

BLUE ASH CITY COUNCIL

June 14, 2012

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1. MEETING CALLED TO ORDER

A regular meeting of the Council of the City of Blue Ash, Ohio, was held on June 14, 2012. Mayor Mark F. Weber called the meeting to order in Council Chambers at 7:00 PM.

2. OPENING CEREMONIES

Mayor Weber led those assembled in the Pledge of Allegiance.

3. ROLL CALL

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

MEMBER ABSENT: Councilman Rick Bryan

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

ALSO PRESENT: City Manager David Waltz, Deputy Solicitor Bryan Pacheco, Clerk of Council Jamie Eifert, Assistant City Manager James Pfeffer, Assistant City Manager Kelly Harrington, Public Works Director Gordon Perry, Treasurer Sherry Poppe, Administrative Assistant Karla Plank, Community Development Director Dan Johnson, and interested citizens

4. ACCEPTANCE OF REVISED AGENDA

Mayor Weber 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. ACCEPTANCE OF REVISED AGENDA
5. APPOINTMENT OF BOARDS AND COMMISSIONS
 - a. Finance & Administration Committee, Rick Bryan, Chairperson
 1. Resolution No. 2012-6, re-appointing members to the Civil Service Commission and Board of Tax Review, and appointing member to the Charter Revision Committee
 - b. Parks & Recreation Committee, Robert J. Buckman, Jr., Chairperson
 1. Resolution No. 2012-7, appointing and re-appointing members to the Recreation Board
 - c. Planning & Zoning Committee, James W. Sumner, Chairperson
 1. Resolution No. 2012-8, re-appointing member to the Planning Commission and appointing member to the Board of Site Arrangement/Zoning Appeals
6. PUBLIC HEARING ON APPEAL – 7:05 PM – Denial of the Board of Zoning Appeals of the appeal of the order of the Zoning Administrator regarding the removal of a horse
7. APPOINTMENT OF PERSON(S) TO READ ORDINANCES IN FULL IN REAR OF COUNCIL CHAMBERS
8. APPROVAL OF MINUTES
 - a. Regular Meeting of May 24, 2012

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9. COMMUNICATIONS

- a. Communications to Council – Clerk of Council Jamie K. Eifert
- b. Reports From Outside Agencies
- c. Mayor’s Report – May 2012 – Honorable Mark F. Weber
- d. Financial Report – Motion to accept the report for May 2012

10. HEARINGS FROM CITIZENS

11. COMMITTEE REPORTS

- a. Finance & Administration Committee, Rick Bryan, Chairperson
 - 1. Ordinance No. 2012-34, authorizing creation of a new capital project fund #441 (Energy Saving Facility Improvement Fund)
 - 2. Ordinance No. 2012-33, transferring funds
 - 3. Resolution No. 2012-5, appointment of a successor trustee for the Deferred Compensation Plan and Trust
- b. Planning & Zoning Committee, James W. Sumner, Chairperson
 - 1. Ordinance No. 2012-35, authorizing an economic development agreement

12. MISCELLANEOUS BUSINESS

13. ADJOURNMENT

5. APPOINTMENT OF BOARDS AND COMMISSIONS

a. Finance & Administration Committee, Rick Bryan, Chairperson

In Councilman Bryan’s absence, Vice Mayor Czerwonka was asked to preside. Vice Mayor Czerwonka asked the Clerk to read Resolution No. 2012-6 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2012-6

PROVIDING FOR THE REAPPOINTMENT OF SANDRA R. ROBERTS TO THE CIVIL SERVICE COMMISSION; REAPPOINTMENT OF ROBERT V. MILLER TO THE BOARD OF TAX REVIEW; AND PROVIDING FOR THE APPOINTMENT OF PAUL ALLAER TO THE CHARTER REVISION COMMITTEE

Vice Mayor Czerwonka moved, Councilwoman Stoller seconded to adopt Resolution No. 2012-6.

