

A regular meeting of the Council of the City of Blue Ash, Ohio, was held on May 24, 2007. 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 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, Economic Development Director Judy Clark, Assistant Community Development Director Dan Johnson, Assistant to the City Manager Kelly Osler, and interested citizens

Mayor Buckman appointed Parks & Recreation Director Chuck Funk to read the legislation in its entirety in the rear of Council Chambers.

ACCEPTANCE OF AGENDA

Councilman Czerwonka moved, Councilwoman Stoller 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. APPOINTMENT OF PERSON(S) TO READ ORDINANCES IN FULL IN REAR OF COUNCIL CHAMBERS

5. ACCEPTANCE OF AGENDA

6. APPROVAL OF MINUTES

a. Regular Meeting of May 10, 2007

7. COMMUNICATIONS

a. Communications to Council - Clerk of Council Jamie K. Eifert

b. Reports From Outside Agencies

c. Mayor's Report – April 2007 – Honorable Robert J. Buckman, Jr.

d. Financial Report – Motion to accept the report for April 2007

8. HEARINGS FROM CITIZENS

9. COMMITTEE REPORTS

a. Finance & Administration Committee, Rick Bryan, Chairperson

1. Ordinance No. 2007-31, authorizing contract for Phase II environmental services related to the future park development on the airport property

2. Ordinance No. 2007-29, authorizing the granting of a license/easement over Carter Avenue

3. Resolution No. 2007-3, reappointing and appointing members to the Charter Revision Committee and reappointing member to the Board of Tax Review

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

1. Resolution No. 2007-4 reappointing members to the Planning Commission and the Board of Site Arrangement/Zoning Appeals

c. Parks & Recreation Committee, Lee Czerwonka, Chairperson

1. Resolution No. 2007-5, reappointing a member to the Recreation Board

10. MISCELLANEOUS BUSINESS

11. ADJOURNMENT"

APPROVAL OF MINUTES

Councilman Stacey moved, Councilman Czerwonka seconded to approve the minutes of the regular meeting of May 10, 2007. A voice vote was taken. All members present voted yes. Motion carried.

COMMUNICATIONS

Communications to Council

The City has received three liquor license type requests summarized below:

Permit #: 4138723; Type: new

TO: Incahoots Ltd., DBA Incahoots, 9708 Kenwood Road, Blue Ash, Ohio 45242

This is for a new license which authorizes the sale of beer and liquor by the glass for on-premise consumption until 2:30AM at 9708 Kenwood Road – the former location of Bilkers. The Police Department has expressed no objections.

Permit #: 0249879; Type: New

TO: Apsara LLC, DBA Apsara, 4785 Lake Forest Drive, Blue Ash, Ohio 45242

This is for a new establishment at the former location of Watson Bros. Brewery. The Police Department has expressed no objections.

Permit #: 73090010005; Type: TRFO

TO: Residence Inn by Marriott, LLC, DBA Residence Inn Hotel, 11401 Reed Hartman Highway

This renews an existing license, and the Police Department has expressed no objections.

Reports From Outside Agencies

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

Mayor's Report – April 2007

RECEIPTS:

Fines	\$ 10,353.00
Bonds & BMV fees carried over	\$ 320.00
Interest Earned.....	\$4.35
Bonds collected.....	\$650.00
TOTAL RECEIPTS:	\$11,327.35

DISBURSEMENTS:

To Blue Ash (fines/costs/interest/Expungements/forfeitures)	\$7,657.35
To the State of OH	\$2,690.00
Refund of Overpaid Fine.....	\$10.00
Bond Money applied	\$250.00
Bond Money returned	\$170.00
BMV	\$ 0.00
TOTAL DISBURSEMENTS	\$10,777.35

BALANCE IN BONDS:

.....	\$550.00
Mayor's Court traffic citations.....	160
Mayor's Court criminal citations	21
Total Mayor's Court cases	181

April rev. from Mayor's Ct. Cases: \$ 7,657.35

Financial Report – April 2007

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

CITY OF BLUE ASH FINANCIAL POSITION STATEMENT - MONTH ENDING APRIL 30, 2007

MONTH TO DATE	2006	2007
START OF MONTH FUND BALANCE: 4-1-07	\$11,227,771.54	\$14,832,613.93
<u>Revenues:</u>		
Earnings Tax Collections:	2,911,747.11	3,666,397.43
Debt Financing (long term)	0	0
Debt Financing (short term)	0	0
Other Revenue Received:	<u>1,075,216.18</u>	<u>626,277.20</u>
= Total Monthly Receipts	3,986,963.29	4,292,674.63
<u>Expenditures:</u>		
Bond Retirement	0	0
Short term debt refinancing	0	0
Other Expenditures:	<u>2,501,267.58</u>	<u>2,159,484.41</u>
= Total Monthly Expenditures:	<u>-2,501,267.58</u>	<u>-2,159,484.41</u>
ENDING FUND BALANCE: 4-30-07	\$12,713,467.25	\$16,965,804.15

