

BLUE ASH CITY COUNCIL

December 11, 2008

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A regular meeting of the Council of the City of Blue Ash, Ohio, was held on December 11, 2008. Mayor Robert J. Buckman, Jr. called the meeting to order in Council Chambers at 7:00 PM.

OPENING CEREMONIES

Mayor Buckman led those assembled in the Pledge of Allegiance.

ROLL CALL

MEMBERS PRESENT: Councilman Rick Bryan, Mayor Robert Buckman, Councilman Lee Czerwonka, Councilman Henry Stacey, Councilwoman Stephanie Stoller, Councilman James Sumner, and Vice Mayor Mark Weber

ALSO PRESENT: City Manager David Waltz, Solicitor Mark Vander Laan, Clerk of Council Jamie Eifert, Deputy Clerk of Council Sue Bennett, Treasurer/Administrative Services Director James Pfeffer, Parks & Recreation Director Chuck Funk, Public Works Director Mike Duncan, Fire Chief Rick Brown, Assistant Community Development Director Dan Johnson, Assistant to the City Manager Kelly Osler, member of the press, and interested citizens

Mayor Buckman appointed Kelly Osler to read the legislation (ordinances) in their entirety in the rear of Council Chambers.

ACCEPTANCE OF AGENDA

Councilman Sumner moved, Councilwoman Stoller 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. APPOINTMENT OF PERSON(S) TO READ ORDINANCES IN FULL IN REAR OF COUNCIL CHAMBERS
5. ACCEPTANCE OF AGENDA
6. APPROVAL OF MINUTES
 - a. Regular Meeting of November 20, 2008
 - b. Budget Study Session of December 1, 2008
7. COMMUNICATIONS
 - a. Communications to Council - Clerk of Council Jamie K. Eifert
 - b. Reports From Outside Agencies
 - c. Mayor's Report – November 2008 – Honorable Robert J. Buckman, Jr.
 - d. Financial Report – Motion to accept the report for November 2008
8. HEARINGS FROM CITIZENS
9. COMMITTEE REPORTS
 - a. Planning & Zoning Committee, James W. Sumner, Chairperson
 1. Ordinance No. 2008-56, approving a zone change of 5.78 acres of R-3 Residential property to C-2 Planned Commercial north of the southern corporation line of Blue Ash and west of Plainfield Road (*second reading*)
 2. Ordinance No. 2008-57, approving a development plan for a large retail sales and services development (Target retail store) and an outlot on commercial property located north of the southern corporation line, west of Plainfield Road and south of Ronald Reagan Highway (*second reading*)

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3. Ordinance No. 2008-76, authorizing contract for professional electrical inspection services for 2009
 - b. Finance & Administration Committee, Rick Bryan, Chairperson
 1. Ordinance No. 2008-77, adopting the year 2009 Proposed Budget
 2. Ordinance No. 2008-79, adopting the Year 2009 pay plan and related amendments and amending Ordinance No. 2004-105
 3. Ordinance No. 2008-80, authorizing professional engineering service rates for 2009
 4. Ordinance No. 2008-81, authorizing payments related to the City's purchasing card system
 5. Ordinance No. 2008-82, authorizing payment to multiple vendors for professional computer related services in 2008
 6. Ordinance No. 2008-87, authorizing contract for professional legal services and establishing said rates
 - c. Parks & Recreation Committee, Lee Czerwonka, Chairperson
 1. Ordinance No. 2008-83, authorizing a framework for the administration of recreational events in 2009
 2. Ordinance No. 2008-84, authorizing payment for professional security and cabling services associated with the Recreation Center expansion project
 - d. Public Works Committee, Henry S. Stacey, Chairperson
 1. Ordinance No. 2008-85, authorizing payment for purchase of parts, maintenance, and repair of traffic signals throughout 2008
 2. Motion authorizing the solicitation of bids for sidewalk construction; curb, gutter, and concrete construction; storm sewer system upgrades; traffic control systems and equipment; 2009 street maintenance program and other road improvement projects; downtown streetscaping; Service Department vehicles and equipment; bulk rock salt; and sale/disposal of excess property and equipment
 - e. Public Safety Committee, Stephanie Stoller, Chairperson
 1. Resolution No. 2008-16, electing members to the Volunteer Fire Fighters' Dependents Fund Board
 2. Ordinance No. 2008-86, authorizing contract with Youth Services for 2009
 3. Motion authorizing the solicitation of bids for public safety vehicles; communications and paging equipment; rescue tools and related equipment; surveillance, investigative, and general police equipment; fire and EMS emergency equipment and apparatus; and sale/disposal of surplus property, equipment, and vehicles
10. MISCELLANEOUS BUSINESS
12. EXECUTIVE SESSION – Personnel Matter (Committee Appointment)
11. ADJOURNMENT”

APPROVAL OF MINUTES

Councilman Stacey moved, Councilwoman Stoller seconded to approve the minutes of the regular meeting of November 20, 2008, and the Budget Study Session of December 1, 2008. A voice vote was taken. All members present voted yes. Motion carried.

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COMMUNICATIONS

Communications to Council

There were no communications presented to Council.

Reports From Outside Agencies

There were no representatives present from outside agencies.

Mayor's Report –2008

RECEIPTS:

Fines	\$ 14,894.03
Bonds & BMV fees carried over.....	\$0
Interest Earned.....	\$0.54
Bonds collected.....	\$ 0
TOTAL RECEIPTS:.....	\$ 14,894.57

DISBURSEMENTS:

To Blue Ash (fines/costs/interest/Expungements/forfeitures)	\$10,088.54
To the State of OH.....	\$4,156.50
OH Dept. of Safety (Drug Fund)	\$388.50
Refund of overpaid fines	\$261.03
Bond Money applied.....	\$0
Bond Money returned	\$0
BMV.....	\$0
TOTAL DISBURSEMENTS	\$14,894.57

BALANCE IN BONDS:	\$ 0
Mayor's Court traffic citations	140
Mayor's Court criminal citations	20
Total Mayor's Court cases	160
November revenues from Mayor's Ct. Cases:	\$10,088.54

Financial Report –November 2008

Councilman Sumner moved, Councilman Czerwonka seconded to accept the Financial Report for November 2008 as submitted. A voice vote was taken. All members present voted yes. Motion carried.

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CITY OF BLUE ASH FINANCIAL POSITION STATEMENT- MONTH ENDING NOVEMBER 30, 2008

MONTH TO DATE	2007	2008
START OF MONTH FUND BALANCE: 11-1-08	\$26,225,829.16	\$25,489,904.71
Revenues:		
Earnings Tax Collections:	2,019,448.50	2,264,001.18
Debt Financing (long term)	0	0
Debt Financing (short term)	0	0
Other Revenue Received:	876,815.34	899,855.10
= Total Monthly Receipts	2,896,263.84	3,163,856.28
Expenditures:		
Bond Retirement	0	100,000.00
Short term debt refinancing	1,000,000.00	0
Other Expenditures:	3,207,089.23	5,055,802.69
= Total Monthly Expenditures:	-4,207,089.23	-5,155,802.69
END OF MONTH FUND BALANCE: 11-30-08	24,915,003.77	23,497,958.30
YEAR TO DATE	2007	2008
START OF YEAR FUND BALANCE:	17,286,456.32	24,395,221.48
Revenues:		
Earnings Tax Collections:	25,292,330.44	27,839,828.67
Debt Financing (long term)	0	0
Debt Financing (short term)	0	0
Other Revenue Received:	21,791,069.26	12,731,269.01
= Total Monthly Receipts	47,083,399.70	40,571,097.68
Expenditures:		
Bond Retirement	3,830,000.00	3,930,000.00
Short term debt refinancing	1,000,000.00	0
Other Expenditures:	34,624,852.25	37,538,360.86
= Total Monthly Expenditures:	-39,454,852.25	-41,468,360.86
YTD FUND BALANCE:	24,915,003.77	23,497,958.30

100% of the fund balance was invested as of 11/30/08. Interest paid to date on matured investments: \$663,396.29. Receipt and expenditure figures do not include interfund transfers.