There being no discussion, the Clerk called the roll. Councilpersons Sumner, Buckman, Czerwonka, Adamec, Stoller, and Mayor Weber voted yes. Six yeses. Resolution No. 2012-6 passed.

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

Councilman Buckman asked the Clerk to read Resolution No. 2012-7 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2012-7

PROVIDING FOR THE REAPPOINTMENT OF THOMAS E. STONE AND APPOINTMENT OF BRUCE BESSO TO THE RECREATION BOARD OF THE CITY OF BLUE ASH, OHIO

Councilman Buckman moved, Vice Mayor Czerwonka seconded to adopt Resolution No. 2012-7.

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There being no discussion, the Clerk called the roll. Councilpersons Buckman, Czerwonka, Adamec, Stoller, Sumner, and Mayor Weber voted yes. Six yeases. Resolution No. 2012-8 passed.

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

Councilman Sumner asked the Clerk to read Resolution No. 2012-8 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2012-8

PROVIDING FOR THE REAPPOINTMENT OF RAYMOND E. SCHAFFER TO THE PLANNING COMMISSION AND THE APPOINTMENT OF WILLIAM MICHAEL DUNCAN TO THE BOARD OF SITE ARRANGEMENT AND BOARD OF ZONING APPEALS OF THE CITY OF BLUE ASH

Councilman Sumner moved, Councilman Buckman seconded to adopt Resolution No. 2012-8.

There being no discussion, the Clerk called the roll. Councilpersons Czerwonka, Adamec, Stoller, Sumner, Buckman, and Mayor Weber voted yes. Six yeases. Resolution No. 2012-8 passed.

Mayor Weber administered Oaths of Office to Paul Allaer, Thomas E. Stone, Bruce Besso, Raymond E. Schafer, and William Michael Duncan who were all present at the Council meeting.

6. PUBLIC HEARING ON APPEAL – Denial of the Board of Zoning Appeals of the appeal of the order of the Zoning Administrator regarding the removal of a horse

Mayor Weber opened the Public Hearing on Appeal. Present was Attorney George Parker representing the appellant, Ingrid Anderson and Chloe Iles of 9701 Conklin Road. Mayor Weber advised that prior to the Council Meeting, there was a discussion between himself, Mr. Parker and Deputy Solicitor Bryan Pacheco and requested Mr. Parker to provide the details of that discussion. Mr. Parker indicated that the transcript from the Board of Zoning Appeals hearing from April 9, 2012 was to be used as the record. He indicated that the Mayor has permitted Messrs. Parker and Pacheco a short period of time to file written arguments based on the record. Mr. Parker will file a written brief to Council due on or before June 28th; Mr. Pacheco will file a written response to Mr. Parker's brief on or before July 9th; Mr. Parker will file a written reply on or before July 16th. A decision by City Council will be made at the August 9th City Council Meeting.

Mayor Weber moved, Councilman Sumner seconded to set June 28th to submit an Appellant's brief; followed by the City's rebuttal brief due by July 9th; Appellant's reply brief due July 16th; decision of City Council given at the August 9th City Council Meeting. A voice vote was taken. All members present voted yes. Motion carried.

The public hearing on appeal was declared closed at 7:15 PM.

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

Mayor Weber appointed Kelly Harrington to read the legislation (ordinances) in their entirety in the rear of Council Chambers.

8. APPROVAL OF MINUTES

Councilman Buckman moved, Vice Mayor Czerwonka seconded to approve the minutes of the regular meeting of May 24, 2012. A voice vote was taken. All members present voted yes. Motion carried.

