

BLUE ASH CITY COUNCIL

February 24, 2011

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A regular meeting of the Council of the City of Blue Ash, Ohio, was held on February 24, 2011. Mayor Mark F. Weber called the meeting to order in Council Chambers at 7:00 PM.

OPENING CEREMONIES

Mayor Weber led those assembled in the Pledge of Allegiance.

ROLL CALL

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

ALSO PRESENT: City Manager David Waltz, Solicitor Mark Vander Laan, 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 Gordon Perry, Assistant to the City Manager Kelly Osler, and interested citizens

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

ACCEPTANCE OF AGENDA

Councilwoman Stoller moved, Councilman Buckman seconded to accept the agenda. A voice vote was taken. All members present voted yes. Motion carried.

"1. MEETING CALLED TO ORDER

2. OPENING CEREMONIES

3. ROLL CALL - Clerk of Council Jamie K. Eifert

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

5. ACCEPTANCE OF AGENDA

6. APPROVAL OF MINUTES

a. Regular Meeting of January 27, 2011

7. COMMUNICATIONS

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

b. Reports From Outside Agencies

c. Mayor's Report – January 2011 – Honorable Mark F. Weber

d. Financial Report – Motion to accept the report for January 2011

8. HEARINGS FROM CITIZENS

9. COMMITTEE REPORTS

a. Finance & Administration Committee, Rick Bryan, Chairperson

1. Ordinance No. 2011-9, authorizing collective bargaining agreement with AFSCME

2. Ordinance No. 2011-10, authorizing a development agreement related to property south of Osborne Boulevard, east of Reed Hartman Highway, and west of Kenwood Road

3. Ordinance No. 2011-12, levying special assessments on real property related to property maintenance issues pursuant to Chapter 911 of the BA Code

b. Parks & Recreation Committee, Robert J. Buckman, Jr., Chairperson

1. Ordinance No. 2011-15, acknowledging a corporate name change and other conditions related to the construction management firm overseeing the golf course clubhouse/banquet center construction project

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- c. Public Works Committee, Thomas C. Adamec, Chairperson
 - 1. Ordinance No. 2011-13, authorizing Local Public Agency agreement with the Ohio Department of Transportation for the Cooper Road (Plainfield to Waxwing) bike path project
- d. Public Safety Committee, Stephanie Stoller, Chairperson
 - 1. Ordinance No. 2011-14, authorizing purchase of police cruisers through the State of Ohio's Cooperative Purchasing Program

10. MISCELLANEOUS BUSINESS

11. EXECUTIVE SESSION – Property Acquisition

12. ADJOURNMENT”

(Note: towards the end of the meeting, Mayor Weber made note of the need to amend the agenda to include an Executive Session, subject being Property Acquisition.)

APPROVAL OF MINUTES

Councilman Bryan moved, Councilman Adamec seconded to approve the minutes of the regular meeting of January 27, 2011. A voice vote was taken. All members present voted yes. Motion carried.

COMMUNICATIONS

Communications to Council

Clerk of Council Jaime Eifert explained that in late January a new liquor license request was received for the new Firehouse Grill at 4785 Lake Forest Drive (in the location of the former Apsara restaurant). The police have reviewed this request and have no objections to the issuance of this permit by the Ohio Division of Liquor Control. Per direction from Mayor Weber, who spoke with Council members individually several weeks ago, this permit was returned to the Ohio Division of Liquor Control requesting no hearing as no Council member expressed an objection to Mayor Weber relating to the permit. Although the City usually waits to mail this form back after presentation at a Council meeting, it was mailed earlier to avoid any inconvenience to the applicant due to the cancellation of the February 10 Council meeting (when it would have normally been presented). Therefore, we wanted to note the fact that there was no objection by Council to this permit and include this information within tonight's Council minutes.

PERMIT #: 2738286; TYPE: NEW

TO: Firehouse Grill LLC, 4785 Lake Forest Drive, Blue Ash, OH 45242

Mayor Weber noted that Council has received written information at this evening's Council meeting from Blue Ash/Fidelis Drive resident Mr. Robert Cox. Mr. Cox has written suggestions for cost-savings ideas associated with the recycling program. Mayor Weber noted that Council members will individually review the information provided by Mr. Cox and a response will be prepared.