BLUE ASH INCOME TAX DIV. INCOME TAX RECEIPT SUMMARY - MONTH ENDING NOV. 30, 2008

MONTH-TO-DATE STATUS	2007	2008
Business Net Profit	51,339.60	38,814.93
Resident Net Profit	35,433.57	38,855.23
Non-Resident Net Profit	9,980.31	11,378.84
Subcontractor Net Profit	19.00	7,240.29
Net Profit Total	96,772.48	96,289.29
Withholding	1,888,602.76	2,115,865.43
Subcontractor Withholding	34,073.26	51,846.46
Withholding Total	1,922,676.02	2,167,711.89
Monthly Collection Totals	2,029,448.50	2,264,001.18
YEAR-TO-DATE STATUS	2007	2008
Business Net Profit	3,467,240.57	4,654,086.07
Resident Net Profit	934,621.56	991,201.79
Non-Resident Net Profit	249,810.62	264,046.07
Subcontractor Net Profit	54,660.13	67,391.25
Net Profit Total	4,706,332.88	5,976,725.18
Withholding	20,119,722.23	21,383,291.41
Subcontractor Withholding	466,275.33	479,812.08
Withholding Total	20,585,997.56	21,863,103.49
YTD Collection Totals	25,292,330.44	27,839,828.67
YTD Refund Totals	1,468,942.44	883,003.64

HEARINGS FROM CITIZENS

No citizens wished to address Council.

COMMITTEE REPORTS

Prior to the Council meeting, Council members received the following reports describing

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agenda items:

The following offers a brief description of the topics included on the December 11 Council agenda:

9.a.1. Ordinance No. 2008-56 - Approving a zone change of 5.78 acres of R-3 Residential property to C-2 Planned Commercial north of the southern corporation line of Blue Ash and west of Plainfield Road (second reading)

As Council is aware, an application from Target Stores has been submitted for the development of a "large retail sales and services" store as well as a future outlot on approximately 11.9 acres located south of Ronald Reagan Highway, west of Plainfield Road, south to within a few feet of the Blue Ash corporate limit. The development would require the rezoning of approximately 5.78 acres of land from its existing R-3 Residential zone to C-2 Planned Commercial. Currently there are 10 single-family residential parcels located upon the area that is the subject of this application. Ordinance No. 2008-56 addresses the rezoning, and the next item on the agenda, Ordinance No. 2008-57, addresses the proposed development plan. Thursday's meeting represents the second reading and formal Council vote of both Ordinance Nos. 2008-56 and 2008-57.

Since the November 20 hearing and first reading, work continued with the applicants and various issues discussed have been resolved. For more details regarding this, please refer to a separate memo included in this packet from the Assistant Community Development Director.

9.a.2. Ordinance No. 2008-57 - Approving a development plan for a large retail sales and services development (Target retail store) and an outlot on commercial property located north of the southern corporation line, west of Plainfield Road and south of Ronald Reagan Highway (second reading)

See item description above.

9.a.3. Ordinance No. 2008-76 - Authorizing contract for professional electrical inspection services for 2009

Ordinance No. 2008-76 authorizes a one-year contract with Inspection Bureau, Inc. (IBI) for professional electrical inspections, including plan reviews, for 2009. The rates for 2009 would be based upon IBI's standard governmental schedule, and fees are paid by those requiring inspections.

While we have been considering contracting with NIC as an alternate provider for these services, we were not in a position at this time to recommend such a change. However, the City's options will continue to be evaluated and consideration of a change may be presented to Council in the future.

Please address questions regarding this ordinance to the Assistant Community Development Director or the City Manager.

9.b.1. Ordinance No. 2008-77 - Adopting the year 2009 Proposed Budget

At the December 1 Council Budget Study Session, Council reviewed the 2009 Proposed Budget as presented by the City Manager. This document, which reflects total available revenues of \$56,129,430 (including estimated beginning fund balances) and expenditures of \$44,017,429 (both figures being net of transfers, reserves, and advances), forms the basis for Ordinance No. 2008-77 and its attachments.

Favorable consideration of Ordinance No. 2008-77 will permit the City to operate on an interim appropriations ordinance basis until the Final Budget is prepared for submission at the first or second meeting in January. The Proposed Budget's revenues and expenditures will be adjusted for actual year-end fund balances and encumbrances, and for any other modifications that become necessary as a result of activity, or Council recommendations, since the Proposed Budget was prepared.

As the Final Budget comes together, City Council will be updated as to recommended adjustments to the Proposed Budget.

Please address questions regarding this ordinance to the City Manager or Treasurer.

9.b.2. Ordinance No. 2008-79 - Adopting the Year 2009 pay plan and related amendments and amending Ordinance No. 2004-105

Ordinance No. 2008-79 addresses the annual cost of living adjustment for the non-bargaining unit pay plan, as well as related issues affecting Chapters 131 and 133 of the Code. The recommended changes include a proposed shift in grade for the Police Chief's position, amending the part-time pay plan to include paid Auxiliary Patrol Officers, amending the part-time pay plan to automatically comply

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with any required changes in the minimum wage, and revision of the military leave provisions and various updates to the Code that are essentially “housekeeping” issues. In addition, language has been included permitting the City to comply with provisions of the Fair Labor Standards Act (FLSA) relating to the inclusion of longevity in all overtime rates, and other areas which may apply to the manner in which our scheduling, contracts, and payroll administration is handled. Finally, language is included in the ordinance permitting the application of a higher amount (\$5.00) for the computation of longevity for non-bargaining unit staff for 2008 and thereafter. (Several bargaining units currently include longevity calculated at \$5.00). At their meeting on November 20, 2008, the Civil Service Commission reviewed the proposed amendment to the pay plan regarding a cost of living adjustment of 2.5%. Upon careful assessment and evaluation of the proposed increase, the Commission has recommended the proposed increase for adoption by City Council.

