

A regular meeting of the Council of the City of Blue Ash, Ohio, was held on June 9, 2005. Mayor Rick Bryan called the meeting to order in Council Chambers at 7:30 PM.

OPENING CEREMONIES

Mayor Bryan asked 7th grader Taylor Pike (Myrtle Avenue resident) to lead those assembled in the Pledge of Allegiance.

ROLL CALL

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

ALSO PRESENT: City Manager Marvin Thompson, Deputy Solicitor Bryan Pacheco, Clerk of Council Jamie Eifert, Deputy Clerk of Council Sue Bennett, Assistant City Manager David Waltz, Treasurer/Administrative Services Director James Pfeffer, Parks & Recreation Director Chuck Funk, Service Director Dennis Albrinck, member of the press, and interested citizens

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

ACCEPTANCE OF AGENDA

Councilwoman Stoller moved, Councilman Stacey 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 12, 2005
 - b. Work Session of May 19, 2005
7. COMMUNICATIONS
 - a. Communications to Council - Clerk of Council Jamie K. Eifert
 - b. Reports From Outside Agencies
 - c. Mayor's Report - May 2005 - Honorable Rick Bryan
 - d. Financial Report - Motion to accept the report for May 2005
8. HEARINGS FROM CITIZENS
9. COMMITTEE REPORTS
 - a. Finance & Administration Committee, Mark F. Weber, Chairperson
 1. Resolution No. 2005-2, appointing a member to the Civil Service Commission; appointing members to the Charter Revision Committee; and reappointing a member to the Board of Tax Review
 2. Ordinance No. 2005-37, transferring funds
 3. Ordinance No. 2005-40, amending Chapters 131 and 133 of the Blue Ash Code of Ordinances
 4. Resolution No. 2005-5, expressing congratulations regarding the commissioning of a power station in Ilmenau, Germany (Blue Ash's Sister City)
 - b. Parks & Recreation Committee, Lee Czerwonka, Chairperson
 1. Resolution No. 2005-3, reappointing a member to the Recreation Board
 2. Ordinance No. 2005-38, authorizing a professional services contract for completion of a study related to a potential performing arts center
 - c. Planning & Zoning Committee, James W. Sumner, Chairperson

1. Resolution No. 2005-4, reappointing members to the Planning Commission and the Board of Site Arrangement/Zoning Appeals
 2. Motion authorizing the disposal of real property on Towne Square Avenue with no further requirement to solicit additional bids
 3. Ordinance No. 2005-39, authorizing the conveyance of City-owned real property on Towne Square Avenue
10. MISCELLANEOUS BUSINESS
 11. ADJOURNMENT”

APPROVAL OF MINUTES

Councilman Stacey moved, Councilman Sumner seconded to approve the minutes of the regular meeting of May 12, 2005 and the work session of May 19, 2005. A voice vote was taken. All members present voted yes. Motion carried.

COMMUNICATIONS

Communications to Council

There were no communications to Council.

Reports From Outside Agencies

Joy Landry from the Hamilton County Park District was present to give Council a brief update on County Park activities. The Park District is celebrating their 75th anniversary in 2005. She explained that the motor vehicle permit fee has been raised from \$3 to \$5, representing the first increase in fees for many years. To partially offset that increase as well as in celebration of the 75th anniversary, a “residential reward program” has been established for residents of Hamilton County, including discounts and coupons. Mayor Bryan commented that it is his opinion that the Hamilton County Park system is fabulous and that residents of this area are fortunate to have it nearby.

Mayor's Report – May 2005

RECEIPTS:

Fines	\$39,026.00
Bonds & BMV fees carried over.....	\$300.00
Interest Earned.....	\$9.34
Bonds collected.....	\$600.00
TOTAL RECEIPTS:.....	\$39,935.34

DISBURSEMENTS:

To Blue Ash (fines/costs/interest/Expungements/forfeitures)	\$28,645.34
To the State of OH.....	\$10,295.00
Refund of Overpaid Fine	\$ 80.00
Bond Money applied.....	\$525.00
Bond Money returned	\$75.00
BMV.....	\$15.00
TOTAL DISBURSEMENTS.....	\$39,635.34

