

BLUE ASH CITY COUNCIL

November 8, 2018

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**1. MEETING CALLED TO ORDER**

A regular meeting of the Council of the City of Blue Ash, Ohio, was held on November 8, 2018. Mayor Thomas C. Adamec called the meeting to order in Council Chambers at 7:00 PM.

**2. OPENING CEREMONIES**

Mayor Adamec led those assembled in the Pledge of Allegiance.

**3. ROLL CALL**

MEMBERS PRESENT: Vice Mayor Marc Sirkin, Councilwoman Linda Bauer, Councilman Joe Leet, Councilman Pramod Jhaveri, Councilman Jeff Capell, Councilman Lee Czerwonka, and Mayor Tom Adamec

ALSO PRESENT: City Manager David Waltz, Solicitor Bryan Pacheco, Clerk of Council Jamie Eifert, Assistant City Manager Kelly Harrington, Treasurer Sherry Poppe, Parks & Recreation Director Chuck Funk, Public Works Director Gordon Perry, Assistant Fire Chief Chris Theders, Police Chief Scott Noel, Administrative Assistant Karla Plank, Assistant Parks & Recreation Director Brian Kruse, Parks & Rec Leader Carolyn Scippio, and interested citizens

**4. ACCEPTANCE OF AGENDA**

Councilman Czerwonka moved, Vice Mayor Sirkin seconded to accept the agenda. A voice vote was taken. All members present voted yes. Motion carried.

1. MEETING CALLED TO ORDER
2. OPENING CEREMONIES
3. ROLL CALL – Clerk of Council Jamie K. Eifert
4. ACCEPTANCE OF AGENDA
5. APPROVAL OF MINUTES
  - a. Regular Meeting of October 25, 2018
6. COMMUNICATIONS
  - a. Communications to Council –Clerk of Council Jamie K. Eifert
  - b. Reports From Outside Agencies
  - c. Mayor’s Report – October 2018
  - d. Financial Report – Motion to accept the report for October 2018
7. HEARINGS FROM CITIZENS
8. COMMITTEE REPORTS
  - a. Finance & Administration Committee, Lee Czerwonka, Chairperson
    1. Resolution No. 2018-55, budget amendments
  - b. Parks & Recreation Committee, Linda Bauer, Chairperson
    1. Motion to proceed with the Oak Park Project to include the removal of the Hazelwood Community Center and install a Picnic Shelter, Outdoor Restroom, Children’s Playground, and other miscellaneous improvements
  - c. Public Works Committee, Joe Leet, Chairperson
    1. Resolution No. 2018-56, authorizing purchase of bulk rock salt
9. MISCELLANEOUS BUSINESS
  - a. Council Ward Redistricting
10. ADJOURNMENT

**5. APPROVAL OF MINUTES**

Councilman Czerwonka moved, Councilman Jhaveri seconded to approve the minutes of the regular meeting of October 25, 2018. A voice vote was taken. All members present voted yes. Motion carried.

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**6. COMMUNICATIONS**

**a. Communications to Council**

There were no communications presented to Council.

**b. Reports From Outside Agencies**

There were no representatives from outside agencies present at the meeting.

**c. Mayor's Report – October 2018**

TOTAL RECEIPTS:	\$13,948.00
DISBURSEMENTS:	
To Blue Ash	
Fines/costs/Expungements/forfeitures/NSF check charges, vendor permits)	\$10,055.00
To the State of OH:	\$3,676.50
Victims of Crime	\$864.00
General Rev Fund	now included in 2a below
Sealings	\$30.00
Indigent Defense Support Fund 2a (Includes STG and bond surcharge)	\$2,404.00
Drug Law Enforcement Fund 2b	\$318.50
Justice Program Service Fund	
Seat Belts	\$60.00
Indigent Driver's Alcohol Trtm't Fund	\$136.50
Refund of Appealed Fines and Costs	\$0.00
Refund of overpaid fines	\$0.00
Bond Money applied	\$0.00
Bond Money returned	\$0.00
Restitution payment	\$80.00
TOTAL DISBURSEMENTS	\$13,948.00
BALANCE IN BONDS: 10/31/2018	
Mayor's Court traffic citations issued	111
Mayor's Court Building charges issued	0
Mayor's Court criminal citations issued	4
Total Mayor's Court cases	115
Blue Ash rev. from Mayor's Ct. Cases:	\$10,055.00

