

A regular meeting of the Council of the City of Blue Ash, Ohio, was held on March 22, 2007. Mayor Robert J. Buckman, Jr. called the meeting to order in Council Chambers at 7:00 PM. {PRIVATE }

OPENING CEREMONIES

Mayor Buckman led those assembled in the Pledge of Allegiance.

ROLL CALL

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

MEMBER ABSENT: Councilman Rick Bryan

Councilman Stacey moved, Mayor Buckman seconded to excuse Councilman Bryan from the meeting. A voice vote was taken. All members voted yes. Motion carried.

ALSO PRESENT: City Manager David Waltz, Solicitor Mark Vander Laan, Clerk of Council Jamie Eifert, Deputy Clerk of Council Sue Bennett, Treasurer/Administrative Services Director James Pfeffer, Parks & Recreation Director Chuck Funk, Service Director Dennis Albrinck, Deputy Treasurer/Tax Commissioner Sherry Poppe, Fire Chief Rick Brown, Fire Captain Greg Preece, HR Officer Margaret Main, Assistant Community Development Director Dan Johnson, and interested citizens

PUBLIC HEARING – 7:00 PM – Ordinance No. 2007-19 – approving a special use permit for development of a single-story medical office (hospital) building at the southwest corner of Reed Hartman Highway and Plainfield Road

The Clerk of Council was asked to read Ordinance No. 2007-19 in its entirety:

THEN WAS PRESENTED AND READ IN ITS ENTIRETY:

ORDINANCE NO. 2007-19

APPROVING A SPECIAL USE PERMIT AND RELATED DEVELOPMENT PLAN FOR A SINGLE-STORY MEDICAL OFFICE (HOSPITAL) BUILDING UNDER CHAPTERS 1147 AND 1183 OF THE CODIFIED ORDINANCES OF THE CITY OF BLUE ASH IN THE R-2 RESIDENTIAL DISTRICT ON PROPERTY LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF REED HARTMAN HIGHWAY AND PLAINFIELD ROAD (HAMILTON COUNTY AUDITOR'S BOOK 612, PAGE 80, PARCELS 37 AND 38)

Architect Clete Benken from Kinzelman Kline Gossman and Mr. Gilhooley, representing one of the owners, were present to represent the project. Mr. Benken thanked the City and staff for their guidance over the past weeks in going through this special permit process. He stated that it is refreshing to have the kind of cooperation and collaboration they experienced and that it is a very complimentary reflection upon Blue Ash's staff. He commented that the owners are very excited to begin this project.

Councilman Sumner commented that Planning Commission recommended this project for approval unanimously in March. He mentioned that the applicants were very good to work with and made several adjustments to the plans based upon the Planning Commission members and City staff recommendations.

There being no further questions or comments, the public hearing was declared closed at approximately 7:08 PM.

SPECIAL PRESENTATION FOR DEPUTY TREASURER/TAX COMMISSIONER SHERRY POPPE REGARDING THE CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING (for the 2005 CAFR)

Mayor Buckman as Deputy Treasurer/Tax Commissioner Sherry Poppe to come forward. Mayor Buckman read from the plaque, and afterwards, presented it to Mrs. Poppe. The

Certificate of Achievement award received for the City's fiscal year 2005 CAFR represents the City's 19th consecutive award. Mayor Buckman congratulated Ms. Poppe and thanked her for her good work.

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.

ACCEPTANCE OF AGENDA

Councilman Weber moved, Councilman Czerwonka 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. PUBLIC HEARING – 7:00 PM – Ordinance No. 2007-19 – approving a special use permit for development of a single-story medical office (hospital) building at the southwest corner of Reed Hartman Highway and Plainfield Road

5. SPECIAL PRESENTATION FOR DEPUTY TREASURER/TAX COMMISSIONER SHERRY POPPE REGARDING THE CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING (for the 2005 CAFR)

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 February 22, 2007
- b. Meeting/Work Session of March 8, 2007

