

BLUE ASH CITY COUNCIL

July 10, 2008

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A regular meeting of the Council of the City of Blue Ash, Ohio, was held on July 10, 2008. Mayor Robert J. Buckman, Jr. called the meeting to order in Council Chambers at 7:02 PM.

OPENING CEREMONIES

Mayor Buckman asked Boy Scout John Stucker from Troup 258 to lead those assembled in the Pledge of Allegiance. John is working on his citizenship and community badge.

ROLL CALL

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

ALSO PRESENT: City Manager David Waltz, Solicitor Mark Vander Laan, Deputy Clerk of Council Sue Bennett, Treasurer/Administrative Services Director James Pfeffer, Parks & Recreation Director Chuck Funk, Public Works Director Mike Duncan, Fire Captain Greg Preece, Assistant to the City Manager Kelly Osler, member of the press, and interested citizens

PUBLIC HEARING – 7:00PM – Consideration of the 2009 Tax Budget

The Clerk of Council was asked to read Resolution No. 2008-9 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2008-9

A RESOLUTION ADOPTING A 2009 TAX BUDGET

(With Treasurer Jim Pfeffer unavoidably out of the Chambers addressing City business during this part of the meeting, Council moved to the next public hearing subject, returning to the 2009 Tax budget later.)

PUBLIC HEARING – 7:05PM – Consideration of a special use permit for the Park Manor development to allow a townhouse development and change in density (Ordinance No. 2008-39)

The Clerk of Council was asked to read Ordinance no. 2008-39 in its entirety:

THEN WAS PRESENTED AND READ IN ITS ENTIRETY:

ORDINANCE NO. 2008-39

APPROVING A SPECIAL USE PERMIT FOR THE PARK MANOR DEVELOPMENT (NORTH OF COOPER ROAD, EAST OF MONROE AVENUE, AND WEST OF COOPER LANE) UNDER CHAPTER 1149, R-3 RESIDENTIAL DISTRICT, AND CHAPTER 1183, SPECIAL USE REGULATIONS, TO ALLOW A TOWNHOUSE DEVELOPMENT AND ALLOW A CHANGE IN THE DENSITY OF THE RESIDENTIAL DEVELOPMENT FROM A TOTAL OF 42 UNITS ORIGINALLY APPROVED TO A TOTAL OF 71 UNITS

Mr. Allen Albanese of Kurlemann Custom Building Group was present to address this project. He explained that the Planning Commission reviewed the project and potential development changes several weeks ago, and offered their approval. He reviewed colored renderings (on display for the Council and public), explaining the differences between what was previously approved for the development and what is being proposed. He explained the outside architecture has similar design elements as the original proposal, and the building footprints are essentially the same. Parking for buildings and individual units is now being

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proposed in basement levels. Prior plans showed parking at grade level in the rear. He explained that the proposed living units will be one level, vs. the two-story previously proposed units. Elevators will also be included in the buildings to access those units on the second level.

In addressing questions from Council, Mr. Albanese commented that the parking ratios are greater than or equal to the parking accommodations included in the previous plans. Covered porches in the rear of the buildings (facing each other) are also included, along with landscaping to help create private areas for the covered porches. In addition to the parking in the lower level, storage closets, as well as elevator access, will also be included in that level.

There being no further questions or comments from Council or the public, this public hearing was declared closed at approximately 7:12PM.

In returning to the previous public hearing subject of the 2009 Tax Budget, and addressing questions from Council, Treasurer Jim Pfeffer explained that this process is required by the State for the upcoming fiscal year. It provides an early opportunity to take a look at the general revenues and expenses expected in 2009. The City is required to return this information to Hamilton County. Mr. Pfeffer commented that the process involved with preparing this 2009 Tax Budget does not substitute the budget-related work traditionally completed during the fall – a process which involves much more detailed analysis.

There being no further question or comment from Council or the public regarding the Tax Budget, this public hearing was closed at approximately 7:15PM.

Mayor Buckman appointed Kelly Osler to read the legislation in its entirety in the rear of Council Chambers.

ACCEPTANCE OF AGENDA

Councilman Sumner 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. PUBLIC HEARING – 7:00PM – Consideration of the 2009 Tax Budget

5. PUBLIC HEARING – 7:05PM – Consideration of a special use permit for the Park Manor development to allow a townhouse development and change in density (Ordinance No. 2008-39)

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

7. ACCEPTANCE OF AGENDA

8. APPROVAL OF MINUTES

a. Regular Meeting of June 12, 2008

9. COMMUNICATIONS

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

b. Reports From Outside Agencies

c. Mayor's Report – June 2008 – Honorable Robert J. Buckman, Jr.

d. Financial Report – Motion to accept the report for June 2008

10. HEARINGS FROM CITIZENS

11. COMMITTEE REPORTS

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

1. Ordinance No. 2008-39, granting a special permit for the Park Manor development to allow a townhouse development and change in density

