

BLUE ASH CITY COUNCIL

October 22, 2009

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A regular meeting of the Council of the City of Blue Ash, Ohio, was held on October 22, 2009. Mayor Robert J. Buckman, Jr. called the meeting to order in Council Chambers at 7:00 PM.

OPENING CEREMONIES

Mayor Buckman asked Sycamore High School teacher Kevin Wittman to lead those assembled in the Pledge of Allegiance.

ROLL CALL

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

MEMBER ABSENT: Councilman James Sumner

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

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, Public Works Director Mike Duncan, Fire Chief Rick Brown, Human Resources Officer Margaret Main, Assistant to the City Manager Kelly Osler, German High School students from Ilmenau, Germany, and interested citizens

Mayor Buckman appointed Margaret Main to read the legislation (ordinances) in their entirety in the rear of Council Chambers.

ACCEPTANCE OF AGENDA

Councilman Bryan moved, Vice Mayor Weber 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 October 8, 2009

7. COMMUNICATIONS

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

b. Reports From Outside Agencies

c. Mayor's Report – September 2009 – Honorable Robert J. Buckman, Jr.

d. Financial Report – Motion to accept the report for September 2009

8. HEARINGS FROM CITIZENS

9. COMMITTEE REPORTS

a. Finance & Administration Committee, Rick Bryan, Chairperson

1. Ordinance No. 2009-62, transferring funds

2. Ordinance No. 2009-61, authorizing collective bargaining agreement with the International Association of Fire Fighters (Local 3203)

b. Public Works Committee, Thomas C. Adamec, Chairperson

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- 1. Ordinance No. 2009-63, amending Ordinance No. 2009-45 regarding the 2009 sidewalk program
- 10. MISCELLANEOUS BUSINESS
- 11. Golf Clubhouse & Banquet Facility Discussion
- 12. ADJOURNMENT"

APPROVAL OF MINUTES

Councilman Czerwonka moved, Vice Mayor Weber seconded to approve the minutes of the regular meeting of October 8, 2009. A voice vote was taken. All members present voted yes. Motion carried.

COMMUNICATIONS

Communications to Council

There were two liquor permit requests received:

TO: Lehigh Gas Ohio LLC, DBA BP AM PM, 6151 Pfeiffer Road & gas pumps, 45242
 PERMIT #: 50989340080
 TYPE: TRFO
 PERMIT CLASSES: C1 C2
 FROM: BP Products North America Inc., DBA BP 8753, 6151 Pfeiffer Road & gas pumps, 45242
 PERMIT #: 08984678753
 TYPE: NA
 PERMIT CLASSES: C1 C2

TO: Ohio CVS Stores LLC, DBA CVS Pharmacy 6097, 9525 Kenwood Road, Suite 1, 45242
 PERMIT #:65172420240
 TYPE: TRFO
 PERMIT CLASSES: C1 C2
 FROM: Hook SuperX LLC, DBA CVS Pharmacy 6097, 9525 Kenwood Road, Suite 1, 45242
 PERMIT #: 39606750305
 TYPE: NA
 PERMIT CLASSES: C1 C2

The Police Department has reviewed both permits and has no objections. Council expressed no objections to either permit request.

Reports From Outside Agencies

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

Mayor's Report – September 2009

RECEIPTS:

Fines	\$ 16,062.03
Vendor Permits	\$90.00
Bonds & BMV fees carried over	\$29.00
Bonds collected	\$ 389.00
TOTAL RECEIPTS:	\$16,570.03

DISBURSEMENTS:

To Blue Ash (fines/costs/interest/Expungements/forfeitures).....	\$10,543.00
To the State of OH:	
Victims of Crime	1,323.00
General Rev Fund.....	\$2,113.00
Indigent Defense Support fund.....	\$660.00
Drug Law Enforcement Fund	\$448.80
Justice Program Service Fund	\$13.20
Indigent Driver's Alcohol Treat't Fund.....	\$198.00
Seat Belts	\$660.00
Refund of overpaid fines	\$243.03
Bond Money applied.....	\$203.00

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Bond Money returned	\$0
BMV.....	\$0
TOTAL DISBURSEMENTS	\$16,405.03

BALANCE IN BONDS:	\$	165.00
Mayor's Court traffic citations		171
Mayor's Court criminal citations		23
Total Mayor's Court cases		194
Sept. revenues from Mayor's Ct. Cases:	\$10,543.00	

Financial Report – September 2009

Councilwoman Stoller moved, Councilman Bryan seconded to accept the Financial Report for September 2009 as submitted. A voice vote was taken. All members present voted yes. Motion carried.