YEAR TO DATE	2006	2007
START OF YEAR FUND BALANCE:	12,916,635.98	17,286,456.32
<u>Revenues:</u>		
Earnings Tax Collections:	\$8,299,645.79	9,670,916.71
Debt Financing (long term)	0	0
Debt Financing (short term)	0	0
Other Revenue Received:	<u>2,787,868.32</u>	<u>3,129,112.46</u>
= Total Monthly Receipts	11,087,514.11	12,800,029.17
<u>Expenditures:</u>		
Bond Retirement	0	0
Short term debt refinancing	0	0
Other Expenditures:	<u>11,290,682.84</u>	<u>13,120,681.34</u>
= Total YTD Expenditures:	<u>-11,290,682.84</u>	<u>-13,120,681.34</u>
YTD FUND BALANCE	11,227,771.54	14,832,613.93

100% of the fund balance was invested as of 4-30-07. Interest paid to date on matured investments: \$263,815.69. Receipt and expenditure figures do not include interfund transfers.

BLUE ASH INCOME TAX DIVISION INCOME TAX RECEIPT SUMMARY FOR MONTH ENDING APRIL 30, 2007

MONTH-TO-DATE STATUS	2006	2007
Business Net Profit	783,343.06	749,997.68
Resident Net Profit	297,483.97	365,329.52
Non-Resident Net Profit	87,562.80	85,447.88
Subcontractor Net Profit	<u>12,681.44</u>	<u>33,906.53</u>
Net Profit Total	1,181,071.27	1,234,681.61
Withholding	1,701,175.26	2,366,929.10
Subcontractor Withholding	<u>29,500.58</u>	<u>64,786.72</u>
Withholding Total	<u>1,730,675.84</u>	<u>2,431,715.82</u>
Monthly Collection Totals	2,911,747.11	3,666,397.43
YEAR-TO-DATE STATUS	2006	2007
Business Net Profit	1,808,222.20	1,246,973.26
Resident Net Profit	412,974.89	498,797.63
Non-Resident Net Profit	119,283.62	133,021.49
Subcontractor Net Profit	<u>16,067.26</u>	<u>45,102.72</u>
Net Profit Total	2,356,547.97	1,923,895.10
Withholding	5,838,790.77	7,561,523.20
Subcontractor Withholding	<u>104,307.05</u>	<u>185,498.41</u>
Withholding Total	<u>5,943,097.82</u>	<u>7,747,021.61</u>
YTD Collection Totals	8,299,645.79	9,670,916.71
YTD Refund Totals	<u>301,049.74</u>	<u>258,598.67</u>

HEARINGS FROM CITIZENS

No citizens wished to address Council.

COMMITTEE REPORTS

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

"The following offers a brief description of the topics included on the May 24th Council Agenda:

9.a.1. Ordinance No. 2007-31 - Authorizing contract for Phase II environmental services related to the future park development on the airport property

As Council is aware, an important facet of the due diligence process associated with Blue Ash's purchase of the 130 acres at the Blue Ash Airport property for future park development relates to environmental assessment services. PSARA Technologies, located in Blue Ash, was hired to complete the Phase I assessment, and did so for a cost of \$2,750. PSARA has completed their report, and, as was anticipated by the Administration, has recommended a Phase II investigation to further examine environmental issues, such as the potential for lead paint or asbestos containing material in existing structures, and other related questions. The estimated base cost for the Phase II is \$22,300, with the likelihood of more expense if additional sampling is deemed appropriate.

Since the aggregate expenditure with this vendor will exceed the ordinance threshold of \$25,000 during 2007, Council approval via ordinance is appropriate. Given the likelihood of additional costs associated with probable additional sampling and potential other necessary Phase II services, the Administration is recommending that Council authorize an aggregate amount not to exceed \$40,000 for these professional services.

Please address questions regarding this ordinance to the Treasurer.