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- b. Finance & Administration Committee, Rick Bryan, Chairperson
 - 1. Resolution No. 2008-9, approving the 2009 Tax Budget
 - 2. Ordinance No. 2008-40, transferring funds
 - 3. Ordinance No. 2008-41, authorizing a contract with a housing consultant
 - 4. Motion authorizing payment of expenses associated with Council attendance at the National League of Cities Conference in November
- c. Public Works Committee, Henry S. Stacey, Chairperson
 - 1. Ordinance No. 2008-42, amending Ordinance No. 2008-7 regarding the Blue Ash/Hunt Roads improvement project
 - 2. Ordinance No. 2008-43, awarding bid for 2008 paving program

12. MISCELLANEOUS BUSINESS

13. EXECUTIVE SESSION – Potential Litigation, Property Acquisition, & Personnel Employment Matters

14. ADJOURNMENT”

APPROVAL OF MINUTES

Councilman Bryan moved, Councilman Stacey seconded to approve the minutes of the regular meeting of June 12, 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

There were no representatives from outside agencies in attendance at the meeting.

Mayor's Report – June 2008

RECEIPTS:

Fines	\$ 14,432.00
Bonds & BMV fees carried over	\$500.00
Interest Earned.....	\$0.41
Bonds collected.....	\$ 0
TOTAL RECEIPTS:.....	\$ 14,932.41

DISBURSEMENTS:

To Blue Ash (fines/costs/interest/Expungements/forfeitures)	\$10,730.41
To the State of OH.....	\$3,702.00
Refund of Overpaid Fines	\$0.00
Bond Money applied.....	\$495.00
Bond Money returned	\$ 5.00
BMV	\$0.00
TOTAL DISBURSEMENTS	\$14,932.41

BALANCE IN BONDS:\$ 0

Mayor's Court traffic citations 132

Mayor's Court criminal citations 13

Total Mayor's Court cases 145

June revenues from Mayor's Ct. Cases:.....\$10,730.41

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Financial Report – June 2008

Councilman Bryan moved, Councilman Stacey seconded to accept the Financial Report for June 2008 as submitted. A voice vote was taken. All members present voted yes. Motion carried.

CITY OF BLUE ASH FINANCIAL POSITION STATEMENT MONTH ENDING JUNE 30, 2008

MONTH TO DATE	2007	2008
START OF MONTH FUND BALANCE: 6-1-08	\$16,397,673.19	\$28,099,929.92
Revenues:		
Earnings Tax Collections:	2,006,015.83	2,217,746.74
Debt Financing (long term)	0	0
Debt Financing (short term)	0	0
Other Revenue Received:	823,975.32	1,787,674.23
= Total Monthly Receipts	2,829,991.15	4,005,420.97
Expenditures:		
Bond Retirement	0	1,000,000.00
Short term debt refinancing	0	0
Other Expenditures:	2,649,905.30	4,397,744.80
= Total Monthly Expenditures:	-2,649,905.30	-5,397,744.80
END OF MONTH FUND BALANCE: 6-30-08	16,577,759.04	26,707,606.09
YEAR TO DATE	2007	2008
START OF YEAR FUND BALANCE:	17,286,456.32	24,395,221.48
Revenues:		
Earnings Tax Collections:	13,689,283.58	15,901,071.38
Debt Financing (long term)	0	0
Debt Financing (short term)	0	0
Other Revenue Received:	5,734,460.34	6,849,996.70
= Total Monthly Receipts	19,423,743.92	22,751,068.08
Expenditures:		
Bond Retirement	0	1,000,000.00
Short term debt refinancing	0	0
Other Expenditures:	20,132,441.20	19,438,683.47
= Total Monthly Expenditures:	-20,132,441.20	-20,438,683.47
YTD FUND BALANCE:	16,577,759.04	26,707,606.09

100% of the fund balance was invested as of 6/30/08. Interest paid to date on matured investments: \$404,225.14. Receipt and expenditure figures do not include interfund transfers.

**BLUE ASH INCOME TAX DIVISION INCOME TAX RECEIPT SUMMARY -
FOR MONTH ENDING JUNE 30, 2008**

MONTH-TO-DATE STATUS	2007	2008
Business Net Profit	287,401.09	282,743.15
Resident Net Profit	46,720.52	68,725.08
Non-Resident Net Profit	14,816.13	17,183.07
Subcontractor Net Profit	(933.43)	2,452.77
Net Profit Total	348,004.31	371,104.07
Withholding	1,634,450.22	1,826,726.49
Subcontractor Withholding	23,561.30	19,916.18
Withholding Total	1,658,011.52	1,846,642.67
Monthly Collection Totals	2,006,015.83	2,217,746.74
YEAR-TO-DATE STATUS	2007	2008
Business Net Profit	1,714,876.33	2,751,365.44
Resident Net Profit	577,557.06	630,366.33
Non-Resident Net Profit	154,498.05	164,116.45
Subcontractor Net Profit	44,622.29	42,292.46
Net Profit Total	2,491,553.73	3,588,140.68
Withholding	10,947,126.39	12,068,256.78
Subcontractor Withholding	20,603.46	244,673.92
Withholding Total	11,197,729.85	12,312,930.70
YTD Collection Totals	13,689,283.58	15,901,071.38
YTD Refund Totals	1,170,428.88	679,402.09