Reports From Outside Agencies

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

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Mayor's Report – January 2011

RECEIPTS:

Fines	\$ 13,660.00
Vendors/Solicitor's Permits	0
Bonds carried over	\$269.25
Bonds collected.....	\$250.00
Bonds applied	0
Restitution Payment collected.....	130.00
TOTAL RECEIPTS:	\$14,309.25

DISBURSEMENTS:

To Blue Ash (fines/costs/interest/Expungements/forfeitures)	\$ 8,904.25
To the State of OH:	
Victims of Crime	\$1,035.00
General Rev Fund.....	now included in 2b on SC form
Indigent Defense Support fund	\$2,885.00
Drug Law Enforcement Fund.....	\$353.50
Justice Program Service Fund.....	0
Indigent Driver's Alcohol Trtm't Fund.....	\$151.50
Seat Belts	\$350.00
Refund of overpaid fines.....	0
Bond Money applied	\$350.00
Bond Money returned	\$0
Restitution payment.....	\$130.00
TOTAL DISBURSEMENTS	\$14,159.25

BALANCE IN BONDS:	\$150.00
Mayor's Court traffic citations	143
Mayor's Court criminal citations.....	12
Total Mayor's Court cases	155
Jan. rev. from Mayor's Ct. Cases:	\$8,904.25

Financial Report – January 2011

Vice Mayor Czerwonka moved, Councilwoman Stoller seconded to accept the Financial Report for January 2011 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, 2011

MONTH TO DATE	2010	2011
START OF MONTH FUND BALANCE: 1-1-11	\$19,339,082.19	\$33,676,246.12
<u>Revenues:</u>		
Earnings Tax Collections:	3,164,140.53	3,067,304.14
Debt Financing (long term)	0	0
Debt Financing (short term)	0	0
Other Revenue Received:	453,308.18	422,083.46
= Total Monthly Receipts	3,617,448.63	3,489,387.60
<u>Expenditures:</u>		
Long term debt retirement	72,250.00	126,320.48
Short term debt refinancing	0	0
Other Expenditures:	3,071,472.23	3,326,492.97
= Total Monthly Expenditures:	-3,143,722.23	-3,452,813.45
END OF MONTH FUND BALANCE: 1-31-11	\$19,812,808.59	33,712,820.27

100% of the fund balance was invested as of 1/31/11. Interest paid to date on matured investments: \$3,424.08. Receipt and expenditure figures do not include interfund transfers.

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BLUE ASH INCOME TAX DIV. INCOME TAX RECEIPT SUMMARY - MONTH ENDING JAN. 31, 2011			
MONTH-TO-DATE STATUS	2010		2011
Business Net Profit	\$836,187.89		\$605,134.35
Resident Net Profit	75,422.32		83,116.00
Non-Resident Net Profit	17,015.16		20,348.48
Subcontractor Net Profit	503.13		2,741.05
Net Profit Total		929,128.50	711,339.88
Withholding	2,174,893.76		2,274,709.33
Subcontractor Withholding	60,118.27		81,254.93
Withholding Total		2,235,012.03	2,355,964.26
Monthly Collection Totals		3,164,140.53	3,067,304.14 (-3.06%)
YTD Refund Totals		0	27,262.87

HEARINGS FROM CITIZENS

Dr. Peter Nord, President of the Kenridge Lake Homeowner’s Association, noted that recently their neighborhood has experienced a number of homeowner turnovers and that many of the newer owners are single parents with children (mostly single Moms). Given that this may be a trend throughout the community, Dr. Nord suggested that the Recreation Center consider programming that may be of interest to single-parent families.

Mayor Weber noted a number of high school students present in tonight’s audience and invited anyone to explain the reason for their presence. Though no one addressed Council directly at this time (though some had questions later in the meeting), the students, mostly Sycamore seniors, were present to complete government class assignments.

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 24 Council agenda:

9.a.1. Ordinance No. 2011-9 - Authorizing collective bargaining agreement with AFSCME

The City entered into negotiations with the Service division’s AFSCME bargaining unit beginning in October of 2009. Shortly thereafter a petition for decertification was filed from within the unit, and negotiations were placed on hold pending the outcome. The vote was tied, therefore, according to the law, the unit maintains status quo and negotiations resumed in November of 2010. After a few months of negotiations, AFSCME and the City have agreed to changes in the contract as outlined below:

- Universal – Service Director was changed to Public Works Director to reflect changes in that title made a few years ago.
- Universal – Assistant City Manager was removed from provisions of the contract and replaced with “City Manager or designee”.
- Article 1 – Probationary employees were listed as exempt from the contract.
- Article 7, Section (c) – The time frame for the City Manager to respond to grievances was reduced from 20 days to 10 days. This is consistent with timeframes in other contracts.
- Article 9, Sections (a) and (b) – Allows for an extension of a new employee’s probationary period of up to 6 additional months, making the total probationary period 1 year. This gives the City more flexibility when determining or assessing the performance of a newly hired employee.
- Article 10 – Added the ability to extend the probationary period of a newly promoted employee up to an additional 6 months, again giving the City flexibility in its evaluation of employee performance. Also removed the ability of the unit to grieve or arbitrate a demotion, should the promoted employee not be successful during the probationary period.
- Article 11 – Clarified the language under Demotions to reflect that should an employee be demoted, he/she will be paid at a lower rate commensurate with his/her new job duties.

