

BLUE ASH CITY COUNCIL

January 26, 2017

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1. MEETING CALLED TO ORDER

A regular meeting of the Council of the City of Blue Ash, Ohio, was held on January 26, 2017. Mayor Lee Czerwonka called the meeting to order in Council Chambers at 7:00 PM.

2. OPENING CEREMONIES

Mayor Czerwonka led those assembled in the Pledge of Allegiance.

3. ROLL CALL

MEMBERS PRESENT: Vice Mayor Tom Adamec, Councilman Pramod Jhaveri, Councilman Robert Buckman, Councilman Marc Sirkin, Councilwoman Stephanie Stoller, Councilman Robert Ryan, and Mayor Lee Czerwonka

ALSO PRESENT: City Manager David Waltz, Solicitor Bryan Pacheco, Clerk of Council Jamie Eifert, Assistant City Manager Kelly Harrington, Treasurer Sherry Poppe, Parks & Recreation Director Chuck Funk, Public Works Director Gordon Perry, Fire Chief Rick Brown, Police Chief Paul Hartinger, Administrative Assistant Karla Plank, Community Development Director Dan Johnson, Public Relations Coordinator Breanna Gilroy, NESL Marika Lee, and interested citizens

4. ACCEPTANCE OF REVISED AGENDA

Councilwoman Stoller moved, Councilman Buckman seconded to accept the revised agenda. A voice vote was taken. All members present voted yes. Motion carried.

1. MEETING CALLED TO ORDER
2. OPENING CEREMONIES
3. ROLL CALL – Clerk of Council Jamie K. Eifert
4. ACCEPTANCE OF REVISED AGENDA
5. APPROVAL OF MINUTES
 - a. Regular Meeting of January 12, 2017
6. COMMUNICATIONS
 - a. Communications to Council – Clerk of Council Jamie K. Eifert
 - b. Reports From Outside Agencies
7. HEARINGS FROM CITIZENS
8. COMMITTEE REPORTS
 - a. Finance & Administration Committee, Thomas C. Adamec, Chairperson
 1. Resolution No. 2017-7, approving the 2017 final budget/appropriations
 2. Ordinance No. 2017-3, amending Chapter 131 of the Blue Ash Code of Ordinances
 - b. Public Works Committee, Stephanie Stoller, Chairperson
 3. Resolution No. 2017-8, intent to appropriate interests in land from Container Corporation
 4. Ordinance No. 2017-4, initiating proceedings to appropriate property for a planned traffic improvement project
 5. Resolution No. 2017-9, intent to appropriate interest in land from Hospice
 6. Ordinance No. 2017-5, initiating proceedings to appropriate property for a planned traffic improvement project
 7. Resolution No. 2017-10, authorizing emergency stormwater culvert repairs
 - c. Planning & Zoning Committee, Marc Sirkin, Chairperson
 1. Motion updating signage guidelines in the public right-of-way
 2. Ordinance No. 2017-1, approval of a Zoning Text Amendment to adopt Revised Part Eleven – Planning and Zoning Code of the Codified Ordinances of Blue Ash
9. MISCELLANEOUS BUSINESS
10. ADJOURNMENT

5. APPROVAL OF MINUTES

Councilman Buckman moved, Councilman Jhaveri seconded to approve the minutes of the regular meeting of January 12, 2017. A voice vote was taken. All members present voted yes. Motion carried.

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6. COMMUNICATIONS

a. Communications to Council

There were no communications presented to Council.

b. Reports From Outside Agencies

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

7. HEARINGS FROM CITIZENS

Julie Brook, 9566 Cooper Lane, informed Council of Northeast Emergency Distribution Services (NEEDS) which is a local food pantry that provides both emergency food and financial assistance to families in the Northeast Hamilton County area. They are a 501(c)(3) non-profit agency located in the Kenwood Baptist Church. In addition to providing food and financial assistance, NEEDS also provides hats, gloves, and school supplies for children, and vouchers for rent and heat. Ms. Brook requested the City of Blue Ash and the community consider doing an annual food drive to help support. Their website is CincyNeeds.org.

George Etesse, 8899 Brittany Drive, expressed his concerns with respect to the increase of crime in the City. Mr. Etesse questioned whether there was adequate number of police officers. An additional concern of Mr. Etesse is with teardown/rebuild of homes around his neighborhood which has resulted in excess water drainage in this backyard. He requested that the City look into having the developer install swales to avoid the water drainage. Mr. Etesse also addressed a panhandle home being built on Summit Avenue. The contractor has been dragging mud onto the streets. The Service Department has cleaned up the streets but it continues. Further, Mr. Etesse addressed another home located on Summit Avenue which was recently purchase by Buckhead Homes. He is concerned that Buckhead Homes will tear it down and subdivide the lot to build two new homes.

