

BLUE ASH CITY COUNCIL

September 13, 2018

Page 1

1. MEETING CALLED TO ORDER

A regular meeting of the Council of the City of Blue Ash, Ohio, was held on September 13, 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, Clerk of Council Jamie Eifert, Assistant City Manager Kelly Harrington, Treasurer Sherry Poppe, Parks & Recreation Director Chuck Funk, Public Works Director Gordon Perry, Assistant Fire Chief Chris Theders, Police Lieutenant Rob Gerhardt, Administrative Assistant Karla Plank, Assistant Parks & Recreation Director Brian Kruse, Economic Development Director Neil Hensley, and interested citizens

4. ACCEPTANCE OF AGENDA

Councilman Czerwonka moved, Vice Mayor Sirkin seconded to accept the agenda. A voice vote was taken. All members present voted yes. Motion carried.

1. MEETING CALLED TO ORDER
2. OPENING CEREMONIES
3. ROLL CALL – Clerk of Council Jamie K. Eifert
4. BEAUTIFICATION WEEK PRESENTATIONS
5. ACCEPTANCE OF AGENDA
6. APPROVAL OF MINUTES
 - a. Regular Meeting of August 9, 2018
7. COMMUNICATIONS
 - a. Communications to Council –Clerk of Council Jamie K. Eifert
 - b. Reports From Outside Agencies
 - c. Mayor’s Report – August 2018
 - d. Financial Report – Motion to accept the report for August 2018
8. HEARINGS FROM CITIZENS
9. COMMITTEE REPORTS
 - a. Finance & Administration Committee, Lee Czerwonka, Chairperson
 1. Resolution No. 2018-37, budget amendments
 2. Resolution No. 2018-38, amending the 2018 Position Classification Plan
 3. Resolution No. 2018-39, authorizing contracts for employee benefit coverage
 4. Resolution No. 2018-40, levying special assessments on real property related to property maintenance issues pursuant to Chapter 911 of the Blue Ash Code
 5. Resolution No. 2018-41, accepting property tax rates for 2019
 6. Resolution No. 2015-42, authorizing purchase of replacement computers
 7. Resolution No. 2018-43, authorizing a Tax Increment Financing (TIF) arrangement with Project Angel, LLC for improvements of real property
 8. Resolution No. 2018-44, authorizing a development agreement with Project Angel, LLC
 9. Resolution No. 2018-45, authorizing an economic development agreement with Ensemble HP, LLC
 10. Motion authorizing the sale of City-owned real property with no further requirement to solicit additional bids
 11. Ordinance No. 2018-9, authorizing the sale of City-owned real property
 - b. Planning & Zoning Committee, Marc Sirkin, Chairperson
 1. Resolution No. 2018-46, approving final plat for Section 2 of the Daventry at Summit Park Subdivision

BLUE ASH CITY COUNCIL

September 13, 2018

Page 2

10. MISCELLANEOUS BUSINESS

a. Oak Park (Hazelwood) Presentation

11. ADJOURNMENT

5. **BEAUTIFICATION WEEK PRESENTATION**

Mayor Adamec stated that this year’s judging process occurred in June, with the City receiving over 40 residential property nominations. All properties nominated for an award were reviewed by the Committee. Examples of the judging criteria included overall appearance, type of plantings used (garden variety/color), and overall lawn, landscaping and tree maintenance.

The winners were as follows and those present at the Council meeting received their award.

- *Mayor’s Choice:* Marty and Sally Hiudt, 9744 Tiffany Hill Court
- *Committee Choice:* Robert and Sharon Kaufman, 5133 Muirwoods Court
Michael and Christy Conley, 4644 Alpine Avenue
Johnny Chua and Sonia Carreon, 9465 Tramwood Court

6. **APPROVAL OF MINUTES**

Councilman Czerwonka moved, Councilwoman Bauer seconded to approve the minutes of the regular meeting of August 9, 2018. A voice vote was taken. All members present voted yes. Motion carried.

7. **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 – August 2018**

| | |
|---|--------------------------|
| TOTAL RECEIPTS:..... | \$15,061.00 |
| DISBURSEMENTS: | |
| To Blue Ash | |
| Fines/costs/Expungements/forfeitures/NSF check charges, vendor permits) | \$10,743.00 |
| To the State of OH:..... | \$3,643.00 |
| Victims of Crime | \$873.00 |
| General Rev Fund..... | now included in 2a below |
| Expungements..... | \$0.00 |
| Indigent Defense Support Fund 2a (Includes STG and bond surcharge) | \$2,425.00 |
| Drug Law Enforcement Fund 2b..... | \$315.00 |
| Justice Program Service Fund | |
| Seat Belts | \$30.00 |
| Indigent Driver’s Alcohol Trtm’t Fund..... | \$135.00 |
| Refund of Appealed Fines and Costs | \$0.00 |
| Refund of overpaid fines..... | \$0.00 |
| Bond Money applied..... | \$0.00 |
| Bond Money returned | \$0.00 |
| Restitution payment | \$540.00 |
| TOTAL DISBURSEMENTS..... | \$15,061.00 |
| BALANCE IN BONDS: 08/31/2018 | \$0.00 |
| Mayor’s Court traffic citations | 106 |
| Mayor’s Court criminal citations | 9 |
| Total Mayor’s Court cases | 115 |
| Blue Ash rev. from Mayor’s Ct. Cases:..... | \$10,743.00 |

