BLUE ASH CITY COUNCIL

April 24, 2014

1. MEETING CALLED TO ORDER

A regular meeting of the Council of the City of Blue Ash, Ohio, was held on April 24, 2014. Mayor Lee Czerwonka called the meeting to order in Council Chambers at 7:00 PM.

2. OPENING CEREMONIES

Mayor Czerwonka led those assembled in the Pledge of Allegiance.

3. ROLL CALL

MEMBERS PRESENT: Vice Mayor Tom Adamec, Councilman Rick Bryan, Councilman Robert Buckman, Councilman Marc Sirkin, Councilwoman Stephanie Stoller, and Mayor Lee Czerwonka

MEMBERS ABSENT: Councilman James Sumner

Councilman Buckman moved, Councilman Sirkin seconded to excuse Councilman Sumner from the meeting. A voice vote was taken. All members present voted yes. Motion carried.

ALSO PRESENT: City Manager David Waltz, Solicitor Bryan Pacheco, Clerk of Council Jamie Eifert, Parks & Recreation Director Chuck Funk, Public Works Director Gordon Perry, Fire Chief Rick Brown, Police Chief Paul Hartinger, Administrative Assistant Karla Plank, and interested citizens

4. ACCEPTANCE OF THE REVISED AGENDA

Councilman Bryan moved, Councilman Buckman 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. *ACCEPTANCE OF REVISED AGENDA*
5. *APPOINTMENT OF BOARDS AND COMMISSIONS*
   a. *Parks & Recreation Committee, Robert J. Buckman, Jr., Chairperson*
      1. *Resolution No. 2014-3, appointing member to the Recreation Board*
   b. *Planning & Zoning Committee, James W. Sumner, Chairperson*
      1. *Resolution No. 2014-4, appointing members to the Planning Commission and the Board of Site Arrangement/Zoning Appeals*
6. *OATH OF OFFICE CEREMONY FOR APPOINTMENT OF MEMBERS TO THE RECREATION BOARD, PLANNING COMMISSION, AND BOARD OF SITE ARRANGEMENT/ZONING APPEALS*
7. *APPOINTMENT OF PERSON(S) TO READ ORDINANCES IN FULL IN REAR OF COUNCIL CHAMBERS*
8. *APPROVAL OF MINUTES*
   a. *Regular Meeting of April 10 2014*
9. *COMMUNICATIONS*
   a. *Communications to Council – Clerk of Council Jamie K. Eifert*
   b. *Reports From Outside Agencies*
10. *HEARINGS FROM CITIZENS*
11. *COMMITTEE REPORTS*
    a. *Finance & Administration Committee, Rick Bryan, Chairperson*
       1. *Ordinance No. 2014-27, authorizing a contract for professional planning services re comprehensive plan*
    b. *Public Works Committee, Marc Sirkin, Chairperson*
       1. *Ordinance No. 2014-28, authorizing the purchase of a vacuum truck*

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

1. Ordinance No. 2014-15, approving zoning map amendment to rezone approximately 7.063 acres at the SE corner of Reed Hartman Highway and Ilmenau Way

2. Ordinance No. 2014-16, approving zoning text amendment to M-3 planned office and mixed-use district.

3. Ordinance No. 2014-25, approving a planned development permit for multi-family residential development

12. MISCELLANEOUS BUSINESS

13. ADJOURNMENT

5. APPOINTMENT OF BOARDS AND COMMISSIONS

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

Councilman Buckman asked the Clerk to read Resolution No. 2014-3 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2014-3

PROVIDING FOR THE APPOINTMENT OF JOHN P. DILLON TO THE RECREATION BOARD OF THE CITY OF BLUE ASH, OHIO

Councilman Buckman moved, Councilwoman Stoller seconded to adopt Resolution No. 2014-3.

There being no discussion, the Clerk called the roll. Councilpersons Bryan, Sirkin, Stoller, Buckman, Adamec, and Mayor Czerwonka voted yes. Six yeses. Ordinance No. 2014-3 passed.

