

BLUE ASH CITY COUNCIL

September 11, 2014

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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 September 11, 2014. Mayor Lee Czerwonka called the meeting to order in Council Chambers at 7:00 PM.

2. OPENING CEREMONIES

Mayor Czerwonka led those assembled in the Pledge of Allegiance. A moment of silence was observed to pay tribute to the memory of the 13th anniversary of the 9/11 attacks in 2001.

3. ROLL CALL

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

ALSO PRESENT: City Manager David Waltz, Solicitor Bryan Pacheco, Clerk of Council Jamie Eifert, Treasurer Sherry Poppe, Parks & Recreation Director Chuck Funk, Public Works Director Gordon Perry, Fire Chief Rick Brown, Police Chief Paul Hartinger, Administrative Assistant Karla Plank, Economic Development Director Neil Hensley, Public Relations Coordinator Emily Schaffer, Recreation Supervisors Tiphonie Howard and Brian Kruse, Northeast Suburban Life Marika Lee, and interested citizens

4. BEAUTIFICATION WEEK PRESENTATION

Mayor Czerwonka stated that this year's judging process for beautification awards took place in June with the City receiving 51 nominations. All properties nominated for an award were judged by the committee. Examples for the judging criteria included overall appearance, type of plants used, garden variety and color, and overall lawn landscaping and tree maintenance. The winners were as follows and those present at the Council meeting received their award.

- *Mayor's Choice:* John & Cheryl Dean, 9544 Conklin Avenue
- *Committee Choice:* Menk M. Yasbeck, 10116 Kenwood
Steven G. Warshaw, 10350 Ryan's Way
Norman & Tara Khoury, 4861 Muirwood
Andrew & Dawn Green, 3 Trailbridge Drive
- *Business Choice:* itelligence, 10856 Reed Hartman Highway

5. PUBLIC HEARING – 7:05 PM – to consider approval of a 66-lot, single-family development on approximately 21.7411 acres at 10538 & 10592 Plainfield Road as a Large Scale Residential Development in an R-3 Residential

Mayor Czerwonka opened the Public Hearing. The Clerk of Council read Ordinance No. 2014-81 in its entirety.

Doug Hinger, President of Great Traditions Home Building Co., presented a site design for the McConaughy Farm to be a large scale residential development appealing to a wide variety of residences featuring low maintenance living.

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Mr. Hinger explained that the property has two defining features which are the perimeter trees and the stream that runs through it. There will be 66 total building lots on the site. The lot size averages about 65 feet wide by 120 feet deep. The streets will be 28 feet wide and are designed to go between the homes rather into the back yards. The cul-de-sacs will be in a 42 foot right-of-way with a 24 foot wide street, parking on one side. There will be an open space that will be about 5½ acres of the 22 acre site.



There are three different types of homes for the 66 lots. The first type is along perimeter sites where they back up into natural areas and into a natural tree line. The second type is along the north end of the main roadway which are walkout lower level homes onto the creek. The third type of home site is called the courtyard blocks that will be in the middle or interior of the site.

The home site design has a main emphasis on the connection of the indoor and outdoor living spaces. The main entry to the home is prominent and sits close to the street. The garage doors are recessed at a minimum of 10 feet from the front which allows the main portion of the home to stand out.

The setbacks are 20 feet from the back and 20 feet from the front and five feet from either side. If a front porch is requested, it would come into the front yard another 15 feet.

There will be a variety of house plans available. Almost all of them have a first floor master bedroom. Most will be single floor plans that will range in size of 1,500 to 2,300 square feet. There will be two story plans available ranging from 2,400 to 3,200 square feet.

The houses will have "visitability" features which allows for people who cannot navigate steps.

The defining features for these sites is an elaborate landscaping structure that will include retaining walls, sloped landscaping and a fence between them to keep the privacy in the back of the homes. Landscaping buffers will be used in the back of the homes as well on the sides to ensure outdoor privacy. There will be a two foot retaining wall, three feet of slope which will all be landscaped, and on top of that will be a two foot lattice. Overall, there will be an eleven foot structure between the rear of the homes to ensure outdoor privacy.

The entrance to the community will be consistent to other Great Traditions subdivision along with the detention areas, the street trees, horse park fencing, and a stone entry way.

There will not be amenities built into the community due to the already existing amenities provided by the City of Blue Ash.

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The homes will be priced at the low \$400,000 to \$600,000. The price range will be determined by the features the clients desire to be placed into the home. The residents will pay a monthly fee for common area, open spaced maintenance, plus lawn and snow maintenance to each home.

Mr. Hinger explained that a key issue on the site is to resolve the storm water drainage. Numerous studies are being done along with testing to ensure they are doing everything they can to make sure they are properly capturing the storm water issue. The water collected off the homes through the downspouts will be tied into the underground storm water system and dispensed into the detention basins located on the site.

Jim Keefer, Great Traditions Development Group, stated that meetings were held with surrounding neighborhoods including Sharonville neighbors and Fox Hollow residents to gather their concerns and address any issues. Fox Hollow residents requested to provide a 30 foot buffer and supplement the end of the cul de sac with additional landscaping to block the headlights coming down the streets. The Sharonville residents were concerned about the creek going through the property and the large rainfall runoffs into their property and lower level garages. Mr. Keefer informed that McGill Smith Punshon would be the consulting engineer for the project and will designing the hydraulics for the system to accommodate the number of streets and the number of homes which are all variables in how the storm water is designed. The plans will be submitted to Blue Ash's engineer consultant, CDS, for final engineering drawings.

In addressing Mayor Czerwonka concern of the creek, Mr. Keefer explained that the storm water drains will all be directed to the detention basin placed on the property before slowly releasing it into the creek. The other detention basin will be released into the storm water drain located along Plainfield Road.

In addressing Vice Mayor Adamec concerns, Mr. Keefer indicated that sidewalks will be located on every lot and on the main street of the site. Further, the sidewalks will connect to the sidewalks in Fox Hollow and toward Sharonville offering community connectivity.

Councilman Sumner stated that the Planning Commission spent a lot of time on the project and enthusiastically approved the plan.

Gene Wessler, 4119 Stonecreek Way, Sharonville, indicated that during the August 11th rain fall, there was water in his yard due to an overflow of a culvert coming from the storm water drain. He wants to make sure that the retention basins will be large enough to handle the large rainfalls and avoid the overrun and flooding.

