

A regular meeting of the Council of the City of Blue Ash, Ohio, was held on February 9, 2006. Mayor Robert J. Buckman, Jr. called the meeting to order in Council Chambers at 7:00 PM.

OPENING CEREMONIES

Mayor Buckman led those assembled in the Pledge of Allegiance.

ROLL CALL

MEMBERS PRESENT: Councilman Rick Bryan, Mayor Robert Buckman, Councilman Lee Czerwonka, Councilman Henry Stacey, Councilwoman Stephanie Stoller, Councilman James Sumner, and Vice Mayor Mark Weber

ALSO PRESENT: City Manager Marvin Thompson, Solicitor Mark Vander Laan, Clerk of Council Jamie Eifert, Deputy Clerk of Council Sue Bennett, Assistant City Manager David Waltz, Treasurer/Administrative Services Director James Pfeffer, Parks & Recreation Director Chuck Funk, Service Director Dennis Albrinck, Technology Officer Dan Klapp, Economic Development Director Judy Clark, Assistant Community Development Director Dan Johnson, members of the press, and interested citizens

PUBLIC HEARING – 7:00PM – Consideration of a development plan in the C-2 Planned Commercial District at 4100 Hunt Road (Kroger) – Ordinance No. 2006-9

The Clerk was asked to read Ordinance No. 2006-9 in its entirety.

THEN WAS PRESENTED AND READ IN ITS ENTIRETY:

ORDINANCE NO. 2006-9

APPROVING A DEVELOPMENT PLAN UNDER CHAPTERS 1157 AND 1185 OF THE CODIFIED ORDINANCES FOR DEMOLITION OF AN EXISTING BUILDING AND CONSTRUCTION OF A NEW BUILDING LOCATED WITHIN THE C-2 PLANNED COMMERCIAL DISTRICT AT 4100 HUNT ROAD (KROGER RETAIL STORE)

Anne McBride was at the meeting to represent the Kroger Company. She explained that the proposed project would include demolition of their existing approximate 54,000 square foot store and construction of a new approximate 86,000 square foot facility on the same approximate 7.8 acre site. During the construction period, Kroger plans to occupy the former Thriftway store in downtown. Kroger plans to offer an increased variety of goods and services at their new store. More parking will be provided with the new store (371 parking spaces). Landscaping will be completely redone, including six new landscaped islands within the parking area. The existing 50-foot buffer to the north and west will remain unchanged. An existing fence, currently in disrepair, will be replaced. Ms. McBride showed a colored rendering of the site plan.

In addressing a question from Councilman Bryan, Ms. McBride commented that the additional parking spaces were possible due to the change from angled spaces to 90° spaces. Currently, there are 337 spaces; the proposed plan shows 371. A parking variance will be required since the current code's parking requirements would not be met. However, it appears justified because the new plan does increase the number of spaces; and since only about 80% of the store is accessible to the public, the Code's 1/200 requirement would be met given that calculation.

In addressing a question from Councilman Weber, Ms. McBride explained that since they do not expect a significant change in the number of current customers, they do not anticipate a problem with change affecting traffic patterns on Hunt and Plainfield. Regarding their temporary relocation to the Thriftway site, the applicant is currently working with the Board of Site Arrangement, Downtown Design Review Committee, and the City staff to finalize that request. It is the desire of Kroger to have the new Hunt Road

store open by summer 2007.

In addressing a question from Councilwoman Stoller regarding the difficult left turns onto eastbound Hunt Road, Councilman Sumner explained that this was brought up at Planning Commission. Assistant City Manager Waltz further commented that the City engineers have been asked to look at the viability of adding a traffic signal at this access onto Hunt Road.

There being no further questions from Council or the public, the public hearing was declared closed at 7:16PM.

PRESENTATION OF ECONOMIC DEVELOPMENT REPORT AND BRANDING RECOMMENDATION

Economic Development Director Judy Clark introduced Mr. Marty Blubaugh from TrueNorth Brand Strategies and Mr. Ran Mullins from Metaphor Studios. Mr. Blubaugh is the consultant hired to assist with economic development recommendations, and Mr. Mullins represents the firm chosen to assist the City with its branding efforts.

Mr. Blubaugh gave an approximate 25-minute presentation of his final recommendations related to economic development efforts. Highlights are summarized below:

- Today's Blue Ash represents a 30-year legacy of vision, planning, and leadership. It's time to visualize and aspire to what Blue Ash can look like in the next 20 or 30 years.
- Blue Ash is not "broken"; however, a relatively modest "tweaking" of circumstances is needed to sustain prosperity and premium quality of life.
- Other conclusive points were mentioned: the issue is all about change ... to what degree Blue Ash is embracing a changing world. There is significant untapped potential for Blue Ash to achieve broad, national prominence.
- If Blue Ash wants to complete successfully nationally, it must be relevant, known, and effective.
- A vision statement: Blue Ash will systematically pursue a diversified, clean profile of economic development initiatives to locate niche events, attractions, and business activities that will constructively put the community's assets to their highest and best use while reflecting community core values (which were previously discussed as caring, culture, convenience, constructive commerce, connectivity, community).
- Some major goals to achieve before 2036 included: (1) Blue Ash garners national awards and media coverage as the nation's small-cities model of a progressive, managed-growth community; (2) 50 of the Fortune 500 companies have executive offices of value-added operations in Blue Ash; 500,000 people choose Blue Ash each year as an end destination for music, sports, arts, and conference events; debt financing is retired and no longer necessary because revenue streams comfortably cover the operating budget, capital improvement program, and long-term investments.
- A number of existing advantages were noted, with just some examples including safe neighborhoods, quality schools (including Raymond Walters), excellent recreation programs and facilities, quality health care, sound/visionary government leaders, accessibility, the Blue Ash Airport, attractive office parks, etc.
- A number of opportunities were noted, with just some examples including themed "lifestyle communities," additional rec center and golf course clubhouse facilities, indoor venue for entertainment events, recruitment of innovative/growth companies, strengthening of revenue streams, tighter land-use and building standards, prioritize beautification of the city, modernize and promote aviation assets, proactive marketing and public relations, etc.

