

BLUE ASH CITY COUNCIL

February 26, 2009

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A regular meeting of the Council of the City of Blue Ash, Ohio, was held on February 26, 2009. 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, Councilwoman Stephanie Stoller, Councilman James Sumner, and Vice Mayor Mark Weber

*(See "Communications to Council" below relating to Mr. Stacey's absence.)*

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 Chief Rick Brown, Assistant to the City Manager Kelly Osler, member of the press, and interested citizens

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

**ACCEPTANCE OF AGENDA**

Vice Mayor Weber moved, Councilman Bryan seconded to accept the agenda as revised. A voice vote was taken. All members present voted yes. Motion carried.

- "1. MEETING CALLED TO ORDER
2. OPENING CEREMONIES
3. ROLL CALL – Deputy Clerk of Council Susan K. Bennett
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 February 12, 2009
7. COMMUNICATIONS
  - a. Communications to Council – Deputy Clerk of Council Susan K. Bennett
  - b. Reports From Outside Agencies
  - c. Mayor's Report – January 2009 – Honorable Robert J. Buckman, Jr.
  - d. Financial Report – Motion to accept the report for January 2009
8. HEARINGS FROM CITIZENS
9. COMMITTEE REPORTS
  - a. Public Works Committee
    1. Ordinance No. 2009-13, amending Section 521.06 of the Blue Ash Code of Ordinances regarding sidewalks (second reading)
    2. Ordinance No. 2009-15, amending Ordinance No. 2008-7 regarding the Blue Ash/Hunt Roads improvement project

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- b. Planning & Zoning Committee, James W. Sumner, Chairperson
  - 1. Ordinance No. 2009-14, setting an expiration date for the special use permit granted by Ordinance No. 84-14 regarding construction of a sign at 10996 Deerfield Road & repealing Section I(B) of Ordinance No. 83-47 (second reading)
- c. Finance & Administration Committee, Rick Bryan, Chairperson
  - 1. Motion cancelling the regular meeting of April 9, 2009 (as it falls on the Passover holiday)
- d. Parks & Recreation Committee, Lee Czerwonka, Chairperson
  - 1. Ordinance No. 2009-16, authorizing purchase of furnishings for the renovated Recreation Center through the State of Ohio's Cooperative Purchasing Program

10. MISCELLANEOUS BUSINESS

11. ADJOURNMENT"

**APPROVAL OF MINUTES**

Vice Mayor Weber moved, Councilwoman Stoller seconded to approve the minutes of the regular meeting of February 12, 2009. A voice vote was taken. All members present voted yes. Motion carried.

**COMMUNICATIONS**

**Communications to Council**

The following Liquor Permit request was explained to Council:

Permit Number: 90154040025; Type: NEW

TO: Towneplace Management LLC, DBA Towneplace Suites Cincinnati Blue Ash

4650 Cornell Road, Blue Ash, Ohio 45241

The Police Department has no objection to this permit. It was explained that a D5A permit is issued to hotels with 50 or more rooms and the permit allows for on-premise consumption of liquor and sale of beer and wine (on or off premise consumption) until 2:30 AM. There are no area quotas on D5A type permits. No Council member expressed an objection to this permit.

The Deputy Clerk of Council read the following letter addressed to the Mayor received on February 23, 2009 from Henry Stacey:

"Dear Jack,

I regret to inform you that I am resigning my position of Councilman – At Large with the City of Blue Ash as of February 20, 2009. I have recently secured employment which shall preclude me from continuing my service to the City.

It has been a pleasure serving the citizens of Blue Ash these past six years. I strived to place integrity in each decision I made for what I deemed best for the City as a whole. I have the deepest admiration for you and the other members of the Blue Ash City Council. There is no greater public service than to the citizens of your local community. Please extend my heartfelt appreciation to all City Employees on what I perceive to be a continuous "Job Well Done."

I am quite confident that I shall continue to see great accomplishments in Blue Ash for many years to come.

Sincerely,

Henry S. Stacey"

Councilman Sumner moved, Councilwoman Stoller seconded to accept Councilman Stacey's resignation. A voice vote was taken. All members voted yes. Motion carried.