BLUE ASH CITY COUNCIL

September 13, 2018

Page 3

d. Financial Report – August 2018

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

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

| MONTH TO DATE | 2017 | 2018 |
|-------------------------------------|-------------------------|-------------------------|
| START OF MONTH FUND BALANCE: | \$57,636,775.42 | \$49,250,010.67 |
| Revenues: | | |
| Earnings Tax Collections: | \$2,295,625.79 | \$2,468,725.29 |
| Debt Financing (long term) | - | - |
| Debt Financing (short term) | - | - |
| Other Revenue Received: | 951,371.61 | 3,936,275.43 |
| = Total Monthly Receipts | \$3,246,997.40 | \$6,405,000.72 |
| Expenditures: | | |
| Long term Debt Payments | 1,999,500.00 | 2,001,368.75 |
| Short term Debt Payments | - | - |
| Other Expenditures: | \$4,140,439.75 | \$5,294,431.17 |
| = Total Monthly Expenditures: | \$(6,139,939.75) | \$(7,295,799.92) |
| END OF MONTH FUND BALANCE: | \$54,743,833.07 | \$48,359,211.47 |

| YEAR TO DATE | 2017 | 2018 |
|------------------------------------|--------------------------|--------------------------|
| START OF YEAR FUND BALANCE: | 58,212,800.00 | 49,409,485.46 |
| Revenues: | | |
| Earnings Tax Collections: | \$24,764,195.16 | \$24,511,451.37 |
| Debt Financing (long term) | - | - |
| Debt Financing (short term) | - | - |
| Other Revenue Received: | \$9,765,331.48 | \$13,818,350.68 |
| = Total YTD Receipts | \$34,529,526.64 | \$38,329,802.05 |
| Expenditures: | | |
| Long term Debt Payments | \$4,460,709.21 | \$4,425,746.71 |
| Short term Debt Payments | 63,939.74 | 63,939.74 |
| Other Expenditures: | \$33,473,844.62 | \$34,890,389.59 |
| = Total YTD Expenditures: | \$(37,998,493.57) | \$(39,380,076.04) |
| YEAR TO DATE FUND BALANCE: | \$54,743,833.07 | \$48,359,211.47 |

100% of the fund balance was invested as of 8/31/18 Interest paid to date on matured investments: \$353,959.84 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 August, 2018

| MONTH TO DATE STATUS: | 2017 | 2018 |
|---------------------------|----------------|----------------|
| Business Net Profit | \$104,602.80 | \$168,384.91 |
| Resident Net Profit | 59,372.06 | 39,118.08 |
| Non-Resident Net Profit | 20,257.86 | 7,283.08 |
| Subcontractor Net Profit | 3,053.00 | 46,322.33 |
| Net Profit Total | \$187,285.72 | \$261,108.40 |
| Withholding | \$2,069,211.36 | \$2,163,178.94 |
| Subcontractor Withholding | 39,128.71 | 44,437.95 |
| Withholding Total | \$2,108,340.07 | \$2,207,616.89 |
| Monthly Collection Totals | \$2,295,625.79 | \$2,468,725.29 |
| | | 7.54% |

| YEAR TO DATE STATUS: | 2017 | 2018 |
|---------------------------|-----------------|-----------------|
| Business Net Profit | \$3,646,306.27 | \$4,002,425.59 |
| Resident Net Profit | 1,034,072.17 | 957,820.81 |
| Non-Resident Net Profit | 353,333.75 | 273,974.97 |
| Subcontractor Net Profit | 141,831.27 | 148,733.63 |
| Net Profit Total | \$5,175,543.46 | \$5,382,955.00 |
| Withholding | \$19,190,347.31 | \$18,746,295.18 |
| Subcontractor Withholding | 398,304.39 | 382,201.19 |
| Withholding Total | 19,588,651.70 | 19,128,496.37 |
| YTD Collection Totals | 24,764,195.16 | 24,511,451.37 |
| | | -1.02% |
| YTD Refund Totals | \$1,468,184.02 | \$1,121,118.91 |

September 13, 2018

Page 4

8. HEARINGS FROM CITIZENS

Elizabeth Rueve-Miller, 9288 Bluewing Terrace, requested that Council pass a resolution for the State of Ohio to require public safety as part of the decision making criteria with the Ohio Power Siting Board which oversees projects such as the Duke pipeline. Duke Energy is proposing to build a high-pressure natural gas transmission line through the City's densely populated communities in Blue Ash and surrounding areas throughout Hamilton County. She also requested Council's support for municipalities to be able to control certain setback zones for vulnerable properties such as schools, daycare centers, etc.

Peter Nord, Kenridge Lake, requested that safety in residential area be a factor in the determination process where pipelines are placed in residential areas. He believes careless construction damage over the pipelines is not safe and a lot of lives could be at risk.

Makayla Hearl, 10751 Moss Hill Lane, stated that the small cell towers being placed in municipal right-of-ways, emits a form of radiation called Electromagnetic Frequency (EMF) that can cause certain medical conditions such as headaches, thyroid pressures, hives, and heart palpitations. She provided Council with research information concerning the dangers of EMF.

