

A regular meeting of the Council of the City of Blue Ash, Ohio, was held on January 24, 2008. Mayor Robert J. Buckman, Jr. called the meeting to order in Council Chambers at 7:00 PM.

OPENING CEREMONIES

Mayor Buckman led those assembled in the Pledge of Allegiance.

ROLL CALL

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

ALSO PRESENT: City Manager David Waltz, Deputy Solicitor Bryan Pacheco, Clerk of Council Jamie Eifert, Deputy Clerk of Council Sue Bennett, Treasurer/Administrative Services Director James Pfeffer, Parks & Recreation Director Chuck Funk, Fire Chief Rick Brown, and interested citizens

Mayor Buckman appointed Treasurer Jim Pfeffer to read the legislation in its entirety in the rear of Council Chambers.

ACCEPTANCE OF AGENDA

Councilman Czerwonka moved, Councilman Bryan 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 January 10, 2008
- 7. COMMUNICATIONS
 - a. Communications to Council - Clerk of Council Jamie K. Eifert
 - b. Reports From Outside Agencies
 - c. Mayor’s Report – December 2007 – Honorable Robert J. Buckman, Jr.
 - d. Financial Report – Motion to accept the report for December 2007
- 8. HEARINGS FROM CITIZENS
- 9. COMMITTEE REPORTS
 - a. Parks & Recreation Committee, Lee Czerwonka, Chairperson
 - 1. Ordinance No. 2008-12, authorizing contract for Sports Center lighting and electric
 - 2. Ordinance No. 2008-13, authorizing purchase of grounds maintenance equipment from the State’s bid list
 - b. Planning & Zoning Committee, James W. Sumner, Chairperson
 - 1. Ordinance No. 2008-14, authorizing contract for professional inspection and code inspection services
- 10. MISCELLANEOUS BUSINESS
- 11. ADJOURNMENT”

APPROVAL OF MINUTES

Councilman Stacey moved, Councilman Czerwonka seconded to approve the minutes of the regular meeting of January 10, 2008. A voice vote was taken. All members present voted yes. Motion carried.

COMMUNICATIONS

Communications to Council

There were no communications presented to Council.

Reports From Outside Agencies

Joshua Howard from the Sycamore Senior Center was present to provide an update for Council of recent Senior Center activities. He mentioned that the Senior Center has been in the Blue Ash community for 37 years, and in 2007, membership increased from about 2,500 to about 2,900. About 700 of the Center’s members live in Blue Ash.

Examples of new, innovative programs recently initiated at the Center include an educational series offered by UC; a new collaboration with Xavier involving a co-mentoring program (the goal being to pass along values down to the youth); 12 new computers and new computer classes; a walking trail to be completed this spring by a Blue Ash Eagle Scout candidate (as his service project); and a new, very popular, speed dating class. Joshua introduced Blue Ash resident Marge Hammer (who has lived in Blue Ash in the St. Andrews development since 1999). Mrs. Hammer is an active member at the Senior Center, and mentioned that Blue Ash should be proud to have the center so close.

Mayor Buckman recognized Boy Scout John Eifert, who is attending tonight's meeting as a part of earning his communications badge.

Mayor's Report – December 2007

RECEIPTS:

| | |
|-------------------------------------|-------------|
| Fines..... | \$ 7,915.00 |
| Bonds & BMV fees carried over | \$ 0 |
| Interest Earned..... | \$1.02 |
| Bonds collected..... | \$300.00 |
| TOTAL RECEIPTS:..... | \$ 8,216.02 |

DISBURSEMENTS:

| | |
|--|-------------|
| To Blue Ash (fines/costs/interest/Expungements/forfeitures) .. | \$ 5,795.02 |
| To the State of OH | \$2,121.00 |
| Refund of Overpaid Fine..... | \$0.00 |
| Bond Money applied | \$ 80.00 |
| Bond Money returned | \$220.00 |
| BMV..... | \$0 |
| TOTAL DISBURSEMENTS..... | \$ 8,216.02 |

| | |
|---------------------------------------|-----|
| BALANCE IN BONDS:..... | \$0 |
| Mayor’s Court traffic citations | 89 |
| Mayor’s Court criminal citations..... | 7 |
| Total Mayor’s Court cases | 96 |

December revenues from Mayor’s Ct. Cases: \$ 5,795.02

Financial Report – December 2007

Councilman Bryan moved, Councilwoman Stoller seconded to accept the Financial Report of December 2007 as submitted. A voice vote was taken. All members present voted yes. Motion carried.