- The first recommendation affecting Section 131.07-1 provides for annual changes to the City's pay plan and related code sections. The annual cost of living adjustment as proposed by the Administration is 2.5% for full-time and part-time non-bargaining unit employees. This is in keeping with the current economic climate as well as aligning with internal comparables. Three of the City's six bargaining units – Dispatchers, Firefighters, and Fire Lieutenants contracts are currently open or are opening in December for negotiation. The City will be seeking no more than a 2.5% increase for 2009 in these multi-year contracts.
- The second recommendation amends the top pay grade for Police Chief from 30 to 31. The City Manager has been working with the Human Resources Officer and the Police Chief to reduce certain benefits that accompany that position to more closely align this department director position with others at that level. The elimination of those benefits has the impact of lowering this position's overall compensation, thus the recommendation to increase the grade to 31.
- The third recommendation is to amend the part-time pay plan to include a position classification for paid Auxiliary Patrol Officers. Historically, paid Auxiliary Patrol Officer wages have been tied to a percentage of Patrol Officer wages as governed by Section 131.07 (b). However, often due to the lengthy nature of labor negotiations with the police officer bargaining unit, Auxiliary Patrol Officers either did not or belatedly (6 to 8 months later) received a cost of living increase. As the paid Auxiliary Patrol Officers are not included in the bargaining unit, it seems prudent to tie their wages to the pay plan rather than to such negotiations. Consideration was given to preserving the exiting rates of pay for our paid Auxiliary Officers, but the range reflected in the part time payplan provides for the hiring of any new staff at a lower rate of pay. Section 131.07 of the code was amended to accommodate the use of “volunteer” auxiliary officers (\$1.00 per year) by addressing issues such as workers compensation, coverage by the city's insurance while acting for us as a sworn officer, etc.
- The fourth recommendation is to amend the part-time pay plan to include a provision that will allow the plan to automatically update to keep the City in compliance with any required changes in the State or Federal minimum wage. There are only two pay classifications that include the minimum wage, and the State has implemented updates twice a year. By allowing the pay plan to automatically update for these two classifications alone, the City will be in guaranteed compliance on the date of the change, without having to secure an amendment to the payplan.
- The fifth recommendation is to amend 133.11 (g) of the Blue Ash Code of Ordinances to reflect changes in State Law vis-à-vis military leave. The changes made to this section do not constitute a substantive change; rather they update the policy in compliance with State Law. The changes also include a provision permitting the City to adjust the military leave policy or rules to align, at minimum, with the military leave requirements of either the State of Ohio or at the Federal level. Our objective is to be fully supportive of those within our organization who are called to serve our country.

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- We have also included a number of new part-time job descriptions for the recreation areas, so that our staffing needs and duties in the new recreation center and other areas will be in alignment with the descriptions for those part-time jobs. In addition, we have adjusted several existing part-time recreation job descriptions as well, to more accurately describe the duties and requirements of each. These adjustments are being requested at this time, but any additional hiring under these positions has not yet been reviewed with the City Manager or discussed with City Council. Until those discussions have occurred, no increase in part-time staffing in the Recreation Center will take place.
- Finally there are a few recommendations relating to housekeeping changes in the code language.
 - o Amending 133.13 (a) Holidays in the Code to reflect changes in the way benefits are administered for non-union sworn officers, consistent with the City Manager's memo dated August 18, 2008.
 - o Amending 133.07(e) relating to Compensatory Time to comply with changes in State and Federal Law.
 - o Amending the pay plan classification system to alleviate redundancies in the numbering system.

Accompanying this memo are copies of all the proposed changes to the pay plan and related code sections.

The final portion of Ordinance No. 2008-79 addresses the Mayor's salary as directed by Council after discussion at the December Budget Study Session. Currently, the Mayor's salary is 100% of a township trustee's annual base salary as set forth in the Ohio Revised Code (Sec. 505.24) for townships with a budget of \$10 million or more. The change being proposed by Ordinance No. 2008-79, to be effective December 2009 (per Charter requirements), would be that the Mayor's salary would remain at that level if the Mayor presides over at least one session of Blue Ash Mayor's Court in a given month. Otherwise, if the Mayor does not preside over Mayor's Court in a given month, the salary would drop to 80% of that ORC-established amount.

Please direct any questions regarding this ordinance or the attachments to the City Manager or to the Treasurer.

9.b.3. Ordinance No. 2008-80 - Authorizing professional engineering service rates for 2009

In late 2007, Council approved a five-year contract with the City's long-standing engineering firm, Blue Ash based CDS Associates, for general engineering services. The contract requires annual review and approval of the fee schedule for each calendar year. The attached 2009 fee schedule for engineering services has been reviewed by the Administration, and approval has been recommended to City Council.

Please direct questions regarding this ordinance to the City Manager.

9.b.4. Ordinance No. 2008-81 - Authorizing payments related to the City's purchasing card system

City Council's passage of Ordinance No. 2006-39 in May 2006 authorized the City Manager to enter into a multi-year depository agreement with Fifth Third Bank related to our banking relationship and the deposit/investment of active and interim funds. The City subsequently entered into an agreement with Fifth Third Bank beginning June 1, 2006, and terminating on May 31, 2011.

Since that agreement was entered into, the Deputy Treasurer/Tax Commissioner worked with Fifth Third Bank to arrange for multi-division and departmental usage of the Fifth Third Bank purchasing card system, and that program has now been in place for over a year. The Treasurer's Office is pleased to report that this shift in purchasing capability has proved very beneficial, has simplified operations, and has provided efficiency and accountability. In addition, the City receives a rebate from Fifth Third Bank based upon the aggregate sum of purchases made on the cards throughout the contract.

Ordinance No. 2007-69 authorized the Finance Office to remit monthly payment to The Fifth Third Bank to cover payment for purchases made by the multiple City divisions and departments in calendar years 2007 and 2008 and also authorized the Finance Office to pay costs associated with this purchasing card program and to appropriately account for the revenue to be received in the form of a

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rebate anticipated on an annual basis. Ordinance No. 2008-81 authorizes similar monthly payments since the aggregate payment to Fifth Third Bank towards payment on the cards City-wide will exceed the ordinance threshold limit of \$25,000, it would be appropriate to seek Council approval for such payment to comply with Audit guidelines. Ordinance No. 2008-81 authorizes such monthly payments for purchases made from January 2009 through May 2011, to coincide with the expiration date of the current depository agreements.

Please direct questions related to this ordinance to the Treasurer.

9.b.5. Ordinance No. 2008-82 - Authorizing payment to multiple vendors for professional computer related services in 2008

The need existed for purchases on behalf of multiple City divisions throughout 2008 for computer and network related services/equipment, funding for which has been approved by City Council in the Final Budget. Although no single purchase with any vendor exceeded the ordinance threshold amount of \$25,000, since aggregate purchases with these vendors will exceed that amount, Council approval via ordinance is appropriate.

Ordinance No. 2008-82 authorizes payment for the following:

- An amount not to exceed \$36,000 to Donnellon McCarthy, Inc. to accommodate emergency purchase in 2008 of a new copier for the Parks & Recreation Department as well as ongoing maintenance for the City's copiers/printers.
- An amount not to exceed \$36,000 with Dell Marketing L.P. for the purchase of additional and replacement computers and servers for the Service Department, Finance and Tax Offices, Police Department, Fire Department, and Parks & Recreation Department.
- An amount not to exceed \$35,000 with LAN Solutions for software and networking services in support of our network.

Please direct questions regarding this ordinance to the Treasurer or the Technology Officer, Dan Klapp, at 745-6245.

9.b.6. Ordinance No. 2008-87 - Authorizing contract for professional legal services and establishing said rates

The Solicitor has requested legislation to authorize a change in the hourly legal fee schedule for 2009. Ordinance No. 2008-87 increases the hourly amounts by \$5 effective January 1 -- for the following hourly rates: \$200 per hour for attorney work, and \$140 per hour for paralegal employees.

Please direct questions regarding this ordinance to the Solicitor.

