

A regular meeting of the Council of the City of Blue Ash, Ohio, was held on January 11, 2007. 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, Service Director Dennis Albrinck, Fire Chief Rick Brown, Police Captain Jim Schaffer, Human Resources Officer Margaret Main, member of the press, and interested citizens

Mayor Buckman appointed Parks & Recreation Director Chuck Funk and Service Director Denny Albrinck to read the legislation in its entirety in the rear of Council Chambers.

ACCEPTANCE OF AGENDA

Councilman Bryan moved, Councilman Stacey 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 December 14, 2006
- 7. COMMUNICATIONS
 - a. Communications to Council - Clerk of Council Jamie K. Eifert
 - b. Reports From Outside Agencies
 - c. Mayor’s Report – December 2006 – Honorable Robert J. Buckman, Jr.
 - d. Financial Report – Motion to accept the report for December 2006
- 8. HEARINGS FROM CITIZENS
- 9. COMMITTEE REPORTS
 - a. Finance & Administration Committee, Rick Bryan, Chairperson
 - 1. Ordinance No. 2007-3, final appropriations ordinance
 - 2. Ordinance No. 2007-1, authorizing payment to Blue Ash Sister City, Inc. in 2007
 - 3. Ordinance No. 2007-2, amending Ordinance No. 2003-114 regarding legal fees
 - 4. Ordinance No. 2007-4, amending Chapters 131 and 133 of the Code of Ordinances
 - 5. Ordinance No. 2007-5, authorizing contracts for professional airport consultation services
 - 6. Resolution No. 2007-1, resolution regarding bond counsel fees
 - 7. Motion changing the start time of the Thursday, January 25, 2007 Council Meeting to 6:30PM

- b. Parks & Recreation Committee, Lee Czerwonka, Chairperson
 1. Ordinance No. 2007-6, authorizing purchase of Golf Maintenance automated irrigation system
 2. Ordinance No. 2007-7, authorizing 2007 contracts for professional class instruction, Recreation Department printing, and contractual mowing services
 3. Motion authorizing the solicitation of bids for Parks & Recreation Department vehicles; streetscaping; streetscaping and landscaping materials; mowers and other grounds maintenance and snow removal equipment and vehicles; electric golf carts and batteries; fitness and athletic equipment; paver repair; renovation of maintenance facilities; expansion of the Recreation Center facilities; and the sale of excess property and equipment
- c. Public Works Committee, Henry S. Stacey, Chairperson
 1. Ordinance No. 2007-8, authorizing 2007 professional services related to the disposal of hazardous household waste
- d. Planning & Zoning Committee, James W. Sumner, Chairperson
 1. Ordinance No. 2007-9, authorizing a contract for professional services associated with the development of a downtown streetscaping theme
 2. Motion setting 6:30PM, Thursday, January 25, 2007 for a hearing regarding a Board of Zoning Appeals decision related to a potential Budget Rent-A-Car location in Blue Ash on Kenwood Road

10. MISCELLANEOUS BUSINESS

11. ADJOURNMENT"

APPROVAL OF MINUTES

Councilman Stacey moved, Councilman Weber seconded to approve the minutes of the regular meeting of December 14, 2006. A voice vote was taken. All members present voted yes. Motion carried.

COMMUNICATIONS

Communications to Council

There were no communications to Council.

Reports From Outside Agencies

Police Captain Jim Schaffer introduced Mr. Jeff Thamann from the Reading Youth Services Bureau (YSB) agency. Captain Schaffer commented that Mr. Thamann is here to address questions from Council regarding the services provided to Blue Ash by this agency. Captain Schaffer commented that on behalf of the Police Department, he fully endorses these services.

Mr. Thamann explained that the City has had a contract with YSB at least since 1980. Examples of services provided to its clients include mental health services for families and individuals, counseling, peer groups, family intervention, substance use/abuse services (YADEAP – Youth Alcohol & Drug Education & Assessment Program), and more. The Blue Ash Juvenile Referee Court refers some clients to the YSB; however, this is certainly not the only means nor the major source of its clients.

A separate report, provided to Council before the meeting, was prepared by Captain Schaffer showing specific services provided for Blue Ash residents, and it is summarized below:

- Current # of residents receiving services on a consistent basis since July 2006: 39
- Average number of contacts per client per month: 5
- Approximate # of direct contact services provided to Blue Ash residents per month: 195
- Approximate # of direct contact services provided to Blue Ash residents since July 2006: 975

In addressing a question from Councilman Bryan, Mr. Thamann commented that YSB has two staff persons. He handles clients from Sycamore Junior High, Blue Ash, and Montgomery; the other person handles clients from the City of Reading and Reading Schools. He explained that the bulk of the services provided are individual and family services – not necessarily resulting from a referral from Juvenile Referee Court.

In discussing one of the charts included in Captain Schaffer's report (which shows the number of Blue Ash Juvenile Referee Court referrals compared to the cases referred to the YSB), it was determined that the potential of the YSB providing the service for 18-20 year olds would be investigated. The City is currently not participating in this, and to participate would not cost the City anything additional.

