

BLUE ASH CITY COUNCIL

April 13, 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 April 13, 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, Fire Chief Rick Brown, Police Chief Paul Hartinger, Administrative Assistant Karla Plank, NESL Marika Lee, and interested citizens

4. ACCEPTANCE OF AGENDA

Councilwoman Stoller moved, Vice Mayor Adamec seconded to accept the agenda. A voice vote was taken. All members present voted yes. Motion carried.

3. *MEETING CALLED TO ORDER*
4. *OPENING CEREMONIES*
5. *ROLL CALL –Clerk of Council Jamie K. Eifert*
6. *RECOGNITION OF CITIZENS OF BLUE ASH CLASS 101*
7. *ACCEPTANCE OF AGENDA*
8. *APPROVAL OF MINUTES*
 - a. *Special Meeting of March 23, 2017*
 - b. *Regular Meeting of March 23, 2017*
9. *COMMUNICATIONS*
 - a. *Communications to Council –Clerk of Council Jamie K. Eifert*
 - b. *Reports From Outside Agencies*
 - c. *Mayor's Report – March 2017*
 - d. *Financial Report – Motion to accept the report for March 2017*
10. *HEARINGS FROM CITIZENS*
11. *COMMITTEE REPORTS*
 - a. *Finance & Administration Committee, Thomas C. Adamec, Chairperson*
 1. *Resolution No. 2017-26, transferring funds*
 - b. *Parks & Recreation Committee, Robert J. Buckman, Jr., Chairperson*
 1. *Resolution No. 2017-27, authorizing purchase of mowers for Golf Maintenance*
 2. *Resolution No. 2017-28, authorizing a State contract for HVAC services at CCEC*
 - c. *Public Works Committee, Stephanie Stoller, Chairperson*
 1. *Resolution No. 2017-29, amending Resolution No. 2017-10 regarding emergency storm sewer culvert repairs*
 2. *Resolution No. 2017-30, awarding bid for Downtown Streetscape, Phase 4*
 - d. *Planning & Zoning Committee, Marc Sirkin, Chairperson*
 1. *Resolution No. 2017-31, approval of Final Plat for Malsbary Road Subdivision*
 2. *Resolution No. 2017-32, approval of Preliminary Subdivision Plan for Daventry at Summit Park*
12. *MISCELLANEOUS BUSINESS*

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13. EXECUTIVE SESSION

- a. Economic Development Assistance – to consider confidential information related to the marketing plans, specific business strategy, production techniques, trade secrets, or personal financial statements of an applicant for economic development assistance, or with respect to negotiations with other political subdivisions regarding requests for economic development assistance.

14. ADJOURNMENT

5. APPROVAL OF MINUTES

Councilman Buckman moved, Councilman Jhaveri seconded to approve the minutes of the special meeting of March 23, 2017, and the regular meeting of March 23, 2017. A voice vote was taken. All members present voted yes. Motion carried.

6. RECOGNITION OF CITIZENS OF BLUE ASH CLASS 101

On behalf of the City of Blue Ash, Mayor Czerwonka recognized twelve residents who successfully participated in the Citizens of Blue Ash 100 (COBA101) Class. Over the last three months, participants learned how each City department functions with the goal of broadening their understanding and awareness of the City of Blue Ash. In essence, these participants become the City’s representatives. Michael Bailes, Kathy Bath, Bill Boughton, Michael Katz, Katherine McFerren, Laura Smith, Bette Soller, Steve Tosh, and Marcallene Shockey were in attendance; Charles Stocker, Christian Lee, and Ann DeGroot were unable to attend. All participants received a certificate. On behalf of COBA101, Marcallene Stockey provided the following statement:

Tonight is the culmination of several exciting and informative meetings learning about our City and how it works. We are a fortunate group to have been chosen to be the first graduating class of COBA 101. We would like to thank David, Kelly and any other staff that was involved in developing this program. We especially want to thank Breanna for feeding us and taking such good care of us. All of you have our gratitude and thanks for this wonderful opportunity.