CITY OF BLUE ASH FINANCIAL POSITION STATEMENT- MONTH ENDING SEPTEMBER 30, 2009

MONTH TO DATE	2008	2009
START OF MONTH FUND BALANCE: 9-1-09	\$27,893,003.91	\$22,835,349.36
<u>Revenues:</u>		
Earnings Tax Collections:	2,468,383.14	1,889,354.05
Debt Financing (long term)	0	0
Debt Financing (short term)	0	0
Other Revenue Received:	942,461.76	1,103,593.64
= Total Monthly Receipts	3,410,844.90	2,992,947.69
<u>Expenditures:</u>		
Bond Retirement	0	0
Short term debt refinancing	0	0
Other Expenditures:	3,425,379.23	2,521,364.65
= Total Monthly Expenditures:	-3,425,379.23	-2,521,364.65
END OF MONTH FUND BALANCE: 9-30-09	27,878,469.58	\$23,306,932.40
YEAR TO DATE	2008	2009
START OF MONTH FUND BALANCE: 9-1-09	24,395,221.48	21,919,948.20
<u>Revenues:</u>		
Earnings Tax Collections:	23,045,821.77	22,183,021.60
Debt Financing (long term)	0	0
Debt Financing (short term)	0	0
Other Revenue Received:	10,639,913.45	10,532,568.84
= Total YTD Receipts	33,685,735.22	32,715,590.44
<u>Expenditures:</u>		
Bond Retirement	1,000,000.00	1,000,000.00
Short term debt refinancing	0	0
Other Expenditures:	29,202,487.12	30,328,606.24
= Total YTD Expenditures:	-30,202,487.12	-31,328,606.24
YEAR-TO-DATE FUND BALANCE:	27,878,469.58	23,306,932.40

100% of the fund balance was invested as of 9/30/09. Interest paid to date on matured investments: \$76,813.84. Receipt and expenditure figures do not include interfund transfers.

BLUE ASH INCOME TAX DIV. INCOME TAX RECEIPT SUMMARY - MONTH ENDING JULY 31, 2009

MONTH-TO-DATE STATUS	2008	2009
Business Net Profit	625,996.49	319,766.48
Resident Net Profit	48,321.90	44,968.98
Non-Resident Net Profit	18,276.27	11,375.33
Subcontractor Net Profit	13,394.26	3,028.21
Net Profit Total	705,988.92	379,139.00
Withholding	1,740,229.16	1,499,747.13
Subcontractor Withholding	22,165.06	10,467.92
Withholding Total	1,762,394.22	1,510,215.05
Monthly Collection Totals	2,468,383.14	1,889,354.05 (-23.46%)

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YEAR TO DATE STATUS

Business Net Profit	4,142,780.99	3,934,554.90	
Resident Net Profit	815,133.68	809,373.21	
Non-Resident Net Profit	221,897.04	205,403.73	
Subcontractor Net Profit	57,175.87	38,797.03	
Net Profit Total		5,236,987.58	4,988,128.87
Withholding	\$17,443,428.58	16,903,575.68	
Subcontractor Withholding	365,405.61	291,317.05	
Withholding Total		17,808,834.19	17,194,892.73
YTD Collection Totals		23,045,821.77	22,183,021.60 (-3.74%)
YTD Refund Totals		<u>788,056.76</u>	<u>1,081,091.29 (37.18%)</u>

HEARINGS FROM CITIZENS

Mr. Bruce Healey of Carpenter’s Green Lane asked a question of Councilman Bryan. Mr. Healey commented that it is his understanding that one of the trustees of The Wellness Community is an executive with the developer Miller-Valentine, who the City was working with on the potential downtown development involving relocation of the Veterans Memorial. He asked that if this is true, in the future, would Councilman Bryan excuse himself from voting if there is a conflict of interest.