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**Reports From Outside Agencies**

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

**Mayor's Report – January 2009**

RECEIPTS:

Fines .....	\$ 13,350.00
Bonds & BMV fees carried over .....	\$0
Interest Earned .....	\$0.58
Bonds collected .....	\$ 150.00
TOTAL RECEIPTS: .....	\$ 13,350.58

DISBURSEMENTS:

To Blue Ash (fines/costs/interest/Expungements/forfeitures) .....	\$9,492.58
To the State of OH .....	\$3,502.00
Ohio Dept. of Pub Safety (Drug Law Enf. Fnd) .....	\$336.00
Refund of overpaid fines .....	\$20.00
Bond Money applied .....	\$0
Bond Money returned .....	\$0
BMV .....	\$0
TOTAL DISBURSEMENTS .....	\$13,350.58

BALANCE IN BONDS: .....	\$ 0
Mayor's Court traffic citations .....	130
Mayor's Court criminal citations .....	17
Total Mayor's Court cases .....	147
January revenues from Mayor's Ct. Cases: .....	\$9,492.58

**Financial Report – January 2009**

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

***CITY OF BLUE ASH FINANCIAL POSITION STATEMENT- MONTH ENDING JANUARY 31, 2009***

MONTH TO DATE	2008	2009
START OF MONTH FUND BALANCE: 1-1-09	\$24,395,221.48	\$21,919,948.20
<u>Revenues:</u>		
Earnings Tax Collections:	3,008,618.27	2,834,310.10
Debt Financing (long term)	0	0
Debt Financing (short term)	0	0
Other Revenue Received:	466,737.06	775,527.69
= Total Monthly Receipts	3,475,355.33	3,609,837.79
<u>Expenditures:</u>		
Bond Retirement	0	100,000.00
Short term debt refinancing	0	0
Other Expenditures:	3,147,256.72	3,501,224.64
= Total Monthly Expenditures:	-3,147,256.72	-3,501,224.64
END OF MONTH FUND BALANCE: 1-31-09	24,723,320.09	22,028,561.35

100% of the fund balance was invested as of 1/31/09. Interest paid to date on matured investments: \$12,484.77. Receipt and expenditure figures do not include interfund transfers.

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<b>BLUE ASH INCOME TAX DIV. INCOME TAX RECEIPT SUMMARY - MONTH ENDING JAN. 31, 2009</b>			
<b>MONTH-TO-DATE STATUS</b>	<b>2008</b>		<b>2009</b>
Business Net Profit	638,962.02		514,526.01
Resident Net Profit	82,189.74		71,951.27
Non-Resident Net Profit	22,154.45		26,676.27
Subcontractor Net Profit	2,096.38		786.20
Net Profit Total		745,402.59	613,939.75
Withholding	2,193,806.43		2,158,195.94
Subcontractor Withholding	69,409.25		62,174.41
Withholding Total		2,263,215.68	2,220,370.35
Monthly Collection Totals		3,008,618.27	2,834,310.10 (-5.79%)
YTD Refund Totals		22,827.85	\$22,220.89 (-2.66%)

**HEARINGS FROM CITIZENS**

Mr. Shekar Jayaraman, the liaison of the Southwest Ohio Office of the Ohio Secretary of State, introduced himself. He briefly explained the role of the Secretary of State's office and left information and brochures that may be of interest to the public. Mr. Jayaraman also mentioned that he is a 2004 graduate of Sycamore High School.

Mr. Raymond Schneider passed out information to Council relating to an ordinance on tonight's agenda (ref: Ord. 2009-14). Mr. Schneider explained that he is a 21-year resident of Blue Ash and has had his small business in Blue Ash for seven years. He mentioned his business employs approximately 48. Mr. Schneider expressed concern with Council's consideration of Ordinance No. 2009-14 relating to a billboard which he owns and leases. He mentioned that he believes in the spirit of the City's nuisance law; however, he does not believe that his billboard is a nuisance and does not believe that Council can, in good faith, vote on it. Mr. Schneider reviewed sections of Blue Ash's nuisance provisions in the Code and also read from Ordinance No. 2009-14. He commented that he does not believe his billboard is a threat to the health and welfare of Blue Ash, that it is well maintained, and that the sign's neighbors have expressed no objection to the sign. He also reviewed the small booklet that he distributed emphasizing his points and urged that Council not pass this ordinance since his sign is not a nuisance and doing so would take away from his income. (Note: he did not mention his previous commitment to the City to remove this sign.)