During this time, we have become acquainted with some of its residents and made new friends. We have seen marvelous and up to date equipment that our Police and Fire Departments use to protect us. Our Public Works Department let us drive a snow plow and a front loader. They also taught us to make signs and pour concrete. This group should be commended for the wonderful job they do keeping our roads cleared in the winter. The Parks and Recreation group gave us a view of our beautiful facilities at Cooper’s Creek and Summit Park. Earlier this evening, we were in the modern Rec Center facility that can be used to keep us healthy.

In all of these presentations, we found very friendly and dedicated people doing their jobs. We are fortunate to live in a safe and beautiful community. Our sincere thanks to each and every City of Blue Ash employee who make this possible. We are, also, appreciative to our elected officials and staff for implementing their vision of making our community a most desirable place in which to live. We as citizens do not necessarily know what we want and need to make our community great, so we appreciate people like you who are serious thinkers, visionaries and implementers.

Keep up the good work and thank you.

7. COMMUNICATIONS

a. Communications to Council

The Clerk noted the City received a notice from the Ohio Division of Liquor Control for a request of a Liquor License Transfer (Permit No. 36027150005) to Veera Anajaneyam LLC, d/b/a Reddy Food Mart, 10440 Plainfield Road, from Hari Om Inc., d/b/a Food Mart. The Police Department has reviewed the requests and had no objections. There were no objections expressed by Council.

There were no communications presented to Council.

b. Reports From Outside Agencies

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

c. Mayor's Report – March 2017

TOTAL RECEIPTS:..... \$10,103.00

DISBURSEMENTS:

To Blue Ash

Fines/costs/Expungements/forfeitures/NSF check charges, vendor permits)..... \$6,798.00

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To the State of OH:.....	\$2,946.50
Victims of Crime.....	\$666.00
General Rev Fund	now included in 2a below
Expungements	\$30.00
Indigent Defense Support Fund 2a (Includes STG and bond surcharge).....	\$1,885.00
Drug Law Enforcement Fund 2b	\$255.50
Justice Program Service Fund	
Seat Belts.....	\$110.00
Indigent Driver's Alcohol Trtm't Fund	\$109.50
Refund of Appealed Fines and Costs	\$0.00
Refund of overpaid fines	\$49.00
Bond Money applied.....	\$0.00
Bond Money returned	\$0.00
Restitution payment.....	\$200.00
TOTAL DISBURSEMENTS	\$10,103.00
BALANCE IN BONDS:3/31/2017.....	\$0.00
Mayor's Court traffic citations.....	75
Mayor's Court criminal citations.....	14
Total Mayor's Court cases	89
Blue Ash rev. from Mayor's Ct. Cases:.....	\$6,798.00

d. Financial Report – March 2017

Councilwoman Stoller moved Councilman Sirkin seconded to accept the Financial Report for March 2017 as submitted. A voice vote was taken. All members present voted yes. Motion carried.

CITY OF BLUE ASH FINANCIAL POSITION STATEMENT- MONTH ENDING March 31, 2017

MONTH TO DATE	2016	2017
START OF MONTH FUND BALANCE:	\$50,742,145.16	\$56,568,220.05
Revenues:		
Earnings Tax Collections:	\$3,137,247.89	\$2,843,764.65
Debt Financing (long term)	-	-
Debt Financing (short term)	-	-
Other Revenue Received:	727,578.67	833,054.50
= Total Monthly Receipts	\$3,864,826.56	\$3,676,819.15
Expenditures:		
Long term Debt Payments	-	-
Short term Debt Payments	-	-
Other Expenditures:	\$3,118,063.97	\$4,215,093.54
= Total Monthly Expenditures:	\$(3,118,063.97)	\$(4,215,093.54)
END OF MONTH FUND BALANCE:	\$51,488,907.75	\$56,029,945.66
<hr/>		
YEAR TO DATE	2016	2017
START OF YEAR FUND BALANCE:	52,646,983.26	58,212,800.00
Revenues:		
Earnings Tax Collections:	\$9,124,065.15	\$8,266,308.55
Debt Financing (long term)	-	-
Debt Financing (short term)	-	-
Other Revenue Received:	\$2,094,087.52	\$2,012,910.81
= Total YTD Receipts	\$11,218,152.67	\$10,279,219.36
Expenditures:		
Long term Debt Payments	\$667,776.29	\$941,276.29
Short term Debt Payments	-	-
Other Expenditures:	\$11,708,451.89	\$11,520,797.41
= Total YTD Expenditures:	\$(12,376,228.18)	\$(12,462,073.70)
YEAR TO DATE FUND BALANCE:	\$51,488,907.75	\$56,029,945.66