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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.

c. Mayor's Report – May 2012

RECEIPTS:

Fines	\$ 18,742.00
Vendors/Solicitor's Permits	\$0
Bonds carried over	\$0
Bonds collected	\$0
Bonds applied	\$0
Restitution Payment collected	\$0
TOTAL RECEIPTS:.....	\$18,742.00

DISBURSEMENTS:

To Blue Ash	
Fines/costs/Expungements/forfeitures/NSF check charges, vendor permits)	\$ 12,597.00
To the State of OH:	
Victims of Crime	\$1,305.00
General Rev Fund.....now included in 2b on SC form	
Expungements.....	\$0.00
Indigent Defense Support fund	\$3,595.00
Drug Law Enforcement Fund.....	\$472.50
Justice Program Service Fund	
Indigent Driver's Alcohol Trtm't Fund.....	\$202.50
Seat Belts	\$270.00
Refund of overpaid fines.....	\$0.00
Bond Money applied.....	\$0.00
Bond Money returned	\$0.00
Restitution payment	\$300.00
TOTAL DISBURSEMENTS.....	\$18,742.00

BALANCE IN BONDS:.....	\$0.00
Mayor's Court traffic citations	162
Mayor's Court criminal citations	25
Total Mayor's Court cases	187
Blue Ash rev. from Mayor's Ct. Cases:	\$12,597.00

d. Financial Report –May 2012

Mayor Weber moved, Vice Mayor Czerwonka seconded to accept the Financial Report for May 2012 as submitted. A voice vote was taken. All members present voted yes. Motion carried.

CITY OF BLUE ASH FINANCIAL POSITION STATEMENT- MONTH ENDING May 31, 2012

MONTH TO DATE	2011	2012
START OF MONTH FUND BALANCE: 5-1-12	\$36,246,570.17	\$37,511,421.75
Revenues:		
Earnings Tax Collections:	2,894,214.63	2,772,001.40
Debt Financing (long term)	0	0
Debt Financing (short term)	0	0
Other Revenue Received:	861,299.10	1,060,292.86
= Total Monthly Receipts	3,755,513.73	3,832,294.26
Expenditures:		
Long Term debt retirement	419,910.41	439,566.88
Short term debt refinancing	0	0
Other Expenditures:	2,827,315.76	2,730,893.28
= Total Monthly Expenditures:	-3,247,226.17	-3,170,460.16

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END OF MONTH FUND BALANCE: 36,754,857.73 38,173,255.85
5-31-12

YEAR TO DATE	2011	2012
START OF MONTH FUND BALANCE:	33,676,246.12	33,264,957.20
5-1-12		
Revenues:		
Earnings Tax Collections:	13,884,223.37	15,132,646.07
Debt Financing (long term)	0	0
Debt Financing (short term)	0	0
Other Revenue Received:	4,402,899.11	5,372,947.75
= Total YTD Receipts	18,287,122.48	20,505,593.82
Expenditures:		
Long term debt retirement	802,506.52	785,401.74
Short term debt refinancing	0	0
Other Expenditures:	14,406,004.35	14,811,893.43
= Total YTD Expenditures:	-15,208,510.87	-15,597,295.17
YEAR-TO-DATE FUND BALANCE:	36,754,857.73	38,173,255.85

100% of the fund balance was invested as of 5/31/12. Interest paid to date on matured investments: \$4,912.47. Receipt and expenditure figures do not include interfund transfers.

BLUE ASH INCOME TAX DIV. INCOME TAX RECEIPT SUMMARY - MONTH ENDING May 31, 2012

MONTH-TO-DATE STATUS	2011	2012
Business Net Profit	536,210.77	409,695.50
Resident Net Profit	65,031.55	187,034.82
Non-Resident Net Profit	21,494.35	46,808.30
Subcontractor Net Profit	1,057.90	30,192.22
Net Profit Total	623,794.57	673,730.84
Withholding	2,203,323.39	2,048,252.97
Subcontractor Withholding	67,096.67	50,017.59
Withholding Total	2,270,420.06	2,098,270.56
Monthly Collection Totals	2,894,214.63	2,772,001.40
		-4.22%