Hearings from Citizens was declared closed at 7:14 PM.

8. COMMITTEE REPORTS

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

This memo offers a brief description of the topics included on the January 26th Council agenda.

8.a.1. Resolution No. 2017-7 approving the 2017 Final Budget/Appropriations

A presentation of the 2017 Proposed Budget was made at the Budget Study Session held on November 28, 2016. City Council adopted the 2017 Proposed Budget at the December 8th meeting, permitting financial operations to transition into the new year. Please refer to the Proposed Budget document for detail information related to the budget as the Final Budget approval reaffirms the Proposed Budget and authorizes any changes needed.

The process for converting the Proposed Budget into the Final Budget actually starts with the approval of the Proposed Budget. Budget estimates and projects are re-examined and new issues arise which need to be addressed. These items, coupled with actual (not estimated) ending fund balances, provide the framework for assembling the Final Budget.

Highlights from 2016 and estimates for 2017 include:

- *Actual 2016 gross earnings tax collections totaled \$35,864,610 representing a 2.05% increase over actual 2015 collections. Withholding came in 1.15% ahead of 2015 levels and net profit increased by 5.6%. The 2017 Final Budget estimates for withholding and net profit collections remain unchanged from those amounts presented in the Proposed Budget at \$35,950,000 collectively.*
- *The combination of all 2016 revenue collections and expenditures (including any outstanding encumbrances) generated an actual General Fund balance at the end of 2016 of \$37,306,028. This outcome exceeded our projection of \$36,903,184 as shown in the Proposed Budget.*
- *The projected year-end 2017 General Fund balance of \$33,519,178 assumes collection of all final budget revenues and expensing of all final budget expenditures. To the extent such funds are over collected or not expended; the General Fund balance at the end of 2017 will increase.*

Resolution No. 2017-7, and its related attachments, reflects the actual year-end fund balances and any adjustments needed to modify the Proposed Budget. Revenue and expenditure allocations remain unchanged, except for the following modifications:

- *Personnel related items - Administration has been monitoring a couple of staffing related issues and has determined that the need exists to implement a few personnel changes. Within the Fire Department budget, \$250,000 has been included in the Final Budget to convert 3 part time firefighters to fulltime. This was due to improve coverage as part-time personnel has been increasingly difficult to retain due to recent hiring surge in the area fire departments. The Facility Maintenance budget has been increased by \$75,000 to facilitate succession planning efforts. Additionally, the City's new Public Information Officer*

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comes to us through a staffing agency and \$29,000 is needed within the administration budget to accommodate those costs.

- Additional funding of \$500,000 for unexpected income tax refund requests received in late December.
- Carried forward unused 2016 budget appropriations into the 2017 Final Budget for projects that we were unable to complete or encumber for various reasons in 2016.
 - \$237,000 for capital improvements at CCEC related to the Convention Facility Authority grant received in 2016 (fund 752)
 - Summit Park construction funds at year-end (combined total of \$1,600,465 for funds 445 - 448)
- Several funds, outside of regular operating funds, require adjustments to accommodate actual 2016 results, year end fund balances and expected 2017 activity. These special funds are usually required by law to provide separate accounting for unique activities where the City acts as a pass-through agent without impacting other City funds. The Final Budget includes such "clean up" adjustments to the following funds:
 - OVI Grant Fund 281 – The Blue Ash Police Department administers this State funded grant and together with 28 other various law enforcement agencies they conduct checkpoints and saturation patrols throughout the grant year.
 - LEL (Law Enforcement Liaison) Grant Fund 294 – The City is the pass through agent for this State grant which compensates a State appointed police liaison for coordinating traffic safety efforts between law enforcement agencies, non-profits, and other traffic safety partners throughout the grant year.
 - Other miscellaneous Police Department law/drug enforcement funds (280,285,286,287,289).
 - Employee Flexible Spending Account Funds 901 & 902 –Each FSA plan year (beginning November 1st) is accounted for in separate fund and the Final Budget provides the adjustments needed to "balance" these funds based on employee election amounts remaining at December 31, 2016.
 - Ohio Board of Building Standards Assessment Fund 930 – This fund accounts for the collection and remittance of the State fees required by Ohio Revised Code to be collected through the City's building permit process.