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- Article 13 – Added language that permits the City to change the schedule during snow emergencies.
- Article 14 – Added language regarding employee evaluations allowing the City to be more flexible in the timeframe for completing evaluations. Also added language confirming that the evaluations would be uniformly done for all employees in the bargaining unit.
- Article 15 – Increased the annual longevity payment by \$1 from \$4 a month to the amount received by all other employees at the City (\$5 a month).
- Article 16 – For those employees required to use their own vehicle on City business, the reimbursement rate was changed from \$.25 a mile to the reimbursable limit based on IRS guidelines. This is consistent with City policy for other employees.
- Article 18 – Changed the language so that reimbursement for military leave reflects City policy, which is regularly updated, rather than being dictated by the contract which is reviewed once every 3 years.
- Article 20 – Removed the insurance provision requiring the City to provide two different insurance plans. Added language allowing Service employees to participate in the Health Insurance Opt-Out program.
- Article 22 – Reduced the amount of time employees are eligible for Injured-On-Duty (IOD) pay from 12 months to 9 months. Also added language stating that if a claim is not allowed by the Bureau of Worker's Compensation, IOD will not be continued.
- Article 26 – Updated language regarding seniority of employees hired on the same date, stating that seniority will be determined by the date stamp on the application rather than by the casting of lots. Also added language explaining that employees have no seniority rights until after they have completed their probationary period.
- Article 28 – Wage increases are as follows:
 - 0% for November and December of 2009 and for contract year 2010, with the addition of 16 hours of personal leave to be taken in year 2011.
 - 1.5% for contract year 2011
 - 2% for contract year 2012
- Article 31 – Updated the language regarding drug testing so that as testing technology evolves, the City has the flexibility to process the testing accordingly.
- Article 33 – Added language reflecting changes in the Federal law in regards to military status and genetic information. Also added a clause agreeing that any related claims will be processed via arbitration.

Please direct questions regarding this ordinance to the Human Resources Officer or Treasurer.

9.a.2. Ordinance No. 2011-10 - Authorizing a development agreement related to property south of Osborne Boulevard, east of Reed Hartman Highway, and west of Kenwood Road

City staff has been working with Duke Realty and a potential prospect to locate its U.S. headquarters on an eight-acre portion of the 29 acres of property Duke Realty owns south of Osborne Boulevard between Reed Hartman Highway and Kenwood Road.

Please refer to the City Manager's memo included in this packet for more details associated with this ordinance.

9.a.3. Ordinance No. 2011-12 - Levying special assessments on real property related to property maintenance issues pursuant to Chapter 911 of the BA Code

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

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In the past several months, the City has taken care of maintenance issues multiple times on several Blue Ash properties. Ordinance No. 2011-11 represents the notification to the County Auditor of such payments directing the specified amounts to be levied and assessed on the properties as noted within the ordinance.

Please direct questions regarding this ordinance to the Solicitor.

9.b.1. Ordinance No. 2011-15 - Acknowledging a corporate name change and other conditions related to the construction management firm overseeing the golf course clubhouse/banquet center construction project

In February 2010, a contract was authorized with Schumacher-Dugan Construction for professional construction management services associated with the Golf Course clubhouse/banquet facility project. Later in 2010, Schumacher underwent a corporate structural change, essentially dividing the company into two components – Schumacher-Dugan Construction and Schumacher Construction Management – thereby separating the construction and management roles and services of the company. At that time in 2010, Council also authorized an amount not to exceed \$330,000 with Schumacher Dugan for those fixed-fee construction management services. To date, the City has expended \$152,000 of those funds for these services.

The corporate structure change by Schumacher makes it necessary for approval by Council of appropriate construction management fees to be paid to the appropriate corporate component (Schumacher Construction Management). In addition to clarification of that corporate structure change, Ordinance No. 2011-15 authorizes an amount not to exceed \$217,000 to Schumacher Construction Management for the remainder of the fixed fee contract for those construction management services, plus an additional contingency amount of \$80,000 to accommodate general conditions situations as needed for the project. There will be no more funds expended than authorized under the previous ordinance (i.e., of the remaining \$178,000 = \$330,000 - \$152,000). The additional \$80,000 will be drawn from a reserve specifically assigned to general condition expenses, but as of yet have not been allocated to any particular contract or component of the work.