YEAR TO DATE STATUS		
Business Net Profit	2,466,971.69	2,853,037.04
Resident Net Profit	592,618.75	577,343.51
Non-Resident Net Profit	137,101.47	133,009.93
Subcontractor Net Profit	21,894.56	53,939.63
Net Profit Total	3,218,586.47	3,617,330.11
Withholding	10,421,444.61	11,278,922.84
Subcontractor Withholding	244,192.29	236,393.12
Withholding Total	10,665,636.90	11,515,315.96
YTD Collection Totals	13,884,223.37	15,132,646.07
		8.99%
YTD Refund Totals	621,781.99	400,930.70

10. HEARINGS FROM CITIZENS

Julie Brook, 9566 Cooper Lane, thanked Council for honoring her with six years of service on the Board of Sites Arrangement and Zoning Appeals. Council appointed her to the Board of Sites and Zoning in 2006 to serve out the remainder of someone else's term which was one year. In the Spring of 2007, Council reappointed her for a five year term and Ms. Brook was flattered and honored. Ms. Brook commented on her personal take on party politics in that everyone may want the same things; however, everyone may have different ways of achieving them. She feels others may not agree but it is something that should not be taken personally. Decisions, she feels, are based on what is the best for the majority. In the time that Ms. Brook served on the Board, she indicated her political leanings did not play a part in her decisions. Ms. Brook stated she understood that her charge was to uphold the zoning laws, keep the mission of the Blue Ash master plan and always keep in mind the best interest of the majority stakeholders – the business owners, the Councils' vision and the residents. She feels she did a good job in doing so. Ms. Brook thanked Council for the privilege of serving and enjoyed every meeting during those six years and appreciated the opportunity.

Scott Dimmich, a resident at 4332 Linwood Drive and meteorologist at Channel 12, discussed with Council how an upcoming change can provide Blue Ash with an the

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opportunity for a higher profile in the community. Mr. Dimmick indicated that there is a weather station located on the Blue Ash Airport property formerly called an Automated Weather Observing Station (“AWOS”). The weather station provides pilots with weather data information, either from their airplane or by telephone. There is no other way to get the data from this quality weather station, such as through the internet or from the National Weather Service. Other local airports, including Warren County Airport near Lebanon and the Pendleton County Airport near Falmouth, have similar weather equipment and are able to transmit their data from their weather station to the public which allows television stations to report the weather data on the air. The Federal Aviation Administration has strict guidelines on how they receive data which must be transmitted to them in an FAA certified method. There are a few companies that would ensure the data from the weather station be sent to the FAA which then gets transmitted to the pilots, media and the public for a minimum monthly service fee. Currently, the information can be received by calling a “513” number or from an airplane. The equipment is relatively small and requires a piece of hardware connected to the unit at a one-time cost of \$1,500 to be able to transmit this information and allow the Blue Ash residents to receive the most up-to-date weather conditions and information. Although there is a lot to be finalized with regard to the future of the Blue Ash Airport, the National Weather Service has informed Mr. Dimmick that there is a possibility that the weather station could be moved. The airport officials would like to keep the weather station in service. Mr. Dimmick wants to work with Council and Administration to keep the weather station in the City of Blue Ash’s new park.

Councilman Buckman questioned where this equipment is located at the Blue Ash Airport.

Mr. Dimmick responded that it is located next to the runway at the Blue Ash Airport on the portion of the property that is owned by the City of Blue Ash. There are two other types of equipment like this in the tri-state area which are sending data out publically in a way that can be shown in real time. However, if there is a thunderstorm coming through Blue Ash, the only way the information can be received is if you were in an airplane or if you were to call the 513 number.

Councilman Buckman asked that if the future flights were totally discontinued out of Blue Ash, what advantage it would be for pilots in this area.

Mr. Dimmick indicated that it would provide pilots with an additional way to know what the weather conditions are. If people are flying in or around the area, they will have an actual report of what is going on as opposed to in Wilmington or the Regional airport in Hamilton. If we expand this idea, we can connect the hardware, for a minimal monthly fee, and this data would automatically be transmitted to the FAA and disseminated everywhere, to pilots that are flight planning in the area and to all the local media outlets.

