

BLUE ASH CITY COUNCIL

August 9, 2018

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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 August 9, 2018. Mayor Thomas C. Adamec called the meeting to order in Council Chambers at 7:00 PM.

2. OPENING CEREMONIES

Mayor Adamec led those assembled in the Pledge of Allegiance.

3. ROLL CALL

MEMBERS PRESENT: Vice Mayor Marc Sirkin, Councilwoman Linda Bauer, Councilman Joe Leet, Councilman Pramod Jhaveri, Councilman Jeff Capell, Councilman Lee Czerwonka, and Mayor Tom Adamec

ALSO PRESENT: City Manager David Waltz, Solicitor Bryan Pacheco, Deputy Clerk of Council Karla Plank, Assistant City Manager Kelly Harrington, Treasurer Sherry Poppe, Parks & Recreation Director Chuck Funk, Public Works Director Gordon Perry, Assistant Fire Chief Chris Theders, Economic Development Director Neil Hensley, and interested citizens

4. ACCEPTANCE OF REVISED AGENDA

Vice Mayor Sirkin moved, Councilman Jhaveri 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 – Deputy Clerk of Council Karla Plank
4. ACCEPTANCE OF REVISED AGENDA
5. APPROVAL OF MINUTES
 - a. Regular Meeting of July 12, 2018
6. COMMUNICATIONS
 - a. Communications to Council – Deputy Clerk of Council Karla Plank
 - b. Reports From Outside Agencies
 - c. Mayor’s Report – July 2018
 - d. Financial Report – Motion to accept the report for July 2018
7. HEARINGS FROM CITIZENS
8. COMMITTEE REPORTS
 - a. Finance & Administration Committee, Lee Czerwonka, Chairperson
 1. Resolution No. 2018-35, making temporary appointment of Vice Mayor
 - b. Parks & Recreation Committee, Linda Bauer, Chairperson
 1. Resolution No. 2018-36, authorizing a contract for rental and installation of a temporary ice rink at Summit Park
 - c. Planning & Zoning Committee, Marc Sirkin, Chairperson
 1. Motion setting a Public Hearing for 7:05PM, Thursday, October 11, 2018, to consider approval of a Concept Planned Unit Development and Zoning Map Amendment at Oak Avenue, in the R-3 Residential High Density Zoning District
 2. Motion setting a Public Hearing for 7:10PM, Thursday, October 11, 2018, to consider approval of a Concept Planned Unit Development and Zoning Map Amendment at 9933 Alliance Road, in the Summit Park Zoning District
9. MISCELLANEOUS BUSINESS
10. 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.
11. ADJOURNMENT

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5. APPROVAL OF MINUTES

Councilman Czerwonka moved, Councilman Leet seconded to approve the minutes of the regular meeting of July 12, 2018. A voice vote was taken. All members present voted yes. Motion carried.

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.

c. Mayor's Report – July 2018

TOTAL RECEIPTS:.....	\$15,558.00
DISBURSEMENTS:	
To Blue Ash	
Fines/costs/Expungements/forfeitures/NSF check charges, vendor permits).....	\$11,478.00
To the State of OH:.....	\$3,793.50
Victims of Crime.....	\$900.00
General Rev Fund.....	now included in 2a below
Expungements.....	\$0.00
Indigent Defense Support Fund 2a (Includes STG and bond surcharge).....	\$2,485.00
Drug Law Enforcement Fund 2b.....	\$318.50
Justice Program Service Fund	
Seat Belts.....	\$90.00
Indigent Driver's Alcohol Trtm't Fund.....	\$136.50
Refund of Appealed Fines and Costs.....	\$0.00
Refund of overpaid fines.....	\$110.00
Bond Money applied.....	\$0.00
Bond Money returned.....	\$0.00
Restitution payment.....	\$40.00
TOTAL DISBURSEMENTS.....	\$15,558.00
BALANCE IN BONDS: 07/31/2018.....	\$200.00
Mayor's Court traffic citations.....	106
Mayor's Court criminal citations.....	20
Total Mayor's Court cases.....	126
Blue Ash rev. from Mayor's Ct. Cases:.....	\$11,478.00