John Cook, 10620 Plainfield Road, questioned how deep the retention ponds would be on the site and is concerned the 10 inch storm water drain located under his driveway (on Plainfield Road) may not be large enough to manage the excessive rain falls/drainage coming from the development. He is also concerned about the trees along the site that are old, overgrown, and dying. He feels they should be taken down to make the property more appealing.

Michael Woebkenberg, 4113 Stonecreek Way, Sharonville, expressed his concerns about the water runoff into the Sharonville residences. He feels the 10 inch storm water drain along Plainfield Road is not adequate for the additional runoff from the new development.

Mr. Waltz stated that it is not the City's intention to create more of a water overflow than what already exists. He assured that Great Traditions is working with the City's engineer, CDS, who is also the City of Sharonville's engineer, to address any issues.

Peter Nord, Kenridge Lake, stated the Ohio Department of Natural Resources keeps track of rain falls. He feels the City Engineer would be able to figure out the diameter of the area and how much drainage would be required on the site. Mr. Nord was pleased with Great Traditions proposing a zone change from R-1 to R-3 and building in a residential zoned area versus requesting zoning changes in commercial or industrial area to build residential. Last, Mr. Nord requested that easels and display boards not block the view of those sitting in the audience during Council meetings.

Mayor Czerwonka closed the public hearing at 7:40 PM.

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6. PUBLIC HEARING – 7:05 PM – to consider a planned development of a new filling station and retail convenience store at 4116 Glendale-Milford

Mayor Czerwonka indicated that the applicant is not present and asked that the matter be tabled.

Councilman Sumner moved, Councilwoman Stoller second to table the Public Hearing to consider a planned development of a new filling station and retail convenience store at 4116 Glendale-Milford Road until the applicant requests it be placed back on the agenda. A voice vote was taken. All members present voted yes. Motion carried.

Councilman Bryan was concerned that the premise is in terrible repair in that the grass has not been cut for some time.

Mr. Waltz indicated that the property owner planned to demolish the building and begin new development. Since it is now on hold, the owner will be contacted.

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

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

8. ACCEPTANCE OF AGENDA

Councilman Sumner 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. BEAUTIFICATION WEEK PRESENTATIONS
5. PUBLIC HEARING – 7:05 PM – to consider approval of a 66-lot, single-family development on approximately 21.7411 acres at 10538 & 10592 Plainfield Road as a large Scale Residential Development in an R-3 Residential District
6. PUBLIC HEARING – 7:10 PM – to consider a planned development of a new filling station and retail convenience store at 4116 Glendale-Milford
7. APPOINTMENT OF PERSON(S) TO READ ORDINANCES IN FULL IN REAR OF COUNCIL CHAMBERS
8. ACCEPTANCE OF AGENDA
9. APPROVAL OF MINUTES
 - a. Regular Meeting of August 14, 2014
10. COMMUNICATIONS
 - a. Communications to Council –Clerk of Council Jamie K. Eifert
 - b. Reports From Outside Agencies
 - c. Mayor's Report – August 2014
 - d. Financial Report – Motion to accept the report for August 2014
11. HEARINGS FROM CITIZENS
12. COMMITTEE REPORTS
 - a. Finance & Administration Committee, Rick Bryan, Chairperson
 1. Ordinance No. 2014-72, authorizing the issuance of income tax revenue bonds for the purpose of paying costs associated with Summit Park construction
 2. Ordinance No. 2014-73, providing for the establishment of a trust agreement related to City's pledge of income tax revenue to satisfy bond obligations
 3. Ordinance No. 2014-74, authorizing a multi-year CAFR accounting contract with DJS & Associates
 4. Ordinance No. 2014-75, levying special assessments on real property related to property maintenance issues pursuant to Chapter 911 of the BA Code

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- b. *Public Works Committee, Marc Sirkin, Chairperson*
 - 1. *Ordinance No. 2014-76, authorizing purchase of bulk rock salt*
 - 2. *Ordinance No. 2014-77, amending Ordinance No. 2014-1 regarding payment for traffic signal parts, repair services, and upgrades throughout 2014*
 - 3. *Ordinance No. 2014-78, amending Ordinance No. 2014-11 regarding Phase 1 Group F 1-16 Playground & Restroom Electrical for Summit Park*
 - 4. *Ordinance No. 2014-79, amending Ordinance No. 2014-64 regarding Phase 1 Group B 1-03 Earthwork and Utilities for Summit Park*
 - 5. *Ordinance No. 2014-80, amending Ordinance No. 2014-11 regarding Phase 1 Group F 1-14 Playground Landscaping Irrigation for Summit Park*
- c. *Planning & Zoning Committee, James W. Sumner, Chairperson*
 - 1. *Ordinance No. 2014-67, amending Sections of the Blue Ash Code of Ordinances*
 - 2. *Ordinance No. 2014-68, approving zoning map amendment to rezone approximately 21.7411 acres to R-3 Residential District*
 - 3. *Ordinance No. 2014-69, approving planned development permit for filling station and retail store*
 - 4. *Ordinance No. 2014-81, approving a single-family development as a large scale residential development*
 - 5. *Motion setting a public hearing for 7:05 PM, Thursday, October 9, 2014, to consider approval of a Special Use Permit for an adult daycare facility at 4325 Indeco Court in the M-1 Office Industrial District*
- d. *Public Safety Committee, Stephanie Stoller, Chairperson*
 - 1. *Resolution No. 2014-13, establishing trick-or-treat hours in Blue Ash (Friday, October 31, 2014, 6-8PM)*

13. MISCELLANEOUS BUSINESS

14. EXECUTIVE SESSION

- a. *Property Acquisition – to consider the purchase of property for public purposes, or for the sale of property at competitive bidding, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal, private interest is adverse to the general public interest.*
- b. *Economic Development – to consider confidential information related to the marketing plans, specific business strategy, production techniques, trade secrets, or personal financial statements of an applicant for economic development assistance, or to negotiations with other political subdivisions respecting requests for economic development assistance.*

15. ADJOURNMENT

9. APPROVAL OF MINUTES

Councilman Buckman moved, Councilman Bryan seconded to approve the minutes of the regular meeting of August 14, 2014. A voice vote was taken. All members present voted yes. Motion carried.

10. COMMUNICATIONS

a. Communications to Council

The Clerk noted the City received a notice from the Ohio Division of Liquor Control for the request of a Liquor License Transfer (Permit No.26000150005) to FJAJ LLC d/b/a Café Mediterranean, 9525 Kenwood Road, Suite 10, from Fitfood LLC, d/b/a Denas Diner, 8375 Colerain Avenue for the sale of beer and wine. In return, the City received a notice Ohio Division of Liquor Control for the request of a Liquor License Transfer (Permit No. 0430096) to Bangkok Terrace LLC, d/b/a Bangkok Terrace, 4858 Hunt Road from Café Mediterranean, for their liquor license for the sale of beer only. The Police Department has reviewed the requests and had no objections. There were no objections expressed by Council.

