

A regular meeting of the Council of the City of Blue Ash, Ohio, was held on April 11, 2006. Mayor Robert J. Buckman, Jr. called the meeting to order in Council Chambers at 7:00 PM.

OPENING CEREMONIES

Mayor Buckman led those assembled in the Pledge of Allegiance.

ROLL CALL

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

ALSO PRESENT: City Manager Marvin Thompson, Deputy Solicitor Bryan Pacheco, Clerk of Council Jamie Eifert, Deputy Clerk of Council Sue Bennett, Assistant City Manager David Waltz, Treasurer/Administrative Services Director James Pfeffer, Service Director Dennis Albrinck, Human Resources Officer Margaret Main, Police Captain Jim Schaffer, Assistant Community Development Director Dan Johnson, and interested citizens

Mayor Buckman appointed Service Director Denny Albrinck to read the legislation in its entirety in the rear of Council Chambers. Mr. Buckman explained to the audience that anyone interested in hearing the ordinances and resolutions read in their entirety is welcome to move to the rear of the Chambers. He also mentioned that written copies of the legislation on tonight's agenda may be found on the ledges near the City Administration's desks.

ACCEPTANCE OF AGENDA

Councilman Czerwonka moved, Councilwoman Stoller 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 March 9, 2006
 - b. Work Session of March 23, 2006
7. COMMUNICATIONS
 - a. Communications to Council - Clerk of Council Jamie K. Eifert
 - b. Reports From Outside Agencies
8. HEARINGS FROM CITIZENS
9. COMMITTEE REPORTS
 - a. Finance & Administration Committee, Rick Bryan, Chairperson
 1. Ordinance No. 2006-25, amending Ordinance No. 2005-78 regarding the lease of City-owned property at 4391 Creek Road
 2. Ordinance No. 2006-26, authorizing a collective bargaining agreement with the Police Department dispatchers
 - b. Parks & Recreation Committee, Lee Czerwonka, Chairperson
 1. Ordinance No. 2006-27, authorizing professional electrical services and related equipment for work at 6171 Interstate Circle and at the Blue Ash Sports Center
 2. Ordinance No. 2006-28, authorizing payment for plumbing services
 - c. Public Works Committee, Henry S. Stacey, Chairperson
 1. Ordinance No. 2006-29, awarding bid for the Plainfield Road/Glendale-Milford traffic signal improvement
 2. Resolution No. 2006-1, approving the update of the Solid Waste Management Plan of the Hamilton County Solid Waste Management District
 - d. Planning & Zoning Committee, James W. Sumner, Chairperson
 1. Ordinance No. 2006-30, authorizing payment of local match contribution relating to an economic development package from the Ohio Department of Development
 2. Ordinance No. 2006-31, authorizing expenditures relating to public and private

development improvements on Towne Square Avenue

3. Motion accepting the Findings of Fact and Conclusions of Law regarding the appeal from Daryl Crear
 4. Motion setting 7:10PM, Thursday, April 27, 2006 as public hearing for consideration of a hotel (Hilton Garden Inn) within the C-2 Planned Commercial District at 4300 Glendale-Milford Road
10. MISCELLANEOUS BUSINESS
11. EXECUTIVE SESSION – Property Acquisition
12. ADJOURNMENT”

APPROVAL OF MINUTES

Councilwoman Stoller moved, Councilman Sumner seconded to approve the minutes of the regular meeting of March 9, 2006 and the work session of March 23, 2006. A voice vote was taken. All members present voted yes. Motion carried.

COMMUNICATIONS

Communications to Council

There were no communications to Council.

Reports From Outside Agencies

There were no outside agencies in attendance at the meeting.

HEARINGS FROM CITIZENS

Jim Dyer, 5275 Myerdale Drive, expressed a concern of his neighbor (who could not be at tonight’s meeting) regarding trash being left behind at 4980 Myerdale. He commented on continued concerns of his and his neighbors with infill housing, particularly as they relate to drainage and setback issues. Information he distributed is included in the Clerk of Council’s file for this meeting. He also passed around photos of a house under construction on his street.