The 2017 Proposed Budget provided for a major commitment in capital related purchases and improvements, all of which are still funded in the Final Budget. For more information please refer to the detail provided in the Proposed Budget document.

Following Council's consideration of Resolution No. 2017-7, this Final Budget for 2017 will serve as a basis against which we will monitor our actual revenues and expenses. Administration and staff devotes a tremendous amount of time and effort towards the budget process, however, circumstances change and modifications to the City's budget are inevitable. Any necessary budget changes will be presented to Council via transfer resolutions throughout the year.

Please direct any questions regarding the Final Budget to the Treasurer or the City Manager.

8.a.2. Ordinance No. 2017-3 amending Chapter 131 of the Blue Ash Code of Ordinances

Ordinance No. 2017-3 provides for recommendations that amend and re-enact Section 131.07-1 of the Blue Ash Code of Ordinances and the 2017 pay plan. The recommended changes accommodate future succession planning needs within the Facility Maintenance Department and additional project management assistance with the final phase and wrap up of the Summit Park construction project. Adjustments include:

- Amends the number of Project Coordinator positions from one (1) to two (2) and removes note (L) as it is no longer needed. After completion of the succession plan, the number of positions will return to (1).
- Amends the FLSA status of the Facilities Superintendent position from hourly to salary and expands the pay range to bring this position in-line with other comparable superintendent positions.

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

8.a.3. Resolution No. 2017-8 Intent to appropriate interests in land from Container Corporation

and

8.a.4. Ordinance No. 2017-4 initiating proceedings to appropriate property for a planned traffic improvement project

As Council was previously made aware, this is the friendly property take for the RockTenn property at the intersection of Malsbary and Alliance Roads. This property acquisition will allow us to construct the Malsbary connector to Kenwood Road as well as the proposed roundabout at the intersection of Malsbary and Alliance Roads.

Please direct any questions to the Public Works Director.

8.a.5. Resolution No. 2017-9 intent to appropriate property for a planned traffic improvement project

and

8.a.6. Ordinance No. 2017-5 initiating proceedings to appropriate property for a planned traffic improvement project

Staff has been working with Hospice since April 2014 to acquire land for a roadway connecting Cooper to Malsbary. The proposed roadway will align to a newly combined City Hall/Recreation Center entrance, improving access and safety for visitors to the City's facilities as well as Hospice and the soon-to-open IEL office building. The roadway will advance the City's connectivity efforts, provide faster police and fire response to those on Malsbary, and reduce cut-through traffic in the Hospice parking lot. While Hospice has viewed the project positively, the City and Hospice were unable to reach terms. This legislation allows the process to move forward in a timely manner.

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Please direct any questions to the Public Works Director.

8.a.7. Resolution No. 2017-10 authorizing emergency stormwater culvert repairs

In early January, the City received notification concerning a stormwater sinkhole on Cooper Woods. The failed stormwater culvert is City-owned and is adjacent to a residence located at 9796 Cooper Woods. This failed stormwater culvert is deep in nature and close to the residence and continues to degrade resulting in possible catastrophic failure. The Public Works Department recommends an emergency resolution be passed to waive bidding requirements and allow the City Manager to enter into a contract not to exceed \$150,000 to expedite the repairs.

Please direct any questions to the Public Works Director.

8.b.1. Motion updating signage guidelines in the public right-of-way

On January 11, 2001, City Council passed a motion providing for guidelines regarding political sign placement at designated locations in the public right-of-way. Since the passage of this motion, numerous courts have declared that sign regulations must be content-neutral. The new zoning code was drafted in accordance with content-neutrality and with its passage, this would be an appropriate time for Council to update right-of-way sign guidelines as well.

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

8.b.2. Ordinance No. 2017-1 approving a Zoning Map Amendment to adopt Revised Part Eleven – Planning and Zoning Code of the Codified Ordinances of Blue Ash (second reading)

Following adoption of the 2015 City of Blue Ash Land Use Plan, City Staff worked with consultant McBride Dale Clarion to develop a Zoning Code that implements the direction provided by the Plan. Planning Commission has reviewed and discussed proposed new chapters monthly since the beginning of 2016. The proposed Zoning Code is based on elements of the existing Code, but the new Zoning Districts would mirror the Planning Areas contained within the Land Use Plan and the permitted uses would mirror the ideas contained within those Areas.

Planning Commission recommended approval of the proposed Zoning Code to City Council at its October 6, 2016 meeting.