Mr. Joshua Howard, Director of the Sycamore Senior Center, was present to address Council. At the December Council meeting, a question arose as to the specific benefit to Blue Ash residents provided by the Senior Center. The following information represents a summary of information given to Council prior to the meeting to answer such questions:

- The Center has roughly 1,200 (1,168) active members from Blue Ash, 85 joining the center during 2006.
- About 900 (876) Blue Ash residents receive our newsletter, a number of who are not current members.
- The Center served just under 10,000 (9,983) Home Delivered Meals (HDM) to 31 clients in 2006 and currently have 25 active HDM clients.
- The Center currently has 127 active Congregate Clients from Blue Ash. Congregate service is when the Center serves hot meals at the center for folks independent enough to drive to the center on their own or be brought into the center via the shuttle. It's very similar to the Home Delivered Meals, as it's the same meal prepped by the same people, only the Center doesn't deliver to the house. It's a service that is established with the Council on Aging, as is HDM and transportation.
- The Center currently has 42 active Transportation Clients from Blue Ash. *
- The Center's Home Health office supported and cared for 27 Blue Ash clients in 2006.
- Home Health currently has 14 Blue Ash clients (3 receiving skilled care and 11 receiving our homemaking or personal care services).
- Lifesphere currently has 32 employees who paid income taxes to Blue Ash in 2006.
- The Center has worked cooperatively with the Recreation Department on transportation needs for special events and for Sister City visits.
- The Center offers targeted training and support information to a "mature" group, including computer training, etc.

*Regarding the Transportation number provided, the Center's software that stores data is undergoing changes for Transportation. In November, it completely deleted all the start dates for Transportation service. Therefore, they have only been entering in start dates for the regulars in anticipation that the problem will be fixed. So, the bottom line is that the Center has many more Blue Ash Transportation clients, but only 42 of them are considered regulars and have been to the center in the last month and a half.

In addressing a question from Councilman Bryan, Mr. Howard commented that he does not know the exact percentage of their total budget that the Blue Ash contribution represents. This would best be answered from the LifeSphere Finance Committee. He commented that the Center has operated in Blue Ash for over 30 years, and they are proud to call Blue Ash their home base. The Center offers a multitude of wellness programs and classes. In

October, the Center had a very successful health fair. Over 2,100 participated in that fair, exceeding their goal of 1,500. The Wednesday "WOW" series has also become very popular, with over 150 typically participating each week. He has served in his new position for approximately two months.

Councilwoman Stoller commented that she has heard many favorable comments from her neighbors about the services and activities offered at the Center.

Councilman Bryan commented that Blue Ash is fortunate to have the Center in Blue Ash and that the City contributes a fair amount of money annually to its operation. While we appreciate the positive relationship, both parties have to keep working to keeping all informed.

Mayor's Report – December 2006

RECEIPTS:

Fines	\$ 8,190.00
Bonds & BMV fees carried over	\$ 0.00
Interest Earned.....	\$4.65
Bonds collected.....	\$279.00
TOTAL RECEIPTS:	\$ 8,473.65

DISBURSEMENTS:

To Blue Ash (fines/costs/interest/Expungements/forfeitures)	\$ 6,145.65
To the State of OH	\$2,128.00
Refund of Overpaid Fine.....	\$0.00
Bond Money applied	\$0.00
Bond Money returned	\$ 0.00
BMV	\$ 0.00
TOTAL DISBURSEMENTS.....	\$ 8,273.65

BALANCE IN BONDS:.....	\$200.00
Mayor's Court traffic citations	85
Mayor's Court criminal citations	5
Total Mayor's Court cases	90
December. rev. from Mayor's Ct. Cases:	\$6,145.65

Financial Report – December 2006

Councilman Bryan moved, Councilman Czerwonka seconded to accept the Financial Report for December 2006 as submitted. A voice vote was taken. All members present voted yes. Motion carried.

CITY OF BLUE ASH FINANCIAL POSITION STATEMENT - MONTH ENDING DECEMBER 31, 2006

MONTH TO DATE	2005	2006
START OF MONTH FUND BALANCE: 12-1-06	\$9,783,310.72	\$20,857,105.94
Revenues:		
Earnings Tax Collections:	1,401,797.45	1,998,620.63
Debt Financing (long term)	-	-
Debt Financing (short term)	3,050,000.00	-
Other Revenue Received:	<u>1,026,513.45</u>	<u>658,196.85</u>
= Total Monthly Receipts	5,478,310.90	2,656,817.48
Expenditures:		
Bond Retirement	-	-
Short term debt refinancing	-	3,040,000.00
Other Expenditures:	<u>2,344,985.64</u>	<u>3,177,467.10</u>
= Total Monthly Expenditures:	<u>-2,344,985.64</u>	<u>-6,227,467.10</u>
ENDING FUND BALANCE: 12-31-06	12,916,635.98	17,286,456.32

YEAR TO DATE	2005	2006
START OF YEAR FUND BALANCE:	14,622,289.87	12,916,635.98
Revenues:		
Earnings Tax Collections:	22,419,840.74	23,127,862.98
Debt Financing (long term)	3,700,000.00	9,712,274.45
Debt Financing (short term)	4,550,000.00	1,000,000.00
Other Revenue Received:	<u>10,621,074.62</u>	<u>10,576,971.06</u>
= Total Monthly Receipts	41,290,915.36	44,417,108.49
Expenditures:		
Bond Retirement	2,460,000.00	2,830,000.00
Short term debt refinancing	11,200,000.00	4,550,000.00
Other Expenditures:	<u>29,336,569.25</u>	<u>32,667,288.15</u>
= Total YTD Expenditures:	<u>-42,996,569.25</u>	<u>-40,047,288.15</u>
YTD FUND BALANCE	12,916,635.98	17,286,456.32

100% of the fund balance was invested as of 12-31-06. Interest paid to date on matured investments: \$612,190.42. Receipt and expenditure figures do not include interfund transfers.