Hearings from Citizens was declared closed at 7:15 PM.

9. 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 September 13th Council agenda.

4. BEAUTIFICATION WEEK PRESENTATIONS

The Beautification Week judging process took place in June, with the City receiving over 40 residential property nominations. All properties nominated for an award were judged by the Committee. Examples of the judging criteria included overall appearance, type of plantings used (garden variety/color), and overall lawn, landscaping and tree maintenance.

This year's Beautification Week winners were invited to Thursday's meeting to receive their awards, and include:

- *Mayor's Choice: Sally Hiudt, 9744 Tiffany Hill Court*
- *Committee Choice: Robert and Sharon Kaufman, 5133 Muirwoods Court
Michael & Christy Conley, 4644 Alpine Avenue
Johnny Chua and Sonia Carreon, 9465 Tramwood Court*

Please direct questions regarding the Beautification Week process to Mayor Adamec.

9.a.1 Resolution No. 2018-37 budget amendments

Resolution No. 2018-37 provides for the following 2018 budget modifications:

Economic Development - 111

Council approved Resolution No. 2018-33 on June 14, 2018 authorizing an economic development agreement with EAN Holdings, the parent company of Enterprise Car Rental. This budget adjustment provides the funding for the \$200,000 forgivable loan authorized in that legislation.

Public Works - 221

A budget adjustment of \$20,000 is needed, within the Public Works fund 221, to account for the replacement cost and the future reimbursement of expenses associated with third party damage to a traffic control box. An insurance claim has been filed with the third party's insurance company.

Summit Park Construction - 448

As you may recall through the 2018 Budget process, the City was awarded a \$250,000 Ohio Department of Natural Resources grant for the construction of the natural playscape at Summit Park. Pending final approval through the State Controlling Board, the City will receive additional funding of \$100,000 from ODNR towards the completion of the natural playscape. This budget adjustment recognizes the receipt of those funds and corresponding contractual expense.

Tax Incremental Financing – TIF Funds 332 - 507

The City's 2018 Budget included revenue and expenditure estimates for the City's TIF related funds. As actual TIF revenues are received from the County, adjustments are needed to increase and/or decrease revenue and expenditure appropriations to remit required payments outlined in the TIF agreements. The remaining entries listed on the attachment amends the original revenue and expense estimates to reflect actual amounts received and/or disbursed.

Please direct any question regarding this resolution to the Treasurer/Administrative Services Director or the related Department Director.

BLUE ASH CITY COUNCIL

September 13, 2018

Page 5

9.a.2. Resolution No. 2018-38 amending the 2018 Position Classification Plan

Resolution 2018-38 amends the 2018 Pay and Position Classification Plan, as provided for in Resolution 2017-63 – Administrative Rules and Regulations, by authorizing a two percent increase to the pay range affecting Fire Lieutenants (24FL). The Fire Lieutenants' bargaining unit decertified in 2011. In order to maintain an appropriate margin between Lieutenants and Firefighters this change to the pay range is recommended.

Please direct any questions regarding this Resolution to the Treasurer/Administrative Services.

9.a.3. Resolution No. 2018-39 authorizing contracts for employee benefit coverage

This resolution authorizes the City Manager to enter into agreements and to make related payments associated with the City's group health, dental, vision, and life insurance plans for eligible employees for plan year November 1, 2018 through October 31, 2019.

Historically, the City of Blue Ash has provided its employees an excellent array of benefits including health, vision, dental, and life coverages. Several years ago, the City Manager requested the formation of an employee-based health insurance advisory committee to not only review the City's cost in this area but also to help with employee education and to examine alternatives which might continue to provide excellent coverage at a lower cost.

Over the past few months, the City's health insurance broker, Horan Associates, sought out competitive proposals from a variety of providers in an effort to develop a strategy for the renewal on November 1, 2018. Taking into consideration possible employee coverage disruptions with changing carriers and the City's overall satisfaction with UnitedHealthcare's customer service and previous renewal rates, Administration recommends that the City remain with UnitedHealthcare for the upcoming plan year. UHC initially proposed a 2.9% increase but after negotiations and sharing competitive data, UHC agreed to reduce the renewal to 0% for the 2018-2019 plan year.

As for other benefit renewals, the City is in the second year of a two-year contract with Vision Service Plan. Dental Care Plus provided a two-year contract renewal with a 6% decrease from current rates. Rates are guaranteed for both years of the contract. The Standard Insurance Company submitted a renewal that offered the same life insurance coverage with a 5.4% rate reduction guaranteed for two years. Administration recommends that the City remain with these carriers as well.

The City will continue to offer tax deferred savings vehicles such as flexible spending accounts and/or portable health savings accounts. Employees may earn additional City contributions through attendance at educational seminars and/or participation in wellness events during the plan year. The City offers a \$2,000 payment to any eligible employee who chooses to secure health insurance elsewhere and opts out of the City's health care plan.

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

9.a.4. Resolution No. 2018-40 levying special assessments on real property related to property maintenance issues pursuant to Chapter 911 of the BA Code

As Council is aware, the City's property maintenance provisions defined in Chapter 911 allow for the City to "step in" and take care of the mowing of tall grass and weeds if the property owner, after an extended period of time and with notice, has not taken care of the problem. The City then bills the landowner for the cost of that maintenance. If the invoiced cost of the maintenance has not been paid by the landowner to the City after a defined period, the City can then "certify" it to the County Auditor to be placed upon the tax duplicate and collected and paid back to the City.