- Four major strategies (each with tactics and action steps detailed in the complete report) were noted, including: (1) build, manage, and deploy a comprehensive economic development platform in and for Blue Ash; (2) position Blue Ash as a cultured community to attract innovators, venture capital, and the creative class; (3) generate significant revenue streams with Blue Ash as a popular end destination for participatory and spectator events; and (4) enhance the enjoyment and value of residing in Blue Ash through contemporary concepts that preserve connectivity and “community.”
- It was recommended that three industries be targeted: (1) health care (products, providers, and personnel); (2) financial services (insurance, investment, processing); and (3) communications (wireless revolution, software).
- Going forward, Blue Ash should infuse new ideas, innovation, and energy into Blue Ash through entrepreneurship, should expect that the loss of a few companies is expected and healthy over the long-term, facilitate a business climate conducive to existing businesses’ long-term prosperity, build on the outstanding outdoor events of summer, and host cultural events to expose Blue Ash to a new segment of visitors.
- From the economic development perspective, branding Blue Ash is the first step. Branding will help encapsulate the essence of the community to assure a consistent message to external and internal audiences.

A summary of Mr. Mullin’s approximate 20-minute presentation relating to the branding efforts is below:

- Branding is important for Blue Ash because it adds value to the community. It’s not just a logo, it’s an image.
- The branding process included review of the economic development recommendations, brand strategy development; creation of a brand “mantra” (connected, community, advancement); presentation to the ED team; and gathering input, including an on-line survey to community businesses, telephone conferences, etc.
- The recommended brand line is “Aspire.Achieve.Advance.” and the complete logo is shown below:



- The brand equities noted, as represented in the recommended logo, include parks (denoted by the green color), residential (denoted by the gold color), and business (denoted by the blue color). The colors represent three core assets in Blue Ash.
- Sample brand applications were also shown, including upon the website, community newsletters, apparel, event promotions, and upon City vehicles. The logo can be used in a variety of environments, including as a four-color logo, as a two-color logo, and in black and white.

Mayor Buckman appointed Parks & Recreation Director Chuck Funk and Service Director Denny Albrinck to read the legislation in its entirety in the rear of Council Chambers. Mr. Buckman explained to the audience that anyone interested in hearing the ordinances and resolutions read in their entirety is welcome to move to the rear of the Chambers. He also mentioned that written copies of the legislation on tonight’s agenda may be found on the ledges near the City Administration’s desks.

ACCEPTANCE OF AGENDA

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

- “1. MEETING CALLED TO ORDER
2. OPENING CEREMONIES
3. ROLL CALL - Clerk of Council Jamie K. Eifert
4. PUBLIC HEARING – 7:00PM – Consideration of a development plan in the C-2 Planned Commercial District at 4100 Hunt Road (Kroger) – Ordinance No. 2006-9
5. PRESENTATION OF ECONOMIC DEVELOPMENT REPORT AND BRANDING RECOMMENDATION
6. APPOINTMENT OF PERSON(S) TO READ ORDINANCES IN FULL IN REAR OF COUNCIL CHAMBERS
7. ACCEPTANCE OF AGENDA
8. APPROVAL OF MINUTES
 - a. Regular Meeting of January 12, 2006
9. COMMUNICATIONS
 - a. Communications to Council - Clerk of Council Jamie K. Eifert
 - b. Reports From Outside Agencies
 - c. Mayor’s Report – December 2005 – Honorable Robert J. Buckman, Jr.
 - d. Financial Report – Motion to accept the report for December 2005
10. HEARINGS FROM CITIZENS
11. COMMITTEE REPORTS
 - a. Planning & Zoning Committee, James W. Sumner, Chairperson
 1. Ordinance No. 2006-9, approving a development plan in the C-2 Planned Commercial District at 4100 Hunt Road (Kroger)
 2. Ordinance No. 2006-11, authorizing a contract for professional inspection services
 3. Motion setting a public hearing for 7:00 PM, Thursday, March 9, 2006 for consideration of a request for an appeal by Daryl Crear regarding a Board of Zoning Appeals decision
 4. Motion referring proposed zoning text amendments to the Planning Commission for review and recommendation
 - b. Finance & Administration Committee, Rick Bryan, Chairperson
 1. Ordinance No. 2006-12, authorizing purchase of software and related services for the Recreation Center
 2. Ordinance No. 2006-13, confirming Auditor of State’s selection of independent auditor for 2005
 - c. Parks & Recreation Committee, Lee Czerwonka, Chairperson
 1. Ordinance No. 2006-14, awarding bid for electric golf carts
 2. Ordinance No. 2006-15, authorizing purchase of OSMAC irrigation control system components for the Golf and Parks Maintenance divisions
 3. Ordinance No. 2006-16, authorizing purchase of fitness room equipment from the State’s bid list
 - d. Public Safety Committee, Stephanie Stoller, Chairperson
 1. Ordinance No. 2006-17, authorizing purchase of a vehicle through the State bid list for use by the Fire Department
 - e. Public Works Committee, Henry S. Stacey, Chairperson
 1. Ordinance No. 2006-18, authorizing the purchase of two trucks from the State’s bid list for use by the Service Department
12. MISCELLANEOUS BUSINESS
13. EXECUTIVE SESSION – Property Acquisition & Personnel Matter
14. ADJOURNMENT”

APPROVAL OF MINUTES

Councilman Bryan moved, Councilman Weber seconded to approve the minutes of the regular meeting of January 12, 2006. A voice vote was taken. All members present voted yes. Motion carried.