**BLUE ASH INCOME TAX DIVISION INCOME TAX RECEIPT SUMMARY
FOR MONTH ENDING DECEMBER 31, 2006**

MONTH-TO-DATE STATUS	2005	2006
Business Net Profit	222,244.46	640,063.60
Resident Net Profit	54,917.06	43,421.20
Non-Resident Net Profit	15,471.89	10,590.62
Subcontractor Net Profit	<u>1,597.90</u>	<u>1,872.34</u>
Net Profit Total	294,231.31	695,947.76
Withholding	1,100,959.55	1,289,378.69
Subcontractor Withholding	<u>6,606.59</u>	<u>13,294.18</u>
Withholding Total	<u>1,107,566.14</u>	<u>1,302,672.87</u>
Monthly Collection Totals	1,401,797.45	1,998,620.63
YEAR-TO-DATE STATUS	2005	2006
Business Net Profit	5,043,361.84	5,100,028.20
Resident Net Profit	813,479.24	803,549.22
Non-Resident Net Profit	249,157.70	231,091.46
Subcontractor Net Profit	<u>18,355.48</u>	<u>24,094.52</u>
Net Profit Total	6,124,354.26	6,158,763.40
Withholding	16,039,993.34	16,643,581.54
Subcontractor Withholding	<u>255,493.14</u>	<u>325,518.04</u>
Withholding Total	<u>16,295,486.48</u>	<u>16,969,099.58</u>
YTD Collection Totals	22,419,840.74	23,127,862.98
YTD Refund Totals	<u>658,119.96</u>	<u>785,997.15</u>

HEARINGS FROM CITIZENS

Michael Washington, President of the Hazelwood Civic Association, commented that the Association has been active in recent years in recording the history of and commemorating the Hazelwood neighborhood. He asked about the status of the Hazelwood Trust Fund which he understands was created a number of years ago. City Manager David Waltz commented that several years ago, the Fund and its management was turned over to the non-profit Blue Ash Revitalization, Inc. (BARI) – a separate entity from Blue Ash. After some discussion, it was determined that the City would help facilitate communications between BARI and Mr. Washington as Mr. Washington reports that his attempts in contacting Mr. Silverman and others associated with BARI have not been successful.

Michael Kelly, 9639 Cooper Lane, complimented the City on this year’s holiday light display in downtown. He also commented that problems continue with construction issues, especially noise in the neighborhood at unexpected times, including at 9AM on New Year’s Day. He asked the City consider development in such a way that existing citizens can be assured they can live peacefully, including on weekends.

COMMITTEE REPORTS

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

“The following offers a brief description of the items included on the January 11th Council Agenda:

9.a.1. Ordinance No. 2007-3 - Final appropriations ordinance

On November 30th, the City Manager presented to Council the 2007 Proposed Budget which was subsequently adopted under Interim Appropriations Ordinance No. 2006-71 on December 14th. The Proposed Budget was based upon estimates of fourth quarter 2006 revenue and expenditure activity as well as projections for all of 2007. With the recent closing of the books at year-end, the opportunity arose for the use of actual year-end closing balances (instead of estimates) and for the incorporation of any necessary changes that have arisen since the Proposed Budget was prepared.

Conversion of the Proposed Budget into a Final Budget document includes a comparison of the City's actual financial results with the estimates, incorporating any new information or projects, and then adjusting the 2007 projections based upon that data. All of those items represent changes to the Proposed Budget that will be reflected in the final document and in the attachment presented to Council under this ordinance.

The closing of the books at the end of the year represents a major portion of the Final Budget effort. That process involved verifying that all revenue had been deposited and recorded, checking that all invoices had been matched and payments issued where possible, and that reservations of funds or encumbrances had been created for all known liabilities as of the closing date. Since the City operates on a cash basis of accounting, there are strict guidelines concerning the recognition of revenue and the manner in which liabilities are funded out of the closing fund balances. Once all of these items are posted, year-end balances are verified in each fund, and then examined in light of the Proposed Budget estimates.

The true year-end financial picture can only be determined after comparison of what the actual fund balances turned out to be against what had originally been estimated for the Proposed Budget. To the extent that revenues were better than expected or where expenses were not as great, the available fund balance will increase. Where undercollection of revenue occurred or where expenses exceeded our estimate, the available balance drops.

On the revenue side, gross earnings tax collections for all of 2006 totaled \$23,127,863. Of the 2006 collections, \$6,158,763 (26.6%) were net profit related, with withholding representing \$16,969,100, or 73.4% (as compared to 27.3% / 72.7% in 2005). Combined 2007 projected earnings tax collections at the 1.25% rate in the Final Budget are reflected at \$28,000,000, a 21.1% increase relative to the actual 2006 results at the 1% rate. A 26.7% increase was applied to the withholding 2006 collection level of \$16,969,100 to arrive at the 2007 estimate of \$21,500,000. The net profit base for 2006 of \$6,158,763 was increased only 5.5% to \$6,500,000, given the historically elevated 2005 and 2006 net profit collections, and the expected impact of non-calendar year timing issues. Please refer to the enclosed memo for further information on the conversion of the Proposed Budget to its final recommended form. The attachment to the ordinance is very similar to the Proposed Budget, with the exception of the use of actual (not estimated) fund balances and the items described in the related memo.