BALANCE IN BONDS:..... \$300.00

Mayor’s Court traffic citations..... 412

Mayor’s Court criminal citations 23

TOTAL..... 435

May Revenue from Mayor’s Ct. Cases: \$28,645.34

Financial Report – May 2005

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

Income Tax Receipt Summary – For Month ending May 31, 2005

	2004	2005
Month-To-Date Status		
Business Net Profit	185,790.77	432,693.05
Resident Net Profit	60,127.63	31,759.38
Non-Resident Net Profit	25,799.42	6,694.89
Subcontractor Net Profit	<u>2,197.22</u>	<u>210.80</u>
<i>Net Profit Total</i>	273,915.04	471,358.12
Withholding	1,417,333.91	1,431,580.96
Subcontractor Withholding	<u>22,327.55</u>	<u>27,920.74</u>
<i>Withholding Total</i>	<u>1,439,661.46</u>	<u>1,459,501.70</u>
Monthly Collection Totals	<u><u>1,713,576.50</u></u>	<u><u>1,930,859.82</u></u>

	2004	2005
Year-To-Date Status		
Business Net Profit	1,467,653.73	2,154,220.17
Resident Net Profit	359,561.35	417,031.63
Non-Resident Net Profit	121,943.54	131,446.09
Subcontractor Net Profit	<u>11,045.44</u>	<u>11,385.71</u>
<i>Net Profit Total</i>	1,960,204.06	2,714,083.60
Withholding	7,157,909.03	7,315,082.16
Subcontractor Withholding	<u>130,906.35</u>	<u>121,381.19</u>
<i>Withholding Total</i>	<u>7,288,815.38</u>	<u>7,436,463.35</u>
Year-To-Date Collection Totals	<u><u>\$ 9,249,019.44</u></u>	<u><u>\$ 10,150,546.95</u></u>
Year-To-Date Refund Totals	<u><u>\$ 462,421.68</u></u>	<u><u>\$ 374,135.89</u></u>

**CITY OF BLUE ASH – FINANCIAL POSITION STATEMENT
FOR THE MONTH ENDING MAY 31, 2005**

MONTH TO DATE	2004	2005
START OF MONTH FUND BALANCE:	\$ 10,630,165.37	10,385,269.44
<i>Revenues</i>		
Earnings Tax Collections:	\$ 1,713,576.50	1,930,859.82
Long Term Debt Financing	-	-
Short Term Debt Financing	-	-
Other Revenue Received:	<u>1,480,075.01</u>	<u>1,629,378.04</u>
= Total Monthly Receipts	\$ 3,193,651.51	\$ 3,560,237.86
<i>Expenditures</i>		
Bond Retirement:	-	-
Short Term Debt Refinancing	-	-
Other Expenditures:	<u>2,103,814.64</u>	<u>2,079,161.09</u>
= Total Monthly Expenditures:	<u>- 2,103,814.64</u>	<u>- 2,079,161.09</u>
END OF MONTH FUND BALANCE:	<u>\$ 11,720,002.24</u>	<u>\$ 11,866,346.21</u>

YEAR TO DATE	2004	2005
START OF YEAR FUND BALANCE:	\$ 9,092,894.75	14,622,289.87
<i>Revenues</i>		
Earnings Tax Collections:	\$ 9,249,019.44	\$ 10,150,546.95
Long Term Debt Financing	-	-
Short Term Debt Financing	5,100,000.00	-
Other Revenue Received:	<u>4,108,450.60</u>	<u>4,128,947.55</u>
= Total YTD Receipts	18,457,470.04	14,279,494.50
<i>Expenditures</i>		
Bond Retirement:	-	-
Short Term Debt Refinancing	3,100,000.00	5,100,000.00
Other Expenditures:	<u>12,730,362.55</u>	<u>11,935,438.16</u>
= Total YTD Expenditures:	<u>- 15,830,362.55</u>	<u>- 17,035,438.16</u>
YEAR TO DATE FUND BALANCE:	<u>\$ 11,720,002.24</u>	<u>11,866,346.21</u>

100% of the fund balance was invested as of 5/31/2005

Interest paid to date on matured investments: \$100,773.51

Receipt & Expenditure figures do not include interfund transfers or advances.

HEARINGS FROM CITIZENS

Doug Sullivan, 9483 Highland Avenue, expressed concern with flooding problems in rear yards in his neighborhood. A representative from MSD informed him that the tree roots are clogging the system. Service Director Denny Albrinck commented that some of his staff have visited backyards in this area, and that the problems are occurring on private property. He indicated that the program the City is currently attempting to establish to address similar water issues (which Project Coordinator Dan Weber is working on) may be appropriate for this area as well, and Mr. Sullivan's property will be added to that list.