COMMUNICATIONS

Communications to Council

There were no communications presented to Council.

Reports From Outside Agencies

There were no reports from outside agencies.

Mayor's Report – December 2005

RECEIPTS:		
Fines.....		\$25,528.00
Bonds & BMV fees carried over.....		\$350.00
Interest Earned.....		\$10.79
Bonds collected.....		\$750.00
TOTAL RECEIPTS:.....		\$26,638.79
DISBURSEMENTS:		
To Blue Ash (fines/costs/interest/Expungements/forfeitures)		\$18,716.79
To the State of OH		\$6,872.00
Refund of Overpaid Fine.....		\$0.00
Bond Money applied.....		\$480.00
Bond Money returned		\$220.00
BMV.....		\$ 0.00
TOTAL DISBURSEMENTS		\$26,288.79
BALANCE IN BONDS:		\$350.00
Mayor's Court traffic citations		211
Mayor's Court criminal citations		11
TOTAL.....		222
Dec. rev. from Mayor's Ct. Cases:		\$18,716.79

Financial Report – December 2005

Councilman Sumner moved, Councilman Bryan seconded to accept the Financial Report for December 2005 as submitted. A voice vote was taken. All members present voted yes. Motion carried.

CITY OF BLUE ASH FINANCIAL POSITION STATEMENT

FOR THE MONTH ENDING DECEMBER 31, 2005

MONTH TO DATE	2004	2005
START OF MONTH FUND BALANCE: 12-1-05	\$8,856,247.04	\$9,783,310.72
Revenues:		
Earnings Tax Collections:	\$1,341,143.14	1,401,797.45
Debt Financing (long term)	-	-
Debt Financing (short term)	6,100,000.00	3,050,000.00
Other Revenue Received:	793,586.72	1,026,513.45
= Total Monthly Receipts	8,234,729.86	5,478,310.90
Expenditures:		
Bond Retirement	-	-
Short term debt refinancing	-	-
Other Expenditures:	2,468,687.03	2,344,985.64
= Total Monthly Expenditures:	-2,468,687.03	-2,344,985.64
ENDING FUND BALANCE: 12-31-05	14,622,289.87	12,916,635.98
YEAR TO DATE	2004	2005
START OF YEAR FUND BALANCE:	9,092,894.75	14,622,289.87
Revenues:		
Earnings Tax Collections:	20,483,282.08	22,419,840.74
Debt Financing (long term)	-	3,700,000.00
Debt Financing (short term)	11,200,000.00	4,550,000.00
Other Revenue Received:	9,988,284.59	10,621,074.62
= Total Monthly Receipts	41,671,566.67	41,290,915.36
Expenditures:		
Bond Retirement	2,460,000.00	2,460,000.00
Short term debt refinancing	3,100,000.00	11,200,000.00
Other Expenditures:	30,582,171.55	29,336,569.25
= Total YTD Expenditures:	-36,142,171.55	-42,996,569.25
YTD FUND BALANCE	14,622,289.87	12,916,635.98

100% of the fund balance was invested as of 12-31-05. Interest paid to date on matured investments: \$323,835.96. Receipt and expenditure figures do not include interfund transfers.

BLUE ASH INCOME TAX DIVISION INCOME TAX RECEIPT SUMMARY FOR MONTH ENDING DECEMBER 31, 2005			
MONTH-TO-DATE STATUS	2004		2005
Business Net Profit	132,385.33		222,244.46
Resident Net Profit	58,370.08		54,917.06
Non-Resident Net Profit	15,365.08		15,471.89
Subcontractor Net Profit	723.75		1,597.90
Net Profit Total		206,844.24	294,231.31
Withholding	1,131,028.82		1,100,959.55
Subcontractor Withholding	3,270.08		6,606.59
Withholding Total		1,134,298.90	1,107,566.14
Monthly Collection Totals		1,341,143.14	1,401,797.45
YEAR-TO-DATE STATUS	2004		2005
Business Net Profit	3,290,869.72		5,043,361.84
Resident Net Profit	749,814.56		813,479.24
Non-Resident Net Profit	215,213.04		249,157.70
Subcontractor Net Profit	18,048.51		18,355.48
Net Profit Total		4,273,945.83	6,124,354.26
Withholding	15,948,000.61		16,039,993.34
Subcontractor Withholding	261,335.64		255,493.14
Withholding Total		16,209,336.25	16,295,486.48
YTD Collection Totals		20,483,282.08	22,419,840.74
YTD Refund Totals		864,059.29	658,119.96

HEARINGS FROM CITIZENS

Brent Fisher, 5000 Myerdale Drive, thanked Council for considering proposed changes to the Code to address his concerns as well as those of his neighbors, especially relating to teardowns and construction of new, larger homes. Mr. Fisher asked for copies of the proposed Code changes and also to have these proposed/unapproved changes posted to the website for perusal by citizens. Regarding new housing construction in existing neighborhoods, he expressed concerns with setbacks, size, and drainage. He also asked if neighbors could be advised ahead of time when a demolition is scheduled to occur. He asked Council to consider offering the opportunity for direct e-mail to them as well as direct phone numbers for citizens' use. He urged Council to maintain the existence of middle-level housing.