It is important to note that this ordinance does not increase the total project cost. Council may recall that when bid awards for the various categories of work were made for this project later in 2010, the decision was made to not award a bid to a general contractor for this project. A general contractor's role is typically to accommodate and complete general condition situations as they arise, without having to re-bid or request proposals from contractors on site for work that could easily (and most often at less cost) be performed by a general contractor. The decision to not have a general contractor on site was a conscious choice as it was determined that it would be in the City's best interest for Schumacher to perform in this role when required (in addition to their construction management services). The additional \$80,000 included in this ordinance is intended to cover those general conditions to be taken care of by Schumacher Construction Management.

In summary, the first portion of Ordinance No. 2011-15 authorizes an amount not to exceed \$217,000 to accommodate the expected remaining portion of the construction management portion of the clubhouse/banquet center work to Schumacher Construction Management. The second portion of Ordinance No. 2011-15 authorizes an amount not to exceed \$80,000 to Schumacher Construction Management to accommodate work that is expected to be performed related to general conditions that would be taken care of via a general contractor's role in this project.

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

9.c.1. Ordinance No. 2011-13 - Authorizing Local Public Agency agreement with the Ohio Department of Transportation for the Cooper Road (Plainfield to Waxwing) bike path project

The City of Blue Ash is expected to receive \$500,000 in Federal funds to partially finance the construction of a future sidewalk on Cooper Road between Plainfield Road and Waxwing Drive. Although design work towards this project will begin in 2011, construction is not expected to begin before 2013 due to the more extensive design and engineering required to accommodate the existing terrain adjacent to the road.

Because the federal funds are managed by the Ohio Department of Transportation (ODOT), a Local Public Agency (LPA) agreement is required between the City of Blue Ash and ODOT. This agreement authorizes the City to design and construct the path, with general ODOT oversight.

The sidewalk will be an approximately 3,400-foot, eight-foot wide concrete sidewalk and curb on the

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south side of Cooper Road. It will provide convenient access for both bicyclists and pedestrians and will connect to the existing path on Cooper and the near-future Plainfield Road path to Glendale-Milford Road/future airport park vicinity.

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

9.d.1. Ordinance No. 2011-14 - Authorizing purchase of police cruisers through the State of Ohio's Cooperative Purchasing Program

Ordinance No. 2011-14 authorizes the purchase of up to three 2011 police cruisers (Ford Crown Victoria) from StateWide Ford for an amount not to exceed \$21,612 each, as available through the State's Cooperative Purchasing program via Contract #RS901410. The Department expects to have no trade-ins as existing/old vehicles will be auctioned through the County's on-line auctioning program. This is the last year of production for the Crown Victoria Police vehicles, and the Police Department estimates a savings of approximately \$2,000 per vehicle in outfitting costs as compared to buying another model police car and having to replace accessories that are not compatible with the new model.

Please direct questions regarding this ordinance to the Police Chief."

In addition to the memo above, the following memo was distributed to Council within Council packets:

**"INTEROFFICE MEMORANDUM
CITY MANAGER'S OFFICE
CITY OF BLUE ASH**

TO: City Council
FROM: David M. Waltz, City Manager
SUBJECT: Osborne Boulevard Development
DATE: February 22, 2011
COPIES: Department Directors, Solicitor, Kelly Osler

City staff has been working with a potential prospect to locate its U.S. headquarters on an eight-acre portion of the overall 29-acre property owned by Duke Realty on the south side of Osborne Boulevard. It is their intent to purchase the property, and build, rather than lease. The prospect is itelligence ("itelligence" is how they have branded their company – no caps), a leading international full-service provider for solutions in the SAP environment (software management and technology). Their global headquarters are in Germany and they maintain various worldwide locations. The Osborne Boulevard site will be their U.S. headquarters and data center site, and will employ 125-150 high-paying, computer-related professionals (average wages of over \$100,000).

In order to facilitate this project, the City needs to construct a new road as well as relocate and bury existing utility lines along Reed Hartman Highway. Both of these public improvements will enable the entirety of the 29-acre south Osborne site to be developed, not just the itelligence facility. It is anticipated that four to six additional office buildings and related facilities (hotel/supportive retail) will also be developed over the next few years by Duke Realty as a result of this investment in public improvements. itelligence is not requesting any public assistance or subsidy for their headquarters – just the completion of these public improvements.

