public session. There being none, she
216 asked for a motion to adjourn.
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218 Mr. Steinbrink moved to adjourn. Mr. Suer seconded.
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220 City Council unanimously agreed.
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222 City Council adjourned at 7:48 p.m.
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Clerk of Council