Orba Arnold, 4839 Fairview Avenue, asked about the leaf dump operated by Sycamore Township on the County-owned property near the Hartzell United Methodist Church. Mr. Waltz commented that the City was told there is no violation with the EPA or the County Health Department. Mr. Waltz was informed that improvements are planned to reshape and regrade the "hill" to assist in keeping water flow controlled.

Mr. Paul Nesbitt, an attorney representing clients who have lived in Sycamore Trace since 1999 (abutting Reed Hartman Highway), asked about the possibility of lowering the speed limit on Reed Hartman between Cooper and Plainfield. It was mentioned that the speed limit on this portion of Reed Hartman has not changed since it was constructed in the late 1970s. After some discussion, City Manager Marvin Thompson commented that Reed Hartman is a main corridor through Blue Ash, and generally the speed limits exist resulting from recommendations from the Police Department indicating their opinion as to what is a safe speed. It would not be Mr. Thompson's recommendation that this speed limit be reduced as there is no general safety concern at its current limit.

Sarah Huskey, 5061 Myerdale Drive, expressed concern with the timeline for the proposed Code changes. She suggested that perhaps community anxiety would be reduced if the process could be completed faster.

Dick Huskey, 5061 Myerdale Drive, asked about the information gathered regarding the airport.

Dave Hartwig, 10112 Zig Zag Road, expressed concerns with drainage, particularly as it occurs with the teardowns. He also expressed concern with the existing residents being able to remain in Blue Ash in the future.

Councilwoman Stoller commented that the revisions to the Code do address drainage issues with the new housing as well as setback concerns.

In addressing a question from Mrs. Huskey, Mr. Thompson explained the process involved with the Code changes, as summarized below:

- ?? Planning Commission will review the changes at their March 2nd meeting.
- ?? Council will formally set a public hearing at their March 9th meeting. It is likely this public hearing and first reading of the ordinance will take place in late April, with the second reading and formal Council vote at the first meeting in May. There will be two legal notices advertising the Council public hearing.
- ?? The ordinance (a non-emergency) will take effect 30 days after passage of the ordinance.

In addressing a question from Mrs. Huskey, she was told that there will be no moratorium on such building between now and then as that would be unconstitutional (as confirmed by the Solicitor). The proposed Code changes will be put on the website soon.

Brent Fisher commented that Council does have the strength to help citizens with problems.

Joe Davis, 9008 Decima Street, showed a photo of a recently constructed home at Decima and Belleview. Though the new home did replace a home in disrepair, that new home applied for and received four variances. He suggested that a way the City could help citizens with the teardown issue concerns is to refuse variances.

Jim Dyer, 5275 Myerdale Drive, expressed concern with the timeline for adoption of the Code changes and the City's allowing builders to come to existing neighborhoods to disturb their ambience.

Councilwoman Stoller asked the residents to take a look at the proposed changes and to advise of concerns. The changes will be posted on the website, and hard copies will also be available upon request beginning tomorrow.

Hearings from Citizens was declared closed at approximately 8:52 PM.

COMMITTEE REPORTS

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

The following offers a brief description of the items included on the February 9th Council Agenda:

4. and 11.a.1. Ordinance No. 2006-9 - Approving a development plan in the C-2 Planned Commercial District at 4100 Hunt Road (Kroger)

As Council is aware, Kroger has submitted development plans for the demolition of their existing 54,000 square foot store on Hunt Road, and construction of a new 86,625 square foot facility upon the same 7.81 acre site. During the construction period, Kroger plans to temporarily occupy the former Thriftway location. The project went to Planning Commission at its January 5th meeting, and the Commission unanimously recommended approval.

Representatives from Krogers are expected at the public hearing to address questions from Council and the public, and detailed plans will be posted.

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

11.a.2. Ordinance No. 2006-11 - Authorizing a contract for professional inspection services

Ordinance No. 2006-11 authorizes a contract for professional services with National Inspection Corporation (NIC) to continue to perform the services described below (overseen by the Community Development Division). The arrangement with NIC began in early 2004, and the following describes basically a continuation of those services for two years beginning February 13, 2006.

For building permit plan review and inspection services:

- ?? 90% of the fees collected by the City of Blue Ash relating to building permit issuances; and
- ?? Emergency inspections: not to exceed \$75 per hour; and
- ?? \$100 per hour for the second and subsequent appearance on any judicial proceeding involving issues from the performance of these permit-related services.

For property maintenance issues:

?? \$375 per week; and

?? \$100 per hour for the second and any subsequent required court appearance on a specific citation.