9.c.1. Ordinance No. 2008-83 - Authorizing a framework for the administration of recreational events in 2009

At a late 2003 Council meeting, Parks & Recreation Director Chuck Funk presented to Council a proposed change in the way the City and the Parks & Recreation Department plans, organizes, and financially administers the City's major special events. He recommended that all such events be organized and administered through the City of Blue Ash, including the utilization of the City's Finance Division for all receipting of revenues, for the tracking of contracts, and for recording expenditures for each event.

This new framework was utilized beginning with the 2004 through 2008 seasons with significant success, and the City Manager, Parks & Recreation Director, and Treasurer are recommending this practice be continued in 2009. Ordinance No. 2008-83 acknowledges and confirms that the City's major special events, including SummerBration, the Fourth of July (Red, White & Blue Ash), Taste of Blue Ash, and Heritage Day, are City events, and thus should be fully planned, organized, and administered by the City Manager through the Parks & Recreation Department.

Beginning in the 2004 event season, no sponsors or other groups or agencies were utilized for contractual, financial, operational, or decision making purposes. All event revenues, irrespective of source, were and will be deposited within an event-specific revenue account established within the City's accounting structure. All expenditures relating to each event will continue to be made through the City's Finance Division, and will be tracked utilizing an event-specific expenditure account as well. It is clear that the utilization of the City's financial and accounting systems, as well as the related annual review by the State Auditor's office, has improved accountability and reportability regarding these events.

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As these efforts centralize event responsibility within the City Administration, the ordinance seeks Council's authorization for the Administration to execute and administer contracts of all types and amounts affecting these events. It is recommended that all contracts in excess of \$10,000 be signed by both the Parks & Recreation Director and the City Manager, while contracts of a lesser amount may be signed by the Parks & Recreation Director under a written designation of authority from the City Manager.

There are many types of services or contracts that are necessary for the successful presentation of these larger events. Examples would include professional sound, back-line, and lighting services; promotional services; event power services; pyrotechnical (fireworks) displays; entertainment coordination services; audio-visual services; multi-media services; equipment rental and concession/beverage arrangements; and site security. Others would include restaurant participation, event performer agreements, agent contracts, staging services, housing and transportation arrangements, printing, and others. The ordinance seeks authorization for the City Manager and a specified designee to be able to enter into these contracts, and for the City to move forward with the managerial and financial administration of those contracts utilizing the City's staff and financial reporting capabilities.

One change in 2009 being implemented is decreased reliance upon the entertainment coordination services, including booking of the national level acts. In 2009, the Parks & Recreation Director will be performing these responsibilities for the SummerBration event, and if it works well, may extend those responsibilities in future years for one or more of the other special events.

Where appropriate, informal quotations will be requested from providers to secure the best price, terms, and service for the event and for the City. An example of this process was the solicitation of proposals for a two-year agreement (plus a two year extension at the City's option) for concessionaire services for the three major special events. This concessionaire's bid began with 2007 services, and the City intends to utilize the successful, and only, bidder, Cincinnati Concessions, again in 2009 since event organizers remain very satisfied with their services. No contractual categories are expected to be formally bid for these special events. It is expected that the Parks & Recreation Department will continue to rely upon, and involve, citizen input groups and support, such as the Special Events Committee and Recreation Board, in the administration of these events. The Parks & Recreation Director for the larger activities may appoint steering committees or subcommittees as well.

The City Manager and the Parks & Recreation Director anticipate that a report on the City's 2008 events will be included in the City Manager's 2008 annual report to Council early in the year. The Administration was pleased with this framework throughout the past four years as it offered greater coordination, better controls, more accurate financial reporting, and greater awareness than in past years, especially for the Taste of Blue Ash formerly overseen via alternative arrangements.

Please direct questions regarding this ordinance to the Parks & Recreation Director in advance of the meeting as Mr. Funk cannot be present on Thursday evening.

9.c.2. Ordinance No. 2008-84 - Authorizing payment for professional security and cabling services associated with the Recreation Center expansion project

During the engineering phase of the Recreation Center expansion project it was decided not to include the security and IT cabling and equipment in the contracts of the prime contractors, but rather to pursue those activities separately by soliciting informal proposals from those vendors that the City has had relationships over the years. The City obtained a favorable proposal from our long-term security equipment company, Infinite Services (formerly Phase One) to provide perimeter and security camera equipment fully compatible with all existing infrastructure. Furthermore, following the receipt of multiple bids for IT, phone and coax (TV) cabling, Infinite Services submitted the best proposal for that work as well.

Individually the contracts fall below the threshold amount of \$25,000. However, given aggregate purchases with this vendor will exceed that limit, Council approval via ordinance is appropriate. Ordinance No. 2008-84 authorizes and amount not to exceed a total of \$40,575 in 2008 and 2009 for both the security/security camera and IT, phone, and coax (TV) cabling components of this work, which includes an estimated \$473 for contingency should changes be required in the field.

Please direct questions regarding this ordinance to the Parks & Recreation Director.

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9.d.1. Ordinance No. 2008-85 - Authorizing payment for purchase of parts, maintenance, and repair of traffic signals throughout 2008

Ordinance No. 2008-85 authorizes payment for routine purchase of parts, maintenance, and repair of traffic signals provided throughout 2008 with Capital Electric Line Builders for an amount not to exceed \$136,000. The City has a favorable long-term relationship with this vendor, formerly known as Wager-Smith, for these types of services, and these items were included within the 2008 Final Budget.

Please direct questions regarding this ordinance to the Service Director.

9.d.2. Motion authorizing the solicitation of bids for sidewalk construction; curb, gutter, and concrete construction; storm sewer system upgrades; traffic control systems and equipment; 2009 street maintenance program and other road improvement projects; downtown streetscaping; Service Department vehicles and equipment; bulk rock salt; and sale/disposal of excess property and equipment

As is traditional at this Council meeting, this motion would authorize the potential formal bidding activity for Year 2009 within the public works activities of the City.

9.e.1. Resolution No. 2008-16 - Electing members to the Volunteer Fire Fighters' Dependents Fund Board

This resolution is presented each year to City Council for approving the continuation of a State-required Volunteer Fire Fighters' Dependents Fund Board. The resolution selects the Councilperson designated as the chairperson of the Public Safety Committee and the City Manager to serve on this Board, as well as two other members nominated by the Fire Department. Resolution No. 2008-16 provides appointees to the Board for calendar year 2009. This fund, administered through the State of Ohio, provides the surviving spouse or dependents of a part-time/volunteer firefighter killed while discharging the duties of a firefighter, or who dies from exposure or injury received in the discharge of duty, monetary benefits to supplement the Ohio Public Employees Retirement System (OPERS). (Only full-time firefighters can belong to the Ohio Police & Fire Pension system.) Therefore, in order to comply with State regulations, approval of this resolution is recommended.

Please direct questions regarding this resolution to the Fire Chief or Treasurer.

9.e.2. Ordinance No. 2008-86 - Authorizing contract with Youth Services for 2009

This ordinance authorizes the City Manager to enter into a renewal contract with Youth Services of Reading, Ohio, to provide for the availability of youth and family counseling services. Youth Services has been very active in the City of Blue Ash and Sycamore Community School District in providing educational, advocacy, referral, counseling, and crisis intervention services for youth and families. Youth Services also works with the City in operating the Juvenile Diversion program. The City has enjoyed an excellent relationship with Youth Services and believes it is the most cost effective means for providing these types of professional services. The proposed allocation for 2009 includes an optional add-on for additional programming, making a not-to-exceed total of \$39,500 – representing a \$500 increase from the 2008 authorized level.