Michael Kelly, 9639 Cooper Lane, commented that his street is also being affected by tear downs as well as the condo project planned at Cooper Road and Cooper Lane (Park Manor). He encouraged Council to listen to concerns of residents to assure new development does not destroy the current look of a neighborhood. The limits Council is currently considering are appreciated. He also expressed concern with potential additional water runoff from the new development at Cooper Road and Cooper Lane.

Colleen and Max Greissing, 11260 Foremark Drive, asked Council to consider changes to Section 505.09 of the Blue Ash Code of Ordinances regarding barking dogs. They briefly explained their predicament with a problem dog in a neighboring home and the fact that since Blue Ash’s Code requires two persons of separate residences to complain, their problem has not been able to be resolved locally. Though they are following alternative means to address their concern, they asked Council to consider the change to possibly assist other residents in the future. They have checked with other area neighboring communities, and six do not require complaints from two separate residences.

Councilman Bryan commented that he is familiar with the Greissingers’ situation, and added that the dog owners appear to have little interest in alleviating the situation. Though he understands why it may be wise to have a law that requires complaints from two separate residences, Councilman Bryan encouraged the Administration and Police consider a change to this ordinance – perhaps to allow a complaint from one residence, as long as there was collaboration by a law enforcement official.

Larry Montag of Montag’s Furniture at 4810 Cooper Road, presented the City with a signed book intended for placement in the Hunt House. It is a book by local historian Lestor Horwitz about the historic Morgan’s Raid, which affected the historic Hunt House.

COMMITTEE REPORTS

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

“The following offers a brief description of the items included on the April 11th Council Agenda:

STUDENT GOVERNMENT DAY

To date, 16 students have signed up for the day’s activity (however, two will not be able to attend in the

evening). Of those students, 11 are from Sycamore and five from Ursuline (with four of the five students from Ursuline being the German exchange students). The students will spend the day at City hall beginning at approximately 10:15AM, and their day will include discussions, lunch, and tours of the various City facilities and areas of responsibilities. Those expected to participate include:

- ?? Kevin Mastman, 3440 Tiffany Ridge Lane
- ?? Brittany Stephens, 4559 Cooper Road
- ?? Corey Schwartz, 11294 Cornell Woods Drive
- ?? Emily Petrocy, 4360 Woodlands Place (day only)
- ?? Dori Bahir, 5173 Catalpa Creek Drive
- ?? Ruth Ann Thompson, 9741 Conklin Road
- ?? Ruthann Chernausek, 3751 Chimney Hill Drive
- ?? Myisha Phillips, 4710 Alpine Avenue
- ?? Danielle Rinaldi, 5103 Brasher Avenue
- ?? Maria Kellison, 9629 Linfield Drive
- ?? JD McFarland, 9544 Conklin Avenue
- ?? Jen Hobohm (day only – Ursuline Student)
- ?? Visiting German students: Cordula Ackermann, Stefanie Hollands, Kathrin Muellejans, and Ann-Katrin Hohmann

9.a.1. Ordinance No. 2006-25 - Amending Ordinance No. 2005-78 regarding the lease of City-owned property at 4391 Creek Road

The City Administration is recommending that Council consider an amendment to Ordinance No. 2005-78, which was initially approved in December 2005. This ordinance authorized the City to enter into a multi-year lease agreement with Ethicon Endo-Surgery for their intended occupancy of the City-owned warehouse at 4391 Creek Road. The City acquired this approximate one-acre site and vacant warehouse in October 2005 as an economic development component for Ethicon to assist them in securing the real estate necessary for their continued expansion. This property is abutted on two sides by land already owned by Ethicon. The lease agreement, as expected, includes a provision for Ethicon, as a tenant, to acquire the property in fee simple during, or at the end of, the lease term.