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

In Councilman Sumner's absence, Vice Mayor Adamec was asked to preside. Vice Mayor Adamec asked the Clerk to read Resolution No. 2014-4 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2014-4

PROVIDING FOR THE APPOINTMENT OF WILLIAM MICHAEL DUNCAN TO THE PLANNING COMMISSION AND THE APPOINTMENT OF JOSEPH HOELKER TO THE BOARD OF SITE ARRANGEMENT AND BOARD OF ZONING APPEALS OF THE CITY OF BLUE ASH, OHIO

Vice Mayor Adamec moved, Councilman Sirkin seconded to adopt Resolution No. 2014-4.

There being no discussion, the Clerk called the roll. Councilpersons Sirkin, Stoller, Buckman, Adamec, Bryan, and Mayor Czerwonka voted yes. Six yeses. Resolution No. 2014-4 passed.

6. OATH OF OFFICE CEREMONY FOR APPOINTMENT OF MEMBERS TO THE RECREASTION BOARD, PLANNING COMMISSION, AND BOARD OF SITE ARRANGEMENT/ZONING APPEALS

Councilman Buckman administered the Oath of Office to John Dillon. Vice Mayor Adamec administered the Oath of Office to Joseph Hoelker. William Michael Duncan was not in attendance.

Councilman Bryan thanked John Dillon and Joe Hoelker for taking on the volunteer responsibilities with the City of Blue Ash. With their wisdom, knowledge, and leadership, good things will happen in the City.

7. APPOINTMENT OF PERSON(S) TO READ ORDINANCES IN FULL IN REAR OF COUNCIL CHAMBERS

Mayor Czerwonka appointed Chuck Funk to read the legislation (ordinances) in their entirety in the rear of Council Chambers.

8. APPROVAL OF MINUTES

Councilwoman Stoller moved, Councilman Bryan seconded to approve the minutes of the regular meeting of April 10, 2014. A voice vote was taken. All members present voted yes. Motion carried.

9. 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.

10. HEARINGS FROM CITIZENS

Peter Nord, Kenridge Lake, believes the City of Blue Ash's growth should involve a separation of industrial, commercial, residential, and government (parks, etc.). He reminded Council that they recently voted down a residential development that was in an area near industrial and commercial that was away from other residential developments. Mr. Nord refers to another developer that wants to build a residential development in an industrial and commercial area that will be isolated from other residents. He believes more jobs are needed and feels the land should be used for commercial and industrial development to create more jobs.

Hearings from Citizens was declared closed at 7:09 PM.

11. COMMITTEE REPORTS

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

"This memo offers a brief description of the topics included on the April 24th Council agenda.

5.a.1. Resolution No. 2014-3 – appointing member to the Recreation Board

As directed by Council, Resolution No. 2014-3 formally appoints John Dillon to the Recreation Board to replace Scott Miller who was appointed to the Board of Site Arrangement/Zoning Appeal. Mr. Dillon was contacted to confirm his interest in the appointment to serve.

Please direct questions regarding this resolution to the Mayor.

5.a.2. Resolution No. 2014-4 – appointing member to the Planning Commission and appointing member to the Board of Site Arrangement/Zoning Appeals

As directed by Council, Resolution No. 2014-4 formally appoints Wm. Michael Duncan to the Planning Commission to replace John Berry, who resigned; and formally appoints Joseph Hoelker to the Board of Site Arrangement and Board of Zoning Appeals to replace Wm. Michael Duncan. Both members were contacted to confirm their interests in the appointments to serve.

Please direct questions regarding this resolution to the Mayor.

10.a.1. Ordinance No. 2014-27 – authorizing a contract for professional planning services re comprehensive plan

The City is working with McBride, Dale, Clarion to update the City's comprehensive plan. Phase 1 of this process, the gathering of public opinions regarding residential, corporate, and quality of life development in the City as well as a map exercise to highlight areas of focus, has been completed. Phase 2 is currently in the planning process and will consist of a Phase 1 overview and further public input sessions regarding the areas of focus identified in the previous public sessions. Because future phases are anticipated, it would be prudent at this time to authorize the expenditure of funds for this work as was included in the 2014 budget. Ordinance No. 2014-27 authorizes a contract with McBride, Dale, Clarion for an amount not to exceed $100,000.