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

11.a.3. Motion setting a public hearing for 7:00 PM, Thursday, March 9, 2006 for consideration of a request for an appeal by Daryl Crear regarding a Board of Zoning Appeals decision

Council is requested to reset a public hearing regarding this issue for the March 9th meeting as the applicant was unable to attend the February 9th meeting for which Council originally set this hearing. The Board of Zoning Appeals recently denied the request of a property owner, Mr. Daryl Crear, to allow outside storage on property located on LaBelle Avenue, near Cornell Road. Part of the property is zoned C-2 and the other portion is zoned R-3. The applicant, who owns the property but is not a resident, has requested that Council formally reconsider this decision. More details will be provided for Council prior to and at that meeting.

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

11.a.4. Motion referring proposed zoning text amendments to the Planning Commission for review and recommendation

As Council is aware, the Administration has been working on a number of proposed changes for the Code of Ordinances, and information is included within your packets showing those suggested changes. It would be appropriate for Council to formally refer the suggestions to Planning Commission for their review and recommendation to Council.

Please direct questions regarding the Code changes to the Assistant City Manager.

11.b.1. Ordinance No. 2006-12 - Authorizing purchase of software and related services for the Recreation Center

Shortly after the Recreation Center was expanded in 1993/94, the staff worked hard to identify the best Recreation programming software available on the market. At that time, they purchased software from Escom/Class Software, providing expandable software capability for membership registration, check-in and guest services, programming and scheduling, room scheduling, and other activities related to the operation of the Recreation Center. Over the years, additional modules have been purchased as the Recreation Center's needs have changed, including the new membership cards that reflect a photograph and magnetic stripe, and modules permitting the payment of fees using credit and debit cards. Overall, the City's experience with this software provider has been excellent, and reflects the amount of effort expended by the Recreation Center staff in investigating the various options available.

The 2006 Final Budget included funding, within the Technology area, for further expansions in the Recreation software modules. Among the modules being considered for acquisition is "Point of Sale" capacity that would enable usage of this software at the Golf Course and at the Sandtrap. Clearly, there are efficiencies and benefits available through having this software available at the Golf Course, and also for possible usage at the pool concessions area. Other potential expansions include the capability for residents and members to register for programs, or even renew their membership, via the internet.

It is anticipated that the aggregate cost for the new software, when combined with our annual maintenance costs for the existing software, will exceed the ordinance threshold. Therefore, it would be appropriate to seek City Council's authorization to move forward as planned. Anticipated total expenditures for Escom/Class Software (which has a new name of Active Solutions effective January 1, 2006), is \$64,300 during 2006.

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

11.b.2. Ordinance No. 2006-13 - Confirming Auditor of State's selection of independent auditor for 2005

The financial records for the City of Blue Ash are audited each year, either by the Auditor of State Office or under a contract they grant to an independent auditing firm. In recent years, the State's audit team actually performed the audits for Blue Ash, but they are recommended that a three-year contract be granted with an independent auditor for such services for the 2005, 2006, and 2007 audit years.

The State Auditor's Office actually prepares the request for proposal document, distributes those packets, opens the bids, and does the actual ranking and consideration of each proposal. The Treasurer and Deputy Treasurer do get an opportunity to review the technical portion of the bids, and we did provide our rankings or grading of each of the three bids to the Auditor's Office for consideration. At this time, it appears that the most likely award will be to a Cincinnati firm, Clark, Schaefer & Hackett Company for the three-year contract. We anticipate that the cost of each annual audit will be less than what we have historically paid, representing a combined estimate total for the three years of \$64,000.

Although the Auditor of State will actually award the contract for this accounting service, it would be appropriate for City Council to confirm that selection in that the City of Blue Ash will be making payments directly for the audit services.

Please direct questions regarding this ordinance to the Treasurer.

11.c.1. Ordinance No. 2006-14 - Awarding bid for electric golf carts

Bids were formally solicited for the purchase of 20 golf carts for the Golf Course, and the City publicly opened the two bids received on February 2nd. The Golf Pro and Parks & Recreation Director recommend awarding of the bid to the low bidder, E-Z-Go Textron, for a total net amount not to exceed \$64,600, which includes trade-in value for seven existing 1997 carts and nine existing 1999 carts. In addition to E-Z-Go being the overall low bid, continuing with the E-Z-Go cart is favorable from a maintenance standpoint as the City's existing carts are that brand, and the City has been very satisfied with these models.

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

11.c.2. Ordinance No. 2006-15 - Authorizing purchase of OSMAC irrigation control system components for the Golf and Parks Maintenance divisions

As was included in the 2006 Final Budget, the need exists for upgraded radio-dispatched irrigation system controls for the City's publicly maintained areas, including those maintained by both the Parks and Golf Grounds Maintenance Divisions. The FCC is requiring that all radio operated irrigation systems be converted from our current wide-band frequencies to a narrow-band frequency. The upgraded irrigation systems for both Divisions are available at favorable prices and with favorable conditions through Century Equipment for a total estimated amount of \$56,881.82 (estimated \$27,187.81 for the Parks Maintenance system and \$29,694.01 for the Golf Maintenance system). Both estimates include costs for installation of each system.

Given the nature of the equipment and installation required, the Administration recommends that an additional allowance of approximately \$2,000 be included supplemental to the amounts to accommodate any potential field changes necessary due to unforeseen complications related to installation of the systems. The ordinance would authorize an amount of \$59,000 for both systems. This purchase will allow complete separation of the controls for the Golf Course irrigation system from the downtown irrigation system.

Council is also requested to waive formal bidding procedures for this equipment for cost efficiency reasons. Components of both Division's existing OSMAC systems need to be partially utilized, and there is only one vendor offering this system. Changing to another operation system would require both Divisions to convert many other components of the existing system involving substantial additional expense.