In the past several months, the City has taken care of maintenance issues multiple times on several Blue Ash properties. Resolution No. 2018-40 represents the notification to the County Auditor of such payments directing the specified amounts to be levied and assessed on the properties as noted within the resolution.

Please direct questions regarding this Resolution to the Treasurer.

9.a.5. Resolution No. 2018-41 accepting property tax rates for 2019

The Tax Budget for 2019, which was adopted by Council in July, was submitted to the Hamilton County Budget Commission for their review. Resolution No. 2018-41 seeks Council's acceptance of the amounts and rates of taxation that were included within the Tax Budget and certified by the Budget. In accordance with our Charter, the inside millage as expressed in this resolution remains at 3.08 mills.

Based upon the County's estimated December 31, 2018 total assessed valuation for Blue Ash, the City's 2019 property tax revenue should be approximately \$2,340,800.

Please direct questions regarding this Resolution to the Treasurer.

9.a.6. Resolution No. 2018-42 authorizing purchase of replacement computers

Over the past couple of years, Administration has been planning for the inevitable upgrades required to its citywide computers and Windows 7 operating software as they are approaching the end of their useful lives. Microsoft has announced that it will discontinue support of Windows 7 as of January 2020. Most of the City's computers are between five and ten years old and will not support the necessary upgrade to Windows 10. The 2018 final budget included funding to complete these computer replacements which will come with the Windows 10 operating system installed.

Administration received competitive quotes from Hewlett Packard and SHI International for 12 HP EliteBook laptops and 131 HP ProDesk PCs both below state bid pricing. HP's quote is approximately \$1,200 less than SHI International's quote and is based off of the Ohio Department of Administrative Services contract with the NASPO ValuePoint Cooperative Purchasing Program (contract #Oa1067-13). The National Association of State Purchasing Officials (NASPO) coordinates state's participation this national purchasing program. Administration recommends accepting HP Inc.'s quote for the purchase of this equipment.

BLUE ASH CITY COUNCIL

September 13, 2018

Page 6

Resolution No. 2018-42 authorizes the purchase of 12 HP EliteBook laptops and 131 HP ProDesk PCs from HP Inc. for an amount not to exceed \$103,478.42.

Please direct any question regarding this resolution to the Treasurer/Administrative Services Director.

9.a.7. Resolution No. 2018-43 authorizing a Tax Increment Financing (TIF) arrangement with Project Angel, LLC for improvements of real property

9.a.8. Resolution No. 2018-44 authorizing a development agreement with Project Angel, LLC

9.a.9. Resolution No. 2018-45 authorizing an economic development agreement with Ensemble HP, LLC

Ensemble Health Partners, a national revenue cycle management provider, will construct a new corporate campus at 11511 Reed Hartman Highway, the current P&G West Campus. In doing so, the company will invest \$50 million purchasing and renovating the entire existing 300,000 square foot facility and constructing a new 100,000 square foot addition. The company plans to create 2,000 new jobs in the City by the end of 2022 with an estimated \$94 million annual payroll resulting in \$1,175,000 in annual city earnings tax. Ultimately, the company plans to grow to 2,800 employees. In order to assist with the relocation and expansion, the City is offering the following incentives valued at approximately \$6 million:

- 15% of total TIF revenues to assist with new utilities and parking reconfiguration (TIF Resolution)
- Up to \$130,000 rebate of building permit fees (Project Angel Development Agreement Resolution)
- The City expects to receive just over \$1 million in State infrastructure grants related to this project. The City will retain \$350,000 and remit anything over that amount to Project Angel (Project Angel Development Agreement Resolution)
- A tiered 4-year earnings tax rebate worth an estimated \$2.17 million (Ensemble HP, LLC Economic Development Agreement)

Additionally, the City will retain 35% of the TIF revenues to reimburse itself for the public infrastructure improvements necessary to support the project.

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

9.a.10. Motion authorizing the sale of City-owned real property with no further requirement to solicit additional bids

And

9.a.11. Ordinance No. 2018-9 authorizing the sale of City-owned real property

In 2012 the City acquired an approximately 5-acre parcel at Malsbary Road's eastern terminus with the intention of connecting Malsbary to Kenwood. Earlier this year, that project was completed and the road opened for travel. The Malsbary extension bisected the 5-acre property leaving a 1.5-acre parcel to the north and 3.04-acre parcel to the south. City staff has been marketing both parcels to office developers. Larry Bergman via Nicholson Towers, LLC has expressed interest in constructing a 10,000-15,000 sq.ft. multi-tenant office building upon the northern residual. The City is offering the property for its appraised value of \$200,000 and will deed restrict the property so that only office may be constructed upon it. This ordinance authorizes the City Manager to enter into a real estate conveyance with Nicholson Towers, LLC for the sale of this property.

This legislation is written as an emergency ordinance with the second reading waived. It would have been prepared as a resolution if it were not for an old code provision requiring approval via ordinance – this code section will be updated in the future to reflect resolution, bringing the code in-line with the Charter.