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

10.b.1. Ordinance No. 2014-28 – authorizing the purchase of a vacuum truck

Ordinance No. 2014-28 authorizes the City Manager to enter into an agreement with Best Equipment for the purchase of a Vac-Con Vacuum Truck (plus related accessories or equipment), a gross amount not to exceed $338,417.78 as available through the State's Cooperative Purchasing program via Contract #800197. This truck replaces a 1997 vacuum truck for a trade-in value of $30,000 resulting in a net amount of $308,417.78. This Vac-Con truck is necessary to clean and maintain the City's storm sewers year round and to meet the needs of our citizens. Funding for this equipment was approved by City Council in the 2014 final budget.

Please direct questions regarding this ordinance to the Public Works Director, Gordon Perry.

10.c.1. Ordinance No. 2014-15 – approving map amendment to rezone approximately 7.063 acres at the SE corner of Reed Hartman Highway and Ilmenau

Anthony Birkla of Anderson Birkla Investment Partners, LLC is proposing to rezone the property at the southeast corner of the intersection of Reed Hartman Highway and Ilmenau Way to the M-3 Planned Office and Mixed Use District.

The Planning Commission recommended approval of the Zoning Map Amendment to City Council at its February 6 meeting.

Related to this rezoning, the applicant is also seeking a Planned Development approval for development of the site with a multifamily use.

A public hearing and first reading of this ordinance was held on April 10, 2014.

Anthony Birkla recently contacted the City to request that the vote scheduled for April 24th be delayed as he is out of the Country. Interim legal counsel, Terry Donnellon, has advised that Council procedurally needs to table by motion to accommodate the developer and Administration recommends such.

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

10.c.2. Ordinance No. 2014-16 – approving zoning text amendment to M-3 planned office and mixed-use

Included in its February 6 recommendation to amend the Zoning Map per Ordinance No. 2014-15 (above), the Planning Commission recommended amending the Zoning Code Text to make the Urban Design Corridor ("UDC") regulations in Chapter 1188 apply to the M-3 District. The UDC regulations are currently only applicable to the M-1 District and require a larger landscape buffer along Reed Hartman Highway than in other locations within the same District.

The proposed text amendment would ensure that the same larger buffer requirements would apply to the property that is subject to the proposed Zoning Map Amendment, which would abut Reed Hartman Highway.

This is the public hearing and first reading of this ordinance was held on April 10, 2014.

Concurrent with motion to table Ordinance No. 2014-15, it is recommended that this item also be tabled.

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

10.c.3. Ordinance No. 2014-25 – approving planned development permit for multi-family residential development

Related to the above Zoning Map Amendment (Item #7), Anthony Birkla of Anderson Birkla Investment Partners, LLC is proposing to develop a 185-unit apartment building on this currently vacant site. The attachments to the Ordinance show the design and layout of the building and site. Approval of this Ordinance is contingent upon Council also approving Ordinance 2014-15 that would zone the subject property into an M-3 District. If the proposed zoning amendment fails, then this proposed Ordinance is rendered moot.

The Planning Commission recommended approval of the Zoning Map Amendment to City Council at its February 6 meeting.

This is the public hearing and first reading of this ordinance was held on April 10, 2014.

Concurrent with motion to table Ordinance No. 2014-15 and Ordinance No. 2014-16, it is recommended that this item also be tabled.

Please direct questions regarding this ordinance to the Community Development Director, Dan Johnson."

a. <u>Finance & Administration Committee, Rick Bryan, Chairperson</u>

Councilman Bryan asked the Clerk to read Ordinance No. 2014-27 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2014-27

AUTHORIZING A PROFESSIONAL PLANNING SERVICES CONTRACT IN 2014 WITH McBRIDE, DALE, CLARION FOR PROFESSIONAL SERVICES ASSOCIATED WITH THE COMPREHENSIVE PLAN; AND DECLARING AN EMERGENCY

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

Councilman Bryan moved, Councilwoman Stoller seconded to adopt Ordinance No. 2014-27.