**d. Financial Report – October 2018**

Vice Mayor Sirkin moved Councilman Capell seconded to accept the Financial Report for October 2018 as submitted. A voice vote was taken. All members present voted yes. Motion carried.

**CITY OF BLUE ASH FINANCIAL POSITION STATEMENT- MONTH ENDING October 31, 2018**

MONTH TO DATE	2017	2018
<b>START OF MONTH FUND BALANCE:</b>	\$53,677,316.40	\$48,399,693.97
<b>Revenues:</b>		
Earnings Tax Collections:	\$3,066,200.06	\$2,476,383.57
Debt Financing (long term)	-	-
Debt Financing (short term)	-	-
Other Revenue Received:	1,185,362.47	1,532,593.40
= Total Monthly Receipts	\$4,251,562.53	\$4,008,976.97
<b>Expenditures:</b>		
Long term Debt Payments	797,862.50	783,218.75
Short term Debt Payments	-	-
Other Expenditures:	\$3,700,202.92	\$3,322,319.40
= Total Monthly Expenditures:	\$(4,498,065.42)	\$(4,105,538.15)
<b>END OF MONTH FUND BALANCE:</b>	\$53,430,813.51	\$48,303,132.79
YEAR TO DATE	2017	2018
<b>START OF YEAR FUND BALANCE:</b>	58,212,800.00	49,409,485.46
<b>Revenues:</b>		
Earnings Tax Collections:	\$30,789,849.73	\$30,268,958.75
Debt Financing (long term)	-	-
Debt Financing (short term)	-	-
Other Revenue Received:	\$13,969,059.52	\$16,132,169.18
= Total YTD Receipts	\$44,758,909.25	\$46,401,127.93

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<u>Expenditures:</u>			
Long term Debt Payments	\$5,258,571.71		\$5,208,965.46
Short term Debt Payments	63,939.74		63,939.74
Other Expenditures:	\$44,218,384.29		\$42,234,575.40
= Total YTD Expenditures:		<u>\$(49,540,895.74)</u>	<u>\$(47,507,480.60)</u>
<b>YEAR TO DATE FUND BALANCE:</b>		<u>\$53,430,813.51</u>	<u>\$48,303,132.79</u>

100% of the fund balance was invested as of 10/31/18 Interest paid to date on matured investments: \$456,947.96 Receipt and expenditure figures do not include interfund transfers or advances. All debt includes principal and interest.

**BLUE ASH INCOME TAX DIV. INCOME TAX RECEIPT SUMMARY - MONTH ENDING October, 2018**

<b>MONTH TO DATE STATUS:</b>	<b>2017</b>		<b>2018</b>	
Business Net Profit	\$438,604.79		\$188,303.43	
Resident Net Profit	77,736.34		65,880.27	
Non-Resident Net Profit	28,062.50		36,117.41	
Subcontractor Net Profit	3,281.04		3,996.40	
Net Profit Total		\$547,684.67		\$294,297.51
Withholding	\$2,446,473.28		\$2,118,598.26	
Subcontractor Withholding	72,042.11		64,287.80	
Withholding Total		<u>\$2,518,515.39</u>		<u>\$2,182,886.06</u>
Monthly Collection Totals		<u>\$3,066,200.06</u>		<u>\$2,477,183.57</u> -19.21%