Please direct questions regarding the closing or adjustment process or any of the adjustment items to the Treasurer.

9.a.2. Ordinance No. 2007-1 - Authorizing payment to Blue Ash Sister City, Inc. in 2007

As Council is aware, in 2002, the non-profit organization Blue Ash Sister City, Inc. (BASC) was formed (with the assistance of Dinsmore & Shohl) to assist the City in its sister city program efforts with Ilmenau, Germany. Ordinance No. 2007-1 authorizes the payment of up to \$28,000 included in the Budget for these efforts to BASC. In late September, a Blue Ash delegation is scheduled to visit Ilmenau.

Please direct questions regarding this ordinance to the City Manager.

9.a.3. Ordinance No. 2007-2 - Amending Ordinance No. 2003-114 regarding legal fees

The Solicitor has asked that Council consider a rate increase for Dinsmore & Shohl legal services effective in January 2007. Essentially, the rate increase represents a \$10 per hour increase for work performed by attorneys (to \$185 per hour) and a \$10 per hour increase for work performed by paralegals (to \$125 per hour). The Administration recommends approval of this increase.

Please direct questions regarding this ordinance to the Solicitor.

9.a.4. Ordinance No. 2007-4 - Amending Chapters 131 and 133 of the Code of Ordinances

The first recommendation contained within Ordinance No. 2007-4 relates to the recently finalized initial collective bargaining agreement reached with the Police Sergeants. The FOP Sergeants Unit requested to be recognized in August of 2005, and the State Employee Relations Board (SERB) officially recognized the FOP Sergeants as a bargaining unit in December 2005. Negotiations were

held with the Sergeants Unit throughout 2006. After extensive negotiations, including fact-finding, concessions have been made on both sides, and the City has reached an agreement. The contract is loosely based on the FOP, Patrol Officer Unit contract and will be in effect until December 2009.

The second recommendation contained within Ordinance No. 2007-4 relates to the job description of Fire Captain. The attached description has been revised to accommodate the changing needs of the Fire Department in regards to assigning responsibilities. By adding training responsibilities to the job description, the department will be able to hire the new Captain, as approved by the Civil Service Commission and Council, to focus on training. At the same time, the new description is broad enough to allow the Fire Department to be flexible in assigning duties in the future.

Please direct questions regarding this ordinance to the City Manager or Human Resources Officer who will be present at the meeting.

9.a.5. Ordinance No. 2007-5 - Authorizing contract for professional airport consultation services

Ordinance No. 2007-5 relates to prior discussion with Council regarding a desire for professional airport consultation services related to the passage of Issue 15 in November. Professional assistance is being sought to assure that the goals as outlined to voters in relation to this issue, particularly in relation to the airport's reconfiguration are achieved. Though neither the Blue Ash or Cincinnati Administrations can guarantee the airport's future existence, Blue Ash has pledged its effort to do all that it can do to achieve this goal. In that regard, it would be in the City's best interest to work with an experienced and respected airport consultant. The Administration interviewed several potential firms, and PB Aviation (now referred to as PB Americas) was chosen to perform the work.

As of late 2006, the planned cost for this consultant was expected to be under the ordinance threshold of \$25,000. However, to accommodate a recent request from Mr. Ready related to the potential WWII museum on the park site and the subsequent need to examine alternate configurations, it is anticipated that the aggregate expenditure with this vendor for these initial services is likely to exceed the threshold, suggesting that formal approval by Council would be appropriate. (More information on the alternative configuration will be provided to Council in the near future.) Section I of Ordinance No. 2007-5 authorizes payment for these initial services in 2006 and 2007.

Although at this time there are no supplemental services required from PB Americas, the Administration believes it would be prudent to provide the capability for the City Manager to engage them for special projects or efforts should the need arise in 2007 and 2008. Following discussions with the vendor, they have provided the Administration a new contract, which closely parallels the existing agreement, but which permits the City to request supplemental services or projects, to have the scope of expected work reviewed and analyzed by both parties, and for the vendor to provide the City a not-to-exceed total for the additional work. Section II of this ordinance seeks Council's authorization for this approach, permitting the City Manager to move quickly, if necessary, to engage PB Americas for supplemental work on the Airport project, with the understanding that a report would be made to Council of any work so authorized. The ordinance includes a not-to-exceed total of \$48,000 for such additional services that may be required in 2007 and 2008.

As Council is aware, much depends upon the commitment to the relocation of the Airport by Cincinnati's Council, management, and staff. Should Cincinnati find that PB America's work for the airport reconfiguration south of the runway is acceptable, then the need for such supplemental efforts by this vendor would be greatly reduced. Should Cincinnati arrive at another plan, it would be essential that the City engage this consultant to evaluate their plan and to work with Cincinnati to arrive at a mutually-acceptable arrangement that satisfies their need for a reconfigured airport, yet recognizes the City's commitment for the new park.