9. COMMUNICATIONS

- a. Communications to Council - Clerk of Council Jamie K. Eifert
- b. Reports From Outside Agencies
- c. Mayor's Report – February 2007 – Honorable Robert J. Buckman, Jr.
- d. Financial Report – Motion to accept the report for February 2007

10. HEARINGS FROM CITIZENS

11. COMMITTEE REPORTS

a. Planning & Zoning Committee, James W. Sumner, Chairperson

1. Ordinance No. 2007-19, approving a special use permit and development of a single-story medical office (hospital) building at the southwest corner of Reed Hartman Highway and Plainfield Road

b. Finance & Administration Committee, Rick Bryan, Chairperson

1. Ordinance No. 2007-18, declaring improvements to parcels of real property in Blue Ash (along Osborne Boulevard) to be a public purpose and exempt from property tax and authorizing related agreements
2. Ordinance No. 2007-20, amending Chapters 131 and 133 of the Blue Ash Code of Ordinances and approving a collective bargaining contract with AFSCME (Service Department)
3. Motion authorizing expenses associated with Student Government Day (April 26th)

c. Public Works Committee, Henry S. Stacey, Chairperson

1. Ordinance No. 2007-21, authorizing contract with Hamilton County relating to the Blue Ash/Hunt Road improvement project

12. MISCELLANEOUS BUSINESS

13. ADJOURNMENT"

APPROVAL OF MINUTES

Councilwoman Stoller moved, Councilman Stacey seconded to approve the minutes of the meetings of February 22, 2007 and March 8, 2007. A voice vote was taken. All members present voted yes. Motion carried.

COMMUNICATIONS

Communications to Council

The following new liquor permit request was recently received by the City and presented to Council:

Permit #: 0765094, New

TO: Blue Kenwood LLC

DBA Hilton Garden Inn, 5300 Cornell Road, Blue Ash, Ohio 45242

This is the hotel that will soon break ground at the corner of Lake Forest Drive and Cornell Road. The Police Department has reviewed this request and has expressed no objections. No members on Council expressed an objection to this permit request.

Reports From Outside Agencies

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

Mayor's Report – February 2007

RECEIPTS:

Fines.....	\$ 11,625.00
Bonds & BMV fees carried over	\$ 250.00
Interest Earned	\$6.39
Bonds collected	\$0.00
TOTAL RECEIPTS:.....	\$11,881.39

DISBURSEMENTS:

To Blue Ash (fines/costs/interest/Expungements/forfeitures).....	\$8,668.39
To the State of OH	\$2,963.00
Refund of Overpaid Fine.....	\$0.00
Bond Money applied	\$0.00
Bond Money returned	\$ 100.00
BMV.....	\$ 0.00
TOTAL DISBURSEMENTS	\$11,731.39

BALANCE IN BONDS:	\$150.00
Mayor's Court traffic citations	7
Mayor's Court criminal citations	112
Total Mayor's Court cases	119
Feb. rev. from Mayor's Ct. Cases:	\$8,668.39

Financial Report – February 2007

Councilman Sumner moved, Councilman Stacey seconded to accept the Financial Report for January 2007 as submitted. A voice vote was taken. All members present voted yes. Motion carried.

CITY OF BLUE ASH FINANCIAL POSITION STATEMENT - MONTH ENDING FEBRUARY 28, 2007

MONTH TO DATE	2006	2007
START OF MONTH FUND BALANCE: 2-1-07	\$13,139,446.32	\$16,012,542.23
Revenues:		
Earnings Tax Collections:	1,468,098.94	1,872,076.40
Debt Financing (long term)	0	0
Debt Financing (short term)	0	0
Other Revenue Received:	<u>853,558.06</u>	<u>570,752.13</u>
= Total Monthly Receipts	2,321,657.00	2,442,828.53
Expenditures:		
Bond Retirement	0	0
Short term debt refinancing	0	0
Other Expenditures:	<u>1,982,538.62</u>	<u>2,947,147.57</u>
= Total Monthly Expenditures:	<u>-1,982,538.62</u>	<u>-2,947,147.57</u>
ENDING FUND BALANCE: 2-28-07	13,478,564.70	15,508,223.19
YEAR TO DATE	2006	2007
START OF YEAR FUND BALANCE:	12,916,635.98	17,286,456.32
Revenues:		
Earnings Tax Collections:	3,929,748.97	4,012,273.77
Debt Financing (long term)	0	0