<b>YEAR TO DATE STATUS:</b>				
Business Net Profit	\$4,639,697.73		\$4,954,323.17	
Resident Net Profit	1,250,144.88		1,182,316.84	
Non-Resident Net Profit	418,799.96		335,483.17	
Subcontractor Net Profit	169,234.31		168,796.03	
Net Profit Total		\$6,477,876.88		\$6,640,919.21
Withholding	\$23,802,124.59		\$23,139,873.79	
Subcontractor Withholding	509,848.26		488,165.75	
Withholding Total		24,311,972.85		23,628,039.54
YTD Collection Totals		<u>30,789,849.73</u>		<u>30,268,958.75</u> -1.69%
YTD Refund Totals		<u>\$1,698,334.10</u>		<u>\$1,489,855.31</u>

**7. HEARINGS FROM CITIZENS**

Bill Henke, 10158 Crosier Lane, stated that Ursuline Academy’s plans to build a tennis complex and parking lot on the southeast corner of its campus. He feels the new facility will interfere with his quality of living and depreciate the value of his house.

City Manager David Waltz informed Council that no plans of the Ursuline Academy project, to date, have been submitted to the City.

Twenty residents, most from the Hazelwood Community, spoke to Council regarding their concerns of the community center being demolished to build a park shelter, playground, restrooms, basketball court, and restrooms in Oak Park. Many spoke to the diversity and history of the community. They stated that the community center is where children can go to play and to feel safe. Families often hold reunions and have other functions at the community center. They feel that if the community center had more hours of operation, it would be utilized more. Certain residents spoke of their willingness to volunteer their time in order to keep the community center open. The residents requested Council to not tear down the community center and invited Council to meet with the Hazelwood Civic Association to discuss additional ideas.

Hearings from Citizens was declared closed at 7:53 PM.

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## **8. COMMITTEE REPORTS**

Prior to the Council meeting, Council members received the following report describing agenda items:

This memo offers a brief description of the topics included on the November 8<sup>th</sup> Council agenda.

### **8.a.1. Resolution No. 2018-55 – Budget Amendments**

Resolution No. 2018-55 provides for the following 2018 budget modifications:

#### **Income Tax Refunds**

Upon audit of recently filed income tax returns, additional budget is required to accommodate refunds associated with those filings. The majority of which relates to business net profit filings whose quarterly estimated payments exceeded their actual tax liability due to the City. Income tax refunds will fluctuate from year to year totaling anywhere from \$1.2M to \$1.9M. This budget amendment of \$430,000 is expected to cover income tax refunds for the remainder of this year.

#### **Debt Service - 331**

As mentioned in a previous council meeting, the City was fortunate enough to be awarded \$2,400,000 from the Hamilton County Transient Occupancy Tax Residual Fund allocated towards debt service of the 2010 bond issued for the construction of the Cooper Creek Event Center. The related budget adjustments recognize the first of four annual installments of \$600,000 as well as the reduction of General Fund transfers no longer required to service this debt.

#### **Construction Fund 443– Urban Redevelopment No. 1**

Council passed legislation in September authorizing economic development incentives associated with Project Angel/Ensemble Health Partners. A portion of the City's incentives relates to the construction of public infrastructure improvements. While the actual construction will occur in 2019, initial funding of \$180,000 is needed this year to begin the design and engineering process. This amendment provides that funding in Fund #443 specifically established for this construction project. The City will be reimbursed through TIF revenues for all costs associated with the public improvements.

#### **Flexible Spending Accounts – Fund 902 & 903**

Separate by benefit plan year, these funds are used to account for transaction related to the employee flexible spending accounts (FSA). The 2018-2019 plan year began on November 1<sup>st</sup> and routine budget adjustments are needed to establish a new FSA fund (902). Although the new FSA fund requires advanced funding from the General fund of \$19,200, it will be repaid over the plan year from employee payroll deductions. Budget amendments related to the close out of fund (903) resulted in a \$4,997.67 transfer back to the General Fund.