The initial cost estimates for the public improvements are approximately \$3 million. The State of Ohio has committed a \$250,000 grant to the street improvements, and the balance of the project (\$2.75 million) is proposed to be financed by a City-backed revenue bond with service payments made through TIF financing. The Administration proposes that the Sycamore Schools be made entirely whole during the first five years of the bond obligation necessitating estimated yearly payments by the City of approximately \$158,413 during that period. Thereafter, TIF revenues would cover all of the annual debt payments with the schools receiving the remainder of such funds. Over the life of the arrangement, Sycamore Schools will receive approximately 92% of the new revenues that they would ordinarily have received on this parcel-specific itelligence project but for the TIF. Considering that the schools currently receive very little revenue from the undeveloped property, this is a very positive and mutually-beneficial scenario. Attached is a spreadsheet delineating estimated cash flow.

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Due to the relatively small amount of the debt and benefits of lower interest rates, the Administration is proposing that the City pledge its full faith and credit to the bond's issuance. The City did not pledge its credit in The Landings project due to its size (\$11 million) and the nature of the related public improvements. Alternatively, the City will assume ownership of, and dedicate, the proposed new street upon completion. It is anticipated that the City project will save over \$1 million over the life of the loan by pledging its credit and backing.

This project will require various steps for completion, but the first step requires Council approval of a development agreement outlining the general terms and parameters of the project so that intelligence and the developer (Duke Realty) can proceed with land transfer, final approval, design, construction, etc. City staff has also been in regular communication with Sycamore Schools, and they have preliminarily approved the concept. The TIF process will require additional approvals by the School Board, and subsequently City Council, in the future. In addition, the project will require various other zoning and development approvals. However, at this time, it is the staff's desire and recommendation that Council grant preliminary approval of the project and its general parameters via authorization of the development agreement.

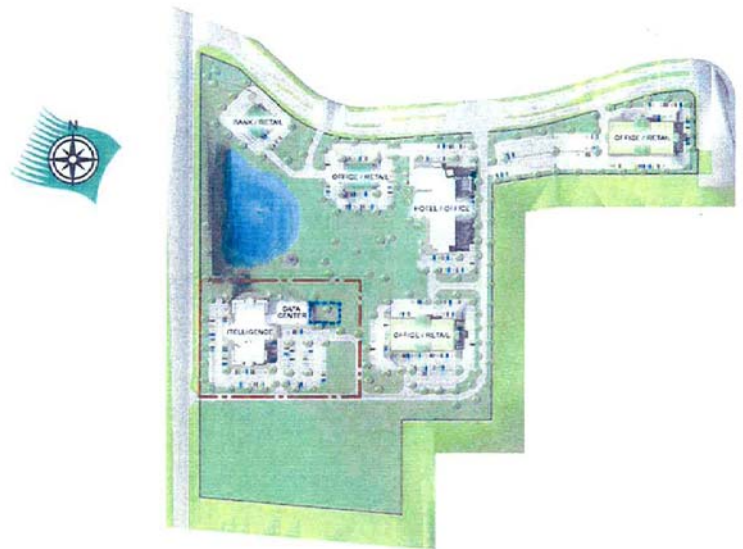
Should you have any questions, please feel free to call. Thank you.

Attach: spreadsheet, site plan"

Year	Gross TIF Pilots	Debt Payment (Borrowing \$2.75 million at 4.5%)	School Payment	City Subsidy	Total School Revenue	Percent
2013						
2014	314,711	266,083	48,629	155,934	204,562	65.00%
2015	314,711	268,045	46,666	157,896	204,562	65.00%
2016	314,711	269,195	45,516	159,046	204,562	65.00%
2017	314,711	269,845	44,866	159,696	204,562	65.00%
2018	316,284	270,195	46,089	159,496	205,585	65.00%
2019	316,284	268,995	47,289	0	47,289	
2020	316,284	267,595	48,689	0	48,689	
2021	317,866	270,995	46,871	0	46,871	
2022	317,866	268,995	48,871	0	48,871	
2023	317,866	266,345	51,521	0	51,521	
2024	319,455	268,483	50,973	0	50,973	
2025	319,455	270,000	49,455	0	49,455	
2026	319,455	270,775	48,680	0	48,680	
2027	321,052	266,100	54,952	0	54,952	
2028	321,052	265,925	55,127	0	55,127	
2029	321,052	270,000	51,052	0	51,052	
2030	322,658	267,750	54,908	0	54,908	
2031	322,658	0	322,658	0	322,658	
2032	322,658	0	322,658	0	322,658	
2033	324,271	0	324,271	0	324,271	
2034	324,271	0	324,271	0	324,271	
2035	324,271	0	324,271	0	324,271	
2036	325,892	0	325,892	0	325,892	
2037	325,892	0	325,892	0	325,892	
2038	325,892	0	325,892	0	325,892	
2039	327,522	0	327,522	0	327,522	
2040	327,522	0	327,522	0	327,522	
2041	327,522	0	327,522	0	327,522	
\$	8,983,844	4,565,320	4,418,524	792,068	5,210,592	

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Intelligence Connected



Finance & Administration Committee, Rick Bryan, Chairperson

Councilman Bryan explained that Council received several weeks ago the financial report for January and noted favorably that withholding taxes were up 5.41% as compared to January 2010 levels.