9.a.2. Ordinance No. 2007-29 - Authorizing the granting of a license/easement over Carter Avenue

For several years, Roth Investments, LLC, owner of the Janell business on Cornell Road which abuts both the north and south sides of Carter Avenue to the rear, has asked the City to permit their use of all of Carter Avenue for operation of their business. Carter Avenue is a publicly dedicated right-of-way; however, it no longer serves other property owners or citizens of Blue Ash.

In working with the City Solicitor's Office regarding this issue, it has been suggested that Blue Ash grant an easement or license which would allow Roth/Janell to use all of Carter Avenue. Though the final agreement has yet been finalized, one important component of the agreement will include the limitation that if any of the parcels would be sold or otherwise conveyed to another party in the future, this easement or license would be terminated unless the City's approval was secured in advance.

Assuming Council approval of this ordinance, the Solicitor's office will continue to finalize the license or easement agreement form related to this transaction. Please direct questions regarding this ordinance to the Treasurer.

9.a.3. Resolution No. 2007-3 - Reappointing and appointing members to the Charter Revision Committee and reappointing member to the Board of Tax Review

As directed by Council, Resolution Nos. 2007-3, 2007-4, and 2007-5 provide for reappointments or appointments for positions to the various volunteer boards and commissions of the City. Reappointments/appointment as included on this agenda are summarized below, with more anticipated for the June 14th meeting:

- Reappointing John Conlon and appointing Richard Overman to the Charter Revision Committee, and reappointing Arny Stoller to the Board of Tax Review (Resolution No. 2007-3)
- Reappointing John Moores and Julie Brook to the Planning Commission and Board of Site Arrangement/Zoning Appeals respectively (Resolution No. 2007-4)
- Reappointing Tom Stone to the Recreation Board

9.b.1. Resolution No. 2007-4 - Reappointing members to the Planning Commission and the Board of Site Arrangement/Zoning Appeals

See Item 9.a.3. above.

9.c.1. Resolution No. 2007-5 - Reappointing a member to the Recreation Board

See Item 9.a.3. above."

Finance & Administration Committee, Rick Bryan, Chairperson

Councilman Bryan asked the Clerk to read Ordinance No. 2007-31 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2007-31

AUTHORIZING A CONTRACT FOR PROFESSIONAL ENVIRONMENTAL ASSESSMENT SERVICES WITH BLUE ASH BASED PSARA TECHNOLOGIES, INC. ASSOCIATED WITH BLUE ASH'S PURCHASE OF 130 ACRES OF LAND FOR FUTURE PARK DEVELOPMENT AT THE BLUE ASH AIRPORT; AND DECLARING AN EMERGENCY

Councilman Bryan 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 yeases. Motion carried.

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Councilman Bryan moved, Councilman Sumner seconded to adopt Ordinance No. 2007-31. There being no discussion, the Clerk called the roll. Councilpersons Sumner, Weber, Stacey, Czerwonka, Bryan, Stoller, and Mayor Buckman voted yes. Seven yeases. Ordinance No. 2007-31 passed.

Councilman Bryan asked the Clerk to read Ordinance No. 2007-29 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2007-29

AUTHORIZING THE CITY MANAGER TO EXECUTE A GRANT OF EASEMENT OR LICENSE OVER THE ENTIRETY OF CARTER AVENUE, A PUBLIC DEDICATED RIGHT-OF-WAY REFLECTED ON PAGE 190 OF BOOK 612 OF THE HAMILTON COUNTY AUDITOR'S OFFICE RECORDS; AND DECLARING AN EMERGENCY

Councilman Bryan 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, Bryan, Stoller, Sumner, and Mayor Buckman voted yes. Seven yeases. Motion carried.

Councilman Bryan moved, Councilman Stacey seconded to adopt Ordinance No. 2007-29. There being no discussion, the Clerk called the roll. Councilpersons Stacey, Czerwonka, Bryan, Stoller, Sumner, Weber, and Mayor Buckman voted yes. Seven yeases. Ordinance No. 2007-29 passed.

Councilman Bryan asked the Clerk to read Resolution No. 2007-3 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2007-3

PROVIDING FOR THE REAPPOINTMENT OF JOHN CONLON TO THE CHARTER REVISION COMMITTEE; PROVIDING FOR THE APPOINTMENT OF RICHARD OVERMAN TO THE CHARTER REVISION COMMITTEE; AND REAPPOINTING ARNOLD STOLLER TO THE BOARD OF TAX REVIEW

Councilman Bryan moved, Councilwoman Stoller seconded to adopt Resolution No. 2007-3. There being no discussion, the Clerk called the roll. Councilpersons Czerwonka, Bryan, Stoller, Sumner, Weber, Stacey, and Mayor Buckman voted yes. Seven yeases. Resolution No. 2007-3 passed.