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

9.b.1. Resolution No. 2018-46 approving final plat for Section 2 of the Daventry at Summit Park Subdivision

At Planning Commission's September 6, 2018 meeting, recommendation was made for approval of a Final Plat for Section 2 of the Daventry at Summit Park subdivision, which includes 19 lots, common areas, private roads and alleys, and public rights-of-way. The Final Plat substantially conforms to the approved Preliminary Plan. If necessary, M/I Homes will be required to provide a performance bond prior to filing the plat that is sufficient to provide for the completion of the development, if the developer fails to complete it per plan.

Approval of a Final Plat does result in dedication of new public rights-of-way. It does not result in the City accepting maintenance responsibility for the improvements within those new rights-of-way. The City accepts maintenance only after 80 percent of the lots within the subdivision have been developed and the streets are more than one year old.

Approval of a Final Plat does not require a public hearing.

After approval of Phases 1 & 2, the Daventry will have a total of 68 lots that are available for development. The preliminary plan included a total of 104 lots.

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

BLUE ASH CITY COUNCIL

September 13, 2018

Page 7

a. **Finance & Administration Committee, Lee Czerwonka, Chairperson**

Councilman Czerwonka asked the Clerk to read Resolution No. 2018-37 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2018-37

PROVIDING FOR AMENDMENTS WITHIN THE
2018 ANNUAL APPROPRIATION RESOLUTION NO. 2018-2

Councilman Czerwonka moved, Councilwoman Bauer seconded to adopt Resolution No. 2018-37. 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. 2018-37 passed.

Councilman Czerwonka asked the Clerk to read Resolution No. 2018-38 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2018-38

AMENDING THE 2018 PAY AND POSITION
CLASSIFICATION PLAN

Councilman Czerwonka moved, Councilwoman Bauer seconded to adopt Resolution No. 2018-38. There being no discussion, the Clerk called the roll. Councilpersons Leet, Jhaveri, Capell, Czerwonka, Sirkin, Bauer, and Mayor Adamec voted yes. Seven yeases. Resolution No. 2018-38 passed.

Councilman Czerwonka asked the Clerk to read Resolution No. 2018-39 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2018-39

AUTHORIZING THE CITY MANAGER TO ENTER INTO
CONTRACTS FOR EMPLOYEE BENEFIT COVERAGES; AND
AUTHORIZING THE CITY MANAGER TO EXECUTE RELATED
DOCUMENTATION AND CONTRACTS

Councilman Czerwonka moved, Vice Mayor Sirkin seconded to adopt Resolution No. 2018-39. There being no discussion, the Clerk called the roll. Councilpersons Jhaveri, Capell, Czerwonka, Sirkin, Bauer, Leet, and Mayor Adamec voted yes. Seven yeases. Resolution No. 2018-39 passed.

Councilman Czerwonka asked the Clerk to read Resolution No. 2018-40 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2018-40

A RESOLUTION TO LEVY SPECIAL ASSESSMENTS ON REAL
PROPERTY FOR THE TOTAL COST OF MITIGATING
NOXIOUS WEEDS AND HIGH GRASS PURSUANT TO
CHAPTER 911 OF THE BLUE ASH CODE OF ORDINANCES
AND O.R.C. 715.261

Councilman Czerwonka moved, Vice Mayor Sirkin seconded to adopt Resolution No. 2018-40. There being no discussion, the Clerk called the roll. Councilpersons Capell, Czerwonka, Sirkin, Bauer, Leet, Jhaveri, and Mayor Adamec voted yes. Seven yeases. Resolution No. 2018-40 passed.

BLUE ASH CITY COUNCIL

September 13, 2018

Page 8

Councilman Czerwonka asked the Clerk to read Resolution No. 2018-41 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2018-41

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR

Councilman Czerwonka moved, Councilman Leet seconded to adopt Resolution No. 2018-41. There being no discussion, the Clerk called the roll. Councilpersons Czerwonka, Sirkin, Bauer, Leet, Jhaveri, Capell, and Mayor Adamec voted yes. Seven yeases. Resolution No. 2018-41 passed.

Councilman Czerwonka asked the Clerk to read Resolution No. 2018-42 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2018-42

AUTHORIZING THE PURCHASE OF REPLACEMENT COMPUTERS THROUGHOUT ALL CITY DEPARTMENTS

Councilman Czerwonka moved, Councilman Jhaveri seconded to adopt Resolution No. 2018-42. There being no discussion, the Clerk called the roll. Councilpersons Sirkin, Bauer, Leet, Jhaveri, Capell, Czerwonka, and Mayor Adamec voted yes. Seven yeases. Resolution No. 2018-42 passed.