While it is not Blue Ash's intent to plan and design Cincinnati's new airport, it is essential that the City of Blue Ash work cooperatively with Cincinnati and their consultant on the project. We cannot fully predict what scope of services may be needed from PB Americas at this time, and Blue Ash needs to be prepared to engage them as this project evolves.

Please direct questions regarding this ordinance to the City Manager.

9.a.6. Resolution No. 2007-1 - Resolution regarding bond counsel fees

The City has been working with Attorney Frederick O. Kiel for well over 25 years relating to the issuance of bonds and notes, and for the City's longer-term debt planning efforts. Mr. Kiel recently advised the City that a new Ohio Supreme Court ethics rule, effective February 1, 2007, requires that attorneys obtain their client's written approval of any contingency fee arrangement. To make certain that Mr. Kiel complies with the implications of this new ruling, he has requested that Council consider Resolution No. 2007-1 as contained in the packet. The services provided by Fred Kiel are billed to the

City on an hourly basis. However, when his office handles the preparation and closing efforts relating to a bond anticipation note or general obligation bond issue, a supplemental fee of 1/10 of 1% of the principal amount of the issue is billed to the City as well. These costs are essentially to cover the formal opinion of bond counsel. Since this separate fee of 1/10 of 1% of the principal amount of the issue is contingent upon the City actually closing the bonds or notes, this fee arrangement would fall under the framework of the new ethics rule. Therefore, Fred Kiel has requested that this resolution be considered and approved by City Council so that he would not encounter any issues related to this matter.

Please direct questions regarding this resolution to the Treasurer.

9.a.7. Motion changing the start time of the Thursday, January 25, 2007 Council Meeting to 6:30PM

As Council can see via inclusion of item 9.d.1. on this agenda, the City is in need of establishing a hearing to address a decision related to a recent Board of Zoning Appeals decision. As will be discussed with Council under Miscellaneous Business, the City Manager is recommending that the January 25th meeting be a work session to discuss the airport project as well as downtown streetscaping. Due to procedure limitations as outlined in the City's Code and the Ohio Revised Code, the hearing needs to be held at the January 25th meeting. In order to facilitate a productive Work Session, the suggestion is to have this hearing at 6:30PM, and to proceed with the work session style meeting afterwards.

Assuming Council approves, this motion would appropriately adjust the Council meeting time to accommodate this procedure. Please direct questions regarding this motion to the Solicitor.

9.b.1. Ordinance No. 2007-6 - Authorizing purchase associated with the Golf Maintenance automated irrigation system

In the 2006 Final Budget and via Ordinance No. 2006-15, City Council approved the expenditure associated with upgrading the radio-controlled irrigation system for the City's publicly maintained areas, including those maintained by both the Parks and Golf Grounds Maintenance Divisions. As explained to Council, the FCC required that all radio-operated irrigation systems be converted from wide-band frequencies to narrow-band frequencies. These irrigation system upgrades were started in 2006 on the Golf Course and completed elsewhere. Work in 2006 was considered the first of this two-phase project for the Golf Course.

Funding for phase II of this Golf Course project was included in the Final 2007 Budget, with such items available at favorable prices and with favorable conditions through Century Equipment for a total estimated amount of \$33,000.

Given the nature of the equipment and installation required, the Administration recommends that an additional allowance of approximately \$2,000 be included supplemental to the amount to accommodate any potential field changes necessary due to unforeseen complications.

Council is also requested to waive formal bidding procedures for this equipment for cost efficiency reasons. As was explained in 2006 when the first phase of this project was presented to Council, significant components of both Divisions' existing OSMAC systems need to be partially utilized, and only one vendor offers this system. Changing to another operation system would have required the conversion of many other components of the existing system involving substantial additional expense.

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

9.b.2. Ordinance No. 2007-7 - Authorizing 2007 contracts for professional class instruction, Recreation Department printing, and contractual mowing services

The first portion of Ordinance No. 2007-7 authorizes a contract with Sharon Struewing for professional aerobic dance instruction services associated with the popular Jazzercise classes offered regularly at the Recreation Center. Ms. Struewing continues to lead several classes each week. The ordinance authorizes a not-to-exceed amount of \$65,000 in 2007.

The second portion of Ordinance No. 2007-7 authorizes a contract with Cincinnati Graphics Group for artwork and printing of various Recreation Department brochures and flyers for an amount not to exceed \$30,000 in 2007. Although no one brochure or printing project is expected to exceed the \$25,000 ordinance threshold, since the aggregate services required from this vendor will likely exceed \$25,000 in a single year, an ordinance is being sought to fulfill audit guidelines. Examples of the items include the design and printing of the all-color seasonal Recreation brochures (now done twice per year), concert flyers, backstage passes, posters (for concert series), and other informational material. In addition to being mailed to residents and Recreation Center members on a regular basis, this material is also utilized for general promotional purposes throughout the year. Council is requested to

waive formal bidding procedures since this work would be difficult, if not impossible, to bid since the seasonal Recreational brochures may not be consistent in coloring, artwork, etc. Future programming is somewhat difficult to predict and therefore difficult to detail in specifications required for such a bid.

The third and final portion of Ordinance No. 2007-7 authorizes a contract with The Brickman Group for contractual mowing and/or spraying services for an amount not to exceed \$120,000 in 2007. The City's Parks Maintenance Division has been very satisfied with the landscaping work performed by this vendor the past several years and wishes to continue utilizing their services in 2007.