Debt Financing (short term)	0	0
Other Revenue Received:	<u>1,292,087.22</u>	<u>1,066,744.71</u>
= Total Monthly Receipts	5,221,836.19	5,079,018.48
Expenditures:		
Bond Retirement	0	0
Short term debt refinancing	0	0
Other Expenditures:	<u>4,659,907.47</u>	<u>6,857,251.61</u>
= Total YTD Expenditures:	<u>-4,659,907.47</u>	<u>-6,857,251.61</u>
YTD FUND BALANCE	13,478,564.70	15,508,223.19

100% of the fund balance was invested as of 2-28-07. Interest paid to date on matured investments: \$144,785.08. Receipt and expenditure figures do not include interfund transfers.

**BLUE ASH INCOME TAX DIVISION INCOME TAX RECEIPT SUMMARY
FOR MONTH ENDING FEBRUARY 28, 2007**

MONTH-TO-DATE STATUS	2006	2007
Business Net Profit	57,914.56	41,381.00
Resident Net Profit	23,019.02	19,740.86
Non-Resident Net Profit	7,252.58	10,920.61
Subcontractor Net Profit	<u>1,317.08</u>	<u>1,316.35</u>
Net Profit Total	89,503.24	73,358.82
Withholding	1,352,927.03	1,760,655.61
Subcontractor Withholding	<u>25,668.67</u>	<u>38,061.97</u>
Withholding Total	<u>1,378,595.70</u>	<u>1,798,717.58</u>
Monthly Collection Totals	1,468,098.94	1,872,076.40
YEAR-TO-DATE STATUS	2006	2007
Business Net Profit	754,715.98	288,363.65
Resident Net Profit	83,965.65	95,285.82
Non-Resident Net Profit	23,527.48	36,892.93
Subcontractor Net Profit	<u>2,431.74</u>	<u>3,213.19</u>
Net Profit Total	864,640.85	423,755.59
Withholding	2,998,416.06	3,488,085.83
Subcontractor Withholding	<u>66,692.06</u>	<u>100,432.35</u>
Withholding Total	<u>3,065,108.12</u>	<u>3,588,518.18</u>
YTD Collection Totals	3,929,748.97	4,012,273.77
YTD Refund Totals	<u>72,019.89</u>	<u>48,972.23</u>

HEARINGS FROM CITIZENS

Mr. Joe Stercz, 9962 Timbers Drive, commented that he has lived in Blue Ash about ten years. Mr. Stercz distributed a photo taken in the Year 2000 showing trees visible from the back of his home. He explained that several years ago, he had worked with the City in successfully encouraging the developer of the nearby children’s daycare center to replace trees along the rear of the Timbers property, with about 19 trees being placed at the time. About nine of those trees have since died and have not been replaced. He asked for the City’s assistance in getting those trees replaced by the developer (Neyer). Assistant Community Development Director Dan Johnson commented that probably over a year ago, he remembered talking with Mr. Stercz about this situation; however, he had heard nothing since that time about this issue. Since he heard nothing, he assumed it was resolved. After some discussion, it was agreed that Mr. Johnson and Project Coordinator Dan Weber (also involved with this issue last year) would revisit the site to see if the City could assist.

Michael Kelly, 9639 Cooper Lane, asked the status of his request for the City to consider work hour limitations in hopes of alleviating construction noise issues experienced in the area resulting from the residential development currently underway at Cooper and Monroe. After some discussion, it was mentioned that the April 12th Council meeting is likely to be a Work Session, with one topic of that meeting to be presentation to Council of draft wording for such legislation. Mr. Waltz explained that the earliest such legislation would likely be formally passed by Council would be May or June, and Mr. Kelly was advised that if an issue develops in the meantime, that he should contact the Police Department as the City’s “nuisance” ordinance would be an enforceable measure for such a complaint.