100% of the fund balance was invested as of 3/31/2017 Interest paid to date on matured investments: \$85,208.09 Receipt and expenditure figures do not include interfund transfers or advances. All debt includes principal and interest.

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BLUE ASH INCOME TAX DIV. INCOME TAX RECEIPT SUMMARY - MONTH ENDING March 31, 2017

MONTH TO DATE STATUS:	2016	2017
Business Net Profit	\$582,865.72	\$400,780.90
Resident Net Profit	78,222.39	107,180.59
Non-Resident Net Profit	39,099.96	35,720.11
Subcontractor Net Profit	6,201.46	10,905.96
Net Profit Total	\$706,389.53	\$554,587.56
Withholding	\$2,394,189.64	\$2,254,166.95
Subcontractor Withholding	36,668.72	35,010.14
Withholding Total	\$2,430,858.36	\$2,289,177.09
Monthly Collection Totals	\$3,137,247.89	\$2,843,764.65
		-9.35%

YEAR TO DATE STATUS:

Business Net Profit	\$1,233,620.13	\$786,332.04
Resident Net Profit	182,320.12	199,496.49
Non-Resident Net Profit	109,612.26	58,589.76
Subcontractor Net Profit	20,048.93	14,968.68
Net Profit Total	\$1,545,601.44	\$1,059,386.97
Withholding	\$7,416,945.51	\$7,054,890.46
Subcontractor Withholding	161,518.20	152,031.12
Withholding Total	\$7,578,463.71	\$7,206,921.58
YTD Collection Totals	\$9,124,065.15	\$8,266,308.55
		-9.40%
YTD Refund Totals	\$276,352.39	\$760,535.52

HEARINGS FROM CITIZENS

Joe Leet, 11126 Centennial Avenue, felt the presentation given during the last Council regarding the potential of having an Adventure Tower at Summit Park is not a good idea. He believes it should be placed at the Rec Center near the swimming pool area; and a zip line could be placed off the Tower at Summit Park.

Karen Eborall, 4582 Elsmere Avenue, stated that she lives on the corner of Floral and Elsmere which borders businesses to the east. There is a business called A-List Animals which is a breeder of bugs and mice. The smell that comes from this business is unfathomable and she is concerned about the air pollution. The Hamilton County Health Department told them that they had to be extremely cautious about rodents because they believe the property is infested with roaches – Madagascar roaches which are large in size – and at some point they will come into their home. They have already had a white mouse caught by a cat which is one of the things that A-List Animals breeds. They are trying to go through the proper channels to protest the business in their neighborhood and encouraged Council to revise their Codes to not allow business like this in the future.

Hearings from Citizens was declared closed at 7:13 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 April 11th Council agenda.

9.a.1. Resolution No. 2017-29 – transferring funds

The 2017 Final Budget included funding for the Golf Course Maintenance Department to lease two fairway and two greens mowers. After reviewing the implementation needs and financing costs associated with leasing-to-own this equipment, the recommendation is purchase these replacement mowers outright through the State Cooperative Purchasing Program. The lease option to purchase this equipment would have cost approximately \$182,000 plus additional debt issuance fees.

Resolution 2017-27 requesting Council's authorization to purchase this equipment appears later in the agenda. If approved, the attached transfer Resolution 2017-26 would provide \$170,600 to fully fund this capital purchase by utilizing the \$27,300 originally budgeted for lease payments in 2017 (9 months) and additional General Fund transfers in of \$143,300.