A public hearing and first reading of this ordinance was held at the January 12th Council Meeting.

Please direct questions regarding this Ordinance to the City Manager or Community Development Director.

a. Finance & Administration Committee, Tom Adamec, Chairperson

Vice Mayor Adamec asked the Clerk to read Resolution No. 2017-7 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2017-7

A RESOLUTION MAKING APPROPRIATIONS FOR THE
EXPENSES OF THE CITY OF BLUE ASH, OHIO, FOR THE
FISCAL YEAR OF 2017

Vice Mayor Adamec moved, Councilwoman Stoller seconded to adopt Resolution No. 2017-7.

Vice Mayor Adamec provided a summary of the appropriations for the budget as attached to the resolution.

City Manager Waltz commended Treasurer Sherry Poppe, Finance Officer Amy Moore and staff for their efforts. Their projected budget versus the actual budget was less than .2% off.

There being no further discussion, the Clerk called the roll. Councilpersons Ryan, Buckman, Adamec, Jhaveri, Sirkin, Stoller, and Mayor Czerwonka voted yes. Seven yeses. Resolution No. 2017-7 passed.

Vice Mayor Adamec asked the Clerk to read Ordinance No. 2017-3 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2017-3

AMENDING AND RE-ENACTING SECTION 131.07-1 OF
CHAPTER 131 OF THE BLUE ASH CODE OF ORDINANCES;
AND DECLARING AN EMERGENCY

Vice Mayor Adamec moved, Councilman Buckman seconded to suspend the rules of Council requiring a second reading of the ordinance. The Clerk called the roll. Councilpersons Buckman, Adamec, Jhaveri, Sirkin, Stoller, and Mayor Czerwonka voted yes. Councilman Ryan voted no. Six yeses, one no. Motion carried.

Vice Mayor Adamec moved, Councilwoman Stoller seconded to adopt Ordinance No. 2017-3.

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In answering Councilman Ryan's question, Mr. Waltz indicated that the ordinance amends the 2017 pay plan adopted by Council at the December 8, 2016 Council Meeting. Amendments will be made throughout the year to reflect various changes with standard employment procedures.

There being no further discussion, the Clerk called the roll. Councilpersons Adamec, Jhaveri, Sirkin, Stoller, Ryan, Buckman, and Mayor Czerwonka voted yes. Seven yeases. Ordinance No. 2017-3 passed.

a. Public Works Committee, Stephanie Stoller, Chairperson

Councilwoman Stoller asked the Clerk to read Resolution No. 2017-8 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2017-8

A RESOLUTION DECLARING THE NECESSITY/INTENT TO APPROPRIATE INTERESTS IN LAND FROM CONTAINER CORPORATION OF AMERICA/ROCKTENN (PERMANENT PARCEL NUMBER 612-0120-0079-00; PROPERTY DESIGNATED FOR APPROPRIATION, PARCEL NUMBER _____) FOR THE PURPOSE OF A PLANNED TRAFFIC IMPROVEMENT PROJECT (ROUNDAABOUT) AT MALSBARY ROAD AND ALLIANCE ROAD IN THE CITY OF BLUE ASH, HAMILTON COUNTY, OHIO

Councilwoman Stoller moved, Vice Mayor Adamec seconded to adopt Resolution No. 2017-8.

In answering Councilman Ryan's questions, City Solicitor Bryan Pacheco stated that by State law requirements this procedure is necessary in order to file for the necessary eminent domain with the Courts. By statute, the City must pass a resolution of intent which demonstrates the City is taking the property for a road by eminent domain. The Ordinance authorizes the City Solicitor to file the action.

There being no further discussion, the Clerk called the roll. Councilpersons Jhaveri, Sirkin, Stoller, Ryan, Buckman, Adamec, and Mayor Czerwonka voted yes. Seven yeases. Resolution No. 2017-8 passed.

Councilwoman Stoller asked the Clerk to read Ordinance No. 2017-4 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2017-4

AN ORDINANCE AUTHORIZING THE SOLICITOR TO INITIATE PROCEEDINGS TO APPROPRIATE PROPERTY FOR THE PUBLIC PURPOSE OF A PLANNED TRAFFIC IMPROVEMENT PROJECT (ROUNDAABOUT) AT MALSBARY ROAD AND ALLIANCE ROAD IN THE CITY OF BLUE ASH, HAMILTON COUNTY, OHIO; AND DECLARING AN EMERGENCY

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

Councilwoman Stoller moved, Councilman Buckman seconded to adopt Ordinance No. 2017-4.