Hearings from Citizens was declared closed at 7:34 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 March 22nd Council Agenda:

4. and 11.a.1. PUBLIC HEARING – 7:00 PM – Ordinance No. 2007-19 – approving a special use permit for development of a single-story medical office (hospital) building at the southwest corner of Reed Hartman Highway and Plainfield Road

The City is in receipt of a special use request to develop a single-story medical office (hospital) building at the southwest corner of Reed Hartman Highway and Plainfield Road. This is the triangle-shaped property located between the intersection of Plainfield/Reed Hartman Highway/Peppermill and the small apartment building off Old Plainfield Road, and it falls within the R-2 Residential district. The site is unique in that it is bounded on three sides by public rights-of-way and a busy intersection, and may have easements which significantly impact the usable area. The intersection has single-family residential uses on all other corners. Although this property is zoned R-2, it is not an appropriate site for single-family residential use. Given the site's physical relationship to the roads and other land uses, a low-impact, daytime-oriented office use seems compatible with the site and will not negatively impact the surrounding residential uses.

The applicant does not yet have an identified tenant for the property; however, the owner would like some level of confidence that the proposed use and site layout are considered appropriate by Blue Ash before committing to the final design. An approximate 9,000 square foot single-story medical office is proposed, and a significant amount of landscaping is shown on the site plan (though a detailed plan would be required before any permits are issued). The plan also includes accommodation of additional right-of-way that may be needed for future expansion of Reed Hartman Highway.

Planning Commission reviewed this plan at their February and March meetings and unanimously recommended its approval to City Council.

A representative from the project will be present at Thursday's meeting to address questions from Council or the public, and the plans will be posted for review as well. Please address questions regarding this project to the Assistant Community Development Director at 745-8528.

5. Special presentation for Deputy/Treasurer/Tax Commissioner Sherry Poppe regarding the Certificate of Achievement for Excellence in Financial Reporting (for the 2005 CAFR)

A special item of note on Thursday's agenda is a presentation of a plaque for the City's Deputy Treasurer/Tax Commissioner Sherry Poppe. The City's Comprehensive Annual Financial Report (CAFR) for fiscal year 2005 qualifies for a Certificate of Achievement for Excellence in Financial Reporting. This award is the highest form of recognition in governmental accounting and financial reporting and its attainment is a significant accomplishment for our government and its management. This year's award represents the City's 19th consecutive annual award for Blue Ash.

Ms. Poppe will be at Thursday's meeting as the City just recently received the plaque. Please address questions regarding this item to the Treasurer.

11.b.1. Ordinance No. 2007-18 - Declaring improvements to a parcel of real property in Blue Ash (along Osborne Boulevard) to be a public purpose and exempt from property tax and authorizing related agreements

Periodic updates have been provided to Council about Duke Realty Ohio's desire to acquire the 29-acre Hines property on Osborne Boulevard and their related request that Tax Increment Financing (TIF) be utilized to assist with this future development. Discussions among the Sycamore Community School District staff, their attorneys, the City's bond counsel, and our Administration have been ongoing since the TIF notification letter was initially delivered to the School District in mid January 2007. Those discussions have been productive, and we are pleased to advise that all indications point toward a cooperative approval process to move forward with this financing vehicle, and the development of the project by Duke Realty Ohio.

Since the last update to Council, the parties have worked out the Tax Incentive Agreement among Duke, the City of Blue Ash, and the Sycamore Community School District. The parties have also agreed upon the language to be contained in the legislation being presented at Thursday's meeting, Ordinance No. 2007-18, as well as a resolution to be considered by the School Board. Based upon the positive direction of this process, Duke closed upon and currently owns the property.