Please direct any question regarding this Resolution to the Treasurer/Administrative Services Director or the Parks and Recreation Director.

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9.b.1. Resolution No. 2017-27 authorizing purchase of mowers for Golf Maintenance

Resolution No. 2017-27 authorizes the purchase of two 2017 Toro 3550 fairway mowers and two 2017 Toro greens mowers and related accessories from Century Equipment through the State's Cooperative Purchasing program via Contract #800261-STS515 for an amount not to exceed \$170,600. Several Golf Course Maintenance mowers originally purchased used between 10 to 14 years ago were also included in the budget for disposal either by trade-in or auction.

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

9.b.2. Resolution No. 2017-28 authorizing a State contract for HVAC services at CCEC

Hamilton County offers a Transient Occupancy Tax Capital Project Grant to convention facilities, entertainment facilities, sports facilities, and political subdivisions.

The purpose of the grant is to invest in projects that service the local convention and visitors industry by supporting the purchase, construction, or renovation of a building or the purchase of equipment.

Preference is given to projects which address the maintenance, repair, or renovation needs of an existing facility.

The current HVAC system at Cooper Creek Even Center needs to be upgraded to handle back-to-back events.

The City was awarded grant money from Hamilton County in 2016 to enhance the facility's HVAC capabilities.

The expenditure of \$185,000 will be funded through the Hamilton County Transient Occupancy Tax Capital Project Grant.

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

9.c.1. Resolution No. 2017-29 amending Resolution No. 2017-10 regarding an emergency stormwater culvert repairs

Ordinance No. 2017-29 addresses the need to increase payment from \$150,000 to \$162,309 to provide needed emergency repairs to a failed, City-owned, storm sewer culvert located at 9796 Cooper Woods Court. The increase in cost is due to extreme and unexpected trench failures which caused unforeseen damage to utilities, the driveway at 9796 Cooper Woods, and landscaping damage.

Please direct any questions to the Public Works Director.

9.c.2. Resolution No. 2017-30 awarding bid for Downtown Streetscape, Phase 4

As part of the City's effort to maintain and improve the downtown streetscape in the City, bids for this project were advertised on Wednesday, March 22, 2017 in the **Northeast Suburban Life-Press**, and were publicly opened and read on April 4, 2017. Five bids were received and Administration is recommending Council authorize a bid award to the low bidder, Prus Construction for unit prices as shown on the bid summary.

Sidewalk replacement will take place along the east side of Kenwood Road from Catalpa Creek to Cooper Road as well as along Hunt Rd in front of the new 4900 apartment complex. This work will consist of removing the existing pavers and replacing them with new concrete sidewalk, part of which will be decorative. In addition to the sidewalk work, the existing light and sign poles will be taken down and moved to the back of the sidewalk and new trees will be installed. Hunt Road will also be repaved between Kenwood and Cooper with on-street parking added.

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

9.d.1. Resolution No. 2017-31 approval of Final Plat for Malsbary Road Subdivision

The Malsbary Subdivision is necessary so the project to extend Malsbary, to connect with Kenwood Road, will result in public right-of-way along the roadway and separate lots for the remainder of the land. The City expects to start the project in May.

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

9.d.1. Resolution No. 2017-32 approval of Preliminary Subdivision Plan for Daventry at Summit Park

Daventry at Summit Park comprises the southwest portion of the Concept Plan for development of the former Blue Ash Airport, approved by Council Ordinance 2016-48 last September. Council approved the Final Planned Development Plan for the M/I Homes residential portion of the site earlier this year. This Preliminary Subdivision Plan is almost identical to the plans already approved, but will allow the owner to proceed with improvement plans and construction on the overall site, such as mass grading and building the site infrastructure such as utilities and roadways.

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

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a. Finance & Administration Committee, Tom Adamec, Chairperson

Vice Mayor Adamec asked the Clerk to read Resolution No. 2017-26 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2017-26

PROVIDING FOR THE TRANSFER OF FUNDS AND
AMENDMENTS WITHIN THE ANNUAL APPROPRIATION
RESOLUTION NO. 2017-7 FOR THE YEAR 2017

Vice Mayor Adamec moved, Councilwoman Stoller seconded to adopt Resolution No. 2017-26.