#### **OVI Task Force Grant (Fund 281)**

The City is the fiscal/administrating agency for this police related state grant that requires us to budget for the collection of grant revenues and the disbursement of grant-approved expenses. Budget modifications provide for grant operations until the end of the year and any remaining amounts will be included in the 2019 budget process. The Police Department has been awarded \$225,000 for the 2018-2019 OVI Task Force grant year.

Please direct any question regarding this resolution to the Treasurer/Administrative Services Director or the related Department Director.

### **8.b.1. Motion to proceed with the Oak Park Project to include the removal of the Hazelwood Community Center and install a Picnic Shelter, Outdoor Restroom, Children's Playground, and other miscellaneous improvements**

In response to a Council retreat initiative, Oak Park's performance and condition were assessed. The Parks and Recreation Staff presented a conceptual plan, condition assessment as well as multiple performance statistics to Council on September 13. The presentation addressed the following:

- Usage history including attendance and rentals. Comparison of these numbers to other City park usage statistics, specifically the Nature Park Shelters.
- Facility conditions and estimated budget to renovate the Community Center.
- Conceptual Plan recommending the removal of the Center and replacement with a Picnic Shelter similar to the Nature Park's examples.
- Recommendations to replace the playground, add outdoor restrooms and improve additional amenities due to age and condition.

Upon completion of the September 13<sup>th</sup> Council session, it was Council's recommendation that staff host a public Open-House Presentation to share this information with the community in an open platform.

On October 3<sup>rd</sup>, the Open House was hosted in Council Chambers and led by Parks and Recreation Staff. The 25-30 community members in attendance had an opportunity to speak with City staff directly regarding the proposed plan. The overall feedback concluded that there was discomfort with removing the Community Center; however, the remaining elements of the plan were well received. Those concerned with the removal of the Community Center stated the following:

- It held a sense of historical value for the community;
- Usage was low because of its condition and reduced hour offerings; and
- Rental opportunities were limited.

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During the October 11<sup>th</sup> Council Meeting, the item was further discussed by Council and additional inquiries were made to staff. In an effort to address the feedback accumulated from the October 11<sup>th</sup> meeting and other previous meetings, the following was addressed at the October 25<sup>th</sup> Council meeting:

- Staff was requested to gain further clarification on the Community Center's renovation costs. In response, Facilities Maintenance completed a deep assessment of the Community Center addressing every item needed to renovate the existing space. This estimate totaled \$216,672.
- Operational costs of expanding the Community Center's hours to reflect past practice would increase salaries and utilities from an estimated \$25-30,000 to \$40,000 annually.
- Additional structures were examined and found to be less cost effective than the state-bid shelter options. Staff received a proposal for the custom construction of an open shelter with attached kitchenette, outdoor-accessed restrooms of nearly \$400,000.

Parks and Recreation Staff left the Council Meeting with several notions to consider:

- Renovations to the existing facility would not enhance or improve its programming capability. The Community Center would be a cleaned up version of itself and would still function much like a drop-in center similar to today.
- With the City's current inventory and recent significant investment into the community recreation opportunities such as Summit Park and the Recreation Center, the Hazelwood Community Center's function becomes a duplication of services, which is a practice the City makes a strong effort to avoid. This was not the case when the Community Center was originally constructed, but it has since ceased to be as useful of an asset.
- 51% of Hazelwood community are Recreation Center members. This is the same percentage for the remainder of Blue Ash.
- What would define success if the Community Center was renovated? Assuming the renovation would double usage, this would only equate to 2.5 users per hour and approximately 30 rentals per year. Compare that to the successes the City sees in our other amenities, which are also open to the community and perform well beyond those possibilities. For instance, each of the shelters in the Nature Park average 115 rentals per season.

In closing, staff feels, given the provided information, that leveraging the renovation of the Community Center is a difficult task. The City has put forth an unrivaled effort into providing several remarkable recreation opportunities to the community while tying them together with an expansive connectivity program.