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The Clerk also noted that the City received a notice from the Ohio Division of Liquor Control for a request of a Liquor License Transfer (Permit No. 41488190075) to Interstate MC LLC, d/b/a Residence Inn Hotel, 11401 Reed Hartman Highway from Residence Inn by Marriott LLC, d/b/a Residence Inn Hotel which is a transfer of ownership that allows them to continue operating until they receive approval of their new liquor license (Permit No. 41488190080). The Police Department has reviewed the requests and had no objections. There were no objections expressed by Council.

There were no further communications presented to Council.

b. Reports From Outside Agencies

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

c. Mayor's Report – August 2014

TOTAL RECEIPTS:.....	\$13,360.00
DISBURSEMENTS:	
To Blue Ash	
Fines/costs/Expungements/forfeitures/NSF check charges, vendor permits).....	\$8,936.00
To the State of OH:	\$4,171.00
Victims of Crime	\$954.00
General Rev Fund	now included in 2b on SC form
Expungements.....	\$0.00
Indigent Defense Support fund	\$2,675.00
Drug Law Enforcement Fund	\$322.00
Justice Program Service Fund	
Seat Belts	\$220.00
Indigent Driver's Alcohol Trtm't Fund	\$138.00
Refund of overpaid fines	\$40.00
Bond Money applied	\$0
Bond Money returned	\$0
Restitution payment	\$75.00
TOTAL DISBURSEMENTS.....	\$13,360.00
BALANCE IN BONDS:.....	\$400.00
Mayor's Court traffic citations.....	93
Mayor's Court criminal citations	18
Total Mayor's Court cases	111
Blue Ash rev. from Mayor's Ct. Cases:.....	\$8,936.00

c. Financial Report – August 2014

Councilman Bryan moved, Councilman Sirkin seconded to accept the Financial Report for August 2014 as submitted. A voice vote was taken. All members present voted yes. Motion carried.

CITY OF BLUE ASH FINANCIAL POSITION STATEMENT- MONTH ENDING August 31, 2014

MONTH TO DATE	2013	2014
START OF MONTH FUND BALANCE:	\$43,696,200.52	\$52,609,018.36
Revenues:		
Earnings Tax Collections:	\$2,286,982.34	\$2,428,813.98
Debt Financing (long term)	-	-
Debt Financing (short term)	-	-
Other Revenue Received:	2,673,714.52	894,239.71
= Total Monthly Receipts	\$4,960,696.86	\$3,323,053.69
Expenditures:		
Long term debt retirement	-	\$1,000,000.00
Short term debt refinancing	-	-
Other Expenditures:	3,364,641.34	4,339,910.50
= Total Monthly Expenditures:	\$(3,364,641.34)	\$(5,339,910.50)
END OF MONTH FUND BALANCE:	\$45,292,256.04	\$50,592,161.55
YEAR TO DATE	2013	2014
START OF YEAR FUND BALANCE:	37,088,085.16	47,822,201.81
Revenues:		
Earnings Tax Collections:	\$23,743,032.72	\$23,574,794.42

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Debt Financing (long term)	-	-	-
Debt Financing (short term)	-	-	-
Other Revenue Received:	10,522,974.55	9,813,344.27	
= Total YTD Receipts	<u>34,266,007.27</u>	<u>33,388,138.69</u>	
Expenditures:			
Long term debt retirement	\$1,005,840.72	\$1,950,253.22	
Short term debt refinancing	-	-	
Other Expenditures:	25,055,995.67	28,667,925.73	
= Total YTD Expenditures:	<u>(26,061,836.39)</u>	<u>(30,618,178.95)</u>	
YEAR-TO-DATE FUND BALANCE:	<u>\$45,292,256.04</u>	<u>\$50,592,161.55</u>	

100% of the fund balance was invested as of 8/31/14. Interest paid to date on matured investments: \$9,049.20. Receipt and expenditure figures do not include interfund transfers or advances. All debt includes principal and interest.

BLUE ASH INCOME TAX DIV. INCOME TAX RECEIPT SUMMARY - MONTH ENDING August 31, 2014

MONTH-TO-DATE STATUS	2013	2014
Business Net Profit	\$90,638.18	58,937.74
Resident Net Profit	48,482.97	45,122.23
Non-Resident Net Profit	15,117.75	14,091.41
Subcontractor Net Profit	324.00	2,360.22
Net Profit Total	\$154,562.90	\$120,511.60
Withholding	\$2,079,043.85	\$2,274,757.16
Subcontractor Withholding	53,375.59	33,545.22
Withholding Total	\$2,132,419.44	\$2,308,302.38
Monthly Collection Totals	\$2,286,982.34	\$2,428,813.98
		6.20%

YEAR TO DATE STATUS	2013	2014
Business Net Profit	\$4,213,337.05	\$3,877,420.91
Resident Net Profit	833,805.25	846,463.81
Non-Resident Net Profit	267,694.49	305,202.71
Subcontractor Net Profit	59,011.15	79,084.72
Net Profit Total	\$5,373,847.94	\$5,108,172.15
Withholding	\$17,973,403.70	\$18,090,108.53
Subcontractor Withholding	395,781.08	376,513.74
Withholding Total	\$18,369,184.78	\$18,466,622.27
YTD Collection Totals	\$23,743,032.72	\$23,574,794.42
		-0.71%
YTD Refund Totals	\$985,458.75	\$795,182.41

11. HEARINGS FROM CITIZENS

Peter Nord, Kenridge Lake, requested that draft minutes be posted on the website so they can be reviewed by residents prior to the next meeting.

Councilman Sumner stated that by Council policy, draft minutes are not placed on the website due to the fact they are subject to change.

Peter Nord questioned why the ordinance on the agenda for accounting consulting services could not be an accounting firm in Blue Ash and whether it was put out for public bidding.

Edwin McConnaughey, 4254 Glendale-Milford Road, thanked the efforts of Public Works Director Gordon Perry for taking care of drainage issues on his property.

Hearings from Citizens was declared closed at 7:50 PM.

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12. 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 September 11th Council agenda.