Councilman Bryan asked the Clerk to read Ordinance No. 2011-9 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2011-9

AUTHORIZING THE CITY MANAGER TO ENTER INTO A MULTI-YEAR COLLECTIVE BARGAINING AGREEMENT WITH OHIO COUNCIL 8, AFSCME, LOCAL 1093-F AND AMENDING SECTIONS 131.07-2(C) AND 133.18-2(C) OF THE CODE OF ORDINANCES RELATED TO THIS COLLECTIVE BARGAINING AGREEMENT; AND DECLARING AN EMERGENCY

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

Councilman Bryan moved, Councilwoman Stoller seconded to adopt Ordinance No. 2011-9. In addressing a question from Councilman Adamec, Mr. Waltz noted that the AFSCME collective bargaining unit represents the City's Service Department employees – those responsible for public works activities such as maintenance of the streets, operating the snow plows, repairing sidewalks, curbs and gutters, etc. This unit represents approximately 14 or 15 employees. Every three years, the union renegotiates its contracts, reviewing and defining various terms of employment. This represents the next contract (retroactive to November 2009), with salary changes for each contractual year of 0%, 1.5% and 2%. Councilman Adamec noted the fine quality of work performed by this department. There being no further discussion, the Clerk called the roll. Councilpersons Sumner, Buckman, Czerwonka, Adamec, Bryan, Stoller, and Mayor Weber voted yes. Seven yeases. Ordinance No. 2011-9 passed.

Councilman Bryan asked the Clerk to read Ordinance No. 2011-10 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2011-10

AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND THEREAFTER ENTER INTO AN ECONOMIC DEVELOPMENT AGREEMENT WITH DUKE REALTY LIMITED PARTNERSHIP RELATING TO REAL PROPERTY SOUTH OF OSBORNE BOULEVARD BETWEEN REED HARTMAN HIGHWAY AND KENWOOD ROAD; AND DECLARING AN EMERGENCY

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

Councilman Bryan moved, Councilman Buckman seconded to adopt Ordinance No. 2011-10. Councilman Bryan noted that many years ago, the City constructed Osborne Boulevard in hopes of a specific development being completed; however, economic conditions did not allow that project to move forward at the time. At this time, the City has another development prospect – an IT firm from Europe (Germany) -- who plans to construct an office building to house their headquarters to hold approximately 125-150 highly paid (approximately \$100,000 annual salary) IT jobs. Councilman Bryan noted that this should result in approximately \$200,000 in annual incremental earnings tax collections for Blue Ash. The project will also benefit the Sycamore Schools in terms of its increased property values. Councilman Adamec also noted that such a development could spur additional development as well. In addressing a question from Councilwoman Stoller, Mr. Waltz noted that the company hopes to begin construction this summer. There being no further discussion, the Clerk called the roll. Councilpersons Czerwonka, Adamec, Bryan, Stoller, Sumner, Buckman, and Mayor Weber voted yes. Seven yeases. Ordinance No. 2011-10 passed.

Councilman Bryan asked the Clerk to read Ordinance No. 2011-12 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2011-12

AN ORDINANCE TO LEVY SPECIAL ASSESSMENTS ON PROPERTY FOR THE TOTAL COST OF MITIGATING NOXIOUS WEEDS AND HIGH GRASS PURSUANT TO CHAPTER 911 OF THE BLUE ASH CODE OF ORDINANCES AND R.C. 715.261; AND

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DECLARING AN EMERGENCY

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

Councilman Bryan moved, Councilman Buckman seconded to adopt Ordinance No. 2011-12. Councilman Bryan noted that the City has recently adopted higher property maintenance standards. For those who are not able or choose not to comply with the City's requirements, the City pays a contractor to mow the unkempt lawns, with the City then billing the homeowner for that expense. After a certain time period if those costs are not reimbursed to the City, the City then resorts to legislation such as this ordinance which allows the City to ask the Hamilton County Auditor's office to reimburse the City for the costs and to assess that cost upon the homeowner's property tax bill. In addressing a question from Councilman Adamec, Mr. Waltz noted that this is the second type of ordinance presented for these matters in recent months (one presented in 2010), and generally the City presents these to Council in "batches" to minimize the administrative work associated with this action. There being no further discussion, the Clerk called the roll. Councilpersons Bryan, Stoller, Sumner, Buckman, Czerwonka, Adamec, and Mayor Weber voted yes. Seven yeses. Ordinance No. 2011-12 passed.