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HEARINGS FROM CITIZENS

Peter Nord, 10527 Kenridge Drive, an enthusiast and participant in the Cincinnati Opera, invited Council to the Opera's next dress rehearsal scheduled for Monday, July 14, at 5:45PM, including a behind-the-stage tour. Dr. Nord commented that he was at a Council meeting when the Performing Arts & Conference Center was being discussed, and had since invited Council (via mail) to a previous dress rehearsal, which some attended. Mayor Buckman commented that he and his wife attended last night's dress rehearsal and enjoyed themselves very much.

Dr. Nord asked about the Blue Ash Road project and the possibility of improving the "Y" corner at Blue Ash/Ronald Reagan access ramps to better allow large trucks carrying steel (which frequent his business, Schauer Manufacturing) to maneuver the turn. Public Works Director Mike Duncan confirmed that the project includes redesign of both islands at Blue Ash/Ronald Reagan access ramps to accommodate such traffic movement.

Larry Montag, 4819 Cooper Road, commented favorably on the potential downtown project. He remarked that the future park near the airport would be a very appropriate location for the Veterans Memorial and expressed his opinion that it is not important where the Memorial is, since wherever it is will represent the respect and the freedom we have as Americans. Mr. Montag commented that in his opinion, the potential development will help create a sense of place in downtown. He concluded by complimenting Council on their efforts to prepare Blue Ash for the future.

Jim Meyers, 9588 Linfield Drive, commented that he believes Blue Ash is a great town and complimented the leadership for bringing Blue Ash to where it is today. He has lived in Blue Ash about two years, and came here from Florida to retire. He has six children (including two adopted children), and grandchildren, and commended Blue Ash on its strong belief in family. He has lived in many places across the country, and is also a veteran. He applauded Blue Ash on its extraordinary Veterans Memorial, and remarked that he learned about the ordinance currently under controversy (2008-32) while in the park. He commented that redevelopment in downtown is desired by citizens; however, not on the proposed site. He spoke to the current friction between citizens and Blue Ash on this controversial potential development, and stated that he has learned that 4.6% would like to read more about it or simply do not like what is being proposed. He mentioned that the citizen survey conducted earlier this year by the City showed that 67% of citizens favor redevelopment; however, not on the specific parcel being proposed. He commented that citizens have met with area land owners of property where redevelopment would be desired and that it is their intent is to try to get together with the City Manager, land owner, and developer in a concerted effort to develop downtown land other than Towne Square and the Veterans Memorial. He also encouraged the City to survey citizens on the current proposition before moving forward, given the strong emotional ties to the property being suggested for redevelopment.

Hearings from Citizens was declared closed at approximately 7:37 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 topics included on the July 10th Council agenda:

11.a.1. Ordinance No. 2008-39 - Granting a special permit for the Park Manor development to allow a townhouse development and change in density

The City is in receipt of a request from the developer of the Park Manor residential development (north of Cooper, east of Monroe, and west of Cooper Lane) for a special use permit seeking approval of a townhouse development and a change in the project's density.

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Park Manor was approved by Council as a large-scale residential development in November 2005. That plan included a total of 42 units in 12 buildings (three to five units each). To date, four of the buildings have been constructed, containing a total of 15 units. The proposed plan doubles the number of units in seven of the eight remaining buildings, resulting in a total of 71 units in the entire development.

The proposed general site layout does not change significantly from the approved design, except that access to the six-space parking area near the corner of Cooper Road and Cooper Lane would be from Cooper Lane, rather than from the internal drive system. The internal connectivity would be altered because of the need to access the parking garages below grade. The exterior of the buildings retain an architectural appearance similar to the development approved in late 2005. The building footprints are deeper to accommodate the necessary dimensions for the parking garages. Each of the new buildings would have parking in the basement and two stories above ground. Each unit is on the same level, accessible by stairs or elevator.

The proposed increase in density is the only change that would have an effect on the adjacent public roads. The additional 29 living units will likely generate more traffic, although the smaller units may also result in fewer people per household, and perhaps with fewer vehicles. Even with additional vehicles, the impact on adjacent streets is minimal and can be accommodated by the existing public infrastructure.