Renovating Oak Park and continuing that investment with the proposed plan continues in that progressive direction while providing an opportunity for much needed improvements. It also by utilizes popular amenities found in the City's other park settings that have proven successful and appreciated by the community.

Please direct any questions regarding this Motion to the Parks and Recreation Director.

**8.c.1. Resolution No. 2018-56 authorizing purchase of bulk rock salt**

Resolution No. 2018-56 authorizes a contract for the purchase of road salt for an amount not to exceed \$78.46 per ton. This purchase is a shared purchasing arrangement available to all local governments within Hamilton County. Hamilton County recently bid the purchase of salt, and the winning bidder was Cargill, Inc. The unit cost is \$78.46 per ton and the salt will be delivered to the Public Works salt barn. Blue Ash's intent is to purchase 2,500 tons through the Hamilton County contract.

Please direct questions regarding this Resolution to the Public Works Director.

**a. Finance & Administration Committee, Lee Czerwonka, Chairperson**

Councilman Czerwonka asked the Clerk to read Resolution No. 2018-55 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2018-55

PROVIDING FOR AMENDMENTS WITHIN THE  
2018 ANNUAL APPROPRIATION RESOLUTION NO. 2018-2

Councilman Czerwonka moved, Councilman Leet seconded to adopt Resolution No. 2018-55.

There being no discussion, the Clerk called the roll. Councilpersons Leet, Jhaveri, Capell, Czerwonka, Sirkin, Bauer, and Mayor Adamec voted yes. Seven yeses. Resolution No. 2018-55 passed.

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**b. Parks & Recreation Committee, Linda E. Bauer, Chairperson**

Councilman Bauer moved, Mayor Adamec seconded, to proceed with the Oak Park Project to include the removal of the Hazelwood Community Center and install a Picnic Shelter, Outdoor Restroom, Children's Playground, and other miscellaneous improvements.

Councilman Capell requested that the City provide more dialogue amongst the residents regarding this project. While several options for the facility have been discussed, he would like to further explore ideas with the impacted residents as well as costs. Councilman Capell indicated that he was not comfortable moving forward with the project at this time.

Councilman Leet stated the he has received positive feedback from several Hazelwood residents concerning the Oak Park project. He advised that any resident, who is unable to afford Rec Center fee, assistance is available. He feels the project is an economic decision and what is in the best interest for all residents of the City of Blue Ash.

Councilwoman Bauer appreciated all comments from the residents. She recognizes that the community center is an expired asset. The Recreation Center is a great City resource in bring the community together.

Vice Mayor Sirkin stated that there is no other community in the City of Blue Ash that has its own community center. The proposed project would improve the Hazelwood Community and he believes the picnic shelter would be a great addition. He recognized the residents expressed passion toward the community center and feels Council should take a pause in making any decisions at this meeting.

Mr. Waltz stated that there is no malice in the recommendation of tearing down the community center to build a new shelter and playground in Hazelwood. The community center is underutilized and duplicates City services. It is not an efficient way to use its resources.

Mayor Adamec stated that the community center is a 40-year old residential building that is in need of extensive repairs. In addition, it is a satellite center that divides the community. He believes it is important to foster a sense of community amongst all Blue Ash residents. Amenities of the City should be in the best interest of all residents and not just one community.

Councilman Jhaveri is excited about the City proposing a new amenity to the Hazelwood Community. He understands the emotion of the residents toward the community center but feels the propose project as a whole is a great addition.

Councilman Jhaveri moved, Councilman Capell seconded to table the motion to proceed with the Oak Park Project to include the removal of the Hazelwood Community Center and install a Picnic Shelter, Outdoor Restroom, Children's Playground, and other miscellaneous improvements. The Clerk called the roll. Councilpersons Jhaveri, Capell, Sirkin, Bauer, and Mayor Adamec voted yes. Councilpersons Leet and Czerwonka voted no. Motion carried.