Councilman Adamec questioned who would be responsible for maintaining the equipment along with who actually owns the equipment.

Councilman Sumner suggested that Administration obtain a clear understanding of this equipment and report back to Council at the next Council meeting.

Robert Ruwe, 4646 Miller Road addressed Council in regard to the denial by Blue Ash Board of Zoning with regard to miniature service horses and asked that it be amended and approved to allow the horses stay on the property. Mr. Ruwe indicated that the horses have not been a problem to him or his property.

Hearings from Citizens was declared closed at 7:32 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 June 14th Council agenda.

10.a.1. Ordinance No. 2012-34 – authorizing creation of a new capital project fund #441 (Energy Saving Facility Improvement Fund)

At the last Council Meeting, legislation was passed approving an agreement for energy and utility conservation measures via a Hamilton County bid program and administered through Ameresco. Under this program, the County offered certain grant resources to

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supplement local funding for the installation of more efficient energy and water conservation measures within governmental buildings. A team from the Blue Ash Administration has been working on this program for a number of months, resulting in a detailed audit of the City's equipment and facilities, a series of recommendations, an estimated cost for the necessary improvements and replacements, and a recommendation from the group that the City move forward with a contract with Ameresco for these improvements.

A contract with Ameresco, as administered by the County, was approved at the last Council Meeting and was the framework for a borrowing/lease financing plan of approximately \$1.5 million for improvements to Blue Ash facilities.

In order to properly account for the grant revenues, rebates, and capital lease proceeds to be utilized for this program, the need exists to establish a new fund entitled "Fund No. 441 – Energy Saving Facility Improvement Fund". This new fund will allow for the recording of all revenues and expenses specific to this project, so that no intermingling of funds will occur and the financial results of the improvements can be properly tracked.

In the comment below relating to the transfer ordinance, there will be recommended appropriations established for Fund No. 441 so this activity may move ahead during the remainder of 2012.

Please direct any questions regarding this ordinance to the Treasurer.

10.a.2. Ordinance No. 2012-33 – transferring funds

The time has arrived for a transfer ordinance to modify the appropriations finalized in the January 2012 final budget approval process. An attachment has been prepared by the Treasurer which details the various adjustments to the budget which are necessary at this time.

The first item involves the Energy Savings Facility Improvement Fund (Fund No. 441) as discussed previously. The need exists to establish revenue appropriations for the various accounts and the amounts that are expected to be received from grants, rebates, and from the execution of the lease itself. Additionally, the need exists for an advance to Fund No. 441 in order to accommodate the working capital needs and the timing involved in this type of project. This advance, representing \$463,000, will be repaid from the Fund prior to its eventual closure when the project is complete. Therefore, any items for Fund 441 as shown on the attachment, relate to the energy and utility conservation efforts under the lease with Fifth Third Bank and the collaborative arrangement between Hamilton County, the City of Blue Ash, and Ameresco.

Other adjustments are shown impacting Fund No. 271, which relates to the TIF accounts established to assist in the eventual funding of improvements to the traffic situation around and at the intersection of Hunt Road and Plainfield Road. This fund was originally established to accommodate expected TIF-P.I.L.O.T.s on payments originating from the construction of the Target improvement across from Frisch's on Plainfield Road.

When the legislation for the Tax Increment Financing (TIF) was enacted some time ago, it was indicated that the Hamilton County Auditor's Office was to separate the "tax" payments made between those that the schools would have normally received had no TIF been in effect, and those which the City of Blue Ash would receive under the arrangement. Unfortunately, earlier this year, the City of Blue Ash received a payment from the County for approximately \$61,000 which was unexpected as to its magnitude. It would appear, based on the Treasurer's discussions with the County, that the County did not, and does not, intend to differentiate the P.I.L.O.T. funding between which the schools would have received and those which the City would receive. As a result, it will be necessary for the City to work with the Treasurer's Office of the School District to determine what portion of that \$61,000 which needs to be repaid to the schools.