Councilman Bryan thanked Mr. Healey for his question. Councilman Bryan explained that he is the Executive Director of The Wellness Community, a non-profit, cancer supportive agency for those suffering with cancer, as well as their family members and caregivers. All of the services provided by The Wellness Community (TWC) are free of charge; no funds are provided by United Way, the government, or any other source other than TWC’s generous benefactors who have contributed directly. Annual donations are in the \$800,000 range. Primary methods of raising monies include their consignment shop in Hyde Park (“Legacies” - about 15% of TWC’s revenues); and various fund raising efforts such as their Riverfest Fireworks event, traditional gala, and other smaller fundraising events held through the year, such as a recent event held by All Saints football supporters. The Wellness Community has 37 Board members whose function it is to provide strategic leadership, fiduciary overview, and assistance in fundraising. He added that almost every large corporation in the Cincinnati area is represented on the Board, including Kroger, Fifth Third Bank, Miller-Valentine, Time Warner Cable, and many more. When the potential of the downtown development involving Miller-Valentine first presented itself, and before a first meeting was ever held with that developer, Councilman Bryan talked with the City’s Solicitor at Dinsmore & Shohl. He posed the question as to whether or not having a board member presented a conflict of interest in his situation. It was legal counsel’s opinion that having a board member (1 of 37) does not create a conflict. Councilman Bryan relied on Mr. Vander Laan’s legal opinion and advice, and further explained that it was Mr. Vander Laan’s opinion that a board member performing as a non-paid volunteer does not create a conflict. Councilman Bryan commented that his position with TWC, and the names of the Board members of his organization are not secret. The organization and its events are often featured in news stories in the local newspapers, including the *Northeast Suburban Life*. In addressing a comment/question from Mr. Healey, Councilman Bryan confirmed that if it were determined that there was a conflict of interest, he would not vote on such issues.

Kimberly Reese, 4461 Leslie Avenue, commented that she recently viewed the City’s promotional video via the City’s website. In addressing a question from Ms. Reese, City Manager David Waltz confirmed that the video expense was not specifically approved by Council in the form of an ordinance since it did not cost over \$25,000, the current ordinance threshold. The video was produced by DSC Consulting. Ms. Reese briefly noted some experience she has with events she has assisted with that promote diversity, including events at the Sycamore Schools. She suggested that the City consider producing an event celebrating Blue Ash’s rich culture and diversity, and she volunteered to assist the City with that effort.

Peter Nord of Kenridge Drive suggested that the City consider utilizing the talent at the University of Cincinnati related to the themes, designs, and appearance to be considered on the streetscaping plans that were discussed at the previous meeting in regards to downtown.

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He suggested that if a design prize were offered, such as \$5,000, that the City would likely receive quality ideas. He urged the City to consider this idea also for design that may be considered at the airport property.

In tonight's audience there are approximately 20 visitors from Blue Ash's Sister City, Ilmenau, Germany, including 15 students from two of Ilmenau's high schools, along with 3 high school teachers and a Principal. The Principal of one of the Ilmenau high schools commented that it is a pleasure for him, the teachers, and the students to be here in Blue Ash, and they are enjoying their visit. Everyone has offered a warm greeting and has made them feel very welcome. He also expressed greetings from Ilmenau's Oberbuergermeister Gerd-Michael Seeber.

City Manager Waltz provided a brief overview of the Sister City program, including describing its major goals: educational, cultural exchange, and business exchange. He added that in addition to this current exchange involving Ursuline Academy & Sycamore High, Raymond Walters College has for several years been coordinating exchanges between UC/RWC and the Ilmenau Technical University, a very prestigious engineering university in Germany. The students here this evening are being hosted by families of Ursuline and Sycamore students. Blue Ash's only expense associated with this exchange was to arrange for a historical tour of the Cincinnati area, and this evening's dinner at the clubhouse. The next general delegation from Ilmenau is scheduled to visit Blue Ash in September 2010.