4. Beautification Week Presentations

The Beautification Week judging process took place in June, with the City receiving nominations for 51 residential properties. All properties nominated for an award were judged by the Committee. Examples of the judging criteria included overall appearance, type of plantings used (garden variety/color), and overall lawn, landscaping and tree maintenance.

This year's Beautification Week winners, who were invited to Thursday's meeting to receive their awards, include:

- *Mayor's Choice:* John & Cheryl Dean, 9544 Conklin Avenue
- *Committee Choice:* Menk M. Yasbeck, 10116 Kenwood
Steven G. Warshaw, 10350 Ryan's Way
Norman & Tara Khoury, 4861 Muirwood
Andrew & Dawn Green, 3 Trailbridge Drive
- *Business Choice:* itelligence, 10856 Reed Hartman Highway

Please direct questions regarding the Beautification Week process to Mayor Czerwonka.

5. PUBLIC HEARING to consider approval of a 66-lot, single-family development on approximately 21.7411 acres at 10538 & 10592 Plainfield Road as a large Scale Residential Development in an R-3 Residential District

Great Traditions Land Development Company has made application for approval of a Large Scale Residential Development. The proposed development would include 66 single-family residential lots with reduced front setbacks intended to promote a traditional neighborhood atmosphere. The attachments to the Ordinance show the design and layout of the subdivision and show the intended character of the lots and residences.

The Planning Commission recommended approval of the proposed development to City Council at its August 7 meeting.

This is the public hearing and first reading of the Ordinance. Council regularly waives the second reading and votes on this type of development Ordinance.

Approval of this Ordinance is contingent upon Council also approving Ordinance 2014-68 that would zone the subject property into an R-3 District. If the proposed zoning amendment fails, then this proposed Ordinance is rendered moot.

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

6. PUBLIC HEARING to consider a planned development of a new filling station and retail convenience store at 4116 Glendale-Milford

The owner of the property is not ready to proceed and requests Council to table the Public Hearing indefinitely.

12.a.1. Ordinance No. 2014-72 – Authorizing the issuance of Income Tax Revenue Bonds for the purpose of paying costs associated with Summit Park construction

This legislation provides authorization for the issuance of Income Tax Revenue Bonds related to the construction of Summit Park and authorizes the City Manager and Treasurer to execute documents and agreements related to the issuance, sale or delivery of the bonds.

Ohio municipalities can issue different types of long-term debt. Traditionally, we have issued General Obligation Bonds that are backed by the full faith and credit of the City (i.e. our legal ability to impose property tax millage) however; due to the limited capacity under our indirect debt (ten-mill) limitation and the amount of the anticipated bond issues, City Administration and Bond Counsel recommend utilizing Income Tax Revenue Bonds for funding Summit Park construction. This type of debt is backed by the City's pledge of income tax revenue and does not affect our indirect debt limitation (ten-mill) leaving some capacity for any future G.O. debt needs. Hence, the need for a second piece of legislation (Ordinance 2014-73) to document the understanding and our "promise" to pay the related debt service from income tax collections.

This ordinance has been prepared by the City's bond counsel, Peck, Shaffer & Williams, A Division of Dinsmore & Shohl LLP and contains the necessary components to comply with the various constitutional, federal, state, and local requirements regarding the issuance of municipal debt.

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Listed below are some of the more specific items that relate to the expected issuance of bonds:

- We anticipate issuing two - \$9.9M bonds this fall. The first bond will refund or “pay off” the bond anticipation notes that the City issued in late 2013 for Phase I construction and the second bond issue will cover the costs associated with Phase II construction.
- The maximum maturity of these bonds will be between 10 and 15 years and will likely include a call feature sometime in the future.
- We will be requesting a rating on these bond issues through Moody’s Investors Services.
- All repayment of this debt will be accomplished through the use of Issue 15 funds.
- The costs associated with the bond issues (Moody’s rating, bond counsel, underwriters, etc.) will be paid out of the proceeds of the bonds to the extent possible. Later this fall, it is likely that we will need to request Council’s approval for additional budget to cover any remaining bond issuance costs.
- Although rates may change, current interest rate estimates range between 1.7% and 2.4%.

Please direct questions relating to this ordinance to the Treasurer.

12.a.2. Ordinance No. 2014-73 – Providing for the establishment of a Trust Agreement related to City’s pledge of income tax revenue to satisfy bond obligations

This ordinance provides for a Trust Agreement that pledges the City’s income tax for any/all Income Tax Revenue Obligations issued, under the Trust Agreement, so that there is a general pledge of the City’s income tax for this particular issue (Ordinance 2014-72) and for possible issues going forward. This Trust Agreement will be incorporated in the offering statement for the Summit Park bonds issued later this fall.

Please direct questions relating to this ordinance to the Treasurer.

12.a.3. Ordinance No. 2014-74 - Authorizing multi-year contract for CAFR/accounting services

Although the City of Blue Ash has always maintained its daily accounting records on a cash basis, beginning in 1986, standards were put in place which required governmental entities operating on a cash basis to prepare an annual report in a more “business-like” modified accrual format. Since this requirement became effective, the City has cooperatively worked with a knowledgeable and experienced accounting firm located in Hilliard, Ohio, known as Donald J. Schonhardt & Associates, Inc. This firm has consistently and successfully assisted the City in the annual “conversion” of our accounting year results on a cash basis into a modified accrual format, in preparing the necessary reports for review and audit by either the State Auditor’s Office or an independent accountant chosen by the Auditor’s Office, and in the completion and presentation of the Comprehensive Annual Financial Report (CAFR).

Generally, the City works on a multi-year contract with Donald J. Schonhardt & Associates, Inc. and the time is upon us for a new contract which would cover the City’s financial 2014, 2015, and 2016 accounting years. A proposal was submitted to the City and that proposal and the related contract has been carefully examined and parallels our past agreements. The proposal provided by Donald J. Schonhardt & Associates, Inc. offers to provide these services to the City of Blue Ash over the next three years at the same rate provided to the City in the previous three years – representing no increase in cost over a six year period.

The services provided by this accounting support firm are essential for the preparation of our finance report in a modified accrual or business format, and are a necessity in the preparation for the efforts of the State Auditor’s Office and for the completion of the City’s annual CAFR. As such, the Treasurer recommends Council’s authorization by approval of Ordinance No. 2014-74.

Please direct questions regarding this ordinance to the Treasurer.