d. Financial Report – July 2018

CITY OF BLUE ASH FINANCIAL POSITION STATEMENT- MONTH ENDING July 31, 2018

MONTH TO DATE	2017	2018
START OF MONTH FUND BALANCE:	\$56,769,405.09	\$49,217,876.01
Revenues:		
Earnings Tax Collections:	\$3,055,122.41	\$2,957,342.26
Debt Financing (long term)	-	-
Debt Financing (short term)	-	-
Other Revenue Received:	1,375,155.14	1,507,959.52
= Total Monthly Receipts	\$4,430,277.55	\$4,465,301.78
Expenditures:		
Long term Debt Payments	-	-
Short term Debt Payments	-	-
Other Expenditures:	\$3,562,907.22	\$4,433,167.12
= Total Monthly Expenditures:	\$(3,562,907.22)	\$(4,433,167.12)
END OF MONTH FUND BALANCE:	\$57,636,775.42	\$49,250,010.67
YEAR TO DATE	2017	2018
START OF YEAR FUND BALANCE:	58,212,800.00	49,409,485.46
Revenues:		
Earnings Tax Collections:	\$22,468,569.37	\$22,042,726.08
Debt Financing (long term)	-	-
Debt Financing (short term)	-	-
Other Revenue Received:	<u>\$8,813,959.87</u>	<u>\$9,882,075.25</u>

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= Total YTD Receipts	\$31,282,529.24	\$31,924,801.33
Expenditures:		
Long term Debt Payments	\$2,461,209.21	\$2,424,377.96
Short term Debt Payments	63,939.74	63,939.74
Other Expenditures:	\$29,333,404.87	\$29,595,958.42
= Total YTD Expenditures:	\$(31,858,553.82)	\$(32,084,276.12)
YEAR TO DATE FUND BALANCE:	\$57,636,775.42	\$49,250,010.67

100% of the fund balance was invested as of 7/31/18 Interest paid to date on matured investments: \$289,784.30 Receipt and expenditure figures do not include interfund transfers or advances. All debt includes principal and interest.

BLUE ASH INCOME TAX DIV. INCOME TAX RECEIPT SUMMARY - MONTH ENDING July, 2018

MONTH TO DATE STATUS:	2017	2018
Business Net Profit	\$73,239.60	\$409,213.62
Resident Net Profit	31,901.78	32,971.14
Non-Resident Net Profit	14,233.87	7,606.56
Subcontractor Net Profit	9,556.00	1,998.00
Net Profit Total	\$128,931.25	\$451,789.32
Withholding	\$2,858,788.78	\$2,441,825.72
Subcontractor Withholding	67,402.38	63,727.22
Withholding Total	\$2,926,191.16	\$2,505,552.94
Monthly Collection Totals	\$3,055,122.41	\$2,957,342.26
		-3.20%

YEAR TO DATE STATUS:		
Business Net Profit	\$3,541,703.47	\$3,834,040.68
Resident Net Profit	974,700.11	918,702.73
Non-Resident Net Profit	333,075.89	266,691.89
Subcontractor Net Profit	138,778.27	102,411.30
Net Profit Total	\$4,988,257.74	\$5,121,846.60
Withholding	\$17,121,135.95	\$16,583,116.24
Subcontractor Withholding	359,175.68	337,763.24
Withholding Total	17,480,311.63	16,920,879.48
YTD Collection Totals	22,468,569.37	22,042,726.08
		-1.90%
YTD Refund Totals	\$1,424,504.61	\$1,095,465.04

Councilman Czerwonka moved Councilman Leet seconded to accept the Financial Report for July 2018 as submitted. A voice vote was taken. All members present voted yes. Motion carried.

7. HEARINGS FROM CITIZENS

Peter Nord, Kendridge Lake, questioned that in the incident of inclement weather during outside public events, particularly lightening, whether the City has a duty to warn people to leave the park and whether the City's liability insurance would be large enough to cover injuries which may occur.

Reed Uberman, Pastor at Soma Church, stated he will be coming into the area and extended his volunteering services to the City of Blue Ash.