There being no discussion, the Clerk called the roll. Councilpersons Ryan, Buckman, Adamec, Jhaveri, Sirkin, Stoller, and Mayor Czerwonka voted yes. Seven yeses. Resolution No. 2017-26 passed.

b. Parks & Recreation Committee, Robert J. Buckman, Jr., Chairperson

Councilman Buckman asked the Clerk to read Resolution No. 2017-27 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2017-27

AUTHORIZING THE PURCHASE OF FOUR REPLACEMENT
GOLF COURSE MOWERS UTILIZING THE STATE OF OHIO'S
COOPERATIVE PURCHASING PROGRAM

Councilman Buckman moved, Councilwoman Stoller seconded to adopt Resolution No. 2017-27.

In response to Councilman Ryan's question, Parks and Recreation Director Chuck Funk stated the City looked into leasing the mowers to spread the costs over a period of time, but the complexity of the lease wasn't in the City's favor. The City will pay less by buying the mowers outright.

There being no further discussion, the Clerk called the roll. Councilpersons Buckman, Adamec, Jhaveri, Sirkin, Stoller, Ryan, and Mayor Czerwonka voted yes. Seven yeses. Resolution No. 2017-27 passed.

Councilman Buckman asked the Clerk to read Resolution No. 2017-28 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2017-28

AUTHORIZING THE CITY MANAGER TO ENTER INTO A
CONTRACT FOR THE COOPER CREEK EVENT CENTER
HVAC PROJECT UTILIZING THE STATE OF OHIO'S
COOPERATIVE PURCHASING PROGRAM

Councilman Buckman moved, Councilman Ryan seconded to adopt Resolution No. 2017-28.

There being no discussion, the Clerk called the roll. Councilpersons Adamec, Jhaveri, Sirkin, Stoller, Ryan, Buckman, and Mayor Czerwonka voted yes. Seven yeses. Resolution No. 2017-28 passed.

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c. Public Works Committee, Stephanie Stoller, Chairperson

Councilwoman Stoller asked the Clerk to read Resolution No. 2017-29 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2017-29

AMENDING RESOLUTION NO. 2017-10 REGARDING A
CONTRACT FOR THE REPAIR OF THE STORM SEWER
CULVERT AT 9796 COOPER WOODS

Councilwoman Stoller moved, Councilman Jhaveri seconded to adopt Resolution No. 2017-29.

There being no discussion, the Clerk called the roll. Councilpersons Jhaveri, Sirkin, Stoller, Ryan, Buckman, Adamec, and Mayor Czerwonka voted yes. Seven yeases. Resolution No. 2017-29 passed.

Councilwoman Stoller asked the Clerk to read Resolution No. 2017-30 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2017-30

AUTHORIZING THE CITY MANAGER TO ENTER INTO A
CONTRACT FOR THE DOWNTOWN BLUE ASH
STREETScape PHASE 4 PROJECT FOR THE UNIT PRICES
AS SHOWN ON THE ATTACHED BID SUMMARY

Councilwoman Stoller moved, Councilman Buckman seconded to adopt Resolution No. 2017-30.

Councilman Ryan received comments from residents expressing concerns of the sidewalk/streetscape at the construction of apartments at the Hunt Road bend. He feels there should be landscaping between the sidewalk and the apartments.

City Manager David Waltz indicated that the City is working through the stages of streetscape improvements downtown. The construction of the apartment building has not been completed and there will be an opportunity to landscape.

There being no further discussion, the Clerk called the roll. Councilpersons Sirkin, Stoller, Ryan, Buckman, Adamec, Jhaveri, and Mayor Czerwonka voted yes. Seven yeases. Resolution No. 2017-30 passed.

d. Planning & Zoning Committee, Marc Sirkin, Chairperson

Councilman Sirkin asked the Clerk to read Resolution No. 2017-31 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2017-31

APPROVING A PRELIMINARY PLAN AND FINAL PLAT FOR
MALSBARY ROAD SUBDIVISION CONTAINING 2 LOTS AND
TOTALING APPROXIMATELY 5.246 ACRES

Councilman Sirkin moved, Councilwoman Stoller seconded to adopt Resolution No. 2017-31.