12.a.4. Ordinance No. 2014-75 – levying special assessments on real property related to property maintenance issues pursuant to Chapter 911 of the BA Code

As Council is aware, the City’s property maintenance provisions defined in Chapter 911 allow for the City to “step in” and take care of the mowing of tall grass and weeds if the property owner, after an extended period of time and with notice, has not taken care of the problem. The City then bills the landowner for the cost of that maintenance. If the invoiced cost of the maintenance has not been paid by the landowner to the City after a defined period, the City can then “certify” it to the County Auditor to be placed upon the tax duplicate and collected and paid back to the City.”

In the past several months, the City has taken care of maintenance issues multiple times on several Blue Ash properties. Ordinance No. 2014-75 represents the notification to the County Auditor of such payments directing the specified amounts to be levied and assessed on the properties as noted within the ordinance.

Please direct questions regarding this ordinance to the Treasurer.

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12.b.1. Ordinance No. 2014-76 – authorizing purchase of bulk rock salt

Ordinance No. 2014-76 authorizes a contract for the purchase of road salt for an amount not to exceed \$75.86 per ton. This purchase is in conjunction with the initiative, the Government Cooperation and Efficiency Project (GCEP), which is a shared purchasing arrangement available to all local governments within Hamilton County. The City of Cincinnati recently bid the purchase of salt, and the winning bidder was North American Salt Company. The unit cost of \$75.86 per ton (delivered to the Public Works salt barn). Blue Ash's intent is to purchase a minimum of 2,800 tons and a maximum of 3,500 tons through the Cincinnati contract.

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

12.b.2. Ordinance No. 2014-77– authorizing payment for traffic signal parts, repair services, and upgrades throughout 2014

Ordinance No. 2014-77 addresses the need to increase payment for routine purchase of parts, maintenance, upgrades, and repair of traffic signals provided throughout 2014 with Capital Electric Line Builders for an amount not to exceed \$95,000. The City has a favorable long-term relationship with this vendor for these types of services, and these items were included within the 2014 Final Budget. The items include routine maintenance and parts, as well as the upgrades (to LED lights) made throughout the year and the addition of uninterruptable power backup systems (UPS) at main intersections.

Please address questions regarding this ordinance to the Public Works Director.

12.b.3. Ordinance No. 2014-78 – amending Ordinance No. 2014-11 regarding Phase 1 Group F 1-16 Playground & Restroom Electrical for Summit Park

Ordinance No. 2014-78 amends Ordinance No. 2014-11 related to the Phase 1 construction of the Summit Park Project, Group F 1-16 Playground & Restroom Electrical. The expenses are fully covered by remaining unencumbered funds in the Summit Park Fund account and do not require additional funds from the General Fund.

This change order provides an additional lighting control panel and additional restroom feeder length, size and ENT inside manholes associated with the Summit Park playground and restroom electrical. The AC Electrical Systems, Inc. was the successful bidder for the Phase I construction of the Summit Park Projects and the City has been pleased with the outcome of the project. Therefore, to maintain continuity with the existing work and with AC Electrical Systems, Inc. still being on-site, it would be more cost effective to add the electrical to the scope of work.

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

12.b.4. Ordinance No. 2014-79 – amending Ordinance No. 2014-64 regarding Phase 1 Group B 1-03 Earthwork and Utilities for Summit Park

Ordinance No. 2014-79 amends Ordinance No. 2014-64 related to the Phase I construction of the Summit Park Project, Group B 1-03 Earthwork and Utilities. The expenses are fully covered by remaining unencumbered funds in the Summit Park Fund account and do not require additional funds from the General Fund.

This change order provides additional storm sewer changes consisting of the relocation of two manholes for coordination purposes for future stage electrical room. The Nelson Stark Company was the successful bidder for the Phase I construction of the Summit Park Projects and the City has been pleased with the outcome of the project. Therefore, to maintain continuity with the existing work and with The Nelson Stark Company still being on-site, it would be more cost effective to add the earthwork and utilities to the scope of work.

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

12.b.5. Ordinance No. 2014-80 – amending Ordinance No. 2014-11 regarding Phase 1 Group F 1-14 Playground Landscaping Irrigation for Summit Park

Ordinance No. 2014-80 amends Ordinance No. 2014-11 related to the Phase 1 construction of the Summit Park Project, Group F 1-14 Playground Landscaping Irrigation for Summit Park. The expenses are fully covered by remaining unencumbered funds in the Summit Park Fund account and do not require additional funds from the General Fund.

This change order provides additional backfilling, grading and seeding associated with the Summit Park sidewalk/pathway plan. Evans Landscaping was the successful bidder for the Phase I construction of the Summit Park Projects and the City has been pleased with the outcome of the project. Therefore, to maintain continuity with the existing work and with Evans Landscaping still being on-site, it would be more cost effective to add the landscaping to the scope of work.

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

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12.c.1. Ordinance No. 2014-67 – amending Sections of Blue Ash Code of Ordinances (Second Reading)

Per Council's direction at the Strategic Planning Retreat in January and subsequent discussions at the June 12th and July 10th Council meetings, Ordinance 2014-67 proposes updates to the Traffic Code, General Offenses Code, Planning and Zoning Code, and Property Standards Code of the Blue Ash Code of Ordinances. More specifically, these updates, aimed at improving property maintenance, effect parking, junk vehicles, cleanliness, outside storage, sanitation, property standards, and condemnation. The first reading of this ordinance took place at the August 14th meeting.

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

12.c.2. Ordinance No. 2014-68 – Zoning Map Amendment to rezone approximately 21.7411 acres to R-3 (Second Reading)

Great Traditions Land Development Company is proposing to rezone the subject property, which abuts the east side of Plainfield Road north of Fox Hollow, from R-1 to the R-3 Residential District. The applicant is concurrently seeking approval of a 66-lot single-family subdivision per the Large Scale Residential Development provisions in the Code.

The Planning Commission considered the proposed Zoning Map Amendment at its July 8, 2014 meeting and recommended approval to City Council.

A public hearing and first reading of this ordinance was held on August 14, 2014.

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

12.c.3. Ordinance No. 2014-69 – planned development of a new filling station and retail convenience store at 4116 Glendale-Milford Road

The public hearing scheduled for August 14, 2014, was tabled to September 11, 2014. At this time, the owner of the property is not ready to proceed and has requested Council to table the Public Hearing and the related Ordinance No. 2014-69 indefinitely.

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

12.c.4. Ordinance No. 2014-81 – approving a single-family development as a large scale residential development

Ordinance 2014-81 is related to the Zoning Map Amendment (Ordinance No. 2014-68 above) for the same land at 10538 & 10592 Plainfield Road, Great Traditions Land Development Company has made application for approval of a Large Scale Residential Development. The proposed development would include 66 single-family residential lots with reduced front setbacks intended to promote a traditional neighborhood atmosphere. The attachments to the Ordinance show the design and layout of the subdivision and show the intended character of the lots and residences.

