

CITY OF BLUE ASH

Interoffice Memo – City Manager's Office

TO: City Council
FROM: City Manager and Department Directors
SUBJECT: Agenda Items for the December 11th Council Meeting
DATE: December 9, 2014
COPIES: Department Directors, Press, Clerk of Council, Solicitor

This memo offers a brief description of the topics included on the December 11th Council agenda.

7.a.1. Resolution No. 2014-16 appointing members to the Charter Revision Committee

Resolution No. 2014-16 appoints Gary M. Glass of 9471 Tramwood Court to fill the existing vacancy on the Charter Revision Committee. Resolution No. 2014-16 appoints Mr. Glass to fill that term which will expire in July 2018.

7.a.2. Resolution No. 2014-17 appointing member to the Recreation Board

Resolution No. 2014-17 appoints Brian Gath of 9842 Catalpa Woods to fill the existing vacancy on the Recreation Board. Resolution No. 2014-17 appoints Mr. Gath to fill that term which will expire in July 2016.

8. PUBLIC HEARING to hear an appeal of the Board of Zoning Appeals decision to deny an appeal seeking a variance for a new wall sign on a site with an existing nonconforming sign at 10415 Kenwood Road

Rob Miller, owner of the Blue Ash Service Center, filed this appeal seeking Council approval of a variance to allow a new wall sign that is not permitted because of the existing nonconforming pole sign. The Board of Zoning Appeals denied the requested variance at its September 8, 2013 regular meeting.

Please direct any questions regarding this motion to the Community Development Director.

9. PUBLIC HEARING to hear an Appeal of the Board of Zoning Appeals decision denying an appeal of the Downtown Design Review Committee approval of a modification to the existing development plan for a new multi-family building on the north side of the site at 4900 Hunt Road

Jean Staubach has appealed the BZA decision denying an appeal of the DDRC approval of a modified plan for the Hills multi-family development at 4900 Hunt Road. The modified plans include a 4-story multi-family building with a larger footprint on the north side of the site with parking underneath the building. The plan also eliminates the three-unit commercial building from the site, but retains access to the library parking lot.

Please direct any questions regarding this motion to the Community Development Director.

13.a.1. Ordinance No. 2014-97 transferring funds

Efforts continue to refine the 2014 budget as we approach the end of the fiscal year. The transfer ordinance provides budget modifications for the following:

Reversal of General Fund Advances for Summit Park Phase 2

As you may recall, on June 12, 2014 Council authorized the advanced funding related to the start of Phase 2 construction with the understanding that these funds would be returned to the General Fund once the Bond proceeds were received. These accounting transactions set up

the ability to do just that when proceeds are received from the Phase 2 Construction Bond that is expected to close on December 17, 2014.

Budget Adjustments for proceeds and debt issuance costs for Summit Park Phase 1&2 Bonds

On December 2nd the City closed on the bonds related to phase 1 and the proceeds were used to refund the \$9.9M bond anticipation notes issued around this time last year. Phase 2 construction bonds are expected to close on December 17th providing approximately \$9.9M in proceeds. The entries included on the attachment for fund 331 (Debt Service Fund) allows for the reclassification of 2014 unused expenditure appropriations and general fund transfers to pay the costs related to the issuance of both bonds. A delay in the repayment of the Carver Road state loan and the unexpected revenue from the Osborne Connector Road TIF provided the available budget within the Debt Service Fund. Debt issuance cost for each bond averages \$150,000, which is typical for bond issues approaching the \$10M level.

Other Miscellaneous Adjustments

In keeping with audit guidelines, entries are provided to reduce expenses and revenue reimbursements related to projects that will transpire in the current year budget. Other adjustments within the department's current year budgets allow for the reclassification of appropriations for Facilities and Golf Maintenance.

Please direct any question regarding this Ordinance to the Treasurer.

13.a.2. Ordinance No. 2014-98 – adopting 2015 proposed budget

The 2015 proposed budget was completed and distributed on November 25th and reviewed at the December 1st Budget Study Session. The City Manager detailed the framework of the budget, provided a graphical overview which illustrated the City's anticipated operating results, and offered some guidance regarding future trends assuming that the economy stays "on track" and no "new" issues arise.