Please direct questions regarding this ordinance to the Police Chief.

9.e.3. Motion authorizing the solicitation of bids for public safety vehicles; communications and paging equipment; rescue tools and related equipment; surveillance, investigative, and general police equipment; fire and EMS emergency equipment and apparatus; and sale/disposal of surplus property, equipment, and vehicles

Similar to Item 9.d.2 above, it has been traditional to include this motion, authorizing any expected or potential bid activity in 2009.”

The following memo from the Assistant Community Development Director was also provided to Council:

“Details of the Target proposal to rezone property and to seek approval of a Planned Development have progressed and changed since the original Planning Commission recommendation on October 2. This memo addresses those items.

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Zoning Map Amendment

The original request was to rezone only the land that will be owned by Target. Sycamore Township owns the only parcel of land between the proposed rezoning and the southern municipal boundary, which is a strip of land that ranges from 3 to 28 feet in width and is not, separately, suitable for any type of development. Since the Planning Commission meeting, Sycamore Township has stated that it does not have any objection to having that portion of its land that lies between the proposed rezoning and the municipal boundary included in the Ordinance. Staff recommends this change to the map amendment Ordinance.

Planned Development

The Planning Commission recommendation included 15 conditions as a part of the Ordinance. Many of the conditions have been addressed, as follows:

1. The east and north sides of the building shall be architecturally modified to break up the façade and create aesthetic variation, particularly where such walls are clearly visible to the traveling public.

The building itself was enhanced with brick in areas that would be visible to the public. Also, a row of landscaping was placed immediately adjacent to the Plainfield Road wall.

2. A decorative fence shall be provided at the top of the west retaining wall.

The applicant agreed to this.

3. The driveway access for 9050 Plainfield Road (Hamilton County Auditor's Parcel 612-0070-0217-00) shall be reconfigured to an access from the Frisch's property to the north or as far south on the property as is possible, as approved by the City Manager or his designee.

This has been removed from the Ordinance. The City Solicitor was concerned that the condition would establish a burden upon a person who is not a party to the application. The City has also been informed by the applicant that Midland Atlantic Properties has an agreement to purchase the property from the current owner.

4. The "outlot" indicated on the plan be held in an undeveloped state until at least the first February following the first December after the store is fully operational. The Planning Commission shall have the right to require that the parcel be developed with additional parking and internal landscaping in the event that on-site parking is determined to be insufficient by the Planning Commission. The Planning Commission shall make such determination before July 1 of that year and, if additional parking and internal landscaping is required, the required improvements shall be completed before July 1 of the following year.

The applicant agreed to this.

5. All signage shall satisfy the applicable Code regulations. As proposed, the pylon and ground signs are not approved.

The applicant agreed to this. The applicant has, however, requested that the Target logo be allowed to extend 1 foot above the roofline at the front (south) elevation of the building because it is a typical design element. If Council agrees to allow the requested configuration as a part of this approval, then this would be the only exception to the condition as written.

6. The applicant will donate to the City land or an easement as indicated in the plans for the purpose of improving Plainfield Road and making other improvements to the right-of-way.

The applicant agreed to this.

7. The applicant will design and construct all improvements to the right-of-way that are noted on the plans and agreed to by the City Manager or his designee.

The applicant agreed to this.

8. After construction of all roadway improvements, the applicant will restore all roadway pavements, sidewalks, curbs, and other public appurtenances in a workmanlike manner as agreed to by the City. All lawn areas shall be returned to appropriate vegetative cover.

The applicant agreed to this.

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9. The applicant will pay to the City a sum agreed to by the City Manager or his designee for the sole purpose of paying for design and construction of an additional traffic lane on northbound Plainfield Road, north of the north Frisch's driveway. The timing of the actual design and construction will be at the sole discretion of the City. Any amount paid to the City for such improvement will not be refunded to the applicant or property owner for failure to undertake the project.

The applicant agreed to this.

10. The applicant will design and construct a decorative entry feature for the City of Blue Ash in a design and location agreed to by the City Manager or his designee. The feature will have a design quality similar to the sign located near the terminus of the westbound Cross County Highway to Kenwood Road off-ramp.

The applicant agreed to this.

11. A landscaped island shall be provided in each of the rows of parking on the east side of the building to satisfy the Code requirement.

The applicant agreed to this and has modified the plans to reflect the change.

12. Penelope Lane shall be removed and become permanent buffer yard (at least, the portion that is owned by the applicant).

The applicant agreed to this. Sycamore Township has agreed to allow the developer to remove the entire Penelope Lane pavement, including the curb, and install the proposed landscaping buffer, which includes plantings, on Sycamore Township property. In response to a request by Sycamore Township representatives, the applicant has also agreed to install an 8-foot tall privacy fence along the south edge of the parking lot.

13. Lighted signs shall be turned off within 1/2 hour of store closing (by 10:30 p.m.).

The applicant agreed to this.

14. Developer shall work with Hartzell United Methodist Church to resolve stormwater drainage issues.

The applicant has discussed stormwater improvements with the Church. A representative of the Church described that this is the case at the public hearing.

15. Developer shall attempt to work with property owners on the east side of Plainfield Road to resolve concerns about turning movements and access to the proposed traffic light.

The applicant agreed to this; however, there has been no indication that any access issues have been resolved to date.

There are several other issues that were not specifically addressed by the Planning Commission, but are notable:

- Sycamore Township representatives expressed concern about the mounting height of the parking lot lights, particularly those closest to the south lot line. In response, the applicant has proposed to reduce the fixture mounting height to 30-feet in the southernmost row and to install an external shield on the fixtures that would prevent any direct view of the lenses from the south. A typical section drawing was submitted that shows a viewer's likely perspective from the rear yard of a house on Larchview (the section shows a 36 foot mounting height).
- The Hamilton County Engineer's Office requested that the applicant provide potential funding for roadway improvements to Plainfield Road within Sycamore Township, in the event that additional right-of-way is obtained that makes the improvements possible. In meetings with Sycamore Township and Hamilton County officials, it was noted that the likelihood of such a project was very low. Due to project budget constraints (largely due to other conditions required by Blue Ash), the applicant has not agreed to make such a commitment. However, the City intends to work with Target to establish a nominal TIF to provide funding for future road improvements. Should Hamilton County decide to aggressively pursue the roadway widening project in Sycamore Township, Blue Ash could have further discussion about collaborating on that portion of the project."