There being no discussion, the Clerk called the roll. Councilpersons Stoller, Ryan, Buckman, Adamec, Jhaveri, Sirkin, and Mayor Czerwonka voted yes. Seven yeases. Ordinance No. 2017-4 passed.

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Councilwoman Stoller asked the Clerk to read Resolution No. 2017-9 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2017-9

A RESOLUTION DECLARING THE NECESSITY/INTENT TO APPROPRIATE INTERESTS IN LAND FROM HOSPICE OF CINCINNATI, INCORPORATED (PERMANENT PARCEL NUMBER 612-0120-0111-00; PROPERTY DESIGNATED FOR APPROPRIATION, PARCEL NUMBER _____) FOR THE PURPOSE OF A PLANNED TRAFFIC IMPROVEMENT PROJECT FOR A NEW ROAD TO BE BUILT BETWEEN COOPER ROAD AND MALSBARY ROAD IN THE CITY OF BLUE ASH, HAMILTON COUNTY, OHIO

Councilwoman Stoller moved, Councilman Jhaveri seconded to adopt Resolution No. 2017-9.

In response to Councilman Ryan's question, Mr. Waltz indicated that Administration has engaged in several cordial conversations with Hospice. Hospice understands the project; a few outstanding issues remain that will be addressed in due course.

There being no further discussion, the Clerk called the roll. Councilpersons Ryan, Buckman, Adamec, Jhaveri, Sirkin, Stoller, and Mayor Czerwonka voted yes. Seven yeases. Resolution No. 2017-9 passed.

Councilwoman Stoller asked the Clerk to read Ordinance No. 2017-5 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2017-5

AN ORDINANCE AUTHORIZING THE SOLICITOR TO INITIATE PROCEEDINGS TO APPROPRIATE PROPERTY FOR THE PUBLIC PURPOSE OF A PLANNED TRAFFIC IMPROVEMENT PROJECT FOR A NEW ROAD TO BE BUILT BETWEEN COOPER ROAD AND MALSBARY ROAD IN THE CITY OF BLUE ASH, HAMILTON COUNTY, OHIO; AND DECLARING AN EMERGENCY

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

Councilwoman Stoller moved, Vice Mayor Adamec seconded to adopt Ordinance No. 2017-5.

There being no discussion, the Clerk called the roll. Councilpersons Adamec, Jhaveri, Sirkin, Stoller, Ryan, Buckman, and Mayor Czerwonka voted yes. Seven yeases. Ordinance No. 2017-5 passed.

Councilwoman Stoller asked the Clerk to read Resolution No. 2017-10 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2017-10

AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR THE REPAIR OF THE STORM SEWER CULVERT AT 9796 COOPER WOODS COURT

Councilwoman Stoller moved, Councilman Sirkin seconded to adopt Resolution No. 2017-10.

Mr. Waltz advised that the failed storm sewer culvert is located on City easement/property. Due to the rapid deterioration of the culvert, the City is receiving repair estimates but does not have time to publicly bid the project.

There being no further discussion, the Clerk called the roll. Councilpersons Jhaveri, Sirkin, Stoller, Ryan, Buckman, Adamec, and Mayor Czerwonka voted yes. Seven yeases. Resolution No. 2017-10 passed.

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b. Planning & Zoning Committee, Marc Sirkin, Chairperson

Councilman Sirkin moved, Councilwoman Stoller second to update the signage guidelines in the City of Blue Ash Planning and Zoning Code to be consistent with an U.S. Supreme Court Ruling that requires all such signage be content neutral.

A discussion amongst Council took place regarding the proposed zoning code referencing various restrictions to signs in the public right-of-way at certain locations. Councilwoman Stoller feels the restricted locations, as listed in the guidelines for placement of signs, were written prior to businesses/shopping centers being built. The potential clutter of signs at these public right-of-ways may not be in the best interest of the businesses. Mr. Waltz explained that the need to include revised language is due to a recent U.S. Supreme Court ruling.

Councilwoman Stoller moved, Vice Mayor Adamec second to amend the motion to eliminate the location of signs in the public right-of-way to be restricted to the *Southwest corner of Glendale-Milford & Kenwood Roads*. A voice vote was taken. All members voted yes.

Councilman Sirkin moved, Councilwoman Stoller second to update the signage guidelines in the City of Blue Ash Planning and Zoning Code to be consistent with an U.S. Supreme Court Ruling that requires all such signage be content neutral and to eliminate the location of signs in the public-right of way to be restricted to only the *Southwest corner of Glendale-Milford & Kenwood Roads*. A voice vote was taken. All members voted yes.