Orba Arnold, Fairview Avenue, commented that she attended both the Friday and Sunday evening events at SummerBration. She expressed concern with the volume of the national level entertainment in that it was too loud. Parks & Recreation Director Chuck Funk commented that when the national events go on stage, it is not City staff who works the sound board (as they do for Friday concerts, for example). Though the City asks for the crew to keep it to a maximum level (100 db at the board), it is impossible to control all the time. He admitted that at times the first one or two songs performed by a national level act might be louder than later in the concert since their crews are not as familiar with the equipment as City staff. The staff does try to work with them; however, they do not have total control of the sound board with national acts. Councilman Sumner commented that he heard others complain about the volume as well and asked that the City work more closely to keep it to tolerable levels.

Hearings from Citizens was declared closed at 7:42 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 June 9th Council Agenda:

9.a.1. Resolution No. 2005-2 - Appointing a member to the Civil Service Commission; appointing members to the Charter Revision Committee; and reappointing a member to the Board of Tax Review

As directed by the Mayor, Resolution Nos. 2005-2, 2005-3, and 2005-4 provide for various appointments and reappointments to the City’s volunteer Boards and Commissions. The following offers a summary of all planned for this meeting:

- ?? Appointing Sal Wertheim to the Civil Service Commission to fill the vacancy due to Bob Nickol’s resignation after his current term is fulfilled. (Resolution No. 2005-2)
- ?? Appointing three new members to the Charter Revision Committee to fill the current vacancies on that Committee: John Conlon of Southgate Drive, Jamie Pike of Myrtle Avenue, and Nikki Yasbeck of Kenridge Drive. (Resolution No. 2005-2)
- ?? Reappointing Marc Sirkin to the Board of Tax Review. (Resolution No. 2005-2)
- ?? Reappointing Jerry Hofmann to the Recreation Board. (Resolution No. 2005-3)
- ?? Reappointing Bill Sikute to the Planning Commission. (Resolution No. 2005-4)
- ?? Reappointing Jim Jones to the Board of Sites/Zoning Appeals. (Resolution No. 2005-4)

Many of the appointees above are expected to be in attendance at the meeting. Please direct questions regarding these resolutions to the Mayor.

9.a.2. Ordinance No. 2005-37 - Transferring funds

A transfer ordinance is required at this time to make a number of adjustments to the 2005 Final Budget.

As a result of City Council’s last work session, the Administration moved forward with securing quotations from professional services contractors relating to a study for a potential performing arts center project. The recommendation for the selected consultant is reflected later on the agenda under Ordinance No. 2005-38. To provide the funding for that contract, the need exists to shift \$40,000 from the City’s General Fund Contingency to the capital area in the Recreation Programming set of accounts. The funds transferred will not be available for any project but the one described in Ordinance No. 2005-38.

Supplemental funding of \$17,000 is necessary in the Police Salaries account, accompanied by a Professional Services enhancement of \$3,800. These funds are necessary to cover the costs associated with a second fitness test during 2005 for Blue Ash Police Officers. A review of the Proposed Budget indicated that only one such fitness test was included at that time. Additionally, also within the Police Department, an increased allocation of \$12,500 is needed in the Maintenance of Equipment account to pay for costs associated with repair of a cruiser damaged during the chase during the Fifth Third Bank robbery earlier this year. The City paid for the costs of those repairs out of this account, pending the resolution of the recovery of those funds either

from the party deemed responsible or from the City's insurance pool (MVRMA).

The only other significant item involves a requested \$20,000 increase in the expenditure appropriations in the insurance accounts for deductibles and settlements. Under the City's arrangement with MVRMA, the City is responsible for the first \$2,500 on each and every claim. Based upon activity to date, it would appear that the original funding in this area was inadequate, and supplemental funds are required to get us through the end of 2005.

Please direct questions regarding the transfer to the Treasurer.