The project was reviewed and unanimously approved by the Planning Commission at its June meeting, and the City staff also recommends approval of the application. The overall layout of the project, the architectural quality, and its close proximity to downtown remain in step with the City's plans relative to the revitalization of downtown. The proposed density increase should also contribute more people to the explicit desire for more life-on-the-street in this area adjacent to downtown.

A representative from the applicant is expected to be in attendance at the meeting to address questions from Council or the public during the public hearing. Please address questions regarding this project to Dan Johnson, Assistant Community Development Director, at 745-8528, or djohnson@blueash.com.

11.b.1. Resolution No. 2008-9 - Approving the 2009 Tax Budget

In keeping with the requirements of the State of Ohio and the Hamilton County Auditor's Office, it is necessary for the City of Blue Ash to prepare a Tax Budget for 2009.

A number of years ago, the outcome of this process would have been utilized by Hamilton County to apportion how much of the State-funded Local Government Fund each of the entities would have received. That allocation process is now governed by an alternative formula directing the distribution of these funds with no Tax Budget involvement. Hamilton County still requires the annual preparation of a Tax Budget, as the financial information contained within each budget is utilized by the Hamilton County Auditor's Office (Budget & Settlement Division) to assure that cities, villages, and townships are planning appropriately for the upcoming year, and that the revenue and expenditure projections are within reasonable limits based upon the information available at the time the budget is prepared.

As required, a legal notice appeared on June 20th advertising the availability of the Tax Budget for public inspection, and a public hearing regarding the Tax Budget will occur towards the beginning of the July 10th Council meeting. Following acceptance of the Budget by City Council, certified copies must be delivered to the County no later than July 20th. Although this process is of some benefit to the City in defining the broad parameters anticipated for the upcoming year, the Tax Budget process does not serve as a substitute for the more detailed Proposed Budget effort in the fall.

A copy of the 2009 Tax Budget is included in Council packets. The format is determined by the County Auditor's Office, and includes actual performance or historical data for the accounting years 2006 and 2007. The estimates used for 2008 generally match the City's adopted 2008 Final Budget, with some adjustments necessary as to earnings tax collections.

The Tax Budget reflects that the City will have an estimated General Fund balance of \$8,326,015 (a carryover from the end of 2008 into 2009), thus serving as a source of revenue in the upcoming year. (This total includes all reserves in the General Fund.)

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The 2009 Tax Budget reflects an estimated 4% increase for combined net-profit and withholding earnings tax collections over budgeted 2008 levels. Most other revenue items were determined utilizing information from the County and/or historical collection performance. Other General Fund revenue information is presented on page 3 of the Tax Budget.

It is important to note that the Tax Budget process has certain limitations that reduce its value as a tool for projecting 2009 financial activity. While the 2006 and 2007 values are actual numbers, usage of the Final Budget numbers in the 2008 column carries with it a number of complexities related to projecting the year-end fund balance that would be available for use in 2009. For example, the 2008 Budget is based upon collecting exactly the amounts shown as revenue, and expending all of the funds that were budgeted in January 2008. Traditionally, the City collects more revenue than it budgets, and spends less than the amounts provided within the expenditure side of the equation. The end result at 12/31/08 would provide a substantial "boost" to the general fund balance over that which was anticipated when the Budget was presented. By preparing the Tax Budget in the required format, these traditionally-available general fund balances are not reflected, which limits funding for many of the projects and capital items that are expected to be shown in the 2009 Proposed Budget in the fall.

While the capital component of the Tax Budget, as presented, does include funding for basic capital, including cruiser and vehicle replacements, etc., as well as approximately \$325,000 for sidewalks and bikepaths, funds for paving, inclusion of the next airport land payment, and some architectural and engineering funding for the clubhouse project – it does not address the broad range of objectives that the Administration tracks and plans to include in the fall budget.

The 2009 Tax Budget reflects an estimated starting General Fund balance of \$8.3 million, revenues based upon a likely projection of earnings tax collections in 2009, as well as reasonable estimates for other revenues and expenditures during the year. The Tax Budget shows estimated reserves at the end of 2009 of \$2,100,000 in the general reserve, and \$7,344,675 in our capital, or "Issue 15," related reserve.

We understand that consideration is being given at the State level to eliminate the requirement of the annual Tax Budget, given the reduction in value of that process related to the distribution of local government funds at the State and County level.

Please direct questions regarding the Tax Budget to the Treasurer.

11.b.2. Ordinance No. 2008-40 - Transferring funds

Several items need to be addressed via transfer ordinance at this time. They are summarized on an attachment to Ordinance No. 2008-40, representing a transfer within the "street" fund #221 (SCMR), additional appropriations for street lights in Fund #221, and funding to replace a copier/printer in the Recreation Department.