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

11.c.3. Ordinance No. 2006-16 - Authorizing purchase of fitness room equipment from the State's bid list

As was included in the 2006 Final Budget, the need exists to purchase replacement weight equipment for the Recreation Center fitness room. The equipment being replaced is approximately 13 years old, and the average life span for this type of equipment is ten to 12 years. This new equipment will also be suited for use within an expanded fitness center should that project move forward.

The equipment was included on the State's bid list through Life Fitness & Hammer Strength. Including freight and installation, and net of trade-in amount for existing weight equipment, the ordinance would authorize a not-to-exceed amount of \$55,542.61.

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

11.d.1. Ordinance No. 2006-17 - Authorizing purchase of a vehicle through the State bid list for use by the Fire Department

As was included in the 2006 Final Budget, the need exists to purchase a replacement staff vehicle for use by the Fire Department. An appropriate vehicle capable of utilizing related options was included on the State's bid list from 32 Ford Mercury, Inc. The vehicle is a 2006 Ford Expedition 4X4 XLT, and the ordinance authorizes an estimated \$24,000 net of trade (of an existing 1995 one-ton pickup).

Please direct questions regarding this ordinance to the Fire Chief.

11.e.1. Ordinance No. 2006-18 - Authorizing the purchase of two trucks from the State's bid list for use by the Service Department

During the budget process, the Service Department requested the replacement of two one-ton, diesel engine pickup trucks (with certain accessories) used by the Service Coordinators. The purchase of one truck at a cost of \$35,000 was approved.

Upon further consideration and study, Service garage personnel later requested permission to purchase two, half-ton, gasoline engine pickup trucks with certain accessories for an amount not to exceed the originally budgeted amount. The Service Department would transfer one of the one-ton trucks to the Golf Maintenance Department (at their request) and trade in the second truck for an amount of \$4,000. This would bring the total cost to \$33,786.

Purchase of the trucks would be from the State purchasing program through Taylor Motors, P.O. Box 1077, 250 Columbus Road, Athens, Ohio 45701.

Please direct questions concerning this ordinance to the Service Director."

Planning & Zoning Committee, James W. Sumner, Chairperson

Councilman Sumner asked the Clerk of Council to read Ordinance No. 2006-9 by title only (it having been read in its entirety during the public hearing).

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2006-9

APPROVING A DEVELOPMENT PLAN UNDER CHAPTERS 1157 AND 1185 OF THE CODIFIED ORDINANCES FOR DEMOLITION OF AN EXISTING BUILDING AND CONSTRUCTION OF A NEW BUILDING LOCATED WITHIN THE C-2 PLANNED COMMERCIAL DISTRICT AT 4100 HUNT ROAD (KROGER RETAIL STORE)

Councilman Sumner moved, Councilwoman Stoller seconded to suspend the rules of Council requiring a second reading of the ordinance. The Clerk called the roll. Councilpersons Stoller, Sumner, Weber, Stacey, Czerwonka, Bryan, and Mayor Buckman voted yes. Seven yeses. Motion carried.

Councilman Sumner moved, Councilwoman Stoller seconded to adopt Ordinance No. 2006-9. There being no discussion, the Clerk called the roll. Councilpersons Sumner, Weber, Stacey, Czerwonka, Bryan, Stoller, and Mayor Buckman voted yes. Seven yeses. Ordinance No. 2006-9 passed.

Councilman Sumner asked the Clerk of Council to read Ordinance No. 2006-11 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2006-11

AUTHORIZING THE CITY MANAGER TO ENTER INTO A MULTI-YEAR CONTRACT FOR PROFESSIONAL INSPECTION AND CODE ENFORCEMENT SERVICES WITH NATIONAL INSPECTION CORPORATION (NIC); AND DECLARING AN EMERGENCY

Councilman Sumner moved, Councilman Stacey seconded to suspend the rules of Council requiring a second reading of the ordinance. The Clerk called the roll. Councilpersons Weber, Stacey, Czerwonka, Bryan, Stoller, Sumner, and Mayor Buckman voted yes. Seven yeses. Motion carried.

Councilman Sumner moved, Councilwoman Stoller seconded to adopt Ordinance No. 2006-11. There being no discussion, the Clerk called the roll. Councilpersons Stacey, Czerwonka, Bryan, Stoller, Sumner, Weber, and Mayor Buckman voted yes. Seven yeses. Ordinance No. 2006-11 passed.

Councilman Sumner moved, Councilwoman Stoller seconded to set a public hearing for 7:00 PM, Thursday, March 9, 2006 for consideration of a request for an appeal by Daryl Crear regarding a Board of Zoning Appeals decision. A voice vote was taken. All members voted yes. Motion carried.

Councilman Sumner moved, Councilwoman Stoller seconded to refer the proposed zoning text amendments to the Planning Commission for review and recommendation. A voice vote was taken. All members voted yes. Motion carried.

Finance & Administration Committee, Rick Bryan, Chairperson

Councilman Bryan asked the Clerk to read Ordinance No. 2006-12 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2006-12

AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR THE PURCHASE OR LICENSE OF PROFESSIONAL COMPUTER SERVICES AND SOFTWARE ASSOCIATED WITH THE UPGRADE AND MAINTENANCE OF THE RECREATION CENTER MEMBERSHIP SYSTEM FOR AN AMOUNT NOT TO EXCEED \$64,000 IN 2006; AND DECLARING AN EMERGENCY

Councilman Bryan moved, Councilman Czerwonka seconded to suspend the rules of Council requiring a second reading of the ordinance. The Clerk called the roll. Councilpersons Czerwonka, Bryan, Stoller, Sumner, Weber, Stacey, and Mayor Buckman voted yes. Seven yeases. Motion carried.