The budget document predicts the anticipated fund balances that the City should possess at the end of 2014, what revenues are anticipated for 2015, and those operating expenditures and capital costs that are planned during the upcoming year. Copies will be available upon request should the need arise. The Ordinance 2014-98 is structured around the budget as originally presented to City Council on December 1st. There have been no changes to any of the numbers, revenues or expenses contained therein. Favorable consideration of this Ordinance by City Council will allow the Finance Division to move forward with loading the new 2015 interim appropriations after the 2014 accounting year is finalized December 31, 2014. The finance team will utilize these revenue and expenditure appropriations, along with the actual ending fund balances, to continue normal functions until a final budget is prepared and presented to City Council for approval. That final budget not only incorporates actual ending fund balances, but it also will be modified for any situations, new projects, or changed conditions which might arise between the preparation of the proposed budget and the final budget. Generally, only minor modifications are necessary through that effort. City Council will be asked to review and approve a final budget at the first or second meeting in January 2015.

Any questions relating to the Proposed Budget can be directed to the City Manager or the Treasurer.

13.a.3 Ordinance No. 2014-99 – authorizing 2015 pay plan and related amendments

Ordinance No. 2014-99 addresses the annual compensation adjustment for the 2015 Pay Plan, as well as related issues affecting Chapters 131 and 133 of the Code. The changes include a recommended cost of living wage adjustment of 1.75% for all non-bargaining full-time and permanent part-time staff. In addition, several changes within Chapter 135 have been updated.

At their meeting on November 12, 2014, the Civil Service Commission reviewed the proposed amendments to the Pay Plan regarding the cost of living adjustment and proposed changes to Chapter 135. After discussion, the Commission voted unanimously to recommend the proposed

changes.

The proposed recommendations include the following:

- The first recommendation affects Sections 131.07 and 133.18 and provides for annual changes to the City's Pay Plan and related code sections. The annual wage rate adjustment as proposed by the Administration is 1.75% for non-bargaining full-time staff and permanent part-time non-bargaining unit employees. A 1.75% increase helps to maintain parity between union and non-union employee pay increases while being in-line with the Consumer Price Index released by the Department of Labor. BAPOBA Patrol Officers will receive a 2% increase effective December 20, 2014. FOP Sergeants will receive a 1.75% increase effective March 3, 2015. FOP Dispatchers are currently in negotiation with the City and the IAFF Firefighters will be commencing negotiations in the near future and therefore have no established pay increases for 2015 at this time. Additional annual updates to the Pay Plan include the increase in Ohio Minimum wage.
- Changes within Sections 131.07-1 include expanding the pay grade for an IT Technician position and to add flexibility to the number of Assistant Recreation Leaders within the Recreation Center.
- The third recommendation affects Sections of 131.07-2(a) and 133.18-2(a) and lowers starting pay ranges for some part-time positions. This will allow department heads to have more flexibility when hiring new employees and deciding a starting rate of pay that is comparable to other employees with similar skills and qualifications.
- The final recommendation involves several sections of Chapter 135. The majority of the changes are to clarify the City's intention to post jobs electronically, to receive electronic applications through the City's new online applicant tracking system and to communicate with applicants through email. Other changes help clarify how tie scores on Civil Service exams will be decided, allow fees to be collected during testing, clarifying the definition of part-time employees and that health insurance benefits are no longer provided to part-time fire employees and removing gender-specific pronouns.

Please direct any questions regarding this ordinance to the Treasurer/Administrative Services Director or City Manager.

13.a.4. Motion appointing members to the Community Reinvestment Area Housing Review Council

In February 2014 City Council approved the City's first Community Reinvestment Area. To date, 3 projects have qualified for tax abatement under this program. It is necessary to establish a Community Reinvestment Area Housing Review Council to review approved projects for compliance and to hear any appeals relating to the Housing Officer's decisions. Board members shall serve for 3-year terms. Mike Duncan was previously appointed by Planning Commission to serve on this Council. With this motion, Lee Czerwonka, Jack Buckman, Dan Johnson, and Marcallene Shockey will join the Council. At the Housing Council's first meeting, it will appoint 2 additional members.

Please direct any questions regarding this Motion to the Assistant City Manager.