Councilman Czerwonka asked the Clerk to read Resolution No. 2018-43 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2018-43

A RESOLUTION DECLARING THE IMPROVEMENT TO PARCELS OF REAL PROPERTY LOCATED IN THE CITY OF BLUE ASH, OHIO TO BE A PUBLIC PURPOSE UNDER SECTION 5709.41 OF THE OHIO REVISED CODE, PROVIDING FOR THE EXEMPTION OF SUCH IMPROVEMENT FROM REAL PROPERTY TAXATION, PROVIDING FOR THE COLLECTION AND DEPOSIT OF SERVICE PAYMENTS AND SPECIFYING THE PURPOSES FOR WHICH THOSE SERVICE PAYMENTS MAY BE EXPENDED, AUTHORIZING THE EXECUTION AND DELIVERY OF A SERVICE AGREEMENT WITH PROJECT ANGEL, LLC, AUTHORIZING THE EXECUTION AND DELIVERY OF A SCHOOL COMPENSATION AGREEMENT WITH THE BOARD OF EDUCATION OF THE SYCAMORE COMMUNITY SCHOOL DISTRICT AND GREAT OAKS INSTITUTE OF TECHNOLOGY AND CAREER DEVELOPMENT, ESTABLISHING AN URBAN REDEVELOPMENT TAX INCREMENT EQUIVALENT FUND, AND AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH THOMPSON HINE LLP

Councilman Czerwonka moved, Vice Mayor Sirkin seconded to adopt Resolution No. 2018-43.

Mayor Adamec congratulated the City of Blue Ash and the Sycamore School Board for their efforts in reaching an agreement to terms associated with the former P& G property.

There being no further discussion, the Clerk called the roll. Councilpersons Bauer, Leet, Jhaveri, Capell, Czerwonka, Sirkin, and Mayor Adamec voted yes. Seven yeases. Resolution No. 2018-43 passed.

BLUE ASH CITY COUNCIL

September 13, 2018

Page 9

Councilman Czerwonka asked the Clerk to read Resolution No. 2018-44 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2018-44

AUTHORIZING THE CITY MANAGER TO ENTER INTO A
DEVELOPMENT AGREEMENT WITH PROJECT ANGEL, LLC
OR ITS DESIGNEE

Councilman Czerwonka moved, Councilwoman Bauer seconded to adopt Resolution No. 2018-44.

There being no discussion, the Clerk called the roll. Councilpersons Leet, Jhaveri, Capell, Czerwonka, Sirkin, Bauer, and Mayor Adamec voted yes. Seven yeases. Resolution No. 2018-44 passed.

Councilman Czerwonka asked the Clerk to read Resolution No. 2018-45 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2018-45

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN
ECONOMIC DEVELOPMENT AGREEMENT WITH ENSEMBLE
HP, LLC OR ITS DESIGNEE

Councilman Czerwonka moved, Councilman Jhaveri seconded to adopt Resolution No. 2018-45.

Councilman Capell indicated that the last two resolutions plus Resolution 2018-45 deal with the same project. He stated that the Ensemble project will bring 2,000 new jobs to Blue Ash. P&G will be moving out of Blue Ash by the end of the year and the City has been able to occupy one side of the property with this project. The incentive amount to Ensemble HP (on the property tax portion) is a small portion of the payment in lieu of property taxes. Ensemble HP will be paying the equivalent amount that would be paid if it was a straight property tax. A majority of the incentive funds came on the earning tax portion. Ensemble HP will receive a full rebate the first year; 75% rebate the second year; 50% rebate the third year; 25% rebate the fourth year; and with no rebate beyond year four. The \$1.2 million the company brings in earning tax stays with the City of Blue Ash after year four. He believes this economic development incentive is a major financial winner for the City.

There being no further discussion, the Clerk called the roll. Councilpersons Jhaveri, Capell, Czerwonka, Sirkin, Bauer, Leet, and Mayor Adamec voted yes. Seven yeases. Resolution No. 2018-45 passed.

Councilman Czerwonka moved, Councilman Jhaveri seconded to authorize the sale of City-owned real property with no further requirement to solicit additional bids. A voice vote was taken. All members present voted yes. Motion carried.

Councilman Czerwonka asked the Clerk to read Ordinance No. 2018-9 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2018-9

AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND
THEREAFTER ENTER INTO A CONTRACT FOR THE SALE OF
CITY-OWNED REAL PROPERTY CONSISTING OF THE
ENTIRETY OF PARCEL 612-0120-0272; AND DECLARING AN
EMERGENCY

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

September 13, 2018

Page 10

Councilman Czerwonka moved, Councilwoman Bauer seconded to adopt Ordinance No. 2018-9. There being no discussion, the Clerk called the roll. Councilpersons Czerwonka, Sirkin, Bauer, Leet, Jhaveri, Capell, and Mayor Adamec voted yes. Seven yeases. Ordinance No. 2018-9 passed.

b. Planning & Zoning Committee, Marc Sirkin, Chairperson

Vice Mayor Sirkin asked the Clerk to read Resolution No. 2018-46 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2018-46

APPROVING A FINAL PLAT FOR SECTION 2 OF THE
DAVENTRY AT SUMMIT PARK SUBDIVISION CONTAINING 19
LOTS AND TOTALING APPROXIMATELY 4.8 ACRES
(CURRENT HAMILTON COUNTY AUDITOR'S PARCEL 612-
0120-0265)

Vice Mayor Sirkin moved, Councilman Czerwonka seconded to adopt Resolution No. 2018-46.

Vice Mayor Sirkin stated that Planning Commission recommended approval of the final plat. When 80% of the project has been constructed within one year, the HOA/Daventry Developer will perform all street services and repairs except for the main drive and Malsbary Road.

There being no further discussion, the Clerk called the roll. Councilpersons Sirkin, Bauer, Leet, Jhaveri, Capell, Czerwonka, and Mayor Adamec voted yes. Seven yeases. Resolution No. 2018-46 passed.