For a number of reasons, the Facilities Management Group from Ethicon recently approached the City for supplemental assistance relating to the renovation and improvement of the vacant warehouse on this property. Their anticipated usage of the property would require significant renovations and accommodations, and Ethicon requested that the City consider financing a portion of those renovations as an amendment to the lease agreement. They requested that the City reimburse them for up to \$300,000 of the expected total renovation costs (in the \$550,000 to \$600,000 range). The additional investment on the part of the City in this building will be recaptured through a supplemental lease payment from the tenant over the first three years of the lease term. In order to accommodate this request, the need exists to amend the enabling legislation, Ordinance No. 2005-78, and to thereafter finalize the necessary lease amendments and documents through the City Solicitor's office for execution by all parties.

It would appear that this property is but one part of a larger facility improvement plan under consideration by Ethicon surrounding their Creek Road campus. Ethicon represents a significant contributor to the Blue Ash community, and the Administration believes favorable consideration of this accommodation in their expansion plans would be appropriate.

Please direct questions regarding this ordinance to the Treasurer.

9.a.2. Ordinance No. 2006-26 - Authorizing a collective bargaining agreement with the Police Department dispatchers

The FOP Dispatchers Unit requested to be recognized in August 2005. The State Employment Relations Board officially recognized the FOP Dispatchers as a bargaining unit in October 2005. At that time, negotiations were scheduled to begin in early 2006 between the Dispatchers and the City of Blue Ash.

The result of those negotiations is the first contract agreed upon between the Dispatchers and the City. The contract is loosely based on the FOP, Patrol Officer Unit contract. The major points of interest are noted below.

- ?? Section 8.4 – Added language allowing for alcohol and drug testing by the City after a work place accident or injury.
- ?? Section 9.3 / 10.11 – Added No Loss/No Gain language regarding participation in instances of disciplinary action/grievances. If on-duty the employee is not penalized for leaving his/her duties to participate. Conversely, if off-duty the employee is not paid to participate, unless called on behalf of the City.
- ?? Section 16.4 – the accrual of Compensatory time is capped at a total of 127 hours.
- ?? Section 19.1 – Wage increases are as follows: 4% in 2006; 3% in 2007; 3% in 2008.
- ?? Section 21.1 – Changed the language to reflect that the employer will pay the same percentage of health insurance premiums for Dispatchers as for all other non-bargaining unit employees. Dispatcher contributions to the premium will not exceed 5% in the first year, 7.5% in the second year; or 10% in the third year in which premium contributions are implemented.

- ?? Section 22.1 – Uniforms will be issued by the Department. Employees will receive annual stipend of \$250 for uniform maintenance expenses.
- ?? Section 26.8 – Added language allowing for one personal day off every 6 months provided an employee does not use any sick leave during that period of time. Personal days must be used within one year of accrual and cannot be converted to pay.

Please address questions regarding this ordinance to the Human Resources Officer at 745-8530.

9.b.1. Ordinance No. 2006-27 - Authorizing professional electrical services and related equipment for work at 6171 Interstate Circle and at the Blue Ash Sports Center

Ordinance No. 2006-27 authorizes an amount not to exceed \$63,000 for professional electrical services and related equipment to accommodate upgraded electric service at the City's new Parks Maintenance facilities at 6171 Interstate Circle, as well as removal, repair, and installation of field lights at the Sports Center.

The company associated with this ordinance, Rigling Electric, was selected since it has satisfactorily performed the majority of repairs in the past years with the Sports Center system (including portions of the system's initial installation). Utilization of the same vendor for similar work would maintain consistency in parts as well as installation methods, which will in the long-term save expense for the City.

Please direct questions regarding this ordinance to the Parks & Recreation Director at 745-8553. (Please note that Mr. Funk will not be in attendance at the meeting; however, welcomes calls from Council beforehand to offer any clarification regarding this ordinance.)