CITY OF BLUE ASH FINANCIAL POSITION STATEMENT - MONTH ENDING DECEMBER 31, 2007

| MONTH TO DATE | 2006 | 2007 |
|--------------------------------------|----------------------|----------------------|
| START OF MONTH FUND BALANCE: 12-1-07 | \$20,857,105.94 | \$24,915,003.77 |
| Revenues: | | |
| Earnings Tax Collections: | 1,998,620.63 | 2,272,066.32 |
| Debt Financing (long term) | 0 | 0 |
| Debt Financing (short term) | 0 | 0 |
| Other Revenue Received: | 658,196.85 | 377,641.75 |
| = Total Monthly Receipts | 2,656,817.48 | 2,649,708.07 |
| Expenditures: | | |
| Bond Retirement | 0 | 0 |
| Short term debt refinancing | 3,050,000.00 | 0 |
| Other Expenditures: | 3,177,467.10 | 3,169,490.36 |
| = Total Monthly Expenditures: | -6,227,467.10 | -3,169,490.36 |
| ENDING FUND BALANCE:12-31-07 | 17,286,456.32 | 24,395,221.48 |
| YEAR TO DATE | 2006 | 2007 |
| START OF YEAR FUND BALANCE: | 12,916,635.98 | 17,286,456.32 |
| Revenues: | | |
| Earnings Tax Collections: | 23,127,862.98 | 27,564,396.76 |
| Debt Financing (long term) | 9,712,274.45 | 9,975,000.00 |
| Debt Financing (short term) | 1,000,000.00 | 0 |
| Other Revenue Received: | 10,576,971.06 | 12,193,711.01 |
| = Total Monthly Receipts | 44,417,108.49 | 49,733,107.77 |
| Expenditures: | | |
| Bond Retirement | 2,830,000.00 | 3,830,000.00 |
| Short term debt refinancing | 4,550,000.00 | 1,000,000.00 |
| Other Expenditures: | 32,667,288.15 | 37,794,342.61 |
| = Total YTD Expenditures: | -40,047,288.15 | -42,624,342.61 |
| YTD FUND BALANCE | 17,286,456.32 | 24,395,221.48 |

100% of the fund balance was invested as of 12-31-07. Interest paid to date on matured investments: \$955,865.00. Receipt and expenditure figures do not include interfund transfers.

BLUE ASH INCOME TAX DIVISION INCOME TAX RECEIPT SUMMARY FOR MONTH ENDING DECEMBER 31, 2007

| MONTH-TO-DATE STATUS | 2006 | 2007 |
|----------------------------|---------------|---------------|
| Business Net Profit | 640,063.60 | 224,041.39 |
| Resident Net Profit | 43,421.20 | 86,702.88 |
| Non-Resident Net Profit | 10,590.62 | 17,470.71 |
| Subcontractor Net Profit | 1,872.34 | 1,283.50 |
| Net Profit Total | 695,947.76 | 329,498.48 |
| Withholding | 1,280,384.04 | 1,921,735.64 |
| Subcontractor Withholding | 13,294.18 | 20,832.20 |
| Withholding Total | 1,293,678.22 | 1,942,567.84 |
| Monthly Collection Totals | 1,989,625.98 | 2,272,066.32 |
| YEAR-TO-DATE STATUS | 2006 | 2007 |
| Business Net Profit | 5,100,028.20 | 3,691,281.96 |
| Resident Net Profit | 803,549.22 | 1,021,324.44 |
| Non-Resident Net Profit | 231,091.46 | 267,281.33 |
| Subcontractor Net Profit | 24,094.52 | 55,943.63 |
| Net Profit Total | 6,158,763.40 | 5,035,831.36 |
| Withholding | 16,643,581.54 | 22,041,457.87 |
| Subcontractor Withholding | 325,518.04 | 487,107.53 |
| Withholding Total | 16,969,099.58 | 22,528,565.40 |
| YTD Collection Totals | 23,127,862.98 | 27,564,396.76 |
| YTD Refund Totals | 785,997.15 | 1,529,796.04 |

HEARINGS FROM CITIZENS

No citizens wished to address Council.