Jim Dyer, 5275 Myerdale Drive, complimented the City's efforts on snow removal. Mr. Dyer also talked briefly about the ordinance on tonight's agenda related to sidewalks. He expressed concern that sidewalks are not being cleared. Mr. Dyer also expressed support related to the suggestion of the previous citizen who spoke.

Hearings from Citizens was declared closed at approximately 7:18 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 February 26 Council agenda:

**9.a.1. Ordinance No. 2009-13 - Amending Section 521.06 of the Blue Ash Code of Ordinances regarding sidewalks (second reading)**

Ordinance No. 2009-13, presented to Council at the recommendation of the Solicitor's Office, amends the existing section of the Code (Sec. 521.06) relating to "duty to keep sidewalks in repair and clean." The proposed change within paragraph (a) is: "No owner or occupant of abutting lands shall fail to keep the sidewalks, curbs or gutters in repair and free from snow, ice or any nuisance."

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Council may recall some discussion of this issue several years ago, then recommending a change to the Code which the Administration thought had been handled through one of the several "general" updates to the Code since. However, we recently realized that it had not been incorporated within other general updates. The Solicitor's Office has informed us that this recommended Code change also coincides with civil liability case rulings of the Ohio Supreme Court that indicate that a landowner does not owe a duty to the general public to remove natural accumulations of ice and snow from public sidewalks which abut the landowner's premises, even where a City ordinance requires the landowner to keep the sidewalks free of ice and snow.

Thursday's meeting represents the second reading of this legislation, along with formal vote by Council. Please direct questions regarding this ordinance to the Solicitor.

**9.a.2. Ordinance No. 2009-15 - Amending Ordinance No. 2008-7 regarding the Blue Ash/Hunt Roads improvement project**

Ordinance No. 2009-15 amends Ordinance No. 2008-7 relating to the Blue Ash/Hunt Road improvement project. This change order addresses signage within the ODOT limited access right-of-way which requires specific types of poles and bases that were not included in the original contract. Additionally, the support posts for street name signs will be changed to a square post rather than a channel post to provide a sturdier support for these types of signs. The additional line items to support these changes and some other minor sign changes are described below:

- Ground mounted support, No. 6 Posts, 120 L.F. at \$9 per L.F for a total cost of \$1,080;
- Skip gate breaking system, 8 at \$350 each for a total cost of \$2,800;
- Street name sign support, No. 3 Posts, 120 L.F. at \$10 per L.F for a total cost of \$1,200;
- Sign support assembly, one for a total cost of \$70;
- Removal of ground mounted sign and reinstall three at \$37 each for a total cost of \$111; and
- Removal (and related disposal) of pole mounted sign, two at \$40 each for a total cost of \$80.
- Total cost of this Change Order is \$5,341.

The contractor, CJ&L Construction, is currently completing punch-list items for the Blue Ash Road portion of the project. Work will resume on the Hunt Road portion in the spring with the reconstruction of the roadway to start after the school summer break starts. The project is scheduled for completion by the end of July, 2009. Additionally, Greater Cincinnati Water Works (GCWW) will be replacing the water main under Hunt Road from Plainfield Road to West Avenue, the terminus of the Blue Ash and Hunt Roads Improvements project. Hunt Road will be repaved after the GCWW project is completed, providing a new roadway surface on Hunt Road from Plainfield Road to Blue Ash Road.

Please direct questions regarding this change order to the Public Works Director.

**9.b.1. Ordinance No. 2009-14 - Setting an expiration date for the special use permit granted by Ordinance No. 84-14 regarding construction of a sign at 10996 Deerfield Road & repealing Section I(B) of Ordinance No. 83-47 (second reading)**

The City Solicitor's office has recommended Council passage of legislation related to the court ruling associated with the City's efforts to effectively remove the free-standing "banjo" style sign (i.e., billboard) at 10996 Deerfield Road.

In late October, the Hamilton County, Ohio First District Court of Appeals ruled that the ordinance originally authorizing construction of the sign (Ordinance No. 84-18) is still in effect because the ordinance did not state the special use permit expired in any specific period of time. The City's legal counsel at Dinsmore suggests consideration of Ordinance No. 2009-14 which formally establishes an expiration date of July 1, 2014 associated with the special use.

Thursday's meeting would represent the second reading of this ordinance, along with the final vote by Council. Please direct questions regarding this ordinance to the Solicitor.