Hearings from Citizens was declared closed at approximately 7:27PM.

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 October 22 Council agenda:

9.a.1. Ordinance No. 2009-62 - Transferring funds

Although the attachment to transfer Ordinance No. 2009-62 appears lengthy and complex, in essence it addresses only three issues that need to be done to align our appropriations at this time.

The first issue involves additional revenue and expenditure appropriations with the fund prefix "282" which relate to the second year of the City's administration of the OVI grant. As Council may recall, the City of Blue Ash Police Department is the administering agency for the OVI (Operating a Vehicle While Impaired) program, and last year the grant was administered under Fund No. 281. Since the grant year does not align with our accounting year (the grant is awarded under the federal fiscal year), we need alternating funds separating the grant revenues and expenses. In this transfer, \$60,000 in revenue and expense is appropriated in the new fund to take care of the October and November activity of the OVI team.

The second item involves a request from the Facilities Maintenance Superintendent to shift \$48,000 from the maintenance of facilities account in the General Fund to operating supplies in Facilities Maintenance. It is difficult to predict a year ahead which projects will be done by outside contractors (and those which will be handled in-house) through the purchase of supplies and materials.

All of the other items listed on the attachment can be attributed to the City's shift from the existing Humana high-deductible health insurance plan to a similar plan provided through UnitedHealthCare effective November 1, 2009. Last year, the change from a traditional plan to a high-deductible plan was implemented along with the creation of a health reimbursement account (HRA), as well as a flexible spending account (FSA) which together could be utilized by employees for pre-tax payment of eligible medical expenses and deductibles. Similar accommodations were included about this time last year to address the need for pre-funding FSA's as well as the City's HRA, which represented the City's contribution relating to the high-deductible plan.

Beginning with the health insurance plan year of November 1, 2009, the intent is to switch to a qualified high-deductible plan through UnitedHealthCare, the elimination of the HRA, but a "renewal" of the FSA and the introduction of a new health savings account (HSA) that provides a number of very beneficial attributes to assist employees and the City in managing overall health insurance costs.

The accommodations reflected on the attachment provide for funding the renewal FSA in advance of the necessary availability date of November 1, 2009, recognizing advances to, and revenue within, the FSA Fund No. 902 for the coming year, and also reflects related expenditures in those areas.

Because the actual "life" of a FSA extends for 15 months (3 months beyond the end of the plan year), it is necessary for the City to maintain both Funds 901 and 902 for the remainder of this year and to include them in the Budget for 2010.

It is interesting to note that the overall impact of this transfer ordinance results in a net increase in the current funding availability within the City's "land bank" account in Community Development. A

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reservation of funds had existed at the beginning of 2009 for the City's potential purchase of the residential dwelling behind the old Incahoots location on Prospect Avenue. Given that negotiations for the acquisition of that property have proved unsuccessful, closing the purchase order "liberated" \$145,000 of 2008 funding in the "land bank" area, a portion of which was used to accommodate the health insurance adjustments reflected on the attachment. The net impact will be an increase of almost \$50,000 in the "land bank" account, following favorable consideration of this transfer by City Council.

Please direct questions related to this transfer or the health insurance change to the Treasurer.

9.a.2. Ordinance No. 2009-61 - Authorizing collective bargaining agreement with the International Association of Fire Fighters (Local 3203)

The City entered into labor negotiations with the IAFF Firefighters in late February 2009. An impasse was reached in the negotiations effort in April 2009 and subsequently both parties agreed to engage in the factfinding process. Factfinding was completed in a 12-hour session on August 27, 2009. In the resulting report, factfinder Molly Bower's found overwhelmingly in favor of the City's position. The IAFF Firefighters did review the report and have voted to accept her findings. Therefore, both parties have agreed (subject to Council's approval) to changes in the collective bargaining agreement as outlined below. Of particular note are the changes in the insurance clause and wages.