Councilman Sirkin asked the Clerk to read Ordinance No. 2017-1 in its entirety.

THEN WAS PRESENTED AND READ IN ITS ENTIRETY:

ORDINANCE NO. 2017-1

ZONING TEXT AMENDMENT TO ADOPT REVISED PART
ELEVEN – PLANNING AND ZONING CODE OF THE
CODIFIED ORDINANCES OF BLUE ASH, IN ITS ENTIRETY
AND TO ADOPT A NEW ZONING MAP

Councilman Sirkin moved, Vice Mayor Adamec seconded to adopt Ordinance No. 2017-1.

Councilman Sirkin explained the proposed Planning and Zoning Code of the Codified Ordinances as requested by Council during the January 12, 2017 Public Hearing has been revised to include a list of tables added to the index, and to ban animal breeding business operations in the City of Blue Ash. The existing breeding business operation in the City will be exempted; however, if they cease operations for 180 days, Section 1139.04 considers the business abandoned and they would lose their exemption.

Councilman Ryan referred Council and Administration to Section 1125.02 wherein it discusses the Table of Review Bodies. He was concerned that City Council only has decision making power during the Concept Plan and is excluded from any decisions with respect to the Final Plan in the Planned Unit Development (PUD).

Councilman Sirkin explained that if a developer has minor revisions to the concept plan, Planning Commission can make those decisions. If there are major revisions to the Concept Plan, the Planning Commission will defer to Council.

Mr. Waltz explained that as part of the revisions to the City codes, the consultant, hired to guide the City through the process, reviewed benchmark communities in the State of Ohio and recommended the review processes that work best in most communities. Blue Ash is a planned district and plan amendments have been done for years. Blue Ash has a practice of what is considered major and minor amendments and rarely gets it wrong.

Vice Mayor Adamec feels the Concept Plan forces the developer to be more definitive and upfront on major issues. The Concept Plan approval by Council would streamline the project and keep it moving forward. It is impossible to name every item which would be considered a major item or a minor item. Vice Mayor Adamec stated that Mr. Waltz and Administration is very capable of knowing the distinction of major and minor changes and has always done a great job in discussing with Council any changes to a project.

Mr. Waltz reminded Council that the review plan process in place with the Al.Neyer 98-acre development is exempted and, as a result, is subject to Council's final review and approval process.

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There being no further discussion, the Clerk called the roll. Councilpersons Sirkin, Stoller, Ryan, Buckman, Adamec, Jhaveri, and Mayor Czerwonka voted yes. Seven yeases. Ordinance No. 2017-1 passed.

9. MISCELLANEOUS BUSINESS

Vice Mayor Adamec attended the Duke Pipeline meeting prior to the Council meeting. The meeting discussed the proposed plan that reduces the pressure and pipeline size which reduces some of the risk, in addition to its plan to move forward on the project. The City currently has distribution pipelines all under 65 PSI. The proposed plan is approximately three times higher than what the current distribution line would be.

Vice Mayor Adamec moved, Councilman Ryan seconded to authorize the City Solicitor to participate, on behalf of the City, in any joint intervention petition opposing the proposed amended Duke Pipeline Project and to authorize the City Manager to expend funds necessary to effectuate the City's involvement in the joint intervention petition.

In answering Mayor Czerwonka's questions, Mr. Waltz explained that the distinction between the July 14, 2016 motion with respect to the pipeline and the proposed motion is that City of Blue Ash will only intervene as part of the joint effort and expend money towards that joint effort. If the joint effort does not happen, the City will not intervene.

A voice vote was taken on the motion. All members voted yes.

Vice Mayor Adamec stated the City's first session of the Citizens Academy 101 was off to a great start. The session went well and has an energetic group of citizens. Vice Mayor Adamec commended the Public Works Department on the cross walk lights recently installed on Reed Hartman Highway and Cornell Drive.

10. ADJOURNMENT

All items on the agenda having been acted upon, Councilwoman Stoller moved, Councilman Jhaveri seconded to adjourn the meeting. A voice vote was taken. All members voted yes. The Council meeting was adjourned at approximately 8:19 PM.

Lee Czerwonka, Mayor

Jamie K. Eifert, Clerk of Council

MINUTES RECORDED AND WRITTEN BY:

Karla Plank, Administrative Assistant