9.b.2. Ordinance No. 2006-28 - Authorizing payment for plumbing services

Ordinance No. 2006-28 authorizes payment for plumbing services performed by P.R. Collins throughout 2006. This ordinance would authorize payment for their plumbing work associated with the new Parks Maintenance facilities at 6171 Interstate Circle as well as routine plumbing related maintenance items performed at various City-owned facilities throughout the year. A portion of the work at 6171 Interstate Circle was performed (and paid for) in 2005. The estimated amount of this plumbing work was initially under the bidding (and ordinance) threshold of \$25,000. However, due to unexpected field changes, the aggregate plumbing work for this project (though a portion of it was paid in 2005) is close to \$27,000. Given this amount, in addition to authorizing aggregate expenses in 2006 for this vendor, formal waiving of bidding procedures would also be appropriate. Normally, routine plumbing expenses would not require Council approval via ordinance. However, since aggregate expenses with this vendor, including payments for the balance of the 6171 Interstate Circle work and routine plumbing maintenance City wide, will exceed the threshold, Council approval via ordinance would be appropriate.

Please direct questions regarding this ordinance to the Project Coordinator Dan Weber at 745-8664.

9.c.1. Ordinance No. 2006-29 - Awarding bid for the Plainfield Road/Glendale-Milford traffic signal improvement

The City of Blue Ash has received a number of requests for a dedicated left turn signal from westbound Glendale-Milford Road to southbound Plainfield Road. The City had CDS Associates complete studies on the feasibility and advisability of installing such a signal two times. Both studies have concluded that while such a signal may enhance the safety of those turning left at this intersection, the installation may degrade the level of service for the area, resulting in longer back ups at rush hours as a result of the added time needed for the left turn phase.

In the interest of safety, the City had CDS design and engineer the appropriate changes for the intersection. The project was advertised in the Northeast Suburban Life Press on Wednesday, March 22nd. Three bids were received and publicly read aloud on Tuesday, April 4th. All bids met the City's requirements and a bid summary is enclosed. After review, it was determined that the bid submitted by Elex, Inc., 11000 Winton Road, Greenhills, OH 45218 was the most responsive based on quality, service, past performance, and price. It is recommended that the award be made to Elex, Inc.

Please direct any questions regarding this ordinance to the Service Director.

9.c.2. Resolution No. 2006-1 - Approving the update of the Solid Waste Management Plan of the Hamilton County Solid Waste Management District

The Hamilton County Solid Waste Management District has updated its Solid Waste Management Plan. Each political subdivision in Hamilton County is being asked to pass a resolution approving the plan within 90 days of March 22, 2006.

In order for the plan update to be considered ratified, it must be approved by the Board of County Commissioners and by municipalities and townships representing at least 60% of the population of the county.

As detailed in the plan summary included in packets, the update is similar to past versions of the plan with some notable exceptions. These include:

- ?? Initiation of a permanent facility for the collection of household hazardous wastes from county residents.

- ?? Modification of the District's "Residential Recycling Incentive Program" to base funding allocations, in part, on a community's recycling rate.
- ?? Providing opportunities for residents to properly manage used and obsolete electronic equipment through District sponsored programming and education.

The Assistant Service Director has reviewed the plan and recommends Council approval. Please direct any questions regarding this ordinance to the Assistant Service Director at 745-8526.

9.d.1. Ordinance No. 2006-30 - Authorizing payment of local match contribution relating to an economic development package from the Ohio Department of Development

As Council is aware, the Wornick Company has been working with the State of Ohio regarding potential tax incentives from the State associated with a planned expansion. The State of Ohio was competing also with the State of Texas for this development. Blue Ash has also been working with Ohio in an attempt to keep Wornick's existing operations and future expansion in Blue Ash. (At one point in this process, neighboring Greater Cincinnati communities were also competing for this business.)

In late February, the Ohio Department of Development (ODOD) offered a preliminary commitment of their assistance to Wornick. ODOD's offer is summarized below:

- ?? Ohio Job Creation Tax Credit: Estimated valued up to \$186,000
- ?? Ohio Investment in Training Program: Estimated value