10. MISCELLANEOUS BUSINESS

City Manager David Waltz stated the Ensemble HP incentive agreement is an exciting announcement bringing 2,000 jobs to the City. Economic Development Director Neil Hensley and Assistant City Manager Kelly Harrington worked hard in putting together the economic development deal that brought Ensemble to Blue Ash while protecting the City's interest.

Mr. Waltz introduced the proposed improvements to Hazelwood Oak Park. One of the objectives during the Council Retreat was to consider the various facilities throughout the City to determine what needed to be updated. One of the facilities identified was Oak Park in Hazelwood. Administration put together a proposal of options for Oak Park and requests Council's input.

Assistant Parks and Recreation Director Brian Kruse presented a review of the proposed improvements that could be made to Hazelwood's Oak Park.

City of Blue Ash
Oak Park Renovation

Tonight's Goals

- Reintroduce the topic of renovating the park into something more functional and sustainable
- Share a Conceptual Design on the possibilities
- Gain feedback and direction



The goal is to renovate the park into a more functional and sustainable area. A conceptual design will be presented as to what Staff and Administration believe would work best.

September 13, 2018

Page 11

Review Team

- Team of Park/Recreation Staff tied directly to Hazelwood & Oak Park
- Reviewed:
 - Programming, drop-in usage, park usage, rental history, past maintenance, facility conditions and upcoming maintenance.

Review: Usage

- Overall, we have witnessed a steady decline in drop-in usage
 - Average Year: 500 Visitors
 - Operating Hours: 400
 - Average: 1.25 visits per hour
- In comparison:
 - Racquetball Courts: 1,328, Climbing Wall: 3,468, Hot Tub: 7,624 , Saunas: 13,829, Rec Center: 300,000

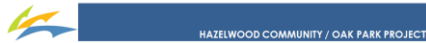


A Review Team was formed to review the programming, drop-in park usage, rental history, past maintenance, and facility conditions of the Hazelwood Oak Park and Community Center.

Over the years, there has been a big decline in usage of the Park. Currently, on average, there are approximately 500 visitors with over 400 operating hours which equates to 1.25 visits per hour. These numbers have been consistently low for a number of years.

Review: Facility

- Overall Findings
 - Aging Infrastructure, Residential Building Standards
 - Committed our standard resources over the years to upkeep the facility
 - Facing some significant upcoming general maintenance tasks totaling above \$100,000



Overall, the facility was built with residential standards and is aging. The City is facing significant upcoming maintenance needs that could cost the City over \$100,000 within the next few years.



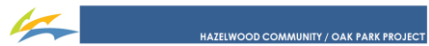
September 13, 2018

Page 12



Recommendations

- Be responsive to the situation. Renovate the site to a more sustainable park with amenities more functional for the Hazelwood Community and our historical usage patterns.



The photographs depict the look of the Community Center as it is today. The playground is the City's second oldest playground. The connecting park has approximately two acres of good green space.

The Review Team believes the site can be renovated to something more sustainable and functional.



An aerial view shows the Hazelwood site today.

The Review Team comprised a site plan for the new park and proposes to maintain a similar layout. It is recommended that the community center be removed and replaced with a 37'x50' open shelter, similar to that of the Maple and Sycamore shelters in the Nature Park. The parking lot remains in the same location with additional pedestrian connections to the park. A sidewalk will lead from the shelter, to the parking lot, to a reserve parking area, as well as the basketball court. An exterior restroom would be added near the proposed shelter. The playground would be expanded and located near the shelter and tucked into the existing natural shading of larger, more mature, trees that will still have the connection of the sidewalk. A reserve parking lot will be added adjacent to the basketball courts that will allow for another access point into the park as well as additional parking.



The images above depict a comparison of what the area looks like today versus the proposed site plan.

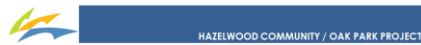
September 13, 2018

Page 13



In closing

- Feedback on the recommendation
- Approval to begin sharing the plan with the community and moving forward with budgeting and development



Mr. Kruse requested Council's feedback as to any recommendations to the proposed plan. He explained that if Council approves the plan, the Review Team would begin to share the plan with the community.

In response to Mayor Adamec's question, Mr. Kruse indicated that the project will be ADA accessible. The proposed shelter will have a tongue-and-groove ceiling and the stone base makes the shelter look more substantial which also carries a nice look from the corner of Idala and Oak Road. The shelter will have ceiling fans but not a fireplace. There will be grills located close and convenient to the shelter. Mr. Kruse explained that the majority of the project will be constructed in-house and through the State-bid process. The estimated cost will be \$400,000 – \$500,000.

Mr. Kruse further explained that the Review Team was mindful of the successful events that take place in Hazelwood. The Car Show, for example, would benefit from the outdoor space, along with the shelter, additional parking, and restrooms.

Councilwoman Bauer expressed a concern of the proximity of the shelter which is close to the street. She recommended fencing around the shelter area to help prevent children from wandering toward the street.

Mr. Waltz requested Council's permission to proceed with notifying the residents of Hazelwood of an open house to discuss the project with residents. Based on the feedback, staff will make any necessary modifications and return to Council with a final concept plan. He believes that 75% of the project could be paid for with residual funds from the former Blue Ash Revitalization funds.