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**9.c.1. Motion cancelling the regular meeting of April 9, 2009 (as it falls on the Passover holiday)**

The first regular Council meeting in April this year happens to fall on the Passover holiday (April 9). The Administration recommends that this meeting be cancelled, and formal motion by Council would be appropriate.

Please direct questions regarding this item to the City Manager."

Given a revision to the agenda, a second memo was also provided to Council describing the addition of Ordinance No. 2009-16 to the agenda:

"Since the preparation of Tuesday's packet, the agenda has been amended to add Ordinance No. 2009-16 relating to the purchase of furnishings associated with the Recreation Center expansion and renovation.

Given the potential of the scheduling of a Work Session for one of the March meetings, and given the need to have various furnishings for the Recreation Center in place in May in time for the Memorial Day Weekend summer opening, the Administration hoped Council would be amenable to add this ordinance for Thursday's meeting so as not to delay that process. Ordinance No. 2009-16 authorizes the purchase of needed furnishings through the State of Ohio's Cooperative Purchasing program for an amount not to exceed \$31,500. A local vendor, the Office Furniture Source, offers quality items via the State process at reasonable prices. The amount would include any delivery and/or assembly/set up related work. Examples of items intended to be purchased are summarized below:

- Benches to be placed throughout the Center.
- Furnishings for the family café area, such as tables, stools, seats, etc.
- Furnishings for the front/control desk area (desk/cabinets, etc.)
- Furnishings for the game room.
- Furnishings for the separate pool check-in area.

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

**Public Works Committee**

Given Councilman Stacey's resignation, Councilwoman Stoller was asked to preside over the Public Works Committee.

Councilwoman Stoller asked the Deputy Clerk to read Ordinance No. 2009-13 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2009-13

AMENDING SECTION 521.06 OF THE BLUE ASH CODE OF  
ORDINANCES REGARDING DUTY TO KEEP SIDEWALKS "FREE  
FROM" SNOW AND ICE

This ordinance was read in full at the February 12, 2009 Council meeting. Councilwoman Stoller moved, Councilman Czerwonka seconded to adopt Ordinance No. 2009-13. In addressing a question from Council and the prior comment by a citizen (Mr. Dyer), Solicitor Mark Vander Laan explained that the intent of this ordinance is to "decriminalize" a situation where someone doesn't get their sidewalk cleared of natural accumulations of ice and snow right away as well as to make Blue Ash's Code compliant with State law. An unenforceable provision of the Code is being eliminated. In addressing a comment from Vice Mayor Weber, Mr. Vander Laan confirmed that there may be a potential liability for property owners if they tried to clear natural accumulations and actually, even if unintentionally, made the situation worse (for example, if snow was cleared away and there was ice remaining on the sidewalk, this could create a worse situation than if the snow was not cleared). There being no further discussion, the Deputy Clerk called the roll. Councilpersons Stoller, Sumner, Weber,

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Czerwonka, Bryan, and Mayor Buckman voted yes. Six yeses. Ordinance No. 2009-13 passed.

The Deputy Clerk was asked to read Ordinance No. 2009-15 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2009-15

AMENDING ORDINANCE NO. 2008-7 RELATED TO THE BLUE ASH AND HUNT ROAD IMPROVEMENTS PROJECT FOR SUPPLEMENTAL LINE ITEMS TO ADDRESS MINOR SIGN CHANGES; AND DECLARING AN EMERGENCY

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

Councilwoman Stoller moved, Councilman Czerwonka seconded to adopt Ordinance No. 2009-15. There being no discussion, the Deputy Clerk called the roll. Councilpersons Weber, Czerwonka, Bryan, Stoller, Sumner, and Mayor Buckman voted yes. Six yeses. Ordinance No. 2009-15 passed.

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

Ordinance No. 2009-14 was read in its entirety at the February 12, 2009 Council meeting. (Though the ordinance title was not read at the meeting, it is being included below for reference only.)

ORDINANCE NO. 2009-14

AN ORDINANCE SETTING AN EXPIRATION DATE FOR THE SPECIAL USE PERMIT GRANTED BY ORDINANCE NO. 84-18, ENTITLED "GRANTING A SPECIAL USE PERMIT TO RED ROOF INNS, INC. AND JOSEPH H. GALLENSTEIN & SONS, INC., UNDER SECTION 154.7.307 OF THE COMPREHENSIVE ZONING ORDINANCE FOR CONSTRUCTION OF A SIGN TO BE LOCATED AT 10996 DEERFIELD ROAD; REPEALING SECTION I.(B) OF ORDINANCE NO. 83-47; AND DECLARING AN EMERGENCY."