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In those instances where Fund No. 271 appears in the attachment to this ordinance, those items relate to setting up the appropriate revenue and expenditure categories for making the payments to the school in order for the City to comply with the terms of our agreement with the school system. That portion which is not paid to the schools in accordance to that agreement will remain in the fund for eventual use for intersection improvements at a later date.

Please direct any questions regarding this ordinance to the Treasurer.

10.a.3. Resolution No. 2012-5 – appointment of successor trustee for the Deferred Compensation Plan and Trust

For many years, the City of Blue Ash has participated in a Deferred Compensation Plan (Plan 457) with the International City Managers Association and Retirement Corporation (ICMA-RC). The City has not only enacted legislation enabling the initial association with ICMA-RC, but also periodically renewed our contractual relationship as the administrative agent from the City's last Ordinance 2009-38. Additionally, the need exists to periodically amend our Administrative Agreement with ICMA and to select or approve a new trustee who works with ICMA on the proper and cautious administration of the assets contained in the 457 Deferred Compensation Plan.

The last time legislation was required for appointing a successor trustee was in 2007. We were recently advised by ICMA-RC that a successor trustee needs to be appointed, and they have recommended the Wilmington Trust Retirement and Institutional Services Company ("Wilmington Trust") to take over the current role as the passive-directed trustee that is currently administered through a subsidiary of ICMA-RC.

The legislation reflected on the agenda is a resolution which secures City Council's authorization for the City Manager, and those appointed to administer the ICMA-RC 457 Plan, to execute the necessary documents to appoint Wilmington Trust as the new trustee with an effective date of August 1, 2012. Such appointment will stay in place until the need exists, as determined by the City or ICMA-RC, that an alternative or successor trustee shall be required.

The Deferred Compensation Plan offered under ICMA-RC permits full-time employees to set aside a portion of their earnings on a tax-deferred basis, where they may be invested to provide supplemental income and security in retirement. The City currently has approximately 115 employees enrolled in ICMA-RC, which is an excellent representation of the value provided.

Please direct any questions regarding this resolution to the Treasurer.

10.a.4. Resolution No. 2012-6 – re-appointing members to the Civil Service Commission and Board of Tax Review, and appointing member to the Charter Revision Committee

Resolution No. 2012-6 reappoints members to the Civil Service Commission and Board of Tax Review (Sandra Roberts and Robert Miller, respectively) and appoints Paul Allaer to the Charter Revision Committee. All positions expire July 1 due to the method of appointment outlined in the Charter. They have been contacted to confirm their interest in continuing to serve and the appointment to serve.

Please direct questions regarding this resolution to the Mayor.

10.b.1. Resolution No. 2012-7 – appointing and re-appointing members to the Recreation Board

Resolution No. 2012-7 reappoints Thomas Stone to the Recreation Board and appoints Bruce Besso to replace Barb DeMar, who resigned in March 2012. Both members were contacted to confirm their interest in continuing to serve and the appointment to serve.

Please direct questions regarding this resolution to the Mayor.

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10.c.1. Resolution No. 2012-8 – re-appointing member to the Planning Commission and appointment member to the Board of Site Arrangement/Zoning Appeals

Resolution No. 2012-8 reappoints Raymond Schafer to the Planning Commission and appoints William Michael Duncan to the Board of Site Arrangement/Zoning Appeals. Both positions expire July 1 due to the method of appointment outlined in the Charter. They have been contacted to confirm their interest in continuing to serve and the appointment to serve.

Please direct questions regarding this resolution to the Mayor.