The Planning Commission recommended approval of the proposed development to City Council at its August 7 meeting.

This is the public hearing and first reading of the Ordinance. Council regularly waives the second reading and votes on this type of development Ordinance.

Approval of this Ordinance is contingent upon Council also approving Ordinance 2014-68 that would zone the subject property into an R-3 District. If the proposed zoning amendment fails, then this proposed Ordinance is rendered moot.

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

12.c.5. Motion setting a public hearing for 7:05 PM, Thursday, October 9, 2014, to consider approval of a Special Use Permit for an adult daycare facility at 4325 Indeco Court in the M-1 Office Industrial District

A Best Home Care, Inc. is proposing to occupy the existing building as an adult daycare facility without making any external changes to the property. The majority of the clients will be dropped off and picked up by a single bus. The plan was scheduled to be heard by the Planning Commission at its regularly scheduled meeting last week, but the meeting was cancelled for lack of a quorum. The City is planning to reschedule the meeting in the next few weeks so that the original hearing timeline can be maintained, which is important to the applicant.

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

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12.d.1. Resolution No. 2014-13 – establishing trick-or-treat hours in Blue Ash (Friday, October 31, 2014, 6-8-PM)

Every year, City Council authorizes a resolution establishing the date and time to observe Halloween activities within the City. Traditionally, the City has recognized Halloween activities on the date of Halloween, October 31st. This resolution establishes Friday, October 31, from 6 to 8 PM as the time to observe the occasion of Halloween. Blue Ash Police and Fire personnel will be patrolling the streets and handing out candy to children while insuring that the safety of all is provided.

a. Finance & Administration Committee, Rick Bryan, Chairperson

Councilman Bryan asked the Clerk to read Ordinance No. 2014-72 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2014-72

AN ORDINANCE PROVIDING FOR THE AUTHORIZATION, ISSUANCE, AND SALE OF INCOME TAX IMPROVEMENT AND REFUNDING REVENUE BONDS OF THE CITY OF BLUE ASH, OHIO, IN ONE OR MORE SERIES OF BONDS, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$21,000,000 PURSUANT TO A TRUST AGREEMENT, AS AMENDED AND SUPPLEMENTED, 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, Buckman, Adamec, Bryan, Sirkin, and Mayor Czerwonka voted yes. Seven yeases. Motion carried.

Councilman Bryan moved, Councilman Buckman seconded to adopt Ordinance No. 2014-72.

There being no discussion, the Clerk called the roll. Councilpersons Sumner, Buckman, Adamec, Bryan, Sirkin, Stoller, and Mayor Czerwonka voted yes. Seven yeases. Ordinance No. 2014-72 passed.

Councilman Bryan asked the Clerk to read Ordinance No. 2014-73 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2014-73

AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT OF A TRUST AGREEMENT IN ORDER TO ISSUE AND TO SECURE INCOME TAX REVENUE OBLIGATIONS AND TO SECURE OUTSTANDING BONDS, BY PLEDGING THE INCOME TAX OF THE CITY OF BLUE ASH AND OTHER SECURITY IN ORDER TO PAY BOND SERVICE CHARGES ON INCOME TAX REVENUE OBLIGATIONS AND OTHER REPLENISHMENT AMOUNTS, EXPENSES, AND CHARGES DUE AND PAYABLE UNDER SUCH TRUST AGREEMENT, AND DECLARING AN EMERGENCY

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

Councilman Bryan moved, Councilman Sumner seconded to adopt Ordinance No. 2014-73.

There being no discussion, the Clerk called the roll. Councilpersons Vice Mayor Adamec, Councilman Bryan, Councilman Sirkin, Councilwoman Stoller, Councilman Sumner, Councilman Buckman, and Mayor Czerwonka voted yes. Seven yeases. Ordinance No. 2014-73 passed.

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Councilman Bryan asked the Clerk to read Ordinance No. 2014-74 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2014-74

AUTHORIZING THE CITY MANAGER TO ENTER INTO A
CONTRACT FOR MULTI-YEAR PROFESSIONAL ACCOUNTING
CONSULTATION SERVICES; 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 Bryan, Sirkin, Stoller, Sumner, Buckman, Adamec, and Mayor Czerwonka voted yes. Seven yeases. Motion carried.

Councilman Bryan moved, Councilwoman Stoller seconded to adopt Ordinance No. 2014-74.

In answering Vice Mayor Adamec's question regarding the advantage in using the recommended accounting firm, Treasurer Sherry Poppe stated the City has used Donald J. Schonhardt & Associates, Inc. since the 1986. They have been performing a great service to the City and has helped in implementing fixed asset software, coordinated annual conversions, etc. There have been no rate increases in services for over six years. Administration has contacted other municipalities to inquire their costs for similar accounting services and Donald J. Schonhardt & Associates, Inc. was very comparable.

There being no further discussion, the Clerk called the roll. Councilpersons Sirkin, Stoller, Sumner, Buckman, Adamec, Bryan, and Mayor Czerwonka voted yes. Seven yeases. Ordinance No. 2014-74 passed.

Councilman Bryan asked the Clerk to read Ordinance No. 2014-75 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2014-75

AN ORDINANCE TO LEVY SPECIAL ASSESSMENTS ON REAL
PROPERTY FOR THE TOTAL COST OF MITIGATING
NOXIOUS WEEDS AND HIGH GRASS PURSUANT TO
CHAPTER 911 OF THE BLUE ASH CODE OF ORDINANCES
AND O.R.C. 715.261; 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, Buckman, Adamec, Bryan, Sirkin, and Mayor Czerwonka voted yes. Seven yeases. Motion carried.

Councilman Bryan moved, Councilwoman Stoller seconded to adopt Ordinance No. 2014-75.

In answering Councilman Sirkin's questions regarding how many residents are in violation of this ordinance, Mr. Waltz stated that since the City began enforcing this code, the number has gone down and is typically for violating high grass.

There being no further discussion, the Clerk called the roll. Councilpersons Sumner, Buckman, Adamec, Bryan, Sirkin, Stoller, and Mayor Czerwonka voted yes. Seven yeases. Ordinance No. 2014-75 passed.