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Planning & Zoning Committee, James W. Sumner, Chairperson

Councilman Sumner asked the Clerk of Council to read Ordinance No. 2008-56 in its entirety:

THEN WAS PRESENTED AND READ IN ITS ENTIRETY:

ORDINANCE NO. 2008-56

AMENDING THE DISTRICT MAP ESTABLISHED IN THE CODIFIED ORDINANCES OF THE CITY OF BLUE ASH, PART ELEVEN, PLANNING AND ZONING CODE, CHAPTER 1141, AND THUS THE BOUNDARIES OF THE DISTRICTS AS APPROVED ON MARCH 13, 2003, BY PLACING CERTAIN REAL ESTATE CURRENTLY ZONED R-3 RESIDENTIAL IN THE C-2 PLANNED COMMERCIAL DISTRICT CONSISTING OF APPROXIMATELY 6.13 ACRES NORTH OF THE SOUTHERN CORPORATION LINE OF BLUE ASH AND WEST OF PLAINFIELD ROAD, AFFECTING BOOK 612, PAGE 80, PARCELS 68, 69, 70, 71, 72, 54, 154, 153, 74, 155, AND 152 OF THE HAMILTON COUNTY AUDITOR'S OFFICE RECORDS (ALSO KNOWN AS 9009, 9019, 9029, 9037, AND 9047 PLAINFIELD ROAD AND 4144, 4164, 4174, 4184, AND 4194 PENELOPE LANE)

Councilman Sumner moved, Councilwoman Stoller seconded to adopt Ordinance No. 2008-56 (this ordinance was read in its entirety at its first reading on November 20, 2008). Councilman Sumner clarified that this ordinance addresses the rezoning aspect of the proposed Target project and encouraged those who would like to speak to design aspects of the project to wait until the next ordinance is presented. There being no further discussion, the Clerk called the roll. Councilpersons Stoller, Sumner, Weber, Stacey, Czerwonka, Bryan, and Mayor Buckman voted yes. Seven yeases. Ordinance No. 2008-56 passed. *(Note: see below after Ordinance No. 2008-57 regarding minor amendments to Ordinance No. 2008-56 later approved by Council at this meeting.)*

Councilman Sumner asked the Clerk of Council to read Ordinance No. 2008-57 in its entirety:

THEN WAS PRESENTED AND READ IN ITS ENTIRETY:

ORDINANCE NO. 2008-57

APPROVING A DEVELOPMENT PLAN UNDER CHAPTERS 1157 AND 1185 OF THE CODIFIED ORDINANCES FOR CONSTRUCTION ON APPROXIMATELY 11.9 ACRES OF A LARGE RETAIL SALES AND SERVICES DEVELOPMENT (TARGET RETAIL STORE) AND AN OUTLOT THAT WOULD ALLOW A FUTURE LAND USE ON PROPERTY IN THE C-2 PLANNED COMMERCIAL ZONING DISTRICT LOCATED NORTH OF THE SOUTHERN CORPORATION LINE OF BLUE ASH, WEST OF PLAINFIELD ROAD, AND SOUTH OF RONALD REAGAN HIGHWAY

Councilman Sumner moved, Councilwoman Stoller seconded to adopt Ordinance No. 2008-57 (it having been read in full at its first reading on November 20, 2008). City Manager David Waltz commented that he understands there is concern of adjacent Sycamore Township residents regarding potential of light spillover from this project (as they have requested shorter light poles). He suggested that Council defer this issue to the City Engineer's office to further evaluate, with their goal to assure no disturbance to these Township residents due to light spillover. Mr. Waltz also commented that the City is also discussing with Target officials potential avenues for future road improvements on Plainfield south of the Blue Ash corporate limit (within Sycamore Township).

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Councilman Sumner commented that he does not believe he is qualified to respond to the Township residents regarding the potential of lower light poles and its affect on light overflow onto their properties. He agrees with the thought to have the City Engineer's office review this aspect of the project.

Additional discussion was had regarding the abutting residents concerns with the potential of light spillover. Mr. Waltz added that the City Engineers, CDS Associates, would have experience with other similar projects and should be in a position to be able to guide the City. Councilman Bryan added that he too is in favor of the idea of involving the engineer's office to assure no lighting issues adversely affecting adjacent residential areas. In addressing a question from Mr. Bryan regarding what the remediation would be should installed lights in fact present a problem, Solicitor Mark Vander Laan explained that the remediation would be for the City to force the applicant to comply with the requirements in the Code of Ordinances, which is already in place, that stipulates no lighting overflow onto their properties. Assistant Community Development Director Dan Johnson added that the plan shows "0" light spillover at the property line and that this too can be used as an enforcement mechanism.

In addressing a question from Councilman Sumner, Solicitor Vander Laan commented that no change to Ordinance No. 2008-57 would be required in order to address this light spillover concern since mechanisms to assure compliance are already in place.

There being no further discussion, the Clerk called the roll for adoption of Ordinance No. 2008-57. Councilpersons Sumner, Weber, Stacey, Czerwonka, Bryan, Stoller, and Mayor Buckman voted yes. Seven yeses. Ordinance No. 2008-57 passed.

Solicitor Vander Laan noted the need to amend Ordinance No. 2008-56 to correct inconsistencies. Those changes are summarized below:

- In the first "Whereas," Parcel 68 needs to be added.
- In Section I, the acreage should be changed from "5.78" to "6.13."
- In Section I, the phrase "and an unaddressed parcel" should be deleted.

Mr. Vander Laan commented that these changes will be noted on each copy of the ordinance, and the need exists for the Mayor, Clerk of Council, the Solicitor, and Mr. Bailey from Target to initial each change. Councilman Sumner moved, Councilwoman Stoller seconded to amend Ordinance No. 2008-56 to address these changes noted above. The Clerk called the roll. Councilpersons Stoller, Sumner, Weber, Stacey, Czerwonka, Bryan, and Mayor Buckman voted yes. Seven yeses. Amendments to Ordinance No. 2008-56 passed.

Councilman Sumner asked the Clerk of Council to read Ordinance No. 2008-76 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2008-76

AUTHORIZING THE CITY MANAGER TO RENEW AND ENTER INTO AN AGREEMENT FOR PROFESSIONAL ELECTRICAL INSPECTION SERVICES IN 2009 WITH INSPECTION BUREAU, INC.; AND DECLARING AN EMERGENCY

Councilman Sumner moved, Councilman Stacey seconded to suspend the rules of Council requiring a second reading of the ordinance. The Clerk called the roll. Councilpersons Weber, Stacey, Czerwonka, Bryan, Stoller, Sumner, and Mayor Buckman voted yes. Seven yeses. Motion carried.

Councilman Sumner moved, Councilwoman Stoller seconded to adopt Ordinance No. 2008-76. There being no discussion, the Clerk called the roll. Councilpersons Stacey, Czerwonka, Bryan, Stoller, Sumner, Weber, and Mayor Buckman voted yes. Seven yeses. Ordinance No. 2008-76 passed.

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Finance & Administration Committee, Rick Bryan, Chairperson

Councilman Bryan asked the Clerk to read Ordinance No. 2008-77 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2008-77

AN ORDINANCE MAKING APPROPRIATIONS FOR THE EXPENSES OF THE CITY OF BLUE ASH, OHIO, FOR THE FISCAL YEAR OF 2009; AND DECLARING AN EMERGENCY

Councilman Bryan moved, Councilman Czerwonka seconded to suspend the rules of Council requiring a second reading of the ordinance. The Clerk called the roll. Councilpersons Czerwonka, Bryan, Stoller, Sumner, Weber, Stacey, and Mayor Buckman voted yes. Seven yeases. Motion carried.

Councilman Bryan moved, Councilman Stacey seconded to adopt Ordinance No. 2008-77. There being no discussion, the Clerk called the roll. Councilpersons Bryan, Stoller, Sumner, Weber, Stacey, Czerwonka, and Mayor Buckman voted yes. Seven yeases. Ordinance No. 2008-77 passed.