- References to "Assistant City Manager" were removed and replaced with "City Manager or designee."
- All references to "employee" were changed to "firefighter" and the contract was made gender neutral throughout.
- **Article 15 Layoff and Recall** language was revised to increase notice time for employees from 10 days advance notice to 30 days advance notice for long-term layoff; from "as soon as possible" to 5 days to for short-term layoff; layoff by seniority rather than classification within the bargaining unit; part-time employees may be recalled from a layoff only if all full-time firefighters refuse to go to part-time status.
- **Article 17 Work Period and Overtime** revised to reduce notice from 5 days to 3 days that employees are required to give when requesting use of compensatory time.
- **Article 19 Wages and Compensation** changed to reflect a 2.5% wage increase for 2009 and 2010; and 2011. This increase will be retroactive to February 22, 2009.
- **Article 20 Working Out of Classification** revised to clarify that employees on overtime will not be eligible for shift supervisor assignment (no pyramiding of overtime with shift premium).
- **Article 21 Trades** was amended to increase the flexibility of trades – reducing minimum trade hours from at least 6 hours to increments of 4 hours; reducing submission requirements for weekend trades; and reducing notice time for all trades from 12 hours to 6 hours.
- **Article 22 Special Events** was changed to remove Airport Days as an event eligible for the provisions of this Article. Additionally, clarification was made that 40 hour work week employees qualify for a rate of 1 ½ regular rate of pay for hours worked outside of their normally scheduled shift.
- **Article 24 Longevity** was amended to increase longevity from \$4.00 per month to \$5.00 per month of eligible service making the Longevity Article consistent with the City of Blue Ash Code of Ordinances for non-bargaining unit staff.
- **Article 25 Insurance** was revised to reflect the health insurance provisions in place for all other bargaining units and non-bargaining employees. Specifically, the City will pay the same percentage of monthly premium for Firefighters as it does for all other non-bargaining unit employees; the employee's share of the premium will not exceed 5% in the first year: 7.5% in the second year: 10 % in the third year of the agreement; the Employer will offer an IRS 125 plan allowing employees to make premium contributions with pre-tax dollars; a second health plan will also be offered with no premium expense at a cost to the City which will not exceed 105% of the City's premium cost for the first plan; \$2000 available annually, paid on a monthly basis, for those who opt out of health coverage through Blue Ash and show proof of coverage elsewhere.
- **Article 28 Holidays** was amended to allow Firefighters eligibility for overtime for all actual hours worked, rather than capping them at 12 hours of overtime per Holiday. Additionally, this issue was clarified for employees who are assigned to a 40 hour work week. Such employees will receive a paid leave of absence for the Holidays listed in Article 27, rather than being eligible for Holiday pay.
- **Article 28 Vacation** was revised in regards to the timeframe to submit a vacation leave request which was reduced from (10) ten days to (5) five days.
- **Article 29 Sick Leave** was amended to reflect the existing language in the Blue Ash Code of Ordinances regarding sick leave payouts upon retirement of non-bargaining unit employees. The new language states that upon retirement with less than (12) twelve years of full-time service with the City of Blue Ash, a Firefighter will be eligible for (2) two hours of pay for every (8) eight hours of unused sick leave (not to exceed 960 hours). Conversely upon retirement with (12) twelve years or more full-time service with the City of Blue Ash, a Firefighter will be eligible for (3) three hours of pay for every (8) eight hours of unused sick leave (not to exceed

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960 hours). Grandchildren were added to the Funeral Leave section of the Article. Finally, the amount of approved donated sick leave that can be received per employee was reduced from 2080 hours to 1380 hours to make it consistent with the Code of Ordinances as well.