In the Street, Construction, Maintenance & Repair (SCMR) Fund #221, the Public Works Director has requested a shift of \$20,000 already appropriated in the traffic signalization study area be spent in the capital area for traffic signal improvements. This existing 2008 funding will be better utilized making further conversions in the City's existing traffic signals to the LED (light emitting diode) systems that use less electricity than conventional signal systems, and which can be kept running by a battery backup, or UPS, system in the event of a power outage. The Public Works Director would utilize these funds, coupled with resources already contained within the Budget for such efforts, to make the LED conversions and thus provide for the backup capability that exists with this newer technology. As nearly everyone has experienced, loss of power, which is clearly an inconvenience or problem for residents and businesses, immediately creates a monumental traffic problem within the City of Blue Ash if our traffic signals are non-operational. LED conversions, and the survivability that the battery backup provides, could keep traffic moving easily even when the power remains off for an hour or more.

The Public Works Director indicates that improvements are targeted for the signal systems where Glendale-Milford intersects with Reed Hartman Highway and Kenwood Road, possibly Reed Hartman Highway and Cooper, and the Peppermill/Plainfield/Reed Hartman Highway light system.

The second item within the SCMR area involves a supplementary funding requirement of \$8,000 related to maintenance of street lights for which the City of Blue Ash is responsible. The Facilities Maintenance area, which handles this work cooperatively with the Service Department, had a number of underground street light systems that required substantial work so far during 2008, and this funding is necessary at this time.

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Finally, an additional allocation of \$10,000 is required within the General Government technology capital area to provide for a replacement copier/printer for the Recreation Center. The current unit is seven years old, with over 600,000 copies on it, and it has been having problems almost on a daily basis. Because this unit is operating beyond its expected useful life, the Technology Officer is recommending a replacement copier that will accommodate their current needs, and which will also be satisfactory when the new building opens next year.

Please direct questions regarding the transfer to the Treasurer.

11.b.3. Ordinance No. 2008-41 - Authorizing a contract with a housing consultant

Request for Proposals (RFP's) were recently solicited for a professional assessment of the Blue Ash housing market, including its housing stock and residential neighborhoods. The assessment seeks methods for improvements in areas such as encouraging investment in existing structures, infill strategies, and redevelopment options.

A total of 44 RFP packages were requested by interested consultants, and the City received 11 proposals. Members of the Administration and the Community Development Office closely reviewed all proposals, narrowed down and interviewed a selected few thereafter, and are recommending that a contract be authorized with Gruen Gruen + Associates for a total project cost not to exceed \$40,000 (includes funds for reimbursable expenses, such as printing/reproduction costs, etc.). This firm specializes in economic analysis, and its representatives estimate that this project's duration is approximately four to six months from inception. Their research and recommendations will be based upon extensive interviews, market analysis, teardown and rental reviews, as well as prediction of future direction of neighborhoods. It is anticipated that later this year (or early next year) the firm will formally present their findings and recommendations at a Council meeting.

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

11.b.4. Motion authorizing payment of expenses associated with Council attendance at the National League of Cities Conference in November

With the Mayor's planned attendance at this year's National League of Cities Conference in November, it would be in line with past tradition and in accordance with audit guidelines for a formal Council motion authorizing related expenses.

Please direct questions regarding this motion to the Mayor or Treasurer.

11.c.1. Ordinance No. 2008-42 - Amending Ordinance No. 2008-7 regarding the Blue Ash/Hunt Roads improvement project

The Blue Ash and Hunt Road Improvements project was bid in December 2007, awarded via passage of Ordinance No. 2008-7 in January, and is scheduled to be completed by November 30, 2008. The first change order ordinance was adopted by Council in April via Ordinance No. 2008-26.

Much of the work involves completely replacing the roadway with a new asphalt road. The Ohio Department of Transportation (ODOT) provides for an adjustment to asphalt prices when the cost of the liquid portion of asphalt concrete, called asphalt binder, changes either up or down by five percent or more. By ODOT providing this price adjustment in Section 401.20 of the Construction and Material Specifications, contractors do not need to increase their bid amounts for asphalt as a means to hedge against price increases. The City of Blue Ash follows ODOT specifications for street work, including the section for asphalt price adjustments.

Due to the huge increases in the cost of oil, asphalt prices have risen significantly since the bidding of the project in December. Accordingly, the project contractor, CJ&L Construction Inc., is eligible for an adjustment to the changes in asphalt prices that could not be anticipated at the time of bid. Using the ODOT standard method for computing the price adjustment, the current cost increase to the contract is \$97,932.14, based on the asphalt quantities in the contract and the June 2008 index for asphalt binder. This increase in the asphalt cost is an eligible expense for the project's ten year, interest-free OPWC loan.

If oil prices continue to escalate, asphalt prices will continue to rise and project costs will also continue to increase for the asphalt portion of the project. It is likely that additional adjustments or change orders may be presented to Council for consideration in coming months to address the remaining portions of this project.