There being no discussion, the Clerk called the roll. Councilpersons Stoller, Ryan, Buckman, Adamec, Jhaveri, Sirkin, and Mayor Czerwonka voted yes. Seven yeases. Resolution No. 2017-31 passed.

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Councilman Sirkin asked the Clerk to read Resolution No. 2017-32 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2017-32

APPROVING A PRELIMINARY PLAN FOR DAVENTRY AT
SUMMIT PARK SUBDIVISION CONTAINING 104 LOTS AND
TOTALING APPROXIMATELY 33.0677 ACRES

Councilman Sirkin moved, Councilwoman Stoller seconded to adopt Resolution No. 2017-32.

There being no discussion, the Clerk called the roll. Councilpersons Ryan, Buckman, Adamec, Jhaveri, Sirkin, Stoller, and Mayor Czerwonka voted yes. Seven yeases. Resolution No. 2017-32 passed.

9. MISCELLANEOUS BUSINESS

Mr. Waltz indicated that revenues for the first quarter were down 9% which is attributable to some of the companies that the City knew were leaving or transitioning out. The City has sufficient and healthy reserves but will be vigilant and conservative. Secondly, Mr. Waltz informed Council that Administration is working with Al. Neyer to articulate detail design elements of where the development intersects with Summit Park near Brown Dog Café. As it is fine-tuned, it is anticipated that in May, Administration will present Council with some final ideas. Mr. Waltz shared an article with Council concerning a number of states that are considering the elimination of local government home rule authority. Governor Kasich recently discussed limiting local government power or ability to tax or ability to regulate. It is a trend and the Governor of Texas is proposing a full out ban on local home rule control of all local cities. Mr. Waltz is concerned that this growing trend nationally and which may present a bleak future for Blue Ash. Finally, in response to the resident who spoke of A-List Animal, Mr. Waltz indicated that the company was charged with a Nuisance and the trial will be held in the Hamilton County Municipal Court in May.

Mr. Funk informed that the next phase of the Summit Park Tower is going up tomorrow at 8:00 a.m. This additional section will take the tower up to 126 ft. where the observation deck will be. There are two more sections that will be completed by the end of the April.

Fire Chief Rick Brown informed Council that the new fire engine has been delivered and is being tested.

Councilman Ryan thanked Public Works Director Gordon Perry for his efforts the work on Hunt Road.

Council Members expressed their congratulations to the COBA101 class and appreciation for participating.

Mayor Czerwonka addressed the issue of medical marijuana. The State of Ohio has increased the dispensary licensing from 40 to 60 within the State. Mayor Czerwonka opined that property values may decrease. Mayor Czerwonka stated that he is interested in placing a ban on the medical marijuana dispensaries and cultivators within the City of Blue Ash. He indicated that the City of Cincinnati will likely seek the development of dispensaries and cultivators. There are 88 counties in the State of Ohio which is less than one license per County. He feels this is best suited in larger urban communities. Most surrounding suburban cities have voted in the direction of a ban.

Mayor Czerwonka moved, Councilman Buckman seconded, directing Administration to prepare a resolution banning all marijuana retail dispensaries along with cultivators and/or processors within the City of Blue Ash.

Councilman Sirkin believes there is some anecdotal evidence that marijuana can be a comfort to people with certain illnesses. However, the way the legislature has set things up – i.e. 60 dispensaries; 11.6 million residents – each dispensary is going to serve 193,000 residents. Obviously, 193,000 residents are not going to get medical marijuana recommendations; however, there will be a significant number that each dispensary is going to have to service because there are only 88 counties and only 60 dispensaries. The City of

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Blue Ash has 12,000 residents. If the City allows a dispensary it will serve 15x its population. He believes the City of Cincinnati, being 24x the size of Blue Ash in population, is in a much better position to have medical marijuana dispensaries. Blue Ash is a great city, has a great administration, police and fire departments, and is very attractive to businesses. The reason Blue Ash is so popular is because it is located by Interstates 71, 75, and 275; it is easy to get to from Butler County, Clermont County, and Hamilton County. Councilman Sirkin urged caution that Blue Ash is not at the forefront of this, even more so when all the surrounding communities are not interested. He recommended that Council watch how the program is run and revisit it in the future.