10.c.2. Ordinance No. 2012-35 – authorizing an economic development agreement

Michelman, Inc. is a chemical coating company whose world headquarters, largest manufacturing plant and primary research facility is located at 9080 Shell Road and employs approximately 150 employees locally. Michelman plans to renovate and expand its facilities and construct a new 20,000 square foot research and development center known as an Advanced Materials Collaboration Center (AMCC) designed for researchers and technologists focused on waterborne coatings and emulsions for paper and flexible packaging. The estimated cost for the renovations and expansion is estimated to be \$6.5 million and will create at least 35 new jobs. It is the recommendation of the City Manager and the Economic Development Director to enter into an agreement with Michelman providing them with a \$100,000 forgivable economic development loan to assist with the construction of the expansion. Michelman has applied for a \$3.3 million Third Frontier Grant and Job Creation Tax Credit from the State of Ohio which will be more competitive with a local match. The loan will also create and preserve job and employment opportunity and to improve economic welfare in the City of Blue Ash.

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

a. Finance & Administration Committee, Rick Bryan, Chairperson

Vice Mayor Czerwonka asked the Clerk to read Ordinance No. 2012-34 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2012-34

ESTABLISHING A CAPITAL IMPROVEMENT FUND:
ENERGY SAVING FACILITY IMPROVEMENT FUND – FUND
NUMBER 441; AND DECLARING AN EMERGENCY

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

Vice Mayor Czerwonka moved, Councilman Buckman seconded to adopt Ordinance No. 2012-34.

There being no discussion, the Clerk called the roll. Councilpersons Stoller, Sumner, Buckman, Czerwonka, Adamec, and Mayor Weber voted yes. Six yeses. Ordinance No. 2012-34 passed.

Vice Mayor Czerwonka asked the Clerk to read Ordinance No. 2012-33 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2012-33

PROVIDING FOR THE TRANSFER OF FUNDS AND
AMENDMENTS WITHIN THE ANNUAL APPROPRIATION
ORDINANCE NO. 2012-5 FOR THE YEAR 2012 (AS SHOWN
ON ATTACHMENT); AND DECLARING AN EMERGENCY

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

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Vice Mayor Czerwonka moved, Councilwoman Stoller seconded to adopt Ordinance No. 2012-33.

There being no discussion, the Clerk called the roll. Councilpersons Buckman, Czerwonka, Adamec, Stoller, Sumner, and Mayor Weber voted yes. Six yeases. Ordinance No. 2012-33 passed.

Vice Mayor Czerwonka asked the Clerk to read Resolution No. 2012-5 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2012-5

APPOINTING WILMINGTON TRUST RETIREMENT AND
INSTITUTIONAL SERVICES COMPANY AS SUCCESSOR
TRUSTEE FOR THE CITY'S ICMA-RC 457 DEFERRED
COMPENSATION PLAN

Vice Mayor Czerwonka moved, Councilman Buckman seconded to adopt Resolution No. 2012-5.

There being no discussion, the Clerk called the roll. Councilpersons Czerwonka, Adamec, Stoller, Sumner, Buckman, and Mayor Weber voted yes. Six yeases. Resolution No. 2012-5 passed.

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

Councilman Sumner asked the Clerk to read Ordinance No. 2012-35 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2012-35

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN
ECONOMIC DEVELOPMENT AGREEMENT WITH
MICHELMAN, INC.; AND DECLARING AN EMERGENCY

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

Councilman Sumner moved, Councilwoman Stoller seconded to adopt Ordinance No. 2012-35.

There being no discussion, the Clerk called the roll. Councilpersons Stoller, Sumner, Buckman, Czerwonka, Adamec, and Mayor Weber voted yes. Six yeases. Ordinance No. 2012-35 passed.

12. MISCELLANEOUS BUSINESS

Public Works Director Gordon Perry reported that Ilmenau Way will be completed in a few weeks. The utility companies have been transferring the utilities lines from the poles to underground. Most have been switched over and are live. Once all are completed, the poles will be removed. Mr. Perry also reported that the Plainfield Road project continues, but should be completed by the end of the month and traffic will be back to normal.

City Manager David Waltz reported that Council has previously spoken about the Municipal Income Tax Uniformity issue by the State. It appears that it is currently going through hearings and it continues move forward. At this point, no particular bill has been provided. The Municipal League has sent people to testify and the message being provide is pretty clear. Our lobbyist has expressed our concern and more effective than staff, elected officials are speaking with other elected officials.