Councilman Sumner moved, Councilman Czerwonka seconded to table Ordinance No. 2009-14. There being no discussion, the Deputy Clerk called the roll. Councilpersons Czerwonka, Bryan, Stoller, Sumner, Weber, and Mayor Buckman voted yes. Six yeses. Ordinance No. 2009-14 tabled.

**Finance & Administration Committee, Rick Bryan, Chairperson**

Councilman Bryan moved, Councilman Sumner seconded to cancel the regular meeting of April 9, 2009 as it falls on the Passover holiday. A voice vote was taken. All members voted yes. Motion carried.

**Parks & Recreation Committee, Lee Czerwonka, Chairperson**

Councilman Czerwonka asked the Deputy Clerk to read Ordinance No. 2009-16 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

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ORDINANCE NO. 2009-16

AUTHORIZING THE PURCHASE OF FURNISHINGS  
ASSOCIATED WITH THE RECREATION CENTER  
RENOVATION AND EXPANSION PROJECT THROUGH THE  
STATE OF OHIO'S COOPERATIVE PURCHASING  
PROGRAM FOR AN AMOUNT NOT TO EXCEED \$31,500;  
AND DECLARING AN EMERGENCY

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

Councilman Czerwonka moved, Councilwoman Stoller seconded to adopt Ordinance No. 2009-16. There being no discussion, the Deputy Clerk called the roll. Councilpersons Stoller, Sumner, Weber, Czerwonka, Bryan, and Mayor Buckman voted yes. Six yeases. Ordinance No. 2009-16 passed.

**MISCELLANEOUS BUSINESS**

Public Works Director Mike Duncan commented on the City's receipt of an approximate \$16,500 grant from the Hamilton County Solid Waste District to purchase recycling disposal containers for placement in our downtown area. He pointed out a sample of the green can displayed in the back of the Council Chambers. He explained that these recycling containers would be placed next to the City's regular trash receptacles. In response to a question from a citizen, Mr. Duncan confirmed that they are considering the possibility of placing some of these containers also at the Recreation Center.

Parks & Recreation Director Chuck Funk commented that Parks employee Mandi Brock is working with the City of Montgomery and Amberley Village on a cooperative project to host several "how to" sessions relating to green landscaping topics. The sessions, which have been posted on the City's website for several weeks and were included in the Community Newsletter mailed to citizens in December, begin in March, with five of the six being offered at no cost. Each week will feature a different green landscaping workshop and topic.

City Manager David Waltz commented on a memo included in Council packets related to Council's opinion as to which park venue should be utilized for the Tuesday concerts in 2009 -- Towne Square or the Nature Park Amphitheatre. He explained that the Tuesday concerts in 2008 were relocated to Towne Square due to the construction underway at the Recreation Center and the concern for concert patron's safety and convenient access. The 2008 series in downtown at the Square was well attended, with 1,000 additional attendees estimated from the previous year. The original intent was to move the concerts back to the Nature Park in 2009 upon completion of the construction; however, given the success of the 2008 series and given the current economic downturn and the City's desire to see downtown businesses succeed, Council's opinion of which venue should be utilized in 2009 is being sought. Some discussion was had regarding this matter, with highlights summarized:

- Parks & Recreation Director Chuck. Funk mentioned that there would still be events at the Nature Park, such as the East Side Players productions, Heritage Day, and the Halloween Walk in the Woods.
- Councilman Bryan suggested conducting an unscientific poll of Recreation Center visitors. While he favored returning the concerts to the Nature Park, he stated that neither location would be a poor choice.