It should be noted that a portion of the costs to the City authorized in the first portion of this ordinance are recaptured through the programming fees collected from class participants or through the membership fees collected.

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

9.b.3. Motion authorizing the solicitation of bids for Parks & Recreation Department vehicles; streetscaping; streetscaping and landscaping materials; mowers and other grounds maintenance and snow removal equipment and vehicles; electric golf carts and batteries; fitness and athletic equipment; paver repair; renovation of maintenance facilities; expansion of the Recreation Center facilities; and the sale of excess property and equipment

As is routine for the first meeting of the year, this motion appropriately authorizes the solicitation of bids for projects anticipated in the Parks & Recreation areas of responsibility.

9.c.1. Ordinance No. 2007-8 - Authorizing 2007 professional services related to the disposal of hazardous household waste

For many years, the City of Blue Ash has provided household hazardous waste disposal services at the Service Garage. Many residents utilize this valuable and much appreciated service.

About five years ago, the City changed contractors to acquire better and more responsive services. Ordinance No. 2007-8 authorizes the City Manager to enter into a contract with Midwest Environmental for services for 2007 for an amount not to exceed \$40,000. Service Garage personnel are pleased with the services rendered and Midwest Environmental is properly certified for such disposal activities. While monthly or bi-monthly pickup and disposal costs are far below the \$25,000 annual threshold, it is likely that the total yearly cost will exceed said threshold. Costs with this vendor in 2002 were \$34,000; 2003 - \$35,000; 2004 - \$31,000, and 2005 - \$30,500.

Please direct questions concerning this ordinance to the Service Director.

9.d.1. Ordinance No. 2007-9 - Authorizing a contract for professional services associated with the development of a downtown streetscaping theme

In September, the Community Development office underwent an RFP process to select a consultant for the development of a plan to update the Downtown streetscape. This effort follows the adoption of both the **Blue Ash Town Center Concept Redevelopment Plan** (in May) and the D-1 zoning district amendments (in December). The redevelopment plan seeks long-term redevelopment patterns that establish the Downtown area as a more pedestrian-oriented, higher-density urban environment, rather than the auto-oriented, suburban environment that exists today. The D-1 regulations help support the intent of that Plan.

Five firms submitted proposals for the development of a streetscape theme, with base proposals ranging from \$34,500 to \$163,350. After interviewing several firms, the staff recommends a contract be authorized with Kinzelman Kline Gossman (KKG). Their base estimated fee is \$34,500, and their work is estimated to take approximately four months. The City has worked with KKG on other projects (including portions of the earlier airport park plans), and has been very satisfied with their work.

KKG will work with the City staff and appointed and elected officials to develop recommendations, both verbal and diagrammatic, for streetscape improvements to the Downtown. The plan will be presented to the Planning Commission and will be subject to approval by City Council. Public input may be sought throughout the process, including at any required public hearings.

The final streetscape plan to be adopted by Council will include a summary of the planning process, a written description of the results, illustrative maps and diagrams of the subject area that highlight features of the plan, diagrams and photographs of the infrastructure and fixtures to be used in the future, cost estimates of recommended improvements, a phasing plan to guide budgeting and spending, and any other information necessary to make implementation of the recommendations successful.

Items to be addressed in the Streetscape Plan will include pavement types and designs, potential reconfiguration of streets, on-street parking spaces, medians, utility poles, street signs, lighting,

benches and other street furniture, trash cans, landscaping walls and beds, etc. that are public responsibility. Implementation will depend upon the nature of the recommendations approved by Council. It is expected that implementation will be over a period of years, with replacement of some elements deferred until existing fixtures wear out.

Ordinance No. 2007-9 authorizes a total amount not to exceed \$50,000 in 2007. Though KKG's initial estimate is \$34,500, the Administration believes the recommended threshold of \$50,000 would cover potential additional requests that could occur as work begins and continues, including any requests that may be initiated by Council or the Planning Commission. As was noted within information contained in Council packets, the City Manager will discuss with Council, under Miscellaneous Business, the potential of the representative from KKG to be present at the January 25th Council Work Session to gather initial thoughts from Council regarding future downtown streetscaping theme to set in motion the planning process.

Please address questions regarding this ordinance to the City Manager or to Assistant Community Development Director Dan Johnson at 745-8528.

9.d.2. Motion setting 6:30PM, Thursday, January 25, 2007 for a hearing regarding a Board of Zoning Appeals decision related to a potential Budget Rent-A-Car location in Blue Ash on Kenwood Road

The City is in receipt of a request for an appeal related to a recent Board of Zoning Appeals decision related to a request to locate a Budget Rent-A-Car on Kenwood Road. This motion would appropriately establish the time and day for this hearing, with more information to be forwarded to Council in the near future.”

Finance & Administration Committee, Rick Bryan, Chairperson

Councilman Bryan asked the Clerk to read Ordinance No. 2007-3 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2007-3

AN ORDINANCE MAKING APPROPRIATIONS FOR THE EXPENSES OF THE CITY OF BLUE ASH, OHIO, FOR THE FISCAL YEAR OF 2007; 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, Councilwoman Stoller seconded to adopt Ordinance No. 2007-3. 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. 2007-3 passed.