9.a.3. Ordinance No. 2005-40 - Amending Chapters 131 and 133 of the Blue Ash Code of Ordinances

The following offers a summary of the changes proposed within Ordinance No. 2005-40:

- ??The reinstatement of the position of Fire Captain has been approved and recommended by the City Manager, Fire Chief, and Civil Service Commission. The reestablishment of this position will aid in the reorganization of the Fire Department. This position has been redefined to have direct responsibility of managing and implementing the City's Fire Inspection program. Additionally this position will have both budgetary and supervisory responsibilities. This is a salaried position, working 2,080 hours annually, with rotating on-call weekend duties shared with the Assistant Chief and the Fire Chief. The Budget ramifications are minimal.
- ??In an effort to restructure and combine responsibilities for more efficient management within the Facilities Maintenance Division, the pay range of Maintenance Technician has been revised (reduced) from Grade 21 to Grade 20(I) – 21 and has changed from one position to two positions. This is not an additional position, rather this will allow the Facilities Division to revise and reorganize responsibilities within the Division.
- ??The recommended change to Section 133.11(c) involves sick leave. This amendment arises from administrating the policy and recognizing that there are sections requiring clarification. Those sections include changing out-patient "hospitalization" to out-patient "procedure" to better describe the occasions that qualify for the use of sick leave. Additionally, "grandchildren" has been added under the section addressing funeral leave, to standardize this paragraph to the rest of the policy.

Please direct questions regarding this ordinance to the Human Resources Officer Margaret Main or the City Manager.

9.a.4. Resolution No. 2005-5 - Expressing congratulations regarding the commissioning of a power station in Ilmenau, Germany (Blue Ash's Sister City)

The Mayor received an invitation to an event in Ilmenau related to the commissioning of a power station (one of the visits during the recent delegation visit) to occur in July 2005. Though he will not be able to attend that event, Resolution No. 2005-5 offers congratulations to Ilmenau and the power station facility for this major accomplishment.

The resolution included in Council's packets represent the "wording." A formal resolution (containing this wording) suitable for framing will be prepared before Thursday's meeting for Council's signatures. This will then be sent to Ilmenau in time for their commissioning event.

Please direct questions regarding this resolution to the Mayor.

9.b.1. Resolution No. 2005-3 - Reappointing a member to the Recreation Board

See 9.a.1. above.

9.b.2. Ordinance No. 2005-38 - Authorizing a professional services contract for completion of a study related to a potential performing arts center

As was discussed at the Council work session on May 19th, the Administration solicited proposals for professional services associated with the development of a potential performing arts center. The selected firm will help determine the financial feasibility of the performing arts center. Proposals were sent to three firms, and the City received two "bids." At the writing of this Memo, the Administration was still in the process of reviewing each closely. A recommendation, as well as ordinance, will be presented for Council's review at Thursday's meeting.

If you have any questions or concerns about this ordinance, please call Chuck at 745-8553. (SEE MEMO DESCRIPTION BELOW DISTRIBUTED AFTER THIS MEMO.)

9.c.1. Resolution No. 2005-4 - Reappointing members to the Planning Commission and the Board of Site Arrangement/Zoning Appeals

See 9.a.1. above.

9.c.2. Motion authorizing the disposal of real property on Towne Square Avenue with no further requirement to solicit additional bids

In the fall of 2004, Council favorably considered Ordinance No. 2004-92 which amended the City's Code concerning the disposal of City property. The primary focus of that amendment was to clarify a process whereby real property owned by the City could be disposed of or sold. Section 9.12 of the Charter requires that an ordinance be in place which outlines the process by which both real and personal property owned by the City can be disposed of or sold.

In early 1990, the City purchased two 25-foot parcels on the east side of Towne Square Avenue (previously Lewis Avenue) because the property was available and ownership by the City would assure City involvement in whatever development that would eventually occur on surrounding residential parcels. The parcels acquired by the City are located at 9374 Towne Square Avenue, and represent a combined 50-foot wide frontage between the two remaining houses on that street. The City has retained ownership of the property since that time, with the specific intent of utilizing the property to assist in the eventual redevelopment of that part of the D-1 zone.

Some weeks ago, Dr. Stephen Pick, the dentist who currently operates the dental facility at 9346 Towne Square Avenue (along with Dr. Petricone) became aware that the adjacent home to his building at 9348 Towne Square Avenue was available for sale. While working toward the potential acquisition of that property, and the creation of a workable redevelopment plan, Dr. Pick spoke with the City Manager to explain the intent of the development. The end result of that discussion was that the City Manager agreed to ask Council to consider the conveyance of the surplus vacant parcels owned by the City to assist with the development.

It would appear that this development is moving forward at a rapid pace, in that Dr. Pick's business, Western Hills Dental, LLC, has been successful in the actual closing on the adjacent residential property. It would be appropriate to assist them in this endeavor, by moving forward with the City's commitment for the transfer of the vacant property to assist with development efforts in the D-1 zone.