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b. Public Works Committee, Marc Sirkin, Chairperson

Councilman Sirkin asked the Clerk to read Ordinance No. 2014-76 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2014-76

AUTHORIZING THE CITY MANAGER TO ENTER INTO A UNIT PRICE CONTRACT FOR THE PURCHASE OF BULK ROCK SALT FOR AN AMOUNT NOT TO EXCEED \$75.86 PER TON DELIVERED; AND DECLARING AN EMERGENCY

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

Councilman Sirkin moved, Vice Mayor Adamec seconded to adopt Ordinance No. 2014-76.

There being no discussion, the Clerk called the roll. Councilpersons Adamec, Bryan, Sirkin, Stoller, Sumner, Buckman, and Mayor Czerwonka voted yes. Seven yeses. Ordinance No. 2014-76 passed.

Councilman Sirkin asked the Clerk to read Ordinance No. 2014-77 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2014-77

AMENDING ORDINANCE NO. 2014-1 REGARDING PAYMENT FOR TRAFFIC SIGNAL SYSTEM PARTS, REPAIR SERVICES, AND UPGRADES THROUGHOUT 2014; AND DECLARING AN EMERGENCY

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

Councilman Sirkin moved, Councilman Sumner seconded to adopt Ordinance No. 2014-77.

In answering Councilwoman Stoller's question, Mr. Perry explained this contractor does the City's traffic signal upgrades and maintenance. The increase is due to additional maintenance needed to be done before year end. The City has upgraded the traffic signal controller on Reed Hartman Highway from P&G Drive to Osbourne Boulevard which was part of this year's program in upgrading the outdated controllers.

There being no further discussion, the Clerk called the roll. Councilpersons Sirkin, Stoller, Sumner, Buckman, Adamec, Bryan, and Mayor Czerwonka voted yes. Seven yeses. Ordinance No. 2014-77 passed.

Councilman Sirkin asked the Clerk to read Ordinance No. 2014-78 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2014-78

AMENDING ORDINANCE NO. 2014-11 REGARDING A CONTRACT FOR GROUP F 1-16 PLAYGROUND & RESTROOM ELECTRICAL ASSOCIATED WITH PHASE 1 OF THE SUMMIT PARK PROJECT; AND DECLARING AN EMERGENCY

Councilman Sirkin 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, Buckman, Adamec, Bryan, Sirkin, and Mayor Czerwonka voted yes. Seven yeses. Motion carried.

Councilman Sirkin moved, Councilman Buckman seconded to adopt Ordinance No. 2014-78.

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There being no discussion, the Clerk called the roll. Councilpersons Sumner, Buckman, Adamec, Bryan, Sirkin, Stoller, and Mayor Czerwonka voted yes. Seven yeases. Ordinance No. 2014-78 passed.

Councilman Sirkin asked the Clerk to read Ordinance No. 2014-79 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2014-79

AMENDING ORDINANCE NO. 2014-64 REGARDING A
CONTRACT FOR GROUP B 1-03 EARTHWORK AND UTILITIES
ASSOCIATED WITH PHASE 1 OF THE SUMMIT PARK
PROJECT; AND DECLARING AN EMERGENCY

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

Councilman Sirkin moved, Councilwoman Stoller seconded to adopt Ordinance No. 2014-79.

There being no discussion, the Clerk called the roll. Councilpersons Adamec, Bryan, Sirkin, Stoller, Sumner, Buckman, and Mayor Czerwonka voted yes. Seven yeases. Ordinance No. 2014-79 passed.

Councilman Sirkin asked the Clerk to read Ordinance No. 2014-80 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2014-80

AMENDING ORDINANCE NO. 2014-11 REGARDING A
CONTRACT FOR GROUP F 1-14 PLAYGROUND
LANDSCAPING & IRRIGATION ASSOCIATED WITH PHASE 1
OF THE SUMMIT PARK PROJECT; AND DECLARING AN
EMERGENCY

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

Councilman Sirkin moved, Councilwoman Stoller seconded to adopt Ordinance No. 2014-80.

Councilman Bryan questioned Council's approval on change orders that are not of significant dollar amount.

Mr. Waltz suggested that in addition to Council authorizing contracts for services, they could additionally authorize the City Manager to approve subsequent changes to the contract that are consistent with the original scope of work.

There being no further discussion, the Clerk called the roll. Councilpersons Sirkin, Stoller, Sumner, Buckman, Adamec, Bryan, and Mayor Czerwonka voted yes. Seven yeases. Ordinance No. 2014-80 passed.

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

Councilman Sumner asked the Clerk to read Ordinance No. 2014-67 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2014-67

AMENDING AND ENACTING CERTAIN SECTIONS OF PART THREE (TRAFFIC CODE), PART FIVE (GENERAL OFFENSES CODE), PART ELEVEN (PLANNING AND ZONING CODE), AND PART SEVENTEEN (PROPERTY STANDARDS CODE) OF THE BLUE ASH CODE OF ORDINANCES (first reading 8/14/14)

Councilman Sumner moved, Councilwoman Stoller seconded to adopt Ordinance No. 2014-67.

There being no discussion, the Clerk called the roll. Councilpersons Stoller, Sumner, Buckman, Adamec, Bryan, Sirkin, and Mayor Czerwonka voted yes. Seven yeases. Ordinance No. 2014-67 passed.

Councilman Sumner asked the Clerk to read Ordinance No. 2014-68 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2014-68

APPROVING A ZONING MAP AMENDMENT TO REZONE APPROXIMATELY 21.7411 ACRES AT 10538 & 10592 PLAINFIELD ROAD TO THE R-3 RESIDENTIAL DISTRICT (first reading 8/14/14)

Councilman Sumner moved, Councilwoman Stoller seconded to adopt Ordinance No. 2014-68.

In addressing Vice Mayor Adamec question regarding significant rainfall standards, Mr. Perry stated there is a standard building code requirement that must be met. The City does its best to accommodate most of the rain falls.

Councilman Sumner feels the size of the storm water drain along Plainfield Road is not the issue with flooding. Retention basins in the development will be designed to collect and hold substantial rainfalls until it can be released slowly into the storm water drain. Great Traditions' engineering firm is looking into the matter as well as the City's engineering firm.

In addressing Councilman Buckman question of where the water from the 10 inch storm water drain is released, Mr. Perry stated that it is being directed to a culvert on the McConaughy property that is currently an open ditch.

There being no discussion, the Clerk called the roll. Councilpersons Sumner, Buckman, Adamec, Bryan, Sirkin, Stoller, and Mayor Czerwonka voted yes. Seven yeases. Ordinance No. 2014-68 passed.