Planning & Zoning Committee, James W. Sumner, Chairperson

Councilman Sumner asked the Clerk to read Resolution No. 2007-4 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2007-4

PROVIDING FOR THE REAPPOINTMENT OF JOHN A. MOORES OF 4500 VICTOR AVENUE TO THE PLANNING COMMISSION FOR THE TERM EXPIRING JULY 1, 2011 AND PROVIDING FOR THE REAPPOINTMENT OF JULIE BROOK OF 9566 COOPER LANE TO THE BOARD OF SITE ARRANGEMENT/ZONING APPEALS FOR THE TERM EXPIRING JULY 1, 2012

Councilman Sumner moved, Councilwoman Stoller seconded to adopt Resolution No. 2007-4. There being no discussion, the Clerk called the roll. Councilpersons Bryan, Stoller, Sumner, Weber, Stacey, Czerwonka, and Mayor Buckman voted yes. Seven yeases. Resolution No. 2007-4 passed.

Mayor Buckman administered the Oath of Office to Ms. Brook who was at the meeting.

Parks & Recreation Committee, Lee Czerwonka, Chairperson

Councilman Czerwonka asked the Clerk to read Resolution No. 2007-5 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2007-5

PROVIDING FOR THE REAPPOINTMENT OF THOMAS E. STONE OF 4992 DOUGHMAN COURT TO THE RECREATION BOARD OF THE CITY OF BLUE ASH, OHIO FOR THE TERM EXPIRING JULY 1, 2012

Councilman Czerwonka moved, Councilman Stacey seconded to adopt Resolution No. 2007-5. There being no discussion, the Clerk called the roll. Councilpersons Stoller, Sumner, Weber, Stacey, Czerwonka, Bryan, and Mayor Buckman voted yes. Seven yeases. Resolution No. 2007-5 passed.

Mayor Buckman administered the Oath of Office to Mr. Stone who was at the meeting.

MISCELLANEOUS BUSINESS

Public Information Officer Sue Bennett reminded Council of Memorial Day activities on Monday.

Service Director Denny Albrinck gave a brief update regarding the following projects:

- CWW has indicated intent to do an emergency replacement of a water main on Hunt Road between Plainfield and Bluewing Terrace. An eight-inch main will be replaced with a 12-inch main. CWW intends to begin work in July and be complete by September.
- The Blue Ash Road water line project has begun.
- Replacement of mains in the Arcadia neighborhood will begin in September and be complete by the end of the year.
- Water Main replacement is planned for the Floral Avenue area in 2008.
- The Creek Road sidewalk project should begin this Tuesday and be complete in August.

Parks & Recreation Director Chuck Funk noted information placed on Council desks this evening related to a request for a memorial stone at the Hunt House. Mrs. Bell's Bridge Club friends would like to place an engraved boulder in her memory at the home, and a picture of the proposed stone was also included with Council information. After some discussion, the Administration was directed to talk with Mrs. Bell's family to gather their thoughts.

Mr. Funk reported that he attended a conference early this week in Kansas City about performing arts centers, conference centers, and sports centers. He commented that the conference, entitled "If you build it, will they come?", was very beneficial and he gathered valuable information.

City Manager David Waltz congratulated Councilman Bryan and The Wellness Community (of which he is Executive Director) for their recent award received for small business excellence in the non-profit category. Councilman Bryan thanked Mr. Waltz for his comments and support.

Mr. Waltz reminded Council that there would be only one meeting in June – on June 14th – and that he would arrange for the new fire truck to be displayed at 6:30PM. Also at that June meeting, CDS Associates will provide an update to recommendations associated with the Plainfield Road/Hunt Road corridor study.

Downtown Streetscaping Presentation

Mr. Waltz commented that representatives from Kinzelman Kline Gossman (KKG) are in attendance to present their preliminary thoughts, ideas, and themes regarding potential

downtown streetscaping themes. The goal this evening is to gather Council feedback, especially upon the larger concepts presented in the theme, and then move towards preparation of the final report. Mr. Waltz cautioned that this is not an engineering report; rather, once it's complete, it should be viewed as a master plan for downtown streetscaping. After the plan is finalized, it would then be up to Council, through the annual budget and capital improvement program planning processes, to decide what aspects of the plan to move forward with, along with associated timing.