Ongoing discussions with the Superintendent and Treasurer of the Sycamore Community School

District indicate that the School Board will likely favorably consider a resolution relating to this TIF process at their meeting this Wednesday, March 21, 2007. Blue Ash City Council will be considering Ordinance No. 2007-18 at their Thursday, March 22nd meeting, and passage of the ordinance will declare the 29-acre Duke Realty Ohio parcels to be exempt for all future improvements – a critical step in the TIF process. Upon passage of the Blue Ash ordinance, as well as the School Board's resolution, work will begin on the completion of a Development Agreement with Duke Realty Ohio, and for the signing of the Tax Incentive Agreement by all parties.

Earlier in this process, the School District Administration expressed concern about the amount of TIF funding for the District should a major component (the third office building) not be completed as predicted. As a number of Council members expressed concern about a proposed "guarantee" by the City, discussions continued with the School Board, and a compromise was reached that would provide for the parties to convene in approximately 2015 to discuss funding equity under the TIF financing arrangement if, and only if, the third building was not being constructed as planned.

That language provides for the parties to review the equity involved in all components of the deal and related compensation, and to propose an amendment to the agreement that would require the approval of both the School Board and Blue Ash City Council. Should an agreement not be reached at that time, then the language provides for an assurance by the City of Blue Ash that the School District would be compensated at a level equal to 75% of what taxes would have been paid on development in place at that time (not including a third building), but only for a maximum of five years. Under the circumstances, it is extremely unlikely that the developer would not move forward with the completion of the development, thus it is probable that this portion of the agreement will never be utilized.

The City Administration is extremely pleased that this process has moved forward, and that a developer of Duke Realty Ohio's caliber, reputation, and experience is involved with this site. The Administration will continue to work with the School Board, District Administration, and the developer on this portion of the project so everything will be in place and ready to go when Duke is ready to initiate development.

Please direct questions relating to the ordinance to the City Manager or Treasurer.

11.b.2. Ordinance No. 2007-20 - Amending Chapters 131 and 133 of the Blue Ash Code of Ordinances and approving a collective bargaining contract with AFSCME (Service Department)

Ordinance No. 2007-20 addresses the proposed new contract with the AFSCME bargaining unit (Service Department) as well as an amendment to the City's Sick Leave policy. Highlights are summarized below:

AFSCME Collective Bargaining Agreement

The City entered into discussions with the AFSCME bargaining unit beginning in October 2006. After 6 months of negotiations, we have worked out the changes in the contract as outlined below. Of particular note are the changes in the insurance clause and the drug policy.

- Section 12 (a) – Clarification that the employee has a right to representation during a disciplinary meeting.
- Section 14 (c) – Employee evaluations will be conducted by both a crew leader and the next level supervisor. Those evaluations will be conducted according to the guidelines and timelines prescribed by the Human Resources Office.
- Section 17 (a) – The current sick leave policy was adopted by the Service employees who had formerly been using the old compassionate leave policy. With this change, all employees at the City are covered by the same sick leave policy, streamlining its administration.
- Section 17 (c)
 - Language clarified to read "eight hour" days, rather than simply "days."
 - "Emergency" personal leave changed to "personal". Avoids issues with Supervisor determining what qualifies as an "emergency." No change in amount of time allowed.
 - Similar to City Ordinance, military service may now be considered in determining the employee's accrual rate of vacation leave.
 - Similar to City Ordinance, employees may sell back limited vacation hours depending on their eligibility.
- Section 19 (a) – Similar to our FOP contracts, the employees will receive two times their regular rate of pay for all hours worked on holidays. Service employees typically do not work holidays as frequently as do Police and Fire employees. Most often this provision will affect

the Service Department during the Fourth of July and instances of snow details during the holidays.

- Section 20 (a) –Employer will pay the same percentage of the applicable monthly cost of medical insurance for bargaining unit members as it pays for non-bargaining unit members. If implemented, the employee’s share will not exceed five (5) percent in the first year, seven and a half (7.5) percent in the second year, and ten (10) percent in the third year. The language in this section is consistent with our other bargaining unit contracts.
- Section 28
 - Service Department employees received a \$750 one-time adjustment to their 2006 base wages.
 - Employees received 3%; 3%; and 3% increases over the course of the three-year contract, which ends on October 31, 2009.