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Ordinance No. 2008-42 authorizes an additional line item to address the effect of escalating oil prices on the cost of asphalt. The ordinance adds Item 144 for an additional amount not to exceed \$97,932.14.

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

11.c.2. Ordinance No. 2008-43 - Awarding bid for 2008 paving program

In an effort to stretch our paving dollars and extend the "life" of our streets, the 2008 Street Program will shift to a preventive maintenance strategy. Preventive maintenance focuses on pavement preservation techniques such as crack sealing and microsurfacing. Streets to be crack sealed are Cooper Road (Reed Hartman to Blue Ash Road), Hunt Road (Ronald Reagan access to West), Deerfield Road (both sides of Cornell intersection), Millington Court, McKinley Road, Williamson Road, and Mohler Road. Streets to receive microsurfacing, including crack sealing, are Williamson Road, Kenwood Road (south of Ronald Reagan), Reed Hartman (Cooper to Plainfield), and portions of Mohler Road. In addition to preventive maintenance, Reed Hartman from Glendale- Milford to 900' north of Creek Road will be rehabilitated by grinding 2" off the surface and replacing it with new asphalt.

Due to overall cost increases in the pavement contract prices, three alternate items will not be awarded.

Plans and specs for this year's program were developed by CDS. The project was advertised in the **Northeast Suburban Life Press** on Wednesday, June 18, 2008 and bids were publicly opened and read aloud on Wednesday, July 2. Bids were received from Barrett Paving Materials Inc. and the John R. Jurgensen Company, both of which met all requirements. The bids were reviewed by the Public Works Director and staff. It is recommended that the award be made to Barrett Paving Materials Inc.

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

Planning & Zoning Committee, James W. Sumner, Chairperson

Councilman Sumner asked the Clerk of Council to read Ordinance No. 2008-39 by title only (it having been read in full during the public hearing).

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2008-39

APPROVING A SPECIAL USE PERMIT FOR THE PARK MANOR DEVELOPMENT (NORTH OF COOPER ROAD, EAST OF MONROE AVENUE, AND WEST OF COOPER LANE) UNDER CHAPTER 1149, R-3 RESIDENTIAL DISTRICT, AND CHAPTER 1183, SPECIAL USE REGULATIONS, TO ALLOW A TOWNHOUSE DEVELOPMENT AND ALLOW A CHANGE IN THE DENSITY OF THE RESIDENTIAL DEVELOPMENT FROM A TOTAL OF 42 UNITS ORIGINALLY APPROVED TO A TOTAL OF 71 UNITS

Councilman Sumner 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 Sumner moved, Councilwoman Stoller seconded to adopt Ordinance No. 2008-39. 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. 2008-39 passed.

Finance & Administration Committee, Rick Bryan, Chairperson

The Clerk of Council was asked to read Resolution No. 2008-9 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

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RESOLUTION NO. 2008-9

A RESOLUTION ADOPTING A 2009 TAX BUDGET

Councilman Bryan moved, Councilman Stacey seconded to adopt Resolution No. 2008-9. There being no discussion, the Clerk called the roll. Councilpersons Weber, Stacey, Czerwonka, Bryan, Stoller, Sumner, and Mayor Buckman voted yes. Seven yeses. Resolution No. 2008-9 passed.

Councilman Bryan asked the Clerk to read Ordinance No. 2008-40 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2008-40

PROVIDING FOR THE TRANSFER OF FUNDS AND AMENDMENTS WITHIN THE ANNUAL APPROPRIATION ORDINANCE NO. 2008-3 FOR THE YEAR 2008 (AS SHOWN ON ATTACHMENT); AND DECLARING AN EMERGENCY

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

Councilman Bryan moved, Councilwoman Stoller seconded to adopt Ordinance No. 2008-40. There being no discussion, the Clerk called the roll. Councilpersons Czerwonka, Bryan, Stoller, Sumner, Weber, Stacey, and Mayor Buckman voted yes. Seven yeses. Ordinance No. 2008-40 passed.

Councilman Bryan asked the Clerk to read Ordinance No. 2008-41 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2008-41

AUTHORIZING A CONTRACT FOR PROFESSIONAL HOUSING ASSESSMENT CONSULTATION SERVICES WITH GRUEN GRUEN + ASSOCIATES; AND DECLARING AN EMERGENCY

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

Councilman Bryan moved, Councilwoman Stoller seconded to adopt Ordinance No. 2008-41. In addressing a question from Vice Mayor Weber, City Manager David Waltz confirmed that a Request for Proposals (RFP) process was completed in conjunction with these professional services (which are not required to be formally bid). This process assures competitive results. In addressing a question from Councilman Bryan, Mr. Waltz estimated the study will take approximately six months to complete. There being no further discussion, the Clerk called the roll. Councilpersons Stoller, Sumner, Weber, Stacey, Czerwonka, Bryan, and Mayor Buckman voted yes. Seven yeses. Ordinance No. 2008-41 passed.