- **Article 33 Light Duty** was revised to replace “disability” with “work restrictions” and clarified that employees who receive a light duty assignment will be paid according to the schedule to which they are assigned. Furthermore, the City would be under no obligation to create light duty assignments.
- **Article 38 Fair Share Fees** was added to the agreement and is standard language in such contracts. It allows the union to charge prorated union dues (fair share fees) to members who are not with the IAFF.
- **Fire Inspector Memo of Understanding (MOU)** respective to the duties of an Inspector as well as the provisions for the 40 hour work week to which an Inspector is assigned, will be attached to the agreement and followed for the three year duration of this contract.
- The effective date of the new contract is expected to be October 22, 2009, with only the wages component being retroactive to February 22, 2009.

Dinsmore’s labor specialists are currently working on a few “language clarifications” with our HR team and the attorney for the IAFF, and we should be able to E-mail the Agreement to Council on Wednesday. Please direct questions regarding this ordinance to the Treasurer or the Human Resources Officer at 745-8530 (or via e-mail to mmain@blueash.com).

9.b.1. Ordinance No. 2009-63 - Amending Ordinance No. 2009-45 regarding the 2009 sidewalk program

City Council awarded the 2009 Sidewalk Project to Adleta Construction on August 13, 2009, via passage of Ordinance No. 2009-45, for an amount based on unit quantity estimates of \$337,025.50. Under this contract, new sidewalks and Americans with Disabilities Act (ADA) ramps will be constructed on Creek Road and Mohler Road and at the intersections of Cooper Road/Plainfield Road and Hunt Road/Plainfield Road. The construction is currently underway and is scheduled to be completed by November 30, 2009.

In an effort to further the City’s connectivity goals and extending sidewalks to areas not currently served by sidewalks, the change order addressed in Ordinance No. 2009-63 adds a new 8-foot sidewalk, curb and gutter, and ADA ramps on Plainfield Road from Glendale Milford Road to Foxhollow Drive. Additionally, changes will be made to two intersections to better facilitate pedestrians crossing the roadway. The Reed Hartman Highway/Cornell Road intersection will be modified to add a crosswalk on the west side of the intersection with appropriate ADA ramps. The Reed Hartman Highway/Peppermill Lane/Plainfield Road intersection will be modified to move the crosswalk from the south side of the intersection to the north side to alleviate some of the conflicts created by motorists turning right from Plainfield Road. Finally, some ADA ramps on Creek Road that do not meet City standards will be replaced. The estimated total cost of this first change order is \$148,656.25, and is within the overall budget for the 2009 Sidewalk Program.

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

Finance & Administration Committee, Rick Bryan, Chairperson

Councilman Bryan asked the Clerk to read Ordinance No. 2009-62 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2009-62

PROVIDING FOR THE TRANSFER OF FUNDS AND
AMENDMENTS WITHIN THE ANNUAL APPROPRIATION
ORDINANCE NO. 2009-3 FOR THE YEAR 2009 (AS SHOWN
ON ATTACHMENT); AND DECLARING AN EMERGENCY

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

Councilman Bryan moved, Councilman Czerwonka seconded to adopt Ordinance No. 2009-62. There being no discussion, the Clerk called the roll. Councilpersons Weber, Adamec, Czerwonka, Bryan, Stoller, and Mayor Buckman voted yes. Six yeases. Ordinance No. 2009-62 passed.

Councilman Bryan asked the Clerk to read Ordinance No. 2009-61 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2009-61

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AUTHORIZING THE CITY MANAGER TO ENTER INTO A MULTI-YEAR COLLECTIVE BARGAINING AGREEMENT WITH I.A.F.F. LOCAL 3203 FIREFIGHTER UNIT; AMENDING SEC. 131.07- 2(d) OF CHAPTER 131 OF THE BLUE ASH CODE OF ORDINANCES; AMENDING SEC. 133.18 (d) OF CHAPTER 133 OF THE BLUE ASH CODE OF ORDINANCES; AND DECLARING AN EMERGENCY