Please direct questions regarding this ordinance to the City Manager.

9.c.3. Ordinance No. 2005-39 - Authorizing the conveyance of City-owned real property on Towne Square Avenue

See description above."

(A second memo was given to Council on Thursday, as spread below.)

"As was explained in the memo included in Tuesday's packets to Council, the Administration was in the process of reviewing the two proposals received regarding the feasibility study associated with a potential performing arts center (PAC). (Note that the term "Performing Arts Center" utilized in this memo and during conversation refers to the concept for this project as discussed with Council in May, including the conference/banquet facilities, etc.)

As noted above, the City received two proposals. The Administration is recommending that the proposal offered by Hunter Interests based in Annapolis, Maryland, be accepted via passage of Ordinance No. 2005-38 for a total amount not to exceed \$48,500. A major reason for recommending this proposal compared to the other relates to a shorter time frame for completion of the study. Hunter Interests proposed a three-month completion period (for a cost of \$48,500), and the other proposed a four-month completion period (at a cost of \$43,000). Given the time frame of the City as well as the investment group, it seems appropriate to expedite this study's completion so future decisions can be made in a timely manner.

A summary of the expected scope of services by the firm is below:

- ?? Initial meetings and research.
- ?? Interviews with key stakeholders, including Council, certain staff, community supporters and groups, potential users, etc.
- ?? A competitive supply analysis, taking a closer look at the arts and entertainment venue and meeting facilities in the Cincinnati/Dayton corridor.

- ?? A market demand analysis, focusing on potential users and patrons.
- ?? An assessment of alternative sites and external factors (i.e., potential for location of a PAC in downtown in addition to examining the Cooper Road site).
- ?? Facility utilization projections, including number of expected patrons, attendees, and supportable price points.
- ?? An interim report (and checkpoint meeting) at approximately the “half-way” point of the study.
- ?? A conceptual development program based upon previous findings.
- ?? Financial feasibility and economic impact analyses.
- ?? Recommendation/implementation strategy.
- ?? Final report (including an executive summary) and final presentation.

Hunter is an 18-year old real estate development and economic consulting firm based in Annapolis, Maryland (with offices also in Florida and New York City). The firm specializes in downtown revitalization strategies, mixed use development projects, and packaging innovative public/private partnerships, such as what Blue Ash has been discussing. They have extensive experience not only in conference/banquet facility projects, but also with cultural attractions and entertainment.”

Finance & Administration Committee, Mark E. Weber, Chairperson

Councilman Weber asked the Clerk to read Resolution No. 2005-2 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2005-2

PROVIDING FOR THE APPOINTMENT OF SAL WERTHEIM TO THE CIVIL SERVICE COMMISSION; PROVIDING FOR THE APPOINTMENTS OF JOHN CONLON, JAMIE PIKE, AND NICOLE YASBECK TO THE CHARTER REVISION COMMITTEE; AND PROVIDING FOR THE REAPPOINTMENT OF MARC SIRKIN TO THE BOARD OF TAX REVIEW

Councilman Weber moved, Councilman Stacey seconded to adopt Resolution No. 2005-2. There being no discussion, the Clerk called the roll. Councilpersons Weber, Sumner, Buckman, Stacey, Czerwonka, Stoller, and Mayor Bryan voted yes. Seven yeases. Resolution No. 2005-2 passed.

Mayor Bryan administered the Oaths of Office to John Conlon, Jamie Pike, and Marc Sirkin who were present at the meeting.

Councilman Weber asked the Clerk to read Ordinance No. 2005-37 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2005-37

PROVIDING FOR THE TRANSFER OF FUNDS AND AMENDMENTS WITHIN THE ANNUAL APPROPRIATION ORDINANCE NO. 2005-3 FOR THE YEAR 2005 (AS SHOWN ON ATTACHMENT); AND DECLARING AN EMERGENCY

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

Councilman Weber moved, Councilman Sumner seconded to adopt Ordinance No. 2005-37. There being no discussion, the Clerk called the roll. Councilpersons Buckman, Stacey, Czerwonka, Stoller, Weber, Sumner, and Mayor Bryan voted yes. Seven yeases. Ordinance No. 2005-37 passed.