13.a.5. Motion appointing members to the Tax Incentive Review Council

February's CRA legislation also called for the establishment of a Tax Incentive Review Council (TIRC). The TIRC shall meet annually to review Commercial projects under the CRA program (of which we have none) and the City's TIFs (of which we have 8). With this motion, Tom Adamec and Rick Bryan will be appointed to serve on the City's TIRC. Additional members include 3 representatives appointed by the County Commissioners, the County Auditor or designee, and representatives of each affected board of education. The Blue Ash TIRC shall meet in conjunction with Hamilton County's TIRC as much of the membership is the same.

Please direct any questions regarding this Motion to the Assistant City Manager.

13.c.1. Ordinance No. 2014-100 – authorizing a multi-year contract for professional engineering services

In late 2012, Council approved a five-year contract with the City's long-standing engineering firm, Blue Ash based CDS Associates (now known as CT Consultants), for general engineering services. The contract requires annual review and approval of the fee schedule for each calendar year. The attached 2015 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 Public Works Director.

13.c.2 Ordinance No. 2014-101 – authorizing bid award for 2014 Kenwood/Donjoy Culvert Repair

Bids for the 2014 Kenwood/Donjoy Culvert Repair Project was advertised on Friday, November 21, 2014, in the **Cincinnati Enquirer**, and were publicly opened on December 3, 2014. Two bids were received and Administration is recommending Council authorize a bid award to the low bidder, Abel Recon, LLC. for unit prices as shown on the bid summary. We are recommending the award include the base bid and alternate 1 which combined are less than the engineer's estimate for this project.

Corrugated metal culverts under Kenwood Road and Donjoy Drive will be strengthened and stabilized with a resin based invert. Currently, the bottoms of these pipes are missing, causing the roads to settle. This project will restore the flow line (bottom) to the pipe and fill the voids that have developed. This work will lengthen the life span of the pipe and help prevent further road settlement or collapse.

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

13.c.3 Ordinance No. 2014-102 – amending Ordinance No. 2014-65 regarding Blue Ash Streetscape Phase 1

During the construction of the downtown streetscape in the City, it has become necessary to amend the City's contract due to construction issues encountered beyond the original scope of the project as bid upon by the contractor. It was determined that abandoned utilities and concrete were required to be removed during excavation. This was an unknown condition and requires an additional line item be included as reflected in the ordinance.

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

13.c.4. Ordinance No. 2014-103 – authorizing an agreement for installation of security cameras at Summit Park

Ordinance No. 2014-103 authorizes an agreement with Shiver Security Services for the purchase and installation of cameras and door access controls within the community building, as well as, security camera installation for site security monitoring in specific areas of Summit Park. The City has a favorable long-term relationship with this vendor for these types of services. In order to maintain continuity and consistency with the existing security services throughout the City, it is recommended and would be in the best interest of the City to waive any formal bidding procedures. The total cost for the standard equipment, installation, and services is \$73,980.

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

13.c.5. Ordinance No. 2014-104 – amending Ordinance No. 2014-11 regarding Phase 1 Group F for Summit Park

The basis for the following change order addressed in Ordinance No. 2014-104 is directly related to the Phase 1 construction of the Summit Park Project, Group F 1-15 Playground & Restroom General Trades. The expenses are fully covered by remaining unencumbered funds in the Summit Park Fund account and do not require additional funds from the General Fund.

Ordinance No. 2014-104 authorizes to include an additional scope of work to the existing contract for stage access panels, dock bumpers, hose bibs, and trench drains for an amount not to exceed \$60,293. Graybach, LLC. was the successful bidder for the Phase 1 construction of the Summit Park Projects and the City has been pleased with the outcome of the project.

In order to maintain continuity with the existing work; and with Graybach, LLC still being on site, it would be in the best interest of the project to add this scope to the existing contract via change orders.

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

13.d.1. Ordinance No. 2014-105 – authorizing an economic development agreement

Feintool U.S. Operations, Inc. has been a member of the Blue Ash business community, since its inception in 1978. The company has grown to more than 350 employees and operates out of five buildings throughout Blue Ash. The City Manager is recommending that the City demonstrate our support of their Blue Ash operations by providing an \$80,000 forgivable loan to assist with the purchase of a generator. This loan will guarantee Feintool a reliable and continuous power supply, which is critical to the nature of their business. The company will agree to maintain its current Blue Ash employment level for the next three years.