COMMITTEE REPORTS

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

“The following offers a brief description of the topics included on the January 24th Council agenda:

9.a.1. Ordinance No. 2008-12 - Authorizing contract for Sports Center lighting and electric

Ordinance No. 2008-12 authorizes the purchase of materials and services associated with the continued phased field lighting upgrades being made at the Sports Center. These improvements began in 2006. Section I of the ordinance authorizes a contract with F.D. Lawrence for an amount not to exceed \$110,000, to provide the lighting fixtures and materials associated with the upgrades, and Section II authorizes a contract with Rigling Electric for an amount not to exceed \$75,000 for the related installation services.

The 2008 Final Budget provides funding to complete the installation of new lights on Fields 2, 3, and 4 at the Sports Center, and the Recreation Administration is requesting Council waive formal bidding procedures for the project, as was granted in prior phases. The type of sports lighting being used is a proprietary item that matches lights currently utilized on Crosley Field. The use of this style of lights allows the City to not have to replace its existing light poles. The other brands of sports lighting that would have been acceptable would have required the removal of our existing light poles, and the installation of new metal light standards. Using our existing poles, which the vendor has indicated has many years of life remaining, represents a significant cost savings for the City. In addition, the benefit of consistency by using the same installers for all phases of the project is highly desirable due to that contractor’s familiarity with the Sports Center site as well as with the intricacies of the existing systems. The City has been working with both vendors for many years and is very satisfied with their work and product.

Please refer questions regarding this project or ordinance to the Parks & Recreation Director.

9.a.2. Ordinance No. 2008-13 - Authorizing purchase of grounds maintenance equipment from the State’s bid list

Ordinance No. 2008-13 authorizes the purchase of equipment budgeted for the Parks Maintenance Division to be purchased through the State of Ohio’s Cooperative Bidding program. The first item proposed for purchase is a track mini skid steer loader (Bobcat), which is offered through the State’s bid list of \$20,845.37. This equipment will replace an existing unit, planned for relocation to the Golf Maintenance operations.

The second piece of equipment is a trencher/vibratory plow offered through the State’s program for an amount of \$32,535.23. The plan is to trade in an existing 1998 trencher unit with an expected \$6,500 value, resulting in a net cost for this trencher approximately \$26,036.

The equipment offered through the State’s bid list is through a single vendor – Vermeer of Southern Ohio, and the ordinance authorizes a not to exceed amount for both purchases \$47,000, net of trade. Both pieces of equipment were included within the 2008 Final Budget.

Please direct questions regarding this ordinance to the Parks & Recreation Director

9.b.1. Ordinance No. 2008-14 - Authorizing contract for professional inspection and code inspection services

Ordinance No. 2008-14 authorizes a contract for professional services with National Inspection Corporation (NIC) to continue to perform the services described below (overseen by the Community Development Division). The arrangement with NIC first began in early 2004, and the following represents a continuation of proposed fees for two years beginning February 13, 2008 (as is outlined in Section I of the ordinance):

For building permit plan review and inspection services:

- 90% of the fees collected by the City of Blue Ash relating to building permit issuances; and
- Emergency inspections: not to exceed \$75 per hour; and
- \$100 per hour for the second and subsequent appearance on any judicial proceeding involving issues from the performance of these permit-related services.

Previous contracts with NIC also included Code Enforcement services. However, NIC is no longer involved with this aspect of the Community Development Division. Council may recall that beginning early in 2007, Rich Dole was reassigned to the Community Development Division from the Service Department and now performs Code Enforcement in-house for the City.

Please direct questions regarding this ordinance to the Assistant Community Development Director or

the City Manager."

Parks & Recreation Committee, Lee Czerwonka, Chairperson

Councilman Czerwonka asked the Clerk to read Ordinance No. 2008-12 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2008-12

AUTHORIZING THE PURCHASE AND INSTALLATION OF PROFESSIONAL ELECTRICAL SERVICES AND RELATED EQUIPMENT TO ACCOMMODATE UPGRADED ELECTRIC SERVICE TO PORTIONS OF THE BLUE ASH SPORTS CENTER; 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 Stoller, Sumner, Weber, Stacey, Czerwonka, Bryan, and Mayor Buckman voted yes. Seven yeases. Motion carried.