Councilman Weber asked the Clerk to read Ordinance No. 2005-40 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2005-40

AMENDING SEC. 131.07-1 AND ENACTING 131.07-64 OF
CHAPTER 131 OF THE BLUE ASH CODE OF ORDINANCES;
AMENDING SECTION 133.11(c) OF CHAPTER 133 OF THE
BLUE ASH CODE OF ORDINANCES; AND DECLARING AN
EMERGENCY

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

Councilman Weber moved, Councilman Sumner seconded to adopt Ordinance No. 2005-40. There being no discussion, the Clerk called the roll. Councilpersons Czerwonka, Stoller, Weber, Sumner, Buckman, Stacey, and Mayor Bryan voted yes. Seven yeases. Ordinance No. 2005-40 passed.

Councilman Weber asked the Clerk to read Resolution No. 2005-2 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2005-5

EXPRESSING HEARTFELT CONGRATULATIONS TO BIOMASSE-
HEIZKRAFTWERK ILMENAU GMBH AND THE CITY OF ILMENAU
ON THE OCCASION OF THE OFFICIAL COMMISSIONING OF THE
BIOMASS POWER STATION IN ILMENAU

Councilman Weber moved, Councilman Stacey seconded to adopt Resolution No. 2005-5. There being no discussion, the Clerk called the roll. Councilpersons Stoller, Weber, Sumner, Buckman, Stacey, Czerwonka, and Mayor Bryan voted yes. Seven yeases. Resolution No. 2005-5 passed.

Parks & Recreation Committee, Lee Czerwonka, Chairperson

Councilman Czerwonka asked the Clerk to read Resolution No. 2005-3 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2005-3

PROVIDING FOR THE REAPPOINTMENT OF JERRY G.
HOFMANN OF 5500 MYERDALE DRIVE TO THE
RECREATION BOARD OF THE CITY OF BLUE ASH, OHIO FOR
THE TERM EXPIRING JULY 1, 2010

Councilman Czerwonka moved, Councilman Sumner seconded to adopt Resolution No. 2005-3. There being no discussion, the Clerk called the roll. Councilpersons Weber, Sumner, Buckman, Stacey, Czerwonka, Stoller, and Mayor Bryan voted yes. Seven yeases. Resolution No. 2005-3 passed. Mayor Bryan administered the Oath of Office to Jerry Hofmann who was present at the meeting.

Councilman Czerwonka asked the Clerk to read Ordinance No. 2005-38 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2005-38

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT IN 2005 TO ANALYZE THE POTENTIAL OF A FUTURE PERFORMING ARTS CENTER IN BLUE ASH; 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 Sumner, Buckman, Stacey, Czerwonka, Stoller, Weber, and Mayor Bryan voted yes. Seven yeases. Motion carried.

Councilman Czerwonka moved, Councilwoman Stoller seconded to adopt Ordinance No. 2005-38. In addressing a question from Councilwoman Stoller, City Manager Marvin Thompson explained that the Administration is very comfortable with the contractual price of \$48,000 for this study. It is higher than the Administration's original estimate of \$40,000; however, the proposed scope of services covers more than what the Administration originally presumed. The study should take no more than three months. There being no further discussion, the Clerk called the roll. Councilpersons Buckman, Stacey, Czerwonka, Stoller, Weber, Sumner, and Mayor Bryan voted yes. Seven yeases. Ordinance No. 2005-38 passed.

Planning & Zoning Committee, James W. Sumner, Chairperson

Councilman Sumner asked the Clerk of Council to read Resolution No. 2005-4 by title only. THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2005-4

PROVIDING FOR THE REAPPOINTMENT OF BILL SIKUTE OF 9566 BLUEWING TERRACE TO THE PLANNING COMMISSION FOR THE TERM EXPIRING JULY 1, 2009 AND PROVIDING FOR THE REAPPOINTMENT OF JAMES JONES OF 4716 MAYNARD TO THE BOARD OF SITE ARRANGEMENT AND BOARD OF ZONING APPEALS FOR THE TERM EXPIRING JULY 1, 2010

Councilman Sumner moved, Councilman Czerwonka seconded to adopt Resolution No. 2005-4. Councilman Sumner commented that both Jim Jones and Bill Sikute have done exceptional jobs in their volunteer positions on the Board of Sites and Planning Commission respectively. There being no further discussion, the Clerk called the roll. Councilpersons Stacey, Czerwonka, Stoller, Weber, Sumner, Buckman, and Mayor Bryan voted yes. Seven yeases. Resolution No. 2005-4 passed.