In responding to Councilman Jhaveri's concerns about the impact on the police and fire departments, Mr. Waltz explained that medical marijuana is going to be legalized. It is less an issue, in this context, about fire/police response but rather an issue of land use.

Mayor Czerwonka stated that property values of strip malls occupying dispensaries could be reduced. Most strip malls in the City of Blue Ash are located in the downtown district – the core of the City. He does not want to see the core of the City devalued and sees no benefit for the City.

Councilman Ryan feels the fears Council have need to be identified. He would like to see the data where medical marijuana dispensaries in strip malls decrease property values. There are other cities within the United States that have dispensaries. When one mentions that it would be a cash only system, the way the program has been structured has a cashless system. They go to a real doctor with a real quantified relationship and a real condition. Quite frankly, these rules are not going to be solidified for quite some time. There is a lot of time on the clock before decisions actually have to be made. Councilman Ryan would like to make his decisions based on data rather than assumption. Councilman Ryan stated that during the last election, 80-90% of Ohioans supported medical marijuana. He views this as false evidence appearing real. He doesn't care about opinions, but if it is going to have an economic effect, it needs to be proven.

Vice Mayor Adamec stated that Council spoke of this topic three months ago when there weren't limitations on dispensaries and believes five Council Members felt it might work for reasons that people live within our community with epilepsy, cancer, along with other illnesses. During that conversation, Council determined that it had control over the design, standards, and regulations on what the dispensaries would look like. A month after that discussion, the State indicated that there was going to be limited dispensaries – 40 dispensaries for 88 counties, which indicate the regulation is influx. Where would the dispensary be placed for this county or the three counties surrounding us? It could be in Blue Ash but does the City want to be the "super store for the county?" Vice Mayor Adamec feels that because these regulations are continually changing, he felt a moratorium would be more appropriate rather than a ban.

Councilman Sirkin explained that any legislation that Council passes, can be reviewed. He would support a ban for now and then in a year or two, when everything is up and running, Council can decide to rescind the ban. He does not want the City to be the "super store" for all of Hamilton County and the region.

Councilman Ryan stated he wants to make intelligent, fact based decisions. Right now, there is nothing pressing for Council to make a decision because nothing is going to be set until September 2017. The rules are still in flux.

There being no further discussion, Mayor Czerwonka requested the Clerk to call the roll on the motion. Councilpersons Buckman, Sirkin, and Mayor Czerwonka voted yes. Councilpersons Adamec, Jhaveri, Stoller, and Ryan voted no. Three yeses; four nos. Motion did not pass.

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10. EXECUTIVE SESSION

After all items on the agenda were acted upon, Mayor Czerwonka moved, Councilman Buckman seconded to convene an Executive Session to discuss matters pertaining to Economic Development. The Clerk called the roll. Councilpersons Buckman, Adamec, Jhaveri, Sirkin, Stoller, Ryan, and Mayor Czerwonka voted yes. Seven yeases. Motion carried.

After matters pertaining to Economic Development were discussed, Councilman Sirkin moved, Councilwoman Stoller seconded to convene to the regular meeting. A voice vote was taken. All Council members voted yes. Motion carried.

11. ADJOURNMENT

All items on the agenda having been acted upon, Mayor Czerwonka moved, Councilwoman Stoller seconded to adjourn the meeting. A voice vote was taken. All members voted yes. The Council meeting was adjourned at approximately 8:27 PM.

Lee Czerwonka, Mayor

Jamie K. Eifert, Clerk of Council

MINUTES RECORDED AND WRITTEN BY:

Karla Plank, Administrative Assistant