Councilman Bryan asked the Clerk to read Ordinance No. 2007-1 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2007-1

AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH BLUE ASH SISTER CITY, INC. FOR YEAR 2007 PROFESSIONAL SERVICES ASSOCIATED WITH THE SISTER CITY PROGRAM WITH ILMENAU, GERMANY; AND DECLARING AN EMERGENCY

Councilman Bryan 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 yeases. Motion carried.

Councilman Bryan moved, Councilwoman Stoller seconded to adopt Ordinance No. 2007-1. 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.

2007-1 passed.

Councilman Bryan asked the Clerk to read Ordinance No. 2007-2 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2007-2

AMENDING SECTION I OF ORDINANCE NO. 2003-114
REGARDING PROFESSIONAL LEGAL SERVICES; 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. 2007-2. 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. 2007-2 passed.

Councilman Bryan asked the Clerk to read Ordinance No. 2007-4 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2007-4

AMENDING SECTIONS 131.07-2(h) AND 131.07-64 OF
CHAPTER 131 OF THE BLUE ASH CODE OF ORDINANCES;
AMENDING SECTION 133.18-2(h) OF CHAPTER 133 OF THE
BLUE ASH CODE OF ORDINANCES; AND AUTHORIZING
THE CITY MANAGER TO ENTER INTO A MULTI-YEAR
COLLECTIVE BARGAINING AGREEMENT WITH
FRATERNAL ORDER OF POLICE, SERGEANTS UNIT; 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, Councilwoman Stoller seconded to adopt Ordinance No. 2007-4. 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. 2007-4 passed.

Councilman Bryan asked the Clerk to read Ordinance No. 2007-5 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2007-5

AUTHORIZING CONTRACTS FOR PROFESSIONAL
AIRPORT CONSULTATION SERVICES ASSOCIATED WITH
THE AIRPORT RELOCATION AND PARK PROJECT; AND
DECLARING AN EMERGENCY

Councilman Bryan 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 yeases. Motion carried.

Councilman Bryan moved, Councilwoman Stoller seconded to adopt Ordinance No. 2007-5. In addressing a question from Councilman Sumner, City Manager Waltz explained that the work already performed by this vendor includes confirmation that location of the airport facilities on the south side of the existing runway is possible. Additional work will be requested of the vendor, resulting from recent discussions with Mr. Bob Ready, one of the

airport business operators and the developer of the Ultimate Sacrifice Memorial. This additional work includes the creation of an alternate plan based upon concepts resulting from those discussions with Mr. Ready. There being no further discussion, the Clerk called the roll. Councilpersons Stacey, Czerwonka, Bryan, Stoller, Sumner, Weber, and Mayor Buckman voted yes. Seven yeases. Ordinance No. 2007-5 passed.

Councilman Bryan asked the Clerk to read Resolution No. 2007-1 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2007-1

RESOLUTION APPROVING CONTINGENT FEE ELEMENT FOR
BOND COUNSEL

Councilman Bryan moved, Councilman Stacey seconded to adopt Resolution No. 2007-1. There being no discussion, the Clerk called the roll. Councilpersons Czerwonka, Bryan, Stoller, Sumner, Weber, Stacey, and Mayor Buckman voted yes. Seven yeases. Resolution No. 2007-1 passed.

Councilman Bryan moved, Councilwoman Stoller seconded to change the start time of the Thursday, January 25, 2007 Council Meeting to 6:30PM. A voice vote was taken. All members voted yes. Motion carried.

Parks & Recreation Committee, Lee Czerwonka, Chairperson

Councilman Czerwonka asked the Clerk to read Ordinance No. 2007-6 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2007-6

AUTHORIZING THE PURCHASE OF AN UPGRADED
TURF/LANDSCAPING IRRIGATION CONTROL SYSTEM AND
RELATED EQUIPMENT FOR THE BLUE ASH GOLF COURSE
FOR AN AMOUNT NOT TO EXCEED A TOTAL OF \$33,000 IN
2007; 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 Bryan, Stoller, Sumner, Weber, Stacey, Czerwonka, and Mayor Buckman voted yes. Seven yeases. Motion carried.

Councilman Czerwonka moved, Councilwoman Stoller seconded to adopt Ordinance No. 2007-6. There being no discussion, the Clerk called the roll. Councilpersons Stoller, Sumner, Weber, Stacey, Czerwonka, Bryan, and Mayor Buckman voted yes. Seven yeases. Ordinance No. 2007-6 passed.

Councilman Czerwonka asked the Clerk to read Ordinance No. 2007-7 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2007-7

AUTHORIZING THE CITY MANAGER TO ENTER INTO 2007
CONTRACTS FOR PROFESSIONAL CLASS INSTRUCTION
SERVICES FOR PARKS & RECREATION DEPARTMENT
SPONSORED AEROBIC DANCE (JAZZERCIZE) CLASSES,
FOR VARIOUS PARKS & RECREATION DEPARTMENT
PRINTING SERVICES, AND CONTRACTUAL LANDSCAPING
AND SPRAYING SERVICES; 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 Sumner, Weber, Stacey, Czerwonka, Bryan, Stoller, and Mayor Buckman voted yes. Seven yeases. Motion carried.