Councilman Sumner moved, Councilwoman Stoller seconded to authorize the disposal of real property on Towne Square Avenue with no further requirement to solicit additional bids. A voice vote was taken. All members voted yes. Motion carried.

Councilman Sumner asked the Clerk to read Ordinance No. 2005-39 by title only. THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2005-39

AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND THEREAFTER ENTER INTO A CONTRACT FOR THE CONVEYANCE OF CITY-OWNED REAL PROPERTY LOCATED AT 9374 TOWNE SQUARE AVENUE, CONSISTING OF PARCELS 54 AND 55 OF PAGE 30 OF BOOK 612 OF THE HAMILTON COUNTY AUDITOR'S OFFICE RECORDS; AND DECLARING AN EMERGENCY

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

Councilwoman Stoller moved, Councilman Czerwonka seconded to adopt Ordinance No. 2005-39. There being no discussion, the Clerk called the roll. Councilpersons Stoller, Weber, Sumner, Buckman, Stacey, Czerwonka, and Mayor Bryan voted yes. Seven yeses. Ordinance No. 2005-39 passed.

MISCELLANEOUS BUSINESS

City Manager Thompson explained that originally tonight's meeting was to include a brief presentation by the City's downtown planning consultant regarding preliminary findings of his study. However, the most recent downtown planning meeting scheduled for June 7th had to be cancelled due to illness of the planner and has been rescheduled. Therefore, Mr. Thompson suggested that the first 20 or 30 minutes of the June 30th work session be utilized for this preliminary presentation, with the remainder of that meeting's discussion to revolve around the Hunt House. No Councilperson expressed an objection to this idea.

City Manager Thompson explained that Cincinnati Eye Institute (CEI) had decided to release the news of their relocation to Blue Ash later this week, rather than late last week as they had first indicated. The release from CEI is expected to go out tomorrow. CEI is moving to Blue Ash from Montgomery, including an estimated 220 to 240 employees (many of whom are doctors). Substantial growth in the number of employees is anticipated.

City Manager Thompson commented that he was recently informed by Police Chief Chris Wallace that Fox News (national) is planning to do a story on the Blue Ash Police Department relating to their success in tying "public information websites" to identity theft cases. Though details are not known, it is expected that could run late this month.

Service Director Denny Albrinck commented that the Blue Ash and Hunt Roads rubber grade rail crossing project is expected to begin (and end) the week of June 20th. He also reported that the Reed Hartman Highway Phase II project is winding down, with a walkthrough for a part of the project scheduled for tomorrow. The entire project (including barrels) should be completed very soon.

Parks & Recreation Director Chuck Funk commented that the Duke Ellington Band has been booked for Sunday, July 31st, for the dedication of the additional clock bell tower panels as well as the incorporation "birthday" celebration, including cake and ice cream (per suggestion of the Mayor). Details will be forwarded when finalized.

Councilman Weber complimented all City staff involved with the SummerBration event on a job well done.

Vice Mayor Buckman also offered compliments on the event and also asked if a water cooler could be installed at the 16th tee of the Golf Course.

In addressing a question from Councilwoman Stoller, Mr. Albrinck suggested that anyone with problems relating to the utility company's tree contractor (Asphlundh) contact Rich Dole or Dan Weber at City Hall. Rich and/or Dan will assist residents with any problems or issues.

Councilman Czerwonka complimented the City, including Parks & Recreation, Service, Police, and Fire, on a successful special event (SummerBration). He also complimented the appearance of Reed Hartman Highway.

In addressing a question from Mayor Bryan, all Councilmembers indicated that they planned to participate in Montgomery's July 4th parade, and Councilmen Weber and Sumner volunteered the use of their convertibles. Sue Bennett will relay that information to the City of Montgomery.

Mayor Bryan commented that he and Councilman Sumner recently attended an issues forum. Several of the speakers talked about, in favorable terms, the benefit to cities which are proactive via anticipation of changing/future trends, in lieu of reacting afterwards. Several times during that forum, Blue Ash was cited as an example of such a proactive City, including by County Auditor Dusty Rhodes, Chamber of Commerce Economic Development representative Nick Vehr, and State Senator Dick Finan.

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 8:12 PM.

Rick Bryan, Mayor

Jamie K. Eifert, Clerk of Council

MINUTES WRITTEN BY:

Susan K. Bennett, Deputy Clerk of Council