Councilman Bryan asked the Clerk to read Ordinance No. 2008-79 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2008-79

AMENDING PORTIONS OF CHAPTERS 131 AND 133 OF THE BLUE ASH CODE OF ORDINANCES INCLUDING SECTIONS 131.07-1, 131.07-2(a), 131.07(b), 131.07-67, 131.07-42, AND 131.07-29 OF CHAPTER 131 AND SECTIONS 133.09, 133.18-1, 133.11(g), 133.13(a), 133.07(e), AND 133.18-2(a) OF CHAPTER 133; ADDING SECTIONS 131.07-90, 131.07-93, 131.07-96, 131.07-98, 131.07-100, 131.07-102, 131.07-104, 131.07-107, 131.07-110, 131.07-112, 131.07-115, 131.07-118, 131.07-124, 131.07-125, AND 131.07-126; AND AMENDING SECTION IV OF ORDINANCE NO. 2004-105 REGARDING THE ANNUAL SALARY OF THE MAYOR; AND DECLARING AN EMERGENCY

Councilman Bryan moved, Councilwoman Stoller seconded to suspend the rules of Council requiring a second reading of the ordinance. The Clerk called the roll. Councilpersons Stoller, Sumner, Weber, Stacey, Czerwonka, Bryan, and Mayor Buckman voted yes. Seven yeases. Motion carried.

Councilman Bryan moved, Councilman Stacey seconded to adopt Ordinance No. 2008-79. There being no discussion, the Clerk called the roll. Councilpersons Sumner, Weber, Stacey, Czerwonka, Bryan, Stoller, and Mayor Buckman voted yes. Seven yeases. Ordinance No. 2008-79 passed.

Councilman Bryan asked the Clerk to read Ordinance No. 2008-80 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2008-80

AUTHORIZING GENERAL ENGINEERING, ARCHITECTURAL AND RELATED SERVICE RATES FOR 2009 WITH CDS ASSOCIATES, INC.; AND DECLARING AN EMERGENCY

Councilman Bryan moved, Councilman Czerwonka seconded to suspend the rules of Council requiring a second reading of the ordinance. The Clerk called the roll. Councilpersons Weber, Stacey, Czerwonka, Bryan, Stoller, Sumner, and Mayor Buckman voted yes. Seven yeases. Motion carried.

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Councilman Bryan moved, Councilman Stacey seconded to adopt Ordinance No. 2008-80. There being no discussion, the Clerk called the roll. Councilpersons Stacey, Czerwonka, Bryan, Stoller, Sumner, Weber, and Mayor Buckman voted yes. Seven yeases. Ordinance No. 2008-80 passed.

Councilman Bryan asked the Clerk to read Ordinance No. 2008-81 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2008-81

AUTHORIZING PAYMENTS ASSOCIATED WITH THE CITY'S PURCHASING CARD SYSTEM IN ACCORDANCE WITH THE CONTRACT WITH FIFTH THIRD BANK THROUGH MAY 2011; AND DECLARING AN EMERGENCY

Councilman Bryan moved, Councilwoman Stoller seconded to suspend the rules of Council requiring a second reading of the ordinance. The Clerk called the roll. Councilpersons Czerwonka, Bryan, Stoller, Sumner, Weber, Stacey, and Mayor Buckman voted yes. Seven yeases. Motion carried.

Councilman Bryan moved, Councilman Stacey seconded to adopt Ordinance No. 2008-81. There being no discussion, the Clerk called the roll. Councilpersons Bryan, Stoller, Sumner, Weber, Stacey, Czerwonka, and Mayor Buckman voted yes. Seven yeases. Ordinance No. 2008-81 passed.

Councilman Bryan asked the Clerk to read Ordinance No. 2008-82 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2008-82

AUTHORIZING PROFESSIONAL SERVICES CONTRACTS AND RELATED PURCHASES FROM MULTIPLE VENDORS FOR COMPUTER, PRINTER, COPIER, AND NETWORK PLATFORM EQUIPMENT AND SERVICES, AND NETWORKING SERVICES, SOFTWARE, AND EQUIPMENT FOR MULTIPLE CITY DEPARTMENTS AND DIVISIONS IN 2008; AND DECLARING AN EMERGENCY

Councilman Bryan moved, Councilman Czerwonka seconded to suspend the rules of Council requiring a second reading of the ordinance. The Clerk called the roll. Councilpersons Stoller, Sumner, Weber, Stacey, Czerwonka, Bryan, and Mayor Buckman voted yes. Seven yeases. Motion carried.

Councilman Bryan moved, Councilman Stacey seconded to adopt Ordinance No. 2008-82. There being no discussion, the Clerk called the roll. Councilpersons Sumner, Weber, Stacey, Czerwonka, Bryan, Stoller, and Mayor Buckman voted yes. Seven yeases. Ordinance No. 2008-82 passed.

Councilman Bryan asked the Clerk to read Ordinance No. 2008-87 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2008-87

AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR PROFESSIONAL LEGAL SERVICES AND PROVIDING COMPENSATION THEREFOR; AND DECLARING AN EMERGENCY

Councilman Bryan moved, Vice Mayor Weber seconded to suspend the rules of Council requiring a second reading of the ordinance. The Clerk called the roll. Councilpersons Weber, Stacey, Czerwonka, Bryan, Stoller, Sumner, and Mayor Buckman voted yes. Seven yeases. Motion carried.

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Councilman Bryan moved, Councilman Stacey seconded to adopt Ordinance No. 2008-87. There being no discussion, the Clerk called the roll. Councilpersons Stacey, Czerwonka, Bryan, Stoller, Sumner, Weber, and Mayor Buckman voted yes. Seven yeases. Ordinance No. 2008-87 passed.

Parks & Recreation Committee, Lee Czerwonka, Chairperson

Councilman Czerwonka asked the Clerk to read Ordinance No. 2008-83 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2008-83

ESTABLISHING A FRAMEWORK FOR THE PRODUCTION AND ADMINISTRATION OF MAJOR SPECIAL EVENTS COORDINATED BY THE PARKS & RECREATION DEPARTMENT; AUTHORIZING THE CITY MANAGER, AND A SPECIFIC DESIGNEE, TO ENTER INTO A RANGE OF CONTRACTS ENABLING THE PRESENTATION OF MAJOR SPECIAL EVENTS WITHIN BLUE ASH FOR 2009; AND DECLARING AN EMERGENCY

Councilman Czerwonka moved, Councilman Bryan seconded to suspend the rules of Council requiring a second reading of the ordinance. The Clerk called the roll. Councilpersons Czerwonka, Bryan, Stoller, Sumner, Weber, Stacey, and Mayor Buckman voted yes. Seven yeases. Motion carried.

Councilman Czerwonka moved, Councilman Stacey seconded to adopt Ordinance No. 2008-83. There being no discussion, the Clerk called the roll. Councilpersons Bryan, Stoller, Sumner, Weber, Stacey, Czerwonka, and Mayor Buckman voted yes. Seven yeases. Ordinance No. 2008-83 passed.

Councilman Czerwonka asked the Clerk to read Ordinance No. 2008-84 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2008-84

AUTHORIZING THE CITY MANAGER TO MAKE PAYMENT FOR PROFESSIONAL SECURITY AND CABLING SERVICES ASSOCIATES WITH THE RECREATION CENTER EXPANSION PROJECT; AND DECLARING AN EMERGENCY

Councilman Czerwonka moved, Councilman Stacey seconded to suspend the rules of Council requiring a second reading of the ordinance. The Clerk called the roll. Councilpersons Stoller, Sumner, Weber, Stacey, Czerwonka, Bryan, and Mayor Buckman voted yes. Seven yeases. Motion carried.