Councilman Czerwonka moved, Councilman Stacey seconded to adopt Ordinance No. 2007-

7. Councilman Sumner explained his upcoming abstention vote in that there may be a potential of conflict involving one of the vendors. There being no further discussion, the Clerk called the roll. Councilpersons Weber, Stacey, Czerwonka, Bryan, Stoller, and Mayor Buckman voted yes. Councilman Sumner abstained. Six yeases. One abstention. Ordinance No. 2007-7 passed.

Councilman Czerwonka moved, Councilman Stacey seconded to authorize the solicitation of bids for Parks & Recreation Department vehicles; streetscaping; streetscaping and landscaping materials; mowers and other grounds maintenance and snow removal equipment and vehicles; electric golf carts and batteries; fitness and athletic equipment; paver repair; renovation of maintenance facilities; expansion of the Recreation Center facilities; and the sale of excess property and equipment. A voice vote was taken. All members voted yes. Motion carried.

Public Works Committee, Henry S. Stacey, Chairperson

Councilman Stacey asked the Clerk to read Ordinance No. 2007-8 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2007-8

AUTHORIZING THE CITY MANAGER TO ENTER INTO A
CONTRACT FOR HAZARDOUS HOUSEHOLD WASTE
MATERIALS DISPOSAL SERVICES IN 2007; AND
DECLARING AN EMERGENCY

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

Councilman Stacey moved, Councilwoman Stoller seconded to adopt Ordinance No. 2007-8. In addressing a question from Councilman Bryan, Service Director Denny Albrinck commented that this disposal service would not include the disposal of electronics. (Further discussion regarding the City's potential of assisting residents with the disposal of electronics took place under Miscellaneous Business.) There being no further discussion, the Clerk called the roll. Councilpersons Czerwonka, Bryan, Stoller, Sumner, Weber, Stacey, and Mayor Buckman voted yes. Seven yeases. Ordinance No. 2007-8 passed.

Planning & Zoning Committee, James W. Sumner, Chairperson

Councilman Sumner asked the Clerk of Council to read Ordinance No. 2007-9 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2007-9

AUTHORIZING A CONTRACT FOR PROFESSIONAL
DOWNTOWN STREETSCAPING CONSULTATION
SERVICES WITH KINZELMAN KLINE GOSSMAN ; 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 Bryan, Stoller, Sumner, Weber, Stacey, Czerwonka, and Mayor Buckman voted yes. Seven yeases. Motion carried.

Councilman Sumner moved, Councilman Stacey seconded to adopt Ordinance No. 2007-9. There being no discussion, the Clerk called the roll. Councilpersons Stoller, Sumner, Weber, Stacey, Czerwonka, Bryan, and Mayor Buckman voted yes. Seven yeases. Ordinance No. 2007-9 passed.

Councilman Sumner moved, Councilwoman Stoller seconded to set 6:30PM, Thursday, January 25, 2007 for a hearing regarding a Board of Zoning Appeals decision related to a potential Budget Rent-A-Car location in Blue Ash on Kenwood Road. A voice vote was taken. All members voted yes. Motion carried.

MISCELLANEOUS BUSINESS

Parks & Recreation Director Chuck Funk commented that RFP's recently were sent requesting architectural and engineering services for the Recreation Center expansion as well as the Clubhouse project. Fourteen proposals were received. The team is in the process of conducting the final interviews, which include three firms for the Recreation Center project and four for the Golf Course Clubhouse project. He believes that final decisions for both will be reached in the next seven to 10 days.

City Manager David Waltz suggested that the January 25th Council meeting be a Work Study Session after the 6:30PM hearing regarding Budget Rent-A-Car (motion previously set at this meeting establishing that hearing). The two suggested topics for the Work Study Session, which would begin immediately after the hearing, would include an Airport update, including discussion with PB Americas, the consultant completing the plans as discussed earlier, and initial discussions regarding downtown streetscape, also including discussion with that consultant. No objections were expressed from Council regarding this meeting format.

Mr. Waltz commented that the City of Cincinnati is in the process of selecting their own airport consultant, and it is expected that consultant will be on board in February.

A brief discussion was had regarding prior comments heard under Hearings from Citizens and the Park Manor development at Monroe and Cooper Roads. Councilman Bryan commented that the developer does not do a great job at keeping the streets clean, and, overall, the builders/contractors are not the best neighbors. Councilman Bryan also heard the loud noise from a radio on January 1st. He asked that the City be more proactive in working with the leaders of this project in avoiding future problems. Councilman Czerwonka commented that he also heard the loud radio on January 1st.

Councilman Bryan asked about the possibility of the City providing assistance for the proper disposal of electronic equipment. After some discussion, it was determined that the City would look into what alternatives are available for such disposal, including the possibility of instituting a program for disposal of such items to benefit residents.

Councilman Bryan complimented the Police and Fire Departments on their strong presence during Halloween trick-or-treat activities.

Mayor Buckman wished everyone a Happy New Year.

ADJOURNMENT

All items on the agenda having been acted upon, Councilman Sumner moved, Councilman Weber seconded to adjourn the meeting. A voice vote was taken. All members voted yes. The Council meeting was adjourned at approximately 7:57 PM.

Robert J. Buckman, Jr., Mayor

Jamie K. Eifert, Clerk of Council

MINUTES WRITTEN BY:

Susan K. Bennett, Deputy Clerk of Council