Hearings from Citizens was declared closed at 7:06 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 August 9th Council agenda.

8.a.1. Resolution No. 2018-35 making temporary appointment of Vice Mayor

As has been done on limited occasions in the past, Resolution No. 2018-35 makes temporary appointment of Vice Mayor to allow the appointee to perform a marriage ceremony as requested by a Blue Ash citizen. This resolution appoints Councilman Czerwonka as Vice Mayor from August 18-19, 2018.

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8.b.1. Resolution No. 2018-36 authorizing a contract for rental and installation of a temporary ice rink at Summit Park

Resolution No. 2018-36 authorizes an agreement/contract with Ice Rink Events for an amount not to exceed \$135,000 to supply and install a temporary ice rink under the glass canopy at Summit Park. This vendor is one of the very few providing turn-key professional ice rink rentals in the nation. They have installed successful rinks in Cleveland, Akron, Columbus and Downtown Cincinnati as well as across the world. Staff has found Ice Rink Events to be the most appropriate and the only vendor offering a true turn-key service that will fit the City's needs with local representatives available 24/7.

The contract includes the installation of a temporary rink system including connection to CBA supplied chillers and glycol lines. The rink will be in place from Mid-November through late February. It includes set up of a professional 50' x 90' rink with lexan railing system, leveling surface, custom manifold coverings, ice resurfer, benches, rental skates, skate sharpener, local 24-hour technician service and full tear-down.

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

8.c.1. Motion setting a Public Hearing for 7:05PM, Thursday, October 11, 2018, to consider approval of a Concept Planned Unit Development and Zoning Map Amendment at Oak Avenue, in the R-3 Residential High Density Zoning District

The proposed plan is for a 0.786 acre, 5 lot single-family residential development that would be accessed by a shared private drive from Oak Avenue. Four of the lots could be developed with a single-family residence; the fifth lot would be an unbuildable parcel under common ownership by a homeowners association.

Planning Commission considered the request at its regular meeting on August 2, 2018 and recommended approval with conditions.

Please direct any questions to the Community Development Director.

8.c.2. Motion setting a Public Hearing for 7:10PM, Thursday, October 11, 2018, to consider approval of a Concept Planned Unit Development and Zoning Map Amendment at 9933 Alliance Road, in the Summit Park Zoning District

The proposed plan is for a redevelopment of the existing 14 acre site and 200,000 square foot building to include land uses that are not currently permitted in the Summit Park District. The proposed PUD includes a conceptual site plan that would adjust driveway access, minimize the industrial features of the site and building, and potentially include a new building near the intersection of Alliance and Malsbary Roads. The owner plans to seek tenants in 'advanced manufacturing' that will likely require a more attractive facility and a higher percentage of office and laboratory space than would have been required by typical light industrial land uses.

Planning Commission considered the request at its regular meeting on August 2, 2018 and recommended approval with conditions.

Please direct any questions to the Community Development Director.

a. Finance & Administration Committee, Lee Czerwonka, Chairperson

Councilman Czerwonka asked the Clerk to read Resolution No. 2018-35 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2018-35

ACCEPTING THE RESIGNATION OF MARC SIRKIN AS VICE
MAYOR AND APPOINTING LEE CZERWONKA AS VICE
MAYOR FOR A SPECIFIC PERIOD

Councilman Czerwonka moved, Councilman Sirkin seconded to adopt Resolution No. 2018-35.

There being no discussion, the Clerk called the roll. Councilpersons Bauer, Leet, Jhaveri, Capell, Czerwonka, Sirkin, and Mayor Adamec voted yes. Seven yeases. Resolution No. 2018-35 passed.

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b. Parks & Recreation Committee, Linda E. Bauer, Chairperson

Councilman Bauer asked the Clerk to read Resolution No. 2018-36 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2018-36

AUTHORIZING THE CITY MANAGER TO ENTER INTO A
PROFESSIONAL SERVICES CONTRACT FOR THE RENTAL
AND INSTALLATION OF A TEMPORARY ICE RINK AT SUMMIT
PARK

Councilman Bauer moved, Councilman Czerwonka seconded to adopt Resolution No. 2018-36.