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

Councilman Bryan moved, Vice Mayor Weber seconded to adopt Ordinance No. 2009-61. In addressing a question from Councilman Adamec, City Manager Waltz briefly described the customary collective bargaining negotiation process. If negotiations reach an impasse, the next step is to engage in the fact finding process via the State Employee Relations Board (SERB), as was the case with this contract. If the decision of the factfinder is not accepted by both parties (the City and the IAFF), then the next step would be binding arbitration. In the case of this contract, both the City and IAFF accepted the factfinding report. The three-year contract provides for annual 2.5% wage increases, as well as the requirement of the employees to be subject to the same health insurance plans offered to other eligible employees. There being no further discussion, the Clerk called the roll. Councilpersons Adamec, Czerwonka, Bryan, Stoller, Weber, and Mayor Buckman voted yes. Six yeses. Ordinance No. 2009-61 passed.

Public Works Committee, Thomas C. Adamec, Chairperson

Councilman Adamec asked the Clerk to read Ordinance No. 2009-63 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2009-63

AMENDING ORDINANCE NO. 2009-45 RELATED TO THE 2009 SIDEWALK PROGRAM FOR SUPPLEMENTAL ITEMS AS SHOWN ON THE ATTACHMENTS TO THIS ORDINANCE; AND DECLARING AN EMERGENCY

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

Councilman Adamec moved, Councilwoman Stoller seconded to adopt Ordinance No. 2009-63. In addressing a question from Vice Mayor Weber, Public Works Director Mike Duncan commented that when the sidewalk program was awarded earlier this year, final design work had not been completed on the sidewalk/ADA ramps desired for Plainfield Road between Glendale-Milford Road and Foxhollow. The change order before Council this evening adds that work to the current sidewalk contract, as well as improvements to two intersections to facilitate pedestrian crossings: at Reed Hartman/Cornell (to add a crosswalk on the west side of the intersection with ADA ramps) and at Reed Hartman/Peppermill/Plainfield (to move the crosswalk from the south side of the intersection to the north side). City Manager Waltz added that these projects are being recommended in conjunction with the City's continuing overall connectivity goals, including bikepaths/sidewalks connecting neighborhood areas to access the City's recreational and downtown areas, as well as the future airport park. There being no further discussion, the Clerk called the roll. Councilpersons Bryan, Stoller, Weber, Adamec, Czerwonka, and Mayor Buckman voted yes. Six yeses. Ordinance No. 2009-63 passed.

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MISCELLANEOUS BUSINESS

Public Works Director Mike Duncan commented that if the weather holds out, the contractor plans to complete paving on Reed Hartman Highway this evening, and complete striping over the weekend.

Golf Clubhouse & Banquet Facility Discussion

City Manager Waltz introduced Architect Dick Thomas from Steed Hammond Paul, who gave an approximate 30 minute PowerPoint presentation regarding potential design ideas for the future golf clubhouse/banquet project. Highlights of Mr. Thomas's presentation are noted below:

- Development goals of this capital project are to continue the exceptional golfing experience; establish a sustainable banquet facility while maintaining the clubhouse offerings; create a visual impression from Cooper and Plainfield; create a banquet facility that will be the benchmark facility along the I-71 corridor; and provide the opportunity to increase golfing amenities.
- Aerial views of the site plan show the new clubhouse/banquet facility to be built in the approximate same location as the existing clubhouse.
- Mr. Thomas explained that the floor plans (including a main level and a lower level) have remained essentially the same as presented in all previous discussions. Seating for the main level outdoor is 152, main level indoor is 304, making total main level seating capacity of 456. Areas within the upper level can be separated for smaller gatherings as well.
- Lower level outdoor seating is shown at 36, lower level indoor seating at 82, making total lower level seating at 118.
- Sustainability refers to aspects of the projects featuring site strategies, water efficiencies, and energy efficiency strategies.
 - Examples of sustainable site strategies include storm water management through bio retention strategies, reduction of heat islands through light colored roofing and paving systems, and light pollution reduction through controlled exterior lighting.
 - Examples of water efficiency strategies noted were clubhouse irrigation water reductions through application of native plant species and water use reduction through fixture and equipment selections.
 - Examples of energy efficiency strategies, materials & materials management strategies, & indoor environmental air quality strategies were also briefly noted.
- Two design alternatives were presented, both considered traditional – however, one design features a “formal/proper” type design, and the other features a “natural or informal” type design. Various sketches and schematics were shown depicting these designs, and models were shown later in the presentation.
- The formal design idea features a more “finished” interior, such as crown moulding, and the informal design featured more natural wood, stone, and glass finishes. Rear views of the clubhouse for each design type were also shown.
- Mr. Thomas estimated that occupancy of a new clubhouse would take approximately 17 months from the time authorization to move forward is received (with a construction period estimated to be 12 months).
- Mr. Thomas noted that project timing may be ideal as the construction market is experiencing aggressive competition, offering favorable pricing. 2010 is projected to be a lean year for new projects given this competitive marketplace. He suggested an optimal bid time for 2010 would be late summer/early fall. He also noted the favorable bond market offering low financing costs.
- Costs for a natural/informal type design are estimated to be \$6.7 to \$7.2 million – cautioning all that this is a conceptual estimate only. This assumes a projected bid in summer 2010. All cost estimates will be verified through the design process working with the Blue Ash project team.