Councilman Czerwonka moved, Councilman Stacey seconded to adopt Ordinance No. 2008-84. There being no discussion, the Clerk called the roll. Councilpersons Sumner, Weber, Stacey, Czerwonka, Bryan, Stoller, and Mayor Buckman voted yes. Seven yeases. Ordinance No. 2008-84 passed.

Public Works Committee, Henry S. Stacey, Chairperson

Councilman Stacey asked the Clerk to read Ordinance No. 2008-85 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2008-85

AUTHORIZING THE CITY MANAGER TO MAKE PAYMENT FOR TRAFFIC SIGNAL PARTS AND REPAIR SERVICES THROUGHOUT 2008 FOR AN AMOUNT NOT TO EXCEED \$136,000; AND DECLARING AN EMERGENCY

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Councilman Stacey moved, Councilman Bryan seconded to suspend the rules of Council requiring a second reading of the ordinance. The Clerk called the roll. Councilpersons Weber, Stacey, Czerwonka, Bryan, Stoller, Sumner, and Mayor Buckman voted yes. Seven yeses. Motion carried.

Councilman Stacey moved, Councilwoman Stoller seconded to adopt Ordinance No. 2008-85. There being no discussion, the Clerk called the roll. Councilpersons Stacey, Czerwonka, Bryan, Stoller, Sumner, Weber, and Mayor Buckman voted yes. Seven yeses. Ordinance No. 2008-85 passed.

Councilman Stacey moved, Councilman Bryan seconded to authorize the solicitation of bids for sidewalk construction; curb, gutter, and concrete construction; storm sewer system upgrades; traffic control systems and equipment; 2009 street maintenance program and other road improvement projects; downtown streetscaping; Service Department vehicles and equipment; bulk rock salt; and sale/disposal of excess property and equipment. A voice vote was taken. All members voted yes. Motion carried.

Public Safety Committee, Stephanie Stoller, Chairperson

Councilwoman Stoller asked the Clerk to read Resolution No. 2008-16 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2008-16

ELECTING STEPHANIE STOLLER AND DAVID M. WALTZ TO THE VOLUNTEER FIRE FIGHTERS' DEPENDENTS FUND BOARD AND ACKNOWLEDGING THE ELECTION OF RICK BROWN AND EDWARD HAMILTON TO THE VOLUNTEER FIRE FIGHTERS' DEPENDENTS FUND BOARD FOR THE TERM EXPIRING JANUARY 1, 2010

Councilwoman Stoller moved, Councilman Bryan seconded to adopt Resolution No. 2008-16. There being no discussion, the Clerk called the roll. Councilpersons Czerwonka, Bryan, Stoller, Sumner, Weber, Stacey, and Mayor Buckman voted yes. Seven yeses. Resolution No. 2008-16 passed.

Councilwoman Stoller asked the Clerk to read Ordinance No. 2008-86 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2008-86

AUTHORIZING THE CITY MANAGER TO ENTER INTO A 2009 CONTRACT WITH YOUTH SERVICES OF READING, OHIO, FOR AN AMOUNT NOT TO EXCEED \$39,500 (INCLUDES BASE CONTRACT WITH OPTIONAL ADD-ON SERVICE); AND DECLARING AN EMERGENCY

Councilwoman Stoller moved, Councilman Czerwonka seconded to suspend the rules of Council requiring a second reading of the ordinance. The Clerk called the roll. Councilpersons Bryan, Stoller, Sumner, Weber, Stacey, Czerwonka, and Mayor Buckman voted yes. Seven yeses. Motion carried.

Councilwoman Stoller moved, Vice Mayor Weber seconded to adopt Ordinance No. 2008-86. There being no discussion, the Clerk called the roll. Councilpersons Stoller, Sumner, Weber, Stacey, Czerwonka, Bryan, and Mayor Buckman voted yes. Seven yeses. Ordinance No. 2008-86 passed.

Councilwoman Stoller moved, Councilman Bryan seconded to authorize the solicitation of bids for public safety vehicles; communications and paging equipment; rescue tools and related equipment; surveillance, investigative, and general police equipment; fire and EMS emergency equipment and apparatus; and sale/disposal of surplus property, equipment, and vehicles. A voice vote was taken. All members voted yes. Motion carried.

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MISCELLANEOUS BUSINESS

Public Information Officer/Deputy Clerk of Council noted a memo included in Council's packets from the Parks & Recreation Director regarding the planned date for the Recreation Center re-dedication and grand opening: Saturday, July 25, 2009. She asked that Council advise the Administration of any schedule conflicts with the proposed date for that event.

Public Works Director Mike Duncan wished everyone a Merry Christmas and Happy New Year.

City Manager Waltz also wished everyone a happy holiday season and noted that it has been a pleasure to work for Council and the residents throughout the year. He and the Administration look forward to a favorable 2009 as well.

In addressing a question from Councilwoman Stoller regarding the article about the AOPA forwarded to Council, Mr. Waltz summarized that the Detroit office of the FAA has approved the new layout plan for the airport with a few conditions. This means that the airport reconfiguration project is getting close to being eligible for FAA funding.

Vice Mayor Weber commented on disapproving comments he heard on Mike McConnell's 700WLW radio show today regarding the "Aspire. Achieve. Advance." signs in place at Reed Hartman/Glendale-Milford. Mr. Waltz added that even though this person's comments may have been less than favorable, overall, the City has received positive comments from the intended target audience for that branding effort, meant to enhance the City's economic development efforts.

Councilman Czerwonka complimented Ms. Bennett on the 2009 Community Calendar, and wished everyone a happy holiday season.

Councilman Bryan commented that he presented welcoming comments at the recent Life Sciences Collaborative and complimented Economic Development Director Judy Clark's efforts regarding that event.

In addressing a question from Councilman Bryan, Fire Chief Rick Brown noted that the upgrade in Blue Ash's fire rating from Class 4 to Class 2 is officially in effect January 1, 2009. Although residential insurance costs may be less affected by this upgrade, commercial properties should see favorable results. Councilwoman Stoller confirmed that she talked with her home insurance agent who informed her there would be no change in their home rates.

Mayor Buckman commented on the City's receipt of the Certificate of Achievement for its Fiscal Year 2007 CFAR report. He complimented Ms. Poppe and Treasurer Jim Pfeffer on this success, marking the City's 21st consecutive and Ms. Poppe's tenth.

Mayor Buckman wished everyone a Merry Christmas and happy holiday season.

EXECUTIVE SESSION

After all items on the agenda were acted upon, Councilman Czerwonka moved, Councilwoman Stoller seconded to convene an Executive Session to discuss matters pertaining to personnel (committee appointment). The Clerk called the roll. Councilpersons Sumner, Weber, Stacey, Czerwonka, Bryan, Stoller, and Mayor Buckman voted yes. Seven yeases. Motion carried.

After matters pertaining to personnel were discussed, Councilman Bryan moved, Councilman Stacey seconded to convene to the regular meeting. A voice vote was taken. All Council members voted yes. Motion carried.

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ADJOURNMENT

All items on the agenda having been acted upon, Councilman Bryan moved, Councilman Stacey seconded to adjourn the meeting. A voice vote was taken. All members voted yes. The Council meeting was adjourned at approximately 8:16 PM.

Robert J. Buckman, Jr., Mayor

Jamie K. Eifert, Clerk of Council

MINUTES WRITTEN BY:

Susan K. Bennett, Deputy Clerk of Council