Please direct questions regarding this ordinance to the Economic Development Director.

13.d.2. Ordinance No. 2014-106 – grant of access easement at 10901 Kenwood Road

In 2012, the City constructed Ilmenau Way in order to increase access to the parcels south of Osborne Blvd. for development. Duke Realty provided the City with the necessary right-of-way as well as Legacy Pointe Subdivision Lot 7, a narrow strip of land that runs between the “Forest Pharmaceutical” parcels and Ilmenau Way. In 2014 Forest completed construction including a secondary access point to its facility across Lot 7 to Ilmenau Way. The Forest building has since sold and the new owner is requesting formalization of access to Ilmenau Way in the form of an easement.

Please direct questions regarding this ordinance to the Assistant City Manager.

13.d.3. Motion authorizing the sale of residential property at Hazelwood with no further requirement to solicit additional bids

In April 2006, Council favorably considered Ordinance No. 2006-35 which amended the City’s Code concerning the disposal of City property. The primary focus of that amendment was to clarify a process whereby real property owned by the City could be disposed of or sold. Section 9.12 of the Charter requires that an ordinance be in place which outlines the process by which both real and personal property owned by the City can be disposed of or sold.

At this time, passage of a motion by Council is necessary to move forward with the planned sale of surplus real estate comprised of parcel parcels 612-0190-0378, 612-0190-0379, 612-0190-0956, 612-0190-0957, 612-0190-0958, and 612-0190-0959,0960 cons.

In 2010 the City accepted a donation of numerous parcels located in the Hazelwood neighborhood from Blue Ash Revitalization, Inc. Several of the parcels listed above were included in this transfer and are ripe for development. A residential developer, Monarch Homes, LLC, has expressed interest in acquiring this property, just south of the former “Rotary House”, and plans to construct two homes upon it. Monarch has also expressed interest in two parcels currently located in the floodplain near the intersection of Kemper and Idalia. Ordinance 2014-107 authorizes the City Manager to negotiate and thereafter enter into a real estate conveyance agreement with Monarch for the above stated property.

Please direct questions regarding this ordinance to the Assistant City Manager.

13.d.4. Ordinance No. 2014-107 – authorizing conveyance of residential property

See item 12.d.3 above

13.d.5. Motion authorizing the sale of commercial property in Hazelwood with no further requirement to solicit additional bids

In April 2006, Council favorably considered Ordinance No. 2006-35 which amended the City's Code concerning the disposal of City property. The primary focus of that amendment was to clarify a process whereby real property owned by the City could be disposed of or sold. Section 9.12 of the Charter requires that an ordinance be in place which outlines the process by which both real and personal property owned by the City can be disposed of or sold.

At this time, passage of a motion by Council is necessary to move forward with the planned sale of surplus real estate comprised of parcels 612-0190-1177, 612-0190-1005,1006 cons, and 612-0190-1007,1008 cons.

In 2010, the City accepted a donation of numerous parcels located in the Hazelwood neighborhood from Blue Ash Revitalization, Inc. The parcels listed above were included in this transfer. A commercial developer, Fresh Start Ventures, LLC, has expressed interest in acquiring this property and plans to occupy the structure (the former "Rotary House") with its real estate office with future plans for redevelopment of the property. Ordinance 2014-108 authorizes the City Manager to negotiate and thereafter enter into a real estate conveyance agreement with Fresh Start Ventures for the above stated property.

Please direct questions regarding this ordinance to the Assistant City Manager.

13.d.6. Ordinance No. 2014-108 – authorizing conveyance of commercial property

See item 12.d.5 above.

13.d.7. Ordinance No. 2014-109 – authorizing a contract with National Inspection Corp. (NIC) for electrical inspection services

NIC has provided overall construction plan review, inspection, and permitting services for residential and commercial properties to the City since 2003 and provides the City's designated Building Official. NIC has provided electrical plan review, permitting and inspection services for the last three years. This Ordinance would authorize a new five year contract beginning January 1, 2015 and ending December 31, 2019.

Please direct questions regarding this ordinance to the Community Development Director.

13.e.1. Resolution No. 2014-18 – electing members to the Volunteer Fire Fighters' Dependent 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. 2014-18 provides appointees to the Board for calendar year 2015. 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, representing 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.