These increases keep our Service employees ranking in the top three or four most highly compensated Service Garage/Public Works employees in the local area.

- Section 31 (a) – In addition to having to take a drug/alcohol test for reasonable suspicion, employees will now be subject to random drug testing and such testing following a workplace accident or injury. Once all contracts contain this language, the City will be eligible to qualify for a rebate with the Bureau of Worker’s Compensation.
- ARTICLE 37 - The bargaining unit asked that they be allowed to implement a special program in which they may make payroll deductions to a program administered by AFSCME. There is very little administrative burden associated with this provision.

Section 133.11 (c) of the City of Blue Ash Codified Ordinances – Sick Leave Policy.

One slight change was made to resolve a typo in the policy within Section vi. - civ. addressing the application of personal leave for employees with an 8.5 hour work day. The provision of personal leave is a one-time per year allotment of leave, rather than “per occurrence” as the policy now reads. Section vi - cvi has been amended to read “per calendar year” to address this issue.

Please address questions regarding this ordinance to the Human Resources Officer at 745-8530.

11.b.3. Motion authorizing expenses associated with Student Government Day (April 26th)

Student Government Day is scheduled for Thursday, April 26th, this year, and this motion would appropriately authorize related expenses. Typically, related expenses include dinner that evening with the Administration/Council, with this year’s dinner to be held at Parker’s Blue Ash Grill.

The Administration is working with Sycamore, Ursuline, and Moeller to finalize this year’s student participation. Please address questions regarding Student Government Day to the Public Information Officer or Treasurer.

11.c.1. Ordinance No. 2007-21 - Authorizing contract with Hamilton County relating to the Blue Ash/Hunt Road improvement project

The City has made application to both Ohio SCIP (State Capital Improvement Program) and Hamilton County MRF (Municipal Road Fund) for primary funding for our Blue Ash/Hunt Road Improvement Project. The SCIP application was approved for loans, and will be awarded over a two year time frame (2007 and 2008). It entails a \$1,445,000 ten-year loan in 2007 and a \$1,445,000 ten-year loan in 2008 (both no-interest loans). The ten-year pay back period will begin after the project has been completed. Recently, the Hamilton County Commissioners approved the recommendation of the County Engineer for a \$50,000 MRF grant for this project in 2007. It is understood and anticipated that another \$50,000 MRF grant will be approved and available in 2008, which would require the City to sign another agreement.

Ordinance No. 2007-21 authorizes the City to enter into an agreement with the County for these MRF 2007 funds. An agreement will also need to be entered into in 2008, and in 2008, we are hopeful the ordinance as drafted for Council’s consideration in 2007, will be satisfactory for 2008 as well.

Please direct any questions regarding this ordinance to the Service Director.”

Planning & Zoning Committee, James W. Sumner, Chairperson

(Ordinance No. 2007-19 was read in its entirety during the public hearing portion of this meeting and was not read at this point of the meeting.)

Noting the ordinance was previously read in full earlier this evening, 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, and Mayor Buckman voted yes. Six yeses. Motion carried.

Councilman Sumner moved, Councilman Czerwonka seconded to adopt Ordinance No. 2007-19. There being no discussion, the Clerk called the roll. Councilpersons Sumner, Weber, Stacey, Czerwonka, Stoller, and Mayor Buckman voted yes. Six yeses. Ordinance No. 2007-19 passed.

Finance & Administration Committee, Rick Bryan, Chairperson

In Councilman Bryan's absence, the Mayor asked Councilman Czerwonka to preside.