Councilman Bryan moved, Councilwoman Stoller seconded to authorize payment of expenses associated with Council attendance at the National League of Cities Conference in November. A voice vote was taken. All members voted yes. Motion carried. In addressing a question from Councilman Sumner, it was confirmed that Mayor Buckman plans to attend this conference.

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Public Works Committee, Henry S. Stacey, Chairperson

Councilman Stacey asked the Clerk to read Ordinance No. 2008-42 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2008-42

AMENDING ORDINANCE NO. 2008-7 RELATED TO THE BLUE ASH AND HUNT ROAD IMPROVEMENTS PROJECT FOR A SUPPLEMENTAL LINE ITEM TO ADDRESS RISING ASPHALT PRICES AS FURTHER DESCRIBED BELOW; AND DECLARING AN EMERGENCY

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

Councilman Stacey moved, Councilman Bryan seconded to adopt Ordinance No. 2008-42. In addressing a question from Councilman Stacey, Public Works Director Mike Duncan confirmed that it is reasonable for Council to expect an additional change order associated with this project in the future due to rising oil costs. He explained that to assure contractor's don't overly inflate bids to account for unknown or unexpected fuel price increases, ODOT has in their Construction and Material specifications (which Blue Ash follows) a provision that allows for adjustment when the cost of asphalt binder, the liquid portion of asphalt concrete, changes either up or down by 5% or more. In addressing a question from Mayor Buckman, Mr. Duncan commented that the paving contractors will soon move to the Arcadia subdivision to finish up that work, and then will move back to the Floral Avenue neighborhood. There being no further discussion, the Clerk called the roll. Councilpersons Weber, Stacey, Czerwonka, Bryan, Stoller, Sumner, and Mayor Buckman voted yes. Seven yeases. Ordinance No. 2008-42 passed.

The Clerk was asked to read Ordinance No. 2008-43 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2008-43

AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR THE 2008 STREET PROGRAM FOR THE UNIT PRICES AS SHOWN ON THE ATTACHED BID SUMMARY; AND DECLARING AN EMERGENCY

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

Councilman Stacey moved, Councilwoman Stoller seconded to adopt Ordinance No. 2008-43. In addressing a question from Councilman Stacey, Mr. Duncan commented that not exercising the three alternates which are not being recommended at this time will not degrade the overall quality of the paving work planned. Project coordinators plan to delay micro-surfacing of three streets until next year; however, these streets will still get sealed. Mr. Duncan plans to give a brief presentation later this meeting that may be helpful in explaining this pavement management concept. There being no further discussion, the Clerk called the roll. Councilpersons Czerwonka, Bryan, Stoller, Sumner, Weber, Stacey, and Mayor Buckman voted yes. Seven yeases. Ordinance No. 2008-43 passed.

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MISCELLANEOUS BUSINESS

Public Works Director Mike Duncan gave a brief update on Blue Ash Road. Next week, the contractors will be installing new curb and sidewalk at the south end. Beginning next weekend and for four days (July 19 – 22) the southern end of Blue Ash Road will be completely closed, from Alpine Avenue to the southern corporation limit. During this period, the road will be completely torn out (July 19 and 20) and then repaved (July 21 and 22).

Afterwards, this portion of Blue Ash Road will be completely done, and the contractor will move next to the Hunt Road area of this project in an attempt to get that complicated section done prior to the beginning of the start of school in late August.

City Manager David Waltz referred to a memo included in packets regarding an abatement request involving various housing projects. He suggested that the housing consultant include recommendations associated with this request in their study, and Council expressed no objections.

Mr. Waltz commented that the Administration is looking at long-term fleet management issues, especially given the exorbitant fuel prices, and will report to Council in the future on potential ways to control costs.

Mr. Waltz commented that planning efforts continue towards the Golf Course improvements. The team has been working with the architect and they expect that this fall, additional information and recommendations will likely be presented to Council.

Mr. Waltz, in addressing the potential downtown project, emphasized that the public land has not been sold and that Miller-Valentine does not own it, and may never own it. He reiterated that these details have not yet been resolved, and that the overall process is still in its infancy. In addition, the City has not tried to “slip by” actions past citizens – the fact is that some answers are just not known, and there are still many steps yet to go in this ongoing process. He commented that over the next month or so, he plans to engage an in-house citizen group, comprised of a variety of citizens representing different interests, to assist with narrowing down a conceptual design for a potential new Memorial. He also suggested that perhaps some sort of tribute in downtown may be recommended, denoting the original location of the Memorial should it be relocated. Additional concepts this group may be asked to look at, in addition to design concepts of a new Memorial, could be how to handle moving of the inscribed bricks and statues, potential additional enhancements at a new site, etc. Mr. Waltz mentioned that this suggested process would be similar to what the City did with the Clock-bell millennium project (formation of a committee) in order to determine which Americans would be honored on the panels.