Parks & Recreation Committee, Robert J. Buckman, Jr., Chairperson

Councilman Buckman asked the Clerk to read Ordinance No. 2011-15 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2011-15

ACKNOWLEDGING A CORPORATE NAME CHANGE AND
AUTHORIZING REVISED EXPENDITURE LIMITS ASSOCIATED
WITH THE CONSTRUCTION MANAGER AND GOLF COURSE
CLUBHOUSE/BANQUET FACILITY CONSTRUCTION PROJECT;
AND DECLARING AN EMERGENCY

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

Councilman Buckman moved, Councilman Bryan seconded to adopt Ordinance No. 2011-15. IN addressing a question from Councilman Buckman, Parks & Recreation Director Chuck Funk explained that the City's general construction manager on the clubhouse/ banquet center project has made some corporate structural changes making it necessary to change the company name to whom the City directs its payments (from Schumacher Dugan Construction to Schumacher Construction Management). This ordinance gives appropriate authority to do that as well as to adjust the amounts for the types of work they perform. Overall there is no increase in the project's budget as the dollars specified in the ordinance were allocated towards the work. Schumacher is serving as the project's construction manager and is also arranging for general conditions work to be completed since the project does not have a general contractor. There being no further discussion, the Clerk called the roll. Councilpersons Sumner, Buckman, Czerwonka, Adamec, Bryan, Stoller, and Mayor Weber voted yes. Seven yeses. Ordinance No. 2011-15 passed.

Public Works Committee, Thomas C. Adamec, Chairperson

Councilman Adamec asked the Clerk to read Ordinance No. 2011-13 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

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ORDINANCE NO. 2011-13

AUTHORIZING THE CITY MANAGER TO ENTER INTO A LOCAL PUBLIC AGENCY (LPA) AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR THE PROJECT KNOWN AS THE HAM-BLUE ASH COOPER ROAD SIDEWALK PROJECT, PID NO. 88828; DECLARING AN EMERGENCY

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

Councilman Adamec moved, Councilman Sumner seconded to adopt Ordinance No. 2011-13. In addressing a question from Councilman Adamec, Public Works Director Gordon Perry noted that this future sidewalk project includes about 3,000 to 4,000 linear feet on the south side of Cooper Road between Plainfield Road and Waxwing Drive and noted that it is part of the City's overall "connectivity" plan. The project will cost approximately \$1 million, and it is eligible to receive up to \$500,000 in federal funds. Because the federal funds are routed through ODOT, an LPA agreement between Blue Ash and ODOT is necessary, which essentially allows the City of Blue Ash to manage the project, including the bidding procedures through the construction stages. There being no further discussion, the Clerk called the roll. Councilpersons Czerwonka, Adamec, Bryan, Stoller, Sumner, Buckman, and Mayor Weber voted yes. Seven yeases. Ordinance No. 2011-13 passed.

Public Safety Committee, Stephanie Stoller, Chairperson

Councilwoman Stoller asked the Clerk to read Ordinance No. 2011-14 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2011-14

AUTHORIZING THE PURCHASE OF UP TO THREE YEAR 2011 VEHICLES PLUS RELATED ACCESSORIES FOR THE POLICE DEPARTMENT THROUGH THE STATE OF OHIO'S COOPERATIVE PURCHASING PROGRAM; AND DECLARING AN EMERGENCY

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

Councilwoman Stoller moved, Vice Mayor Czerwonka seconded to adopt Ordinance No. 2011-14. Councilwoman Stoller noted that this ordinance allows purchase of up to three police cruisers through the State of Ohio's Cooperative Purchasing program, which the City has participated in for many years. The cruisers are priced at \$21,612 each. There being no further discussion, the Clerk called the roll. Councilpersons Bryan, Stoller, Sumner, Buckman, Czerwonka, Adamec, and Mayor Weber voted yes. Seven yeases. Ordinance No. 2011-14 passed.

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MISCELLANEOUS BUSINESS

Public Works Director Gordon Perry noted that he recently met with the Hamilton County Solid Waste District and was informed that Blue Ash's 2010 recycling efforts resulted in the diversion of approximately 30% of waste (which otherwise would have been placed in the landfill) to recycling, representing an increase over last year's rate. Councilman Sumner noted that oftentimes his family has disposed of more recyclables as compared to items placed in the regular garbage toter. Councilwoman Stoller asked that as soon as Rumpke announces that new recyclables will be accepted that residents be notified.