There being no discussion, the Clerk called the roll. Councilpersons Buckman, Adamec, Bryan, Sirkin, Stoller, and Mayor Czerwonka voted yes. Six yeses. Ordinance No. 2014-27 passed.

b. <u>Public Works Committee, Marc Sirkin, Chairperson</u>

Councilman Sirkin asked the Clerk to read Ordinance No. 2014-28 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2014-28

AUTHORIZING THE PURCHASE OF A VAC-CON VACUUM TRUCK (PLUS RELATED ACCESSORIES OR EQUIPMENT) THROUGH THE STATE OF OHIO'S COOPERATIVE PURCHASING PROGRAM; AND DECLARING AN EMERGENCY

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

Councilman Sirkin moved, Councilman Buckman seconded to adopt Ordinance No. 2014-28.

Public Works Director Gordon Perry stated the City's current vacuum truck is 17 years old and is becoming obsolete. The vacuum truck is used for cleaning out the storm water sewer system. It is a significant purchase; however, this type of equipment pays for itself in approximately three years versus the service being contracted out.

There being no discussion, the Clerk called the roll. Councilpersons Bryan, Sirkin, Stoller, Buckman, Adamec, and Mayor Czerwonka voted yes. Six yeses. Ordinance No. 2014-28 passed.

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

Vice Mayor Adamec asked the Clerk to read Ordinance No. 2014-15 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2014-15

APPROVING A ZONING MAP AMENDMENT TO REZONE APPROXIMATELY 7.063 ACRES FROM M-1 OFFICE INDUSTRIAL TO M-3 PLANNED OFFICE AND MIXED USE LOCATED AT THE SE CORNER OF REED HARTMAN HIGHWAY AND ILMENAU WAY (HAMILTON COUNTY AUDITOR PARCEL 612-0150-0587-00)

Vice Mayor Adamec moved, Councilwoman Stoller seconded to adopt Ordinance No. 2014-15.

Councilwoman Stoller moved to table Ordinance 2014-15 until the May 8th Council meeting due to the developer not being in attendance at tonight's Council meeting. The motion failed by lack of a second.

There being no further discussion, the Clerk called the roll. Councilpersons Buckman, Adamec, Bryan, Sirkin, and Mayor Czerwonka voted no. Councilwoman Stoller voted yes. Five nos – one yes. Ordinance No. 2014-15 failed.

City Manager David Waltz explained that Ordinance No. 2014-25 approving the development is irrelevant since the rezoning of the property (Ordinance No. 2014-15) did not pass; however, he requested that Council make a motion to remove Ordinance No. 2014-25 from the agenda.

Vice Mayor Adamec moved, Councilman Bryan seconded to remove Ordinance No. 2014-25 from the agenda. A voice vote was taken. All members present voted yes. Motion carried.

Mr. Waltz explained that Ordinance No. 2014-16 is a text amendment which Administration is recommending Councils' vote. It is not imperative that it be done; however, if Council should consider rezoning the site for future development, these additional buffering requirements would already be in place.

Vice Mayor Adamec asked the Clerk to read Ordinance No. 2014-16 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2014-16

APPROVING A ZONING TEXT AMENDMENT TO ADD THE URBAN DESIGN CORRIDOR REGULATIONS TO THE M-3 PLANNED OFFICE AND MIXED USE DISTRICT

Vice Mayor Adamec moved, Councilman Sirkin seconded to adopt Ordinance No. 2014-16.

There being no further discussion, the Clerk called the roll. Councilpersons Adamec, Bryan, Sirkin, Stoller, Buckman, and Mayor Czerwonka voted yes. Six yeses. Ordinance No. 2014-16 passed.

12. MISCELLANEOUS BUSINESS

Mr. Waltz introduced Doug Rack, Project Manager with Turner Construction to present an update on Phase 1 and recommendations to Phase 2 of Summit Park. He explained that one year ago, Phase 1 began and, today, there are several amenities currently at the Park. Administration has spent time with the design and construction management team to determine Phase 2.

Mr. Rack thanked Council for allowing him to present what Phase 2 of Summit Park will offer the City of Blue Ash.