Councilman Sumner asked the Clerk to read Ordinance No. 2014-69 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2014-69

APPROVING A PLANNED DEVELOPMENT TO PERMIT A FILLING STATION AND RETAIL STORE ON APPROXIMATELY 0.72 ACRES AT 4116 GLENDALE MILFORD ROAD

Councilman Sumner moved, Councilwoman Stoller seconded to table Ordinance 2014-69 until such time as the applicant requests it to be placed back on the agenda. A voice vote was taken. All members present voted yes. Motion carried.

Councilman Sumner questioned what the City procedure is in suspending the rules requiring a second reading for large scale developments.

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Mr. Waltz stated the referenced ordinance is not declaring an emergency and it will not be in force until 40 days after certification by the Clerk of Council pursuant to Charter.

Councilman Sumner asked the Clerk to read Ordinance No. 2014-81 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2014-81

APPROVING A 66-LOT, SINGLE-FAMILY DEVELOPMENT
ON APPROXIMATELY 21.7411 ACRES AT 10538 & 10592
PLAINFIELD ROAD AS A LARGE SCALE RESIDENTIAL
DEVELOPMENT IN AN R-3 RESIDENTIAL DISTRICT

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

Councilman Sumner moved, Councilman Bryan seconded to adopt Ordinance No. 2014-81.

Councilman Bryan commended Great Traditions for notifying the Fox Hollow and Sharonville residents to meet with them to discuss the project and address their comments and concerns. Great Traditions was very sensitive to the surrounding residents' quality of life. He feels this is an example that can be offered up to future developers.

There being no further discussion, the Clerk called the roll. Councilpersons Adamec, Bryan, Sirkin, Stoller, Sumner, Buckman, and Mayor Czerwonka voted yes. Seven yeses. Ordinance No. 2014-81 passed.

Councilman Sumner moved, Councilwoman Stoller seconded setting a public hearing for 7:05 PM, Thursday, October 9, 2014, to consider approval of a Special Use permit for an adult daycare facility at 4325 Indeco Court in the M-1 Office Industrial District. A voice vote was taken. All members present voted yes. Motion carried.

d. Public Safety Committee, Stephanie Stoller, Chairperson

Councilwoman Stoller asked the Clerk to read Resolution No. 2014-13 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION. 2014-13

AUTHORIZING HALLOWEEN ACTIVITIES AND
ESTABLISHING TIME LIMITATIONS IN THE CITY OF BLUE
ASH, OHIO, FOR FRIDAY, OCTOBER 31, 2014

Councilwoman Stoller moved, Councilman Sumner seconded to adopt Resolution No. 2014-13.

There being no discussion, the Clerk called the roll. Councilpersons Bryan, Sirkin, Stoller, Buckman, Adamec, and Mayor Czerwonka voted yes. Councilman Sumner voted his traditional "boo". Six yeses and one "boo". Resolution No. 2014-13 passed.

13. MISCELLANEOUS BUSINESS

Mr. Waltz informed Council that he will be attending a Cincinnati Chamber of Commerce Leadership Study event in Atlanta, Georgia from October 7th through October 9th. Given the event dates, Mr. Waltz request that Council excuse him from the October 9th Council meeting.

Mr. Waltz expressed concern with assumptions being made by the State regarding HB 5. He noted that pro-HB 5 advocates point out that the average tax burden in local government is now 4.9% and is one of the higher averages in the Country. However, what is being overlooked is that t Ohio does not provide many funding sources or solutions such as for school funding and other services as is done in other states.

Mayor Czerwonka followed up by stating that he is on the Board of the Hamilton County Municipal League. The League is working on HB 5 but it is anticipated that it will be approved in November after the election. The Ohio Municipal League would propose several

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modifications to the House Bill. The only way the League thinks they can stop the bill is in the Senate. The League is lobbying ten Republican Senators. The other concern is a peripheral issue which has been brought up by State Senator Seitz regarding HB 282. The discussion throughout the State is to potentially eliminate the earning tax from all municipalities and only tax where you live. Mayor Czerwonka feels this would be devastating to the City of Blue Ash.

Mr. Waltz stated the problem with the proposal is that the State of Ohio's economic development plans for the last 40 years have been premised on communities like the City of Blue Ash pursuing that model. If they want to change the model, it would be a radical transformation. Mr. Waltz feels that if the State wants to solve the taxation burden that exists in the State of Ohio – eliminate it at the State level or simply pay for all the police, fire, sewer, and water in every jurisdiction

Fire Chief Brown informed Council that the Fire Department's Open House is Tuesday, October 7th from 5:00 to 8:00 pm and encourages everyone to attend. He congratulated the Police Department on their successful Open House.

Police Chief Hartinger stated that the reason the Police Department's Open House was such a success was due to the community and the help of all those that work for the City of Blue Ash – Public Works, Service, Parks & Rec, Fire Department.

Chief Hartinger also mentioned that a year ago, the department hired two new patrol officers, Jason Swartwout and Dustin Moore. They are finishing up their year of training and both have done very well. They will be a great addition to the Police Department.

Mayor Czerwonka indicated that the City received the results of the resident survey from the University of Cincinnati. The survey consisted of a wide-range of questions from the City's amenities, taxes, budget, housing, etc. According to the survey, 98% of the residents are happy with the City's services.

Council Members expressed their appreciation for the success of Taste of Blue Ash and the Police Department's Open House.

Council discussed a memorial plaque to determine which design best commemorates former Mayor Mark Weber in recognition of his services to City Council and the City of Blue Ash.

14. EXECUTIVE SESSION

After all items on the agenda were acted upon, Vice Mayor Adamec moved, Councilman Bryan seconded to convene an Executive Session to discuss matters pertaining to Property Acquisition and Economic Development. The Clerk called the roll. Councilpersons Sirkin, Stoller, Sumner, Buckman, Adamec, Bryan, and Mayor Czerwonka voted yes. Seven yeses. Motion carried.

After matters pertaining to Property Acquisition and Economic Development were discussed, Councilman Sirkin moved, Councilman Buckman seconded to convene to the regular meeting. A voice vote was taken. All Council members voted yes. Motion carried.

15. ADJOURNMENT

All items on the agenda having been acted upon, Councilman Sirkin moved, Councilwoman Stoller seconded to adjourn the meeting. A voice vote was taken. All members voted yes. The Council meeting was adjourned at approximately 9:18 PM.

Lee Czerwonka, Mayor

Jamie K. Eifert, Clerk of Council

MINUTES RECORDED AND WRITTEN BY:

Karla Plank, Administrative Assistant