In addressing a question from Councilman Bryan, Mr. Perry noted that the downtown traffic signal project is currently underway and should be complete sometime this summer. Currently, project managers are awaiting delivery of control cabinets for the project

Parks & Recreation Director Chuck Funk noted that inclement weather conditions have been a factor on the clubhouse/banquet center facility construction. He noted that steel should begin to go up beginning next week, with more above-ground activity to be visible in coming weeks. He noted that the center's new general manager, Ann Wilson, began work in mid February. She is currently based out of the Recreation Center until the new center can accommodate her, and Mr. Funk invited Council to meet her. In addressing a question from Councilman Adamec, Mr. Funk noted that representatives from Cooper Creek do indeed plan to be present at the large bridal show scheduled for this weekend.

City Manager David Waltz noted that earlier today, he and Fire Chief Rick Brown were in Columbus since the Northeast Fire Collaborative was presented with an intergovernmental cooperation award by the Ohio City/County Management Association. Mr. Waltz noted that over 300 Firefighters are a part of the collaborative, which includes the Fire departments from Blue Ash, Mason, Sharonville, Sycamore Township, Symmes Township and Loveland.

He noted that within the next few weeks, he will ask Fire Chief Brown to provide an update to Council of the activities of the Collaborative, and will also ask for an update from Parks & Recreation related to the marketing activities underway for the promotion of the Cooper Creek Event Center.

Mr. Waltz noted that a structural change was recently implemented, shifting the City's Facilities Maintenance and project management staff to be under the responsibility of the Public Works Director, permitting Gordon Perry to manage the Service division, Project management, and Facilities Maintenance divisions.

Councilman Sumner addressed the students in the audience asking about their school project and asked if anyone had questions for Council. In addressing a question from one of the students, Councilman Bryan explained that the items presented to Council at meetings is mostly worked out before the meeting, thereby resulting in few times of dissention at meetings. He gave a brief explanation of the City's budgeting process, noting that the City is on a January through December fiscal year, and the first step essentially begins with the required tax hearing in July. He explained that extensive staff efforts take place throughout the fall, and that Council is more involved with capital decisions, which would include the purchase of items such as large equipment, police cruisers, etc. Council approves a budget at the end of the year, and passage of ordinances such as appeared on tonight's agenda essentially allows release of the funds towards those purchases (which are included in the budget). Councilman Adamec added that in addition to regular Council meetings (such as tonight's), several work sessions have been held throughout the year directly specifically related to the budget. Mr. Bryan noted that all Council members are residents of Blue Ash and they do their best to represent the citizens well. He noted that Blue Ash is very fortunate to have a very strong tax base, with over 2,000 businesses whose employees pay earnings taxes. He also noted that Blue Ash has been fortunate to have "weathered the storm" better than many communities during the tough economic times.

In addressing a question from a student regarding police cruisers, it was explained that Blue Ash does indeed utilize all its cruisers; however, all cruisers are not likely out all at the same

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time. The department does have a rotation schedule resulting in the replacement of cruisers approximately every three or four years. The cruisers being replaced are usually sold at auction.

Councilman Adamec complimented the staff on its diligent economic development efforts, such as was presented tonight for Osborne Boulevard.

Vice Mayor Czerwonka complimented Mr. Perry and the Service Department on the fine job it does in taking care of the City's streets, including snow removal.

EXECUTIVE SESSION

After all items on the agenda were acted upon, Vice Mayor Czerwonka moved, Councilman Bryan seconded to convene an Executive Session (to the Blue Ash Conference Room) to discuss matters pertaining to property. The Clerk called the roll. Councilpersons Stoller, Sumner, Buckman, Czerwonka, Adamec, Bryan, and Mayor Weber voted yes. Seven yeses. Motion carried.

After matters pertaining to property were discussed, Councilman Buckman moved, Councilman Bryan seconded to convene to the regular meeting. A voice vote was taken. All Council members voted yes. Motion carried.

ADJOURNMENT

All items on the agenda having been acted upon, Councilman Sumner moved, Councilman Bryan seconded to adjourn the meeting. A voice vote was taken. All members voted yes. The Council meeting was adjourned at approximately 8:04 PM.

Mark F. Weber, Mayor

Jamie K. Eifert, Clerk of Council

MINUTES WRITTEN BY:

Susan K. Bennett, Deputy Clerk of Council