Councilman Bryan commented that he thought the formation of an advisory committee of residents to offer advice and counsel on options for the Veterans Memorial (assuming it would move from downtown) would be an excellent idea. Councilman Stacey suggested that it may be helpful to define specific direction for the group.

Public Works Director Mike Duncan gave a brief PowerPoint slide presentation to Council regarding the concept of transportation planning. Highlights of that presentation are summarized below:

- In regards to the overall movement of cars and trucks, traffic signal coordination (of which Blue Ash currently has four systems), allows blocks of traffic to keep moving without being stopped. Roadway improvements and continual study of traffic issues in downtown and affected by park development near the airport are already being considered.
- In recent years, City engineers looked at the Reed Hartman Highway/Plainfield corridor. Improvements suggested in conjunction with this study include the addition of a southbound turn lane at Carver Road, extension of an additional southbound lane from Georgetown to Peppermill, and widening of Malsbary at Reed Hartman.

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- In regards to walking and bicycling, Blue Ash is already committed to improving connectivity, including additional sidewalks/bikepaths among neighborhoods to major destinations and parks in Blue Ash (such as downtown, the Recreation Center, future park near the airport, Sports Center, and schools). Mr. Duncan is also looking closely at a “safe routes to schools” program, intended to improve routes leading to schools and methods to encourage walking or biking by students and parents. Mr. Duncan would like to propose an RFP process to hire a consultant to assist with the improvement of overall walking and bicycling ability in Blue Ash. In addressing a question from Vice Mayor Weber, Mr. Duncan confirmed that the City has involved the Sycamore Community Schools in the “safe routes to schools” discussion.
- In regards to bus transit, Mr. Duncan commented that there are currently three SORTA transit routes in Blue Ash. Route 3/3X runs through downtown Blue Ash to Cincinnati and Montgomery; Route 4 runs from Raymond Walters to Kenwood, Norwood, and Cincinnati; and Route 66/67 operates from Reed Hartman from Reed Hartman/Pfeiffer to Sharonville and Cincinnati, an express route utilizing I-71 and I-75. He would like to have transit stops improved, including additional/improved signage and shelters at selected stops. Additional park and ride lots may also be suggested in the long term.
- In regards to rail transit, Mr. Duncan commented that such possibility may only happen in the very long term, perhaps 15 to 20 years. If light rail in the Greater Cincinnati area comes to pass, the tracks in Blue Ash would be utilized.
- In conclusion, the concept of long-term transportation planning includes review of all potential modes of transportation with the goal of providing the public alternatives, as a supplement to the need for individual cars.

Mr. Duncan spoke briefly regarding concepts involved with pavement management, including the concept of “preservation versus reconstruction.” Overall, the goal of effective preventative maintenance for pavement surfaces is to apply the right treatment to the right pavement at the right time. This strategy can go a long way to stretch a community’s pavement budget. A pavement management program utilizing micropaving concepts emphasizes preservation rather than replacement.

Councilman Stacey commented that his inaugural First Suburbs meeting is set for July 30th. His intent is to give Council a brief report after each of these quarterly meetings.

Councilman Czerwonka complimented the City on the July 4th event and fireworks display.

Councilman Bryan commented that it seems there have been more traffic lights (bulbs) out recently, as he frequently reports to the City when he observes them. Mr. Duncan commented that the plan to upgrade signals to the LED lights should reduce the occurrence of lights out substantially since the LED lights last significantly longer and use less energy. He mentioned that the Cooper/Reed Hartman Highway intersection lights were replaced with LED this past week. He also mentioned that another benefit of these lights is that they allow the use of battery backup, thereby reducing occasions of signal outages.

EXECUTIVE SESSION

After all items on the agenda were acted upon, Councilman Bryan moved, Councilwoman Stoller seconded to convene an Executive Session to discuss matters pertaining to property acquisition, potential litigation, and personnel employment matters. The Clerk called the roll. Councilpersons Bryan, Stoller, Sumner, Weber, Stacey, Councilman Czerwonka, and Mayor Buckman voted yes. Seven yeases. Motion carried.

After matters pertaining to property acquisition, potential litigation, and personnel employment matters were discussed, Councilman Bryan moved, Vice Mayor Weber seconded to convene to the regular meeting. A voice vote was taken. All Council members voted yes. Motion carried.

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ADJOURNMENT

All items on the agenda having been acted upon, Councilman Czerwonka 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 9:40PM.

Robert J. Buckman, Jr., Mayor

Jamie K. Eifert, Clerk of Council

MINUTES WRITTEN BY:

Susan K. Bennett, Deputy Clerk of Council