Councilman Bryan moved, Councilwoman Stoller seconded to adopt Ordinance No. 2006-12. In addressing a question from Council, Treasurer Jim Pfeffer explained that the purchase would be of new modules (and an upgrade of technology) for the existing software system in place. There being no further discussion, the Clerk called the roll. Councilpersons Bryan, Stoller, Sumner, Weber, Stacey, Czerwonka, and Mayor Buckman voted yes. Seven yeases. Ordinance No. 2006-12 passed.

Councilman Bryan asked the Clerk to read Ordinance No. 2006-13 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2006-13

CONFIRMING THE STATE OF OHIO AUDITOR'S OFFICE SELECTION OF AN INDEPENDENT AUDITING FIRM TO PERFORM PROFESSIONAL ACCOUNTING AND AUDIT SERVICES FOR THE 2005 THROUGH 2007 AUDIT YEARS FOR AN ESTIMATED AMOUNT NOT TO EXCEED \$64,000; AND DECLARING AN EMERGENCY

Councilman Bryan moved, Councilman Stacey seconded to suspend the rules of Council requiring a second reading of the ordinance. The Clerk called the roll. Councilpersons Stoller, Sumner, Weber, Stacey, Czerwonka, Bryan, and Mayor Buckman voted yes. Seven yeases. Motion carried.

Councilman Bryan moved, Councilman Czerwonka seconded to adopt Ordinance No. 2006-13. In addressing a question from Councilman Stacey, Mr. Pfeffer explained that Blue Ash is a relatively easy audit, and the State has cut their budget. The State is having outside independent auditors perform more audits, seeks the bids and makes the final selection (with some input from Blue Ash); and Blue Ash makes payment for the audit services to that independent firm. There being no further discussion, the Clerk called the roll. Councilpersons Sumner, Weber, Stacey, Czerwonka, Bryan, Stoller, and Mayor Buckman voted yes. Seven yeases. Ordinance No. 2006-13 passed.

Parks & Recreation Committee, Lee Czerwonka, Chairperson

Councilman Czerwonka asked the Clerk to read Ordinance No. 2006-14 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2006-14

AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR THE PURCHASE OF ELECTRIC GOLF CARTS FOR THE BLUE ASH GOLF COURSE, INCLUDING RELATED TRADE-INS, FOR A NET AMOUNT NOT TO EXCEED \$64,600 FROM E-Z-GO TEXTRON; AND DECLARING AN EMERGENCY

Councilman Czerwonka moved, Councilman Stacey seconded to suspend the rules of Council requiring a second reading of the ordinance. The Clerk called the roll. Councilpersons Weber, Stacey, Czerwonka, Bryan, Stoller, Sumner, and Mayor Buckman voted yes. Seven yeses. Motion carried.

Councilman Czerwonka moved, Councilwoman Stoller seconded to adopt Ordinance No. 2006-14. There being no discussion, the Clerk called the roll. Councilpersons Stacey, Czerwonka, Bryan, Stoller, Sumner, Weber, and Mayor Buckman voted yes. Seven yeses. Ordinance No. 2006-14 passed.

Councilman Czerwonka asked the Clerk to read Ordinance No. 2006-15 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2006-15

AUTHORIZING THE PURCHASE OF TURF/LANDSCAPING IRRIGATION CONTROL SYSTEMS AND RELATED EQUIPMENT FOR THE BLUE ASH GOLF COURSE AND OTHER PUBLICLY MAINTAINED GROUNDS IN BLUE ASH FOR AN AMOUNT NOT TO EXCEED A TOTAL OF \$59,000; AND DECLARING AN EMERGENCY

Councilman Czerwonka moved, Councilman Stacey seconded to suspend the rules of Council requiring a second reading of the ordinance. The Clerk called the roll. Councilpersons Czerwonka, Bryan, Stoller, Sumner, Weber, Stacey, and Mayor Buckman voted yes. Seven yeses. Motion carried.

Councilman Czerwonka moved, Councilwoman Stoller seconded to adopt Ordinance No. 2006-15. There being no discussion, the Clerk called the roll. Councilpersons Bryan, Stoller, Sumner, Weber, Stacey, Czerwonka, and Mayor Buckman voted yes. Seven yeses. Ordinance No. 2006-15 passed.

Councilman Czerwonka asked the Clerk to read Ordinance No. 2006-16 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2006-16

AUTHORIZING THE PURCHASE OF EXERCISE AND WEIGHT EQUIPMENT FOR THE RECREATION CENTER FITNESS ROOM THROUGH THE STATE OF OHIO'S COOPERATIVE PURCHASING PROGRAM; AND DECLARING AN EMERGENCY

Councilman Czerwonka moved, Councilwoman Stoller seconded to suspend the rules of Council requiring a second reading of the ordinance. The Clerk called the roll. Councilpersons Stoller, Sumner, Weber, Stacey, Czerwonka, Bryan, and Mayor Buckman voted yes. Seven yeses. Motion carried.