Councilman Czerwonka asked the Clerk to read Ordinance No. 2007-18 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2007-18

AN ORDINANCE DECLARING IMPROVEMENTS TO A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF BLUE ASH, OHIO TO BE A PUBLIC PURPOSE UNDER SECTION 5709.40 OF THE OHIO REVISED CODE, PROVIDING FOR THE EXEMPTION OF SUCH IMPROVEMENTS FROM REAL PROPERTY TAXATION, AUTHORIZING THE NEGOTIATION AND PREPARATION, EXECUTION AND DELIVERY OF A SERVICE AGREEMENT, TAX INCENTIVE AGREEMENT, DEVELOPMENT AGREEMENT, TRUST AGREEMENT, MASTER LEASE AGREEMENT AND MANAGEMENT AGREEMENT AND SUCH OTHER DOCUMENTS AND AGREEMENTS AS MAY BE NECESSARY, WAIVING ANY FORMAL REQUIREMENTS FOR COMPETITIVE BIDDING FOR THE PUBLIC IMPROVEMENTS, ESTABLISHING A TAX INCREMENT EQUIVALENT FUND AND A PROJECT CONSTRUCTION FUND, AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH THOMPSON HINE LLP 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 Weber, Stacey, Czerwonka, Stoller, Sumner, and Mayor Buckman voted yes. Six yeses. Motion carried.

Councilman Czerwonka moved, Councilwoman Stoller seconded to adopt Ordinance No. 2007-18. Councilman Sumner expressed concern with the potential of TIF's artificially inflating property values (though he intends to vote "yes" on this ordinance). Councilman Stacey commented that he believes the City has been careful with the utilization of this economic development tool and does not share the same concern. Councilman Weber added that he believes this important site merits the use of a TIF. After brief discussion, the Clerk called the roll. Councilpersons Stacey, Czerwonka, Stoller, Sumner, Weber, and Mayor Buckman voted yes. Six yeses. Ordinance No. 2007-18 passed.

Councilman Czerwonka asked the Clerk to read Ordinance No. 2007-20 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2007-20

AMENDING SECTIONS 131.07-2(c) OF CHAPTER 131 OF THE BLUE ASH CODE OF ORDINANCES; AMENDING SECTION 133.11(c) AND 133.18-2(c) OF CHAPTER 133 OF THE BLUE ASH CODE OF ORDINANCES; AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A MULTI-YEAR COLLECTIVE BARGAINING AGREEMENT WITH OHIO COUNCIL 8, AFSCME, LOCAL 1093-F; 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, Stoller, Sumner, Weber, Stacey, and Mayor Buckman voted yes. Six yeses. Motion carried.

Councilman Czerwonka moved, Councilwoman Stoller seconded to adopt Ordinance No. 2007-20. There being no discussion, the Clerk called the roll. Councilpersons Stoller, Sumner, Weber, Stacey, Czerwonka, and Mayor Buckman voted yes. Six yeses. Ordinance No. 2007-20 passed.

Councilman Czerwonka moved, Councilman Sumner seconded to authorize payment of expenses associated with Student Government Day (April 26th). A voice vote was taken. All members voted yes. Motion carried.

Public Works Committee, Henry S. Stacey, Chairperson

Councilman Stacey asked the Clerk to read Ordinance No. 2007-21 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2007-21

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR 2007 (AND 2008) RELATIVE TO THE USE OF MUNICIPAL/COUNTY MOTOR VEHICLE LICENSE FUND MONIES FOR IMPROVEMENTS TO BLUE ASH AND HUNT ROADS WITHIN THE CITY OF BLUE ASH, BETWEEN THE CITY OF BLUE ASH AND THE BOARD OF HAMILTON COUNTY COMMISSIONERS; AND DECLARING AN EMERGENCY

Councilman Stacey moved, Councilman Weber 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, and Mayor Buckman voted yes. Six yeses. Motion carried.

Councilman Stacey moved, Councilwoman Stoller seconded to adopt Ordinance No. 2007-21. Councilman Stacey commented favorably that the City will be moving forward with this project. There being no further discussion, the Clerk called the roll. Councilpersons Sumner, Weber, Stacey, Czerwonka, Stoller, and Mayor Buckman voted yes. Six yeses. Ordinance No. 2007-21 passed.