In response to Councilman Capell question, Parks and Recreation Director Chuck Funk stated that last year's revenues associated with the temporary ice rink were approximately \$50,000. Other additional costs such as tent rentals and other set-up items were approximately \$40,000. The City's total costs are projected to be \$175,000 towards this expenditure.

Councilman Capell feels the City should not be subsidizing funds, at this level, towards an ice skating rink as there are several that already exist in the area. Further, the City is dealing with a budget challenge in 2019, where there could be \$2.2 million less in revenues due to Proctor & Gamble leaving.

In addressing Mayor Adamec's question, Mr. Funk stated that, as a result of the resident's survey on the types of amenities they wanted to be included in Summit Park, an ice rink was a top ten priority. Last year, there were approximately 12,000-15,000 people who paid to participate in the ice skating rink activities. Mr. Funk explained that the City's Master Plan calls for 365/7 facility activities at Summit Park. The ice rink provides the Park with an additional activity during the off-season to help increase revenues amongst the restaurants to which a portion of those revenues go towards the City. Mr. Funk further explained that if the City should invest in the purchase of an ice rink, the upfront costs would be in excess of \$660,000, along with additional costs of installation, storage, etc. Renting gives the City the opportunity to evaluate the program each year.

City Manager David Waltz stated that the ice rink rental has been funded in the 2018 budget. Programs during the winter are more difficult to generate enthusiasm in bringing people to the Park and support the restaurants. He explained that there will be some budget challenges in 2019; however, encouraged Council not to get caught up into the weeds of the budget. There are difficult choices which may not be as clear cut as one being more important than the other. He stated that there may come a time where the ice skating rink needs to be de-emphasized. Programs such as the Police Department's community engagement program, flower baskets, Downtown Holiday lights, etc. have no return on investment; however, there is a degree of expectation from the citizens. These types of programs are what make the City of Blue Ash worth more.

There being no further discussion, the Clerk called the roll. Councilpersons Leet, Jhaveri, Czerwonka, Sirkin, Bauer, and Mayor Adamec voted yes; Councilperson Capell voted no. Six yeses; one no. Resolution No. 2018-36 passed.

a. Planning & Zoning Committee, Marc Sirkin, Chairperson

Vice Mayor Sirkin moved, Councilman Czerwonka seconded to set a Public Hearing for 7:05PM, Thursday, October 11, 2018, to consider approval of a Concept Planned Unit Development and Zoning Map Amendment at Oak Avenue, in the R-3 Residential High Density Zoning District. A voice vote was taken. All members present voted yes. Motion carried.

Vice Mayor Sirkin moved, Councilman Leet seconded to set a Public Hearing for 7:10PM, Thursday, October 11, 2018, to consider approval of a Concept Planned Unit Development and Zoning Map Amendment at 9933 Alliance Road, in the Summit Park Zoning District. A voice vote was taken. All members present voted yes. Motion carried.

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9. MISCELLANEOUS BUSINESS

Public Works Director Gordon Perry informed that the Paving Program is underway in the Fox Hollow area. The Downtown Sidewalk Program is being finalized for the year and will soon be planting trees.

Mr. Funk advised that, after 17 years with the City of Blue Ash, Recreation & Sports Superintendent Tiphonie Howard has resigned from the City and accepted a position with the City of Fairfield as the Parks and Recreation Director. Parks & Grounds Superintendent Brian Kruse has been promoted as the City's Assistant Parks & Recreation Director.

In response to Councilman Capell's question, Mr. Funk explained that the recent temporary closure of the Tower at Summit Park was due to complete certain construction punch list items.

10. EXECUTIVE SESSION

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

After matters pertaining to Economic Development Assistance were discussed, Vice Mayor Sirkin moved, Councilman Czerwonka 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, Councilman Czerwonka moved, Councilman Leet seconded to adjourn the meeting. A voice vote was taken. All members voted yes. The Council meeting was adjourned at approximately 7:35 PM.

Thomas C. Adamec, Mayor

Karla Plank, Deputy Clerk of Council

MINUTES RECORDED AND WRITTEN BY:

Karla Plank, Administrative Assistant