Councilman Czerwonka moved, Councilman Bryan seconded to adopt Ordinance No. 2008-12. There being no discussion, the Clerk called the roll. Councilpersons Sumner, Weber, Stacey, Czerwonka, Bryan, Stoller, and Mayor Buckman voted yes. Seven yeases. Ordinance No. 2008-12 passed.

Councilman Czerwonka asked the Clerk to read Ordinance No. 2008-13 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2008-13

AUTHORIZING PURCHASES OF GROUNDS MAINTENANCE EQUIPMENT UTILIZING THE STATE OF OHIO'S STATE PURCHASING PROGRAM THROUGH VERMEER OF SOUTHERN OHIO, INC. FOR AN AMOUNT, LESS TRADE, NOT TO EXCEED \$47,000; 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 Weber, Stacey, Czerwonka, Bryan, Stoller, Sumner, and Mayor Buckman voted yes. Seven yeases. Motion carried.

Councilman Czerwonka moved, Councilwoman Stoller seconded to adopt Ordinance No. 2008-13. There being no discussion, the Clerk called the roll. Councilpersons Stacey, Czerwonka, Bryan, Stoller, Sumner, Weber, and Mayor Buckman voted yes. Seven yeases. Ordinance No. 2008-13 passed.

Planning & Zoning Committee, James W. Sumner, Chairperson

Councilman Sumner asked the Clerk of Council to read Ordinance No. 2008-14 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2008-14

AUTHORIZING THE CITY MANAGER TO ENTER INTO A MULTI-YEAR CONTRACT FOR PROFESSIONAL INSPECTION AND CODE ENFORCEMENT SERVICES WITH NATIONAL INSPECTION CORPORATION (NIC); AND DECLARING AN EMERGENCY

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

Councilman Sumner moved, Councilman Bryan seconded to adopt Ordinance No. 2008-14. There being no discussion, the Clerk called the roll. Councilpersons Bryan, Stoller, Sumner, Weber, Stacey, Czerwonka, and Mayor Buckman voted yes. Seven yeases. Ordinance No. 2008-14 passed.

MISCELLANEOUS BUSINESS

Parks & Recreation Director Chuck Funk commented that bids for Phase II of the Recreation Center renovation and expansion project will be advertised next week, with a bid opening planned for February 22nd, and recommended bid awards to Council on February 28th. The Phase I contractors are in the process of installing the firewall, which will take an estimated six weeks.

City Manager David Waltz commented that since the last meeting, the Administration was advised that two Council members would not be able to attend a February 14th work session, as previously established. After some discussion, it was determined that Monday, February 4th, at 7:30PM would be an acceptable time for all Council to be present for this work session. Councilman Sumner moved, Councilman Bryan seconded to cancel the previously established work session on February 14th and to reschedule such for Monday, February 4th, at 7:30PM. A voice vote was taken. All members voted yes. Motion carried.

Mr. Waltz commented that the Blue Ash/Hunt Road project is scheduled to begin next week. There will be times when portions of the road will be closed; however, the closures will be phased as the project moves from the south to the north.

Deputy Solicitor Bryan Pacheco commented on recent rulings at the Court of Appeals level that appear to support the concept of Home Rule, most recently in a ruling relating to residency requirements of local government employees.

In addressing questions from Councilwoman Stoller, Mr. Waltz commented that it is his understanding (based upon the initial proposal) that about 500 citizens would be included in the survey, and that the subject of a recent meeting with State Senator Bill Seitz was the potential future Performing Arts and Conference Center (PACC).

Councilman Sumner commented that in regards to the search for funds for a future PACC, the Hamilton County Commissioners in mid February will be making another decision about the flow down of the hotel tax revenues in the County. Councilman Sumner commented that Mr. Waltz has been very effective in keeping this subject in front of the Commissioners and clarifying Blue Ash's position regarding this matter.

Councilman Sumner commented that he is pleased to see the additional funds in the budget for the Hunt House restoration, now estimated to be about \$77,000. A more precise cost figure will be available once bids are received.

ADJOURNMENT

All items on the agenda having been acted upon, Councilman Sumner moved, Vice Mayor Weber seconded to adjourn the meeting. A voice vote was taken. All members voted yes. The Council meeting was adjourned at approximately 7:20PM.

Robert J. Buckman, Jr., Mayor

Jamie K. Eifert, Clerk of Council

MINUTES WRITTEN BY:

Susan K. Bennett, Deputy Clerk of Council