Mr. Waltz informed Council that the Federal Communications Commission (FCC) is looking at implementing a small cell tower exemption for local government. The latest proposal is a complete exemption of any local review of the small cell towers. The City has some very minimal, small tower regulations. Essentially, the City cannot prohibit them, but the City may address some of the aesthetics. The City has spent a lot of money burying power lines in and along Reed Hartman Highway to eliminate visual intrusions; and now, several small cell towers could be placed in public right-of-ways. In as much as the small cell towers and the Duke pipeline issues are at the State and Federal level, Mr. Waltz encourages Council and citizens to engage with its legislators to have the FCC change the regulation.

Mr. Waltz stated that the City's budget is being compiled. He explained that, although the City is excited to announce a new company to occupy a portion of the P&G site, the benefits to the City will not be seen for a few years. Administration anticipates a 4-6% drop in revenue for next year; however, the City has a built up a reserve to help fill in any gaps. The City departments have worked on cuts without impacting any resident services. Administration will be prioritizing some capital items and will be strategic in preparing personnel or capital reductions. He does not anticipate any major program changes. Mr. Waltz will provide an update to Council in advance of the budget process in late November.

Mr. Waltz stated that Administration has been working with the Hamilton County Commissioners on allocating the Hotel Transient Occupancy Tax. The City of Blue Ash generates approximately \$1.3 - \$1.4 million per year from the tax. Currently, none of those taxes come back to the City of Blue Ash and instead goes primarily to the Duke Energy Convention Center and the Cincinnati USA Convention & Visitors Bureau which is a major part of the regional tourism of the economy. There are extra residual funds that the Hamilton County Commissioners have the ability to allocate. Sharonville has a significant allocation for their conference center. Administration has made a request to the

BLUE ASH CITY COUNCIL

September 13, 2018

Page 14

Commissioners for approximately \$600,000 per year for the next four years for the Cooper Creek Event Center (CCEC) which has four years left on its debt service. The Hamilton County Commissioners have not yet committed to the funds, but it will be discussed during their meeting next week. He requested Council to encourage our Hamilton County Commissioners to make the proposed allocation.

Vice Mayor Sirkin stated that in continuation of the City's efforts to support the joint intervention against the Duke pipeline, Council was presented with a proposed Resolution, similar to that of other surrounding communities. He requested Council's comments and support of the resolution.

Councilman Capell felt the resolution was well written and addresses public safety issues. He expressed his disappointment that the State doesn't explicitly state public safety as a criteria since public safety is the most important thing government does.

City Solicitor Bryan Pacheco stated that safety is not specifically enumerated as one of the factors in the State's law. The City will argue that the pipeline is unsafe and doesn't serve the public interest, convenience, and necessity.

After discussion amongst Council, it was concluded that all were in agreement with the resolution.

Vice Mayor Sirkin moved, Councilwoman Bauer second to consider Resolution No. 2018-47 during the September 13, 2018 Council Meeting. A voice vote was taken. All members present voted yes. Motion carried.

Vice Mayor Sirkin asked the Clerk to read Resolution No. 2018-47 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2018-47

EXPRESSING CONCERN FOR THE STATE OF OHIO TO
STRENGTHEN REQUIREMENTS FOR SITING NATURAL GAS
PIPELINES TO INCLUDE PUBLIC SAFETY CRITERIA AND
ENCOURAGING THE OHIO GENERAL ASSEMBLY TO ENACT
LEGISLATION

Vice Mayor Sirkin moved, Councilwoman Bauer seconded to adopt Resolution No. 2018-47.

There being no further discussion, the Clerk called the roll. Councilpersons Sirkin, Bauer, Leet, Jhaveri, Capell, Czerwonka, and Mayor Adamec voted yes. Seven yeases. Resolution No. 2018-47 passed.

Councilman Capell thanked Administration for the work and effort put forth in securing Project Angel to the City. Councilman Capell stated that he believes that the Blue Ash Council Meeting should be video recorded, posted to the website, and televised. One of the concerns, expressed by other Council Members, is that they would like residents to attend the meetings and actively participate. Councilman Capell believes residents want to be informed on a timely basis and feels Council needs to move into the 21st century in communications. He request Council's support on this effort and join other government agencies who video record and televise meetings.

Councilman Czerwonka congratulated the Beautification award winners and thanked them for their efforts in keeping the City of Blue Ash beautiful.

Council and Administration congratulated the Parks and Recreation Department in putting together a successful ribbon-cutting ceremony for the Nature Playscape Project at Summit Park.

BLUE ASH CITY COUNCIL

September 13, 2018

Page 15

11. ADJOURNMENT

All items on the agenda having been acted upon, Councilman Czerwonka moved, Vice Mayor Sirkin seconded to adjourn the meeting. A voice vote was taken. All members voted yes. The Council meeting was adjourned at approximately 8:23 PM.

Thomas C. Adamec, Mayor

Jamie K. Eifert, Clerk of Council

MINUTES RECORDED AND WRITTEN BY:

Karla Plank, Administrative Assistant

BLUE ASH CITY COUNCIL

September 13, 2018

Page 16

THIS PAGE INTENTIONALLY LEFT BLANK