Mr. Clete Benken, Eric Brown, and Kevin Dicke were in attendance to present preliminary recommendations for downtown streetscaping. Mr. Benken commented that their staff has gathered much feedback from City staff regarding the project. The goal of the project is to set the groundwork and establish the design guidelines for downtown streetscaping to guide the transition from today's suburban downtown towards a more traditional downtown.

The recommendation for the Cooper/Kenwood intersection is to make this a pedestrian-focused area, including concrete paver crosswalks across all streets in the intersection. Examples of other amenities to consider at this intersection, and other parts of downtown, include:

- New, less obtrusive, traffic control mast arms.
- Ornamental streetlighting with banner and/or hanging planters.
- Large stone planters.
- Ornamental light columns (bollards) in pedestrian areas.
- Directory (and event information) signage.
- Elevated fountain area on the northwest corner.
- Embedded light features within the middle of the intersection, along with ornamental pavement.

Mr. Brown commented that the desire also is to create a strong entry point for Blue Ash to support the community's identity. Examples of features to support this goal include attractive gateway signage upon the Ronald Reagan Highway bridge, redesigned street name signs, directory panels for the downtown area, special event panels with information, and pole banners.

In looking at the overall street typology, Mr. Benken suggested that improved connections within the business district be considered. He suggested the possibility of a new road parallel to Kenwood Road to the east be considered, especially given the difficulty of developing the relatively narrow depth of lots on the east side of Kenwood. He also believes that an additional attractive road would increase the quality of life in the Arcadia neighborhood. The Street Typology also shows access drives, corridor tree lawn areas, and other features for various sections of the downtown.

Mr. Waltz suggested that Council spend some time looking at the various exhibits/handouts distributed this evening, including the proposed street sections. One of the thoughts is to consider on-street parking on Kenwood Road between Hunt and Cooper Roads, and this could be done relatively easily with striping, without changing the existing curb lines. This could also help slow traffic down to support the pedestrian orientation desired.

Mr. Waltz explained that none of the ideas presented would be required to happen quickly; however, some could be implemented within the next year or so if that is the desire of Council. If Council desires, the City could also simply wait and do no changes until redevelopment occurs. Mr. Waltz added that the idea of adding an additional street parallel to Kenwood could also help create an additional buffer zone for the residential area.

In addressing a question from Councilman Weber as to timing of street improvements in respect to redevelopment, Mr. Benken commented that there may be some logical places to start, and he would recommend beginning at the Kenwood/Cooper intersection and head south. However, if the need comes up to replace some of the amenities, such as mast arms, poles, etc., then he suggests replacing them with those of the style desired in the plan

without delay. Mr. Waltz added that the streetscaping improvements can happen irrespective of development and such improvements could complement what comes afterwards. Mr. Waltz suggests taking a phased approach and looking at one area at a time as opposed to a complete overhaul approach. Whether redevelopment happens or not, different types of planters and a more contemporary style of lighting, banners, street signs, and other amenities can be placed.

In addressing a question from Councilman Bryan, Mr. Waltz suggested, for illustrative purposes, if Council decided to direct about \$1 million of funds each year towards this streetscaping plan, it may take at least five to six or more years to complete (though costs have not yet been developed). Councilman Bryan commented that he likes the concepts presented; however, it is his opinion that redevelopment is more likely to occur after the City makes such improvements.

In addressing a comment from Mr. Waltz, it appeared the consensus of Council that the concepts presented tonight and the direction towards a more contemporary streetscaping theme was favored by Council members.

OTHER MISCELLANEOUS BUSINESS

In addressing a question from Councilman Sumner, Public Information Officer Sue Bennett commented that there will be additional resolutions of appointment presented at the June 14th meeting, particularly for the Board of Site Arrangement and Civil Service Commission. These resolutions were purposefully delayed.

Councilman Stacey complimented the Recreation staff, particularly Kathy Swensen and Tiphonie Crane, on their assistance at the May 19th Open House regarding the Recreation Center project.

ADJOURNMENT

All items on the agenda having been acted upon, Councilman Bryan moved, Councilwoman Stoller seconded to adjourn the meeting. A voice vote was taken. All members voted yes. The Council meeting was adjourned at approximately 8:10 PM.

Robert J. Buckman, Jr., Mayor

Jamie K. Eifert, Clerk of Council

MINUTES WRITTEN BY:

Susan K. Bennett, Deputy Clerk of Council