Councilman Sumner indicated that this could have a big impact on the City and encouraged Council talk to our local elected officials at the State level.

Vice Mayor Czerwonka indicated that from the Municipal League's point of view, out of approximately 30 communities, 28 or 29 have either prepared resolutions or have sent out letters in opposition to the Municipal Income Tax Uniformity.

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Mr. Waltz indicated that the City has also sent a letter to let our position be known.

Mr. Waltz further reported there are many questions of what the status is of the Blue Ash Airport . Mr. Waltz has spoken with the City of Cincinnati and has been informed that there is still no defined closure date but they are working on it and will have it resolved sometime between now and August.

Mr. Waltz reminded Council of the 4th of July event where Huey Lewis and the News will be the headline act. It is expected to be a great show, a great crowd and he hopes to see everyone there.

Councilwoman Stoller indicated that the World Choir Games are to be held between July 4th and July 14th in downtown Cincinnati as well as some of the suburbs and questioned whether the City has anything scheduled for this area?

Mr. Waltz indicated that communications were exchanged but nothing had been resolved.

Councilman Sumner assumed that if the World Choir Games has not chosen the City of Blue Ash for an event by now, that the opportunity is not there.

Mr. Waltz felt that there would not be too many performances located in the suburbs.

Councilwoman Stoller asked whether anyone had seen the CincyMagazine and wondered if perhaps the City of Blue Ash was 51st in ranking.

Mayor Weber responded that the determination in rating the communities was nothing subjective; such as, the quality of life was not factored. It was strictly numbers based; i.e., medium sale price of homes, crime rate, etc. The City has 12,000 residents and 50,000 employees during the day – the crime rate is based on the 12,000 resident. What the City of Blue Ash does, works against us in terms of ratings.

Councilman Sumner commented that he saw an event performed by the Eastside Players in the amphitheatre and wanted to stress how impressive the group was and the large numbers of family engagement. The onstage presence had over 100 participants. It is the perfect community activity and wants to compliment the City's support on the Eastside Players and encourages everyone to see them.

Councilwoman Stoller added that the Eastside Players is a community theatre group that Rick Reinhardt has been in charge of for years. Everyone that tries out gets a role no matter what your age or talent. Cincinnati has one of the biggest community groups around the country and is rather amazing.

Councilman Buckman commented that even though the City may not be hosting any World Choir Games, the City's hotels will benefit greatly. Councilman Buckman confirmed that Rick Reinhardt began Eastside Players back in the 1970s and feels that Rick is an unbelievable person.

Councilman Adamec indicated that he attended DPSciences Open House this evening along with other Council Members and felt it was an impressive operation. Councilman Adamec extended his congratulation to Judy Clark, the City's Community and Economic Development Director, whose last day will be on Friday. She has done a great job for the City along with her team. He commended Judy for her efforts.

Vice Mayor Czerwonka extended his compliments to Chuck Funk, Parks and Recreation Director, and his team for their efforts with the downtown flowers. Many compliments have been received on how impressive they look.

Mayor Weber further extended his congratulations to Judy Clark. Her service to the City as the Community and Economic Development Director for a number of years has been an integral part in the success that Blue Ash has enjoyed over a roller coaster of economic times. The City continues to be very successful in bringing businesses to the area which helps the schools, the City's coffers, and allows us to enjoy the quality of life the residents have. Judy has been a very instrumental part in that effort while she has been here and we wish her very well.

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13. ADJOURNMENT

All items on the agenda having been acted upon, Councilman Buckman moved, Councilwoman Stoller seconded to adjourn the meeting. A voice vote was taken. All members voted yes. The Council meeting was adjourned at approximately 7:51 PM.

Mark F. Weber, Mayor

Jamie K. Eifert, Clerk of Council

MINUTES RECORDED AND WRITTEN BY:

Karla Plank, Administrative Assistant