Mr. Waltz stated that the motion will be tabled until Council decides to remove it from the table. In the meantime, he requested direction from Council to define the type of dialogue needed for additional community input.

**c. Public Works Committee, Joe Leet, Chairperson**

Councilman Leet asked the Clerk to read Resolution No. 2018-56 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2018-56

AUTHORIZING THE CITY MANAGER TO ENTER INTO A  
CONTRACT FOR THE PURCHASE OF BULK ROCK SALT

Councilman Leet moved, Councilman Czerwonka seconded to adopt Resolution No. 2018-56.

There being no discussion, the Clerk called the roll. Councilpersons Jhaveri, Capell, Czerwonka, Sirkin, Bauer, Leet, and Mayor Adamec voted yes. Seven yeses. Resolution No. 2018-56 passed.

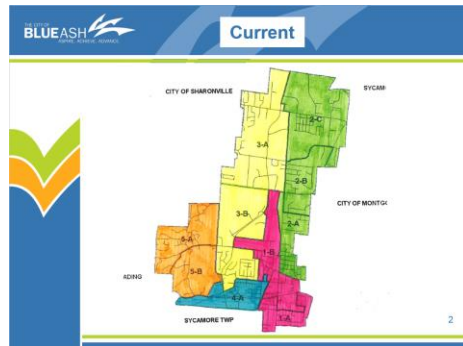
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9. **MISCELLANEOUS BUSINESS**

a. **Council Ward Redistricting**

Mr. Waltz gave a presentation to Council regarding ward redistricting in an attempt to balance the five wards in the City.



Mr. Waltz informed Council that, from time to time, it is necessary to review ward population and make adjustments to ward boundaries in order to bring them into balance. Due to shifts in population, the City’s wards have become unbalanced over time and will become further unbalanced when accounting for future growth. The current situation poses a legal concern for the City that should be addressed.

BLUEASH  
Number of Households per Ward

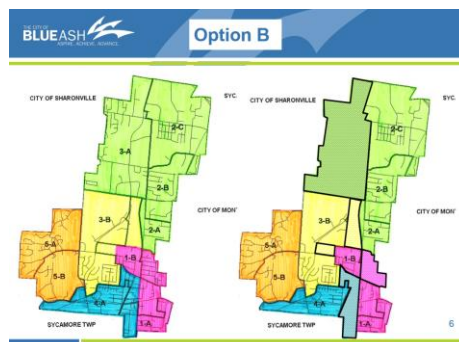
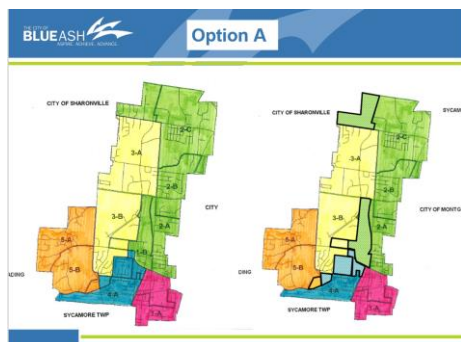
Ward	Current*	A	B	C
1	1,376	1,134	1,180	1,237
2	1,028	1,234	1,229	1,028
3	1,730	1,268	1,294	1,371
4	805	1,220	1,236	1,303
5	1,113	1,196	1,113	1,113

Goal is 1210/ward

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- BLUEASH  
Goal and Guidelines
- Balance wards to nearly 1210 per ward
  - Keep neighborhoods together, keep ward contiguous
  - Use streets, property lines, railroad, or other apparent boundary
  - Minimize number of boundary changes vs wholesale re-draw

Slide 3 indicates the City’s current household count per ward including growth projections as well as household counts under three proposed scenarios. The goal is for each ward to have 1,210 households.