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City Manager Waltz reminded Council that the City delayed certain capital golf course projects, including irrigation and cart path improvements. It is his and the Administration's recommendation that these improvements be incorporated into the clubhouse project, assuming the financing will work out. The project team believes it optimal to limit construction to occur at one time.

Mr. Waltz explained that the architects have also brought with them two three-dimensional table-top type models of the designs presented this evening, and these models were brought to the middle of the Council Chambers. A brief recess was held so Council could view the models (the audience was also invited to get a closer look at the models as well later after the meeting).

Mr. Waltz explained that there will be a point in time where the City will be actively soliciting public comment; however, at this time, he suggested that the Administration spend more time with Council looking at the alternatives presented, and fine-tuning ideas to perhaps incorporate features from both. Overall, he suggested an appropriate time to seek public input may be after the design is a bit more refined. The process would likely parallel the "open house" concept successfully used on the Kenwood Road Improvement project and the Recreation Center renovation and expansion.

In addressing a question from Councilwoman Stoller, Mr. Duncan explained that there is a crosswalk planned across Kenwood at the Fairview intersection (leading to the Keystone Plaza shopping area). He indicated that he would look into the possibility of adding crosswalk striping across the Arcadia neighborhood streets on the east side of Kenwood (crosswalks across the side streets – not across Kenwood Road).

In addressing a question from Councilwoman Stoller, Mr. Waltz commented that he would look into the potential of an alternative "omni-directional" microphone for the center of Council Chambers – one that is not so dependent upon the person talking directly into it.

Vice Mayor Weber commented that two weeks ago, his father passed away. He expressed his sincere thanks for the many cards and kind words expressed during this difficult time. The thoughts and prayers were very much appreciated by Mr. Weber and his family.

Councilman Bryan reminded all of the Veterans Day ceremonies set for Wednesday, November 11, at the Veterans Memorial Park. Ceremonies start at 10:30AM, and should be complete at approximately 11:30AM. He also invited the public to the luncheon planned in the Recreation Center gym after the ceremonies. The lunch will be grilled by volunteers of the Veterans Day committee, and the cost is only \$4. The keynote speaker for the event is Paul Brondhaver, a noted Iraqi veteran who has done much for the veteran cause since his return. The Ohio Military Band will also perform, and there is also a potential of a flyover by the Cincinnati Warbirds.

Mayor Buckman mentioned a kind "thank you" note received from Joan Luebering, the representative from the Hamilton County Libraries who made a brief presentation at the October 8 meeting.

ADJOURNMENT

All items on the agenda having been acted upon, Councilwoman Stoller moved, Councilman Adamec seconded to adjourn the meeting. A voice vote was taken. All members voted yes. The Council meeting was adjourned at approximately 8:25 PM.

Robert J. Buckman, Jr., Mayor

Jamie K. Eifert, Clerk of Council

MINUTES WRITTEN BY:

Susan K. Bennett, Deputy Clerk of Council