Councilman Czerwonka moved, Councilwoman Stoller seconded to adopt Ordinance No. 2006-16. There being no discussion, the Clerk called the roll. Councilpersons Sumner, Weber, Stacey, Czerwonka, Bryan, Stoller, and Mayor Buckman voted yes. Seven yeses. Ordinance No. 2006-16 passed.

Public Safety Committee, Stephanie Stoller, Chairperson

Councilwoman Stoller asked the Clerk to read Ordinance No. 2006-17 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2006-17

AUTHORIZING THE PURCHASE OF A FIRE DEPARTMENT VEHICLE
THROUGH THE STATE OF OHIO'S COOPERATIVE PURCHASING
PROGRAM; AND DECLARING AN EMERGENCY

Councilwoman Stoller moved, Councilman Czerwonka seconded to suspend the rules of Council requiring a second reading of the ordinance. The Clerk called the roll. Councilpersons Weber, Stacey, Czerwonka, Bryan, Stoller, Sumner, and Mayor Buckman voted yes. Seven yeses. Motion carried.

Councilwoman Stoller moved, Councilman Sumner seconded to adopt Ordinance No. 2006-17. There being no discussion, the Clerk called the roll. Councilpersons Stacey, Czerwonka, Bryan, Stoller, Sumner, Weber, and Mayor Buckman voted yes. Seven yeses. Ordinance No. 2006-17 passed.

Public Works Committee, Henry S. Stacey, Chairperson

Councilman Stacey asked the Clerk to read Ordinance No. 2006-18 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2006-18

AUTHORIZING THE PURCHASE OF TWO HALF-TON PICKUP
TRUCKS AND RELATED ACCESSORIES FOR SERVICE
DEPARTMENT ACTIVITIES THROUGH THE STATE OF OHIO'S
COOPERATIVE PURCHASING PROGRAM; AND DECLARING
AN EMERGENCY

Councilman Stacey moved, Councilman Czerwonka seconded to suspend the rules of Council requiring a second reading of the ordinance. The Clerk called the roll. Councilpersons Czerwonka, Bryan, Stoller, Sumner, Weber, Stacey, and Mayor Buckman voted yes. Seven yeses. Motion carried.

Councilman Stacey moved, Councilman Czerwonka seconded to adopt Ordinance No. 2006-18. There being no discussion, the Clerk called the roll. Councilpersons Bryan, Stoller, Sumner, Weber, Stacey, Czerwonka, and Mayor Buckman voted yes. Seven yeses. Ordinance No. 2006-18 passed.

MISCELLANEOUS BUSINESS

In addressing a question from City Manager Thompson regarding a potential subject for the February 23rd Council meeting, it seemed the consensus of Council to have a work session with the topic of discussion being the Airport.

City Manager Thompson commented that the first meeting in April would normally fall on April 13th, which this year is Passover. After a brief discussion, Rick Bryan moved, Jim Sumner seconded to reschedule this meeting for Tuesday, April 11th. A voice vote was taken. All members voted yes. Motion carried.

City Manager Thompson commented that the annual reports, distributed at tonight's meeting, will be discussed at the next regular meeting (March 9th).

Councilman Sumner noted receipt of the memo from Parks & Recreation Director Chuck Funk in packets regarding the Hunt House. He asked fellow Council opinions about the creation of the "Friends of" the Hunt House, a volunteer citizen organization to assist in Hunt House activities. After a brief discussion, Councilman Sumner moved, Councilman Bryan seconded to form a "Friends of the Hunt House" volunteer committee.

Councilman Stacey commented favorably about the police JUFS demonstration attended before the Council meeting. He encouraged those not able to attend the demo to participate in it at some point as it was very interesting.

In addressing a question from Councilman Stacey, Solicitor Mark Vander Laan commented on the background relating to the “emergency ordinances” (as there was a recent article in the local paper relating to this issue). Mr. Vander Laan explained that the process prescribing emergency ordinances is an old, long-standing Ohio legal requirement. In order for an ordinance to take effect immediately, there has to be a formal declaration of the emergency and it cannot apply to zoning issues. Usually the emergencies are associated with purchases. He explained that most of the work in cities is considered “routine,” and is included within approved Budgets. Most need to be done fairly quickly, thereby requiring the declaration of the emergency.

In addressing a question from Councilman Stacey, Treasurer Jim Pfeffer commented that the Blue Ash Airport Days event has been moved to September. Though nothing has been finalized, he anticipates that the City and event organizers will be able to reach a common ground of reason allowing the event to proceed (in relation to liability concerns discussed at prior meetings).

EXECUTIVE SESSION

After all items on the agenda were acted upon, Councilman Weber moved, Councilman Sumner seconded to convene an Executive Session to discuss a personnel matter and property acquisition. The Clerk called the roll. Councilpersons Stoller, Sumner, Weber, Stacey, Czerwonka, Bryan, and Mayor Buckman voted yes. Seven yeses. Motion carried.

After matters pertaining to personnel and property acquisition were discussed, Councilman Sumner moved, Councilman Weber seconded to convene to the regular meeting. A voice vote was taken. All Council members voted yes. Motion carried.

ADJOURNMENT

All items on the agenda having been acted upon, Councilwoman Stoller moved, Councilman Sumner seconded to adjourn the meeting. A voice vote was taken. All members voted yes. The Council meeting was adjourned at approximately 10:35 PM.

Robert J. Buckman, Jr., Mayor

Jamie K. Eifert, Clerk of Council

MINUTES WRITTEN BY:

Susan K. Bennett, Deputy Clerk of Council