When adjusting ward boundaries, it is important to balance the wards, keep neighborhoods together and the wards contiguous, use natural boundaries such as streets, and to minimize the number of changes. With this in mind, staff is proposing three options.

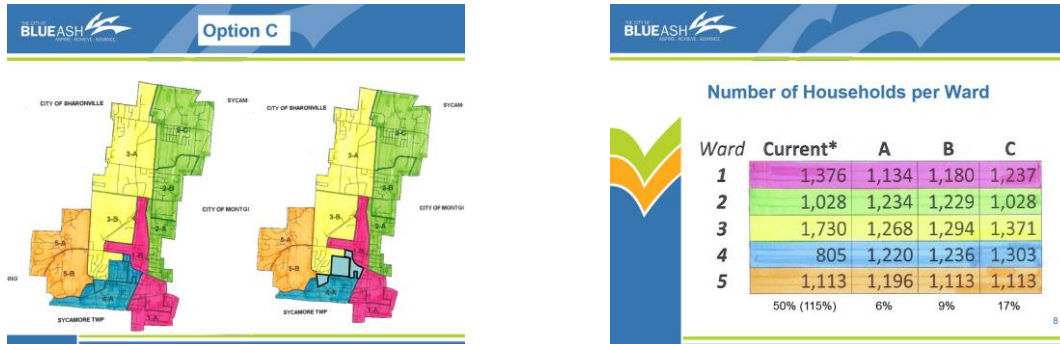


Option A entails adjustments to all wards. Wards 2, 4, and 5 increase while wards 1 and 3 are reduced in size. This option involves the greatest changes and is the most fine-tuned resulting in the nearest alignment to the household goal with only a 6% deviation.

Option B impacts 4 of the 5 wards. In this scenario, wards 2 and 4 increase while wards 1 and 3 are reduced in size. Ward 5 is not impacted. The new wards in this scenario are more squared-off versus some stretching the length of the City. This option brings the wards close to alignment with only a 9% deviation from the household goal.

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Option C is the least impactful, affecting 3 of the 5 wards. Ward 4 is increased while wards 1 and 3 are reduced in size. This option reduces the population goal deviation from the current 50% to 17%.

In accordance with the Board of Elections, Mr. Waltz stated that Council’s decision toward redistricting would need to be completed by February; however, in accordance with the City’s Charter, the decision needs to be made by January 1<sup>st</sup> in order to be effective for the 2019 Council election. Should Council postpone the decision, the ward adjustments would become effective for the 2021 Council election.

After discussion regarding timing and public notice, it was decided that legislation will be provided on each of the three options for the December 13<sup>th</sup> Council Meeting.

Mr. Waltz informed Council that in addition to the budget study session on November 26<sup>th</sup>, a budget workshop will be scheduled in the near future.

Mr. Waltz introduced Chris Theders as the City’s new Fire Chief. Chief Theders swearing-in ceremony is scheduled for December 5<sup>th</sup> at 5:00 pm in Council Chamber. Mr. Waltz informed that Parks & Rec Director Chuck Funk will be retiring at the end of the year.

Police Chief Scott Noel thanked Council for attending a fundraiser on November 4<sup>th</sup> to benefit the family of retired Michael Bray who recently lost his battle with cancer.

Councilmembers thanked residents for attending the Council meeting and for staying to its conclusion. They reminded the audience of the Veterans Day ceremonies beginning at 10:30 am on November 11<sup>th</sup> at the Veterans Memorial.

**10. ADJOURNMENT**

All items on the agenda having been acted upon, Councilman Czerwonka moved, Vice Mayor Sirkin seconded to adjourn the meeting. A voice vote was taken. All members voted yes. The Council meeting was adjourned at approximately 9:30 PM.

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Thomas C. Adamec, Mayor

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Jamie K. Eifert, Clerk of Council

MINUTES RECORDED AND WRITTEN BY:

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Karla Plank, Administrative Assistant