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- Councilwoman Stoller commented that she would favor the downtown location to bring more people downtown and to help the businesses.
- Councilman Sumner favored keeping the concerts in their traditional Nature Park Amphitheatre location, since that is where the concerts were started. He also mentioned the Nature Park location may be in closer proximity (in walking distance) for more citizens.
- Vice Mayor Weber favored the Towne Square location for the concerts. He believes this location to be best for the City since it will bring more people downtown and help the downtown businesses and restaurants.
- Councilman Bryan suggested that more events on the weekend be considered for the downtown area (such as art shows, farmer's markets, etc.), and Mr. Funk commented that he and Barb Griffin plan to meet soon with downtown business representatives to discuss that possibility. There may be some events that could be held at the Square, while minimizing City involvement (staffing, etc.).
- Blue Ash citizen Raymond Schneider agreed that Council should keep the concerts in downtown to assist Blue Ash businesses in this down economy.
- Blue Ash citizen Dan Hosbrook commented that he believes the concerts should be held in downtown. He remarked that given the current economic situation, citizens would understand Council's decision to do so and added that the concerts could be moved back to the Nature Park in future years if it didn't work out.

After discussion on this topic ended, four of the six Council members present favored the downtown location for the concerts. The Administration was directed to have the concerts in downtown on the Square.

Mr. Waltz referred to another memo included in packets regarding the idea of establishing a work study session for one of the March Council meetings to discuss overall strategic planning issues. After brief discussion, Council agreed, and directed that the second March Council meeting (March 26) would be best to hold this work session.

Mr. Waltz referred to recent positive publicity received regarding the Recreation Center project, including a news article in the Cleveland area, as well as in the *Cincinnati Enquirer*. Mr. Waltz commented that earlier this week he attended the annual Ohio City Manager's Association conference in Columbus and was frequently complimented and asked about the Recreation expansion project. He is confident that City projects such as this, aimed at improving overall quality of life for citizens, will continue to be important facets of a success of a community.

Councilman Rick Bryan commented on Mr. Stacey's resignation from Council. He mentioned that although he is sad to lose Mr. Henry as a fellow Council colleague, he is also happy for Henry and his family for the opportunity they have been offered. He mentioned that Mr. Stacey's leadership, wisdom, and services to the community will be missed. Mr. Bryan further suggested, as Chair of the Finance & Administration Committee, that although the Charter is clear that Council has the sole authority to fill a vacant position by direct appointment, he suggested that Council "advertise" the vacancy and solicit applications from citizens who may be interested in applying since the City has a dedicated and talented pool from which to choose. Council agreed with Councilman Bryan's suggestion.

Councilman Czerwonka commented that he believes the City should become a member of the Mill Creek Watershed Community, and the Administration noted that they are already looking into that possibility.

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Councilman Czerwonka suggested that the City consider having recycling wheelers as compared to the recycling bins so that more recyclables can be disposed of and to keep items placed in the bins from blowing loose throughout the neighborhood. Mr. Duncan commented that he already has a meeting scheduled with Rumpke to discuss that potential.

In addressing a concern from Councilwoman Stoller regarding continued problems with the traffic signal at Kenwood/Pfeiffer, Mr. Duncan commented that he will have that signal's operation reviewed again. Councilwoman Stoller commented that extended unnecessary wait times continue during later evening hours as well as on the weekends.

Councilwoman Stoller commented that a resident suggested the City consider community gardens on vacant lands. She mentioned that Ms. Osler will soon be meeting with this resident to consider that idea further.

Councilman Sumner commented on the City's need now for all volunteers (including volunteers assisting the Parks & Recreation Department) to complete a four-page questionnaire as well as a background check. Though he understands the City's need to do this for liability reasons, he also commented that it is unfortunate that such action has to be taken.

Vice Mayor Weber commented that Blue Ash will miss Councilman Stacey's contributions and wisdom and that he wishes Mr. Stacey all the best in his new position.

Vice Mayor Weber commented that he received a call from an acquaintance who works at the Boys Hope Girls Hope office in Blue Ash. This business citizen was extremely complimentary about Blue Ash's snow removal efforts. This person had "heard" about how good Blue Ash was; however, has now experienced it first-hand. Vice Mayor Weber commented that often when things are done well, people tend to take those things for granted. He believes that the fact that Blue Ash is an extremely well run City is sometimes not said enough publicly, and he believed this compliment from the business representative offers an appropriate opportunity to reiterate how fortunate we are to live in a community whose government is so well managed.

**ADJOURNMENT**

All items on the agenda having been acted upon, Councilman Sumner moved, Councilwoman Stoller seconded to adjourn the meeting. A voice vote was taken. All members voted yes. The Council meeting was adjourned at approximately 8:00PM.

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Robert J. Buckman, Jr., Mayor

MINUTES WRITTEN BY:

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Susan K. Bennett, Deputy Clerk of Council