Mr. Rack explained that Phase 1 is in its final stages. It consists of all infrastructure, the great lawn, steel pergolas, playground, restrooms, monument signage along Glendale-Milford and Phase 1 of the stage.

Nearly all the utilities are underground and finishes are currently being done to include asphalt, concrete, and landscaping.

Construction on the great lawn was postponed due to the winter weather conditions, but will resume next week. Sod will be laid by the end of May. The steel pergolas were erected this week that will allow for seating areas flanking the Great Lawn.

The playground photo shows a ramp wall that will convert into a slide; and shows the restroom building being built.

Phase 1 of the stage is an area where eventually the tower will be built that will allow the City to hold its events. The stage is currently being designed and will be sent out for bid in a few weeks. This will complete Phase 1.

Phase 2 is comprised of the community building that provides indoor space for programming and is home to all the controls, electrical components, etc., to operate the park. The glass canopy is adjacent to the community building with all the site work around it. The area to the east (in green) is for future development.

Mike Schuster, MSA Architects, provided details regarding the community building. In addition to providing the functioning elements for the park, the community building includes restrooms and storage area in the basement. It provides an outdoor space that will be covered by a roof, trellis, or canopy with a spectacular view of the great lawn, stage, and park.

The glass canopy is a steel structure that has four simple columns and a couple major beams. It has different colors of glass that provides for shading, as well as a colorful signature place. There will be levels of special effect lighting installed that becomes a plug and play for events.

The underside of the glass canopy looks out towards the tower (future phase) and stage. The stage element will be a built up platform to allow for a good presence from the glass canopy.

Main Street is a connector between some of the parking areas and it connects the front of all the community spaces. Special paving will be installed through the area. Future phases will consist of water features placed within certain areas. There will be a number of planters and other elements along the Main Street area that will make for a nice place to walk through.

The plaza will be an area that goes out from the canopy to extend and connect back to the oval path around the great lawn. The playground is very close to the community building so families using the community building and canopy have a very close proximity to all the events going on at the same time.

Mr. Rack concluded that Phase 2 is estimated to be approximately $11-$12 million for the three amenities. Phase 3 is allocated for the tower, pond, and water features. The design team is ready to move forward with Phase 2.

Mayor Czerwonka questioned whether areas of the park that are designed for future phases would be usable.

Mr. Rack stated that areas under design could be pavement or green space. The future water features, accounted for in the design, already have conduit and piping in place. The irrigation for the great lawn is temporarily running off of City water but will eventually irrigate water from the ponds once they are completed in Phase 3.

Mr. Waltz informed Council that building the park is going to be a long process. Segments of the design will be done within a budget that makes sense and can still be functional and aesthetically look good. Phase 1 was approximately $10-$12 million and Phase 2 will be approximately $11-$12 million. The tower is one of the most iconic features; however, it will be a part of Phase 3 for the reason that there are anchor amenities that need to be constructed first. The community building provides for extended weather opportunities and more flexible programming. Administration has been marketing to have restaurants anchor the first community building and the responses have been good. If the first community building is successful with a restaurant or two, Administration will consider accelerating construction of the second community building. Until the second community building gets built, it is anticipated that the open space could be used for food carts, farmers' markets, etc. Administration feels that the next $11-$12 million should present assets that give the City the most bang for its buck.

Councilwoman Stoller moved, Councilman Bryan second to authorize Administration to proceed with the Phase 2 plans as proposed and authorize final design and bid requirements. A voice vote was taken. All members voted yes. Motion carried.

Mr. Perry informed Council that paving on the Carver Road Project will be done next week and the sidewalks are being completed along the corridor.

13. <u>ADJOURNMENT</u>

All items on the agenda having been acted upon, Councilman Buckman moved, Councilman Sirkin seconded to adjourn the meeting. A voice vote was taken. All members voted yes. The Council meeting was adjourned at approximately 7:39 PM.

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Lee Czerwonka, Mayor

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Jamie K. Eifert, Clerk of Council

MINUTES RECORDED AND WRITTEN BY:

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Karla Plank, Administrative Assistant