MISCELLANEOUS BUSINESS

City Manager David Waltz commented that he would like to have a Council Workshop format for the April 12th Council meeting with two proposed topics: update on the Recreation Center project (particularly presenting more ideas in terms of design details as well as projected costs) and presentation of draft legislation regarding noise issues. In addition, there would be a brief Executive Session at the conclusion of the meeting the discuss property acquisition. There being no objection and little discussion, Councilwoman Stoller moved, Councilman Stacey seconded to establish the April 12th meeting as a Work Session (to begin at 7:00PM). A voice vote was taken. All members present voted yes. Motion carried. Councilman Sumner commented that he will not be able to attend the April 12th meeting as he will be out of town, and it was mentioned that some of the information expected to be discussed at that meeting may be available in time to be forwarded to Councilman Sumner before he leaves.

Mr. Waltz commented that he, Councilman Weber, and Ms. Bennett attended earlier this week a luncheon event sponsored by the Chamber of Commerce at which Blue Ash's CitiGroup was presented with their "Growth Award." He commented that though a handful of other Greater Cincinnati area businesses received awards as well, CitiGroup seemed by far the largest project and Blue Ash received a lot of favorable publicity.

Mr. Waltz commented favorably on Sherry Poppe's receipt of the Certificate of Achievement award, presented earlier this meeting by Mayor Buckman. He reminded Council that Ms. Poppe serves also as the City's Tax Commissioner and explained that when the former Tax

Commissioner retired, Ms. Poppe was promoted to essentially cover both offices. He commented that Ms. Poppe has performed her job admirably.

Mr. Waltz commented that discussions with Cincinnati regarding the airport have moved very slowly, and there is little more information to update Council.

Councilwoman Stoller commented that she recently attended the National League of Cities Congressional Cities Conference in Washington, DC. She noted several items of interest, including speeches from three 2008 Presidential contenders, and several interesting workshops and discussions in which she participated.

Councilman Sumner suggested that an event (or portion of an event) noted within Recreation event minutes as being termed "happy hour" be renamed so as not to allude to the City's endorsement of drinking.

Councilman Weber complimented the Service Department's expediency in removing limbs and brush from residential yards (curbside) during the recent ice storm.

Councilman Stacey offered compliments to Public Information Officer Sue Bennett for the recent guest editorial column in the *Northeast Suburban Life* regarding the Recreation Center project.

In addressing a question from Councilman Stacey, Parks & Recreation Director Chuck Funk commented that although the Department's hunt for sponsorship monies is down slightly from past years, it is somewhat better than he anticipated it might be as they have picked up a few new sponsors. The staff is still working towards solidifying some sponsors and mentioned that the recent radio station market change of owners has contributed to this year's difficulty.

Councilman Czerwonka offered his congratulations to Treasurer Jim Pfeffer and Deputy Treasurer Sherry Poppe on their financial award.

Mayor Buckman commented on several upcoming opportunities offered by Hamilton County for disposal of hazardous household waste. Mr. Albrinck added that this service does add convenience for our residences because if they are not able to utilize Blue Ash's hazardous waste disposal services (available for drop off up till 3:30 on weekdays), some of the County's opportunities for drop-off are scheduled on Blue Ash's off days. In addressing a question from Councilman Sumner, Mr. Albrinck commented that one Saturday this spring and one Saturday this fall (as noted in the community calendar), the Blue Ash dumpsters will be open for residential use. He noted, though, that recent past years participation in this drop-off opportunity has been minimal.

ADJOURNMENT

All items on the agenda having been acted upon, Councilman Sumner moved, Councilwoman Stoller seconded to adjourn the meeting. A voice vote was taken. All members voted yes. The Council meeting was adjourned at approximately 7:55 PM.

Robert J. Buckman, Jr., Mayor

Jamie K. Eifert, Clerk of Council

MINUTES WRITTEN BY:

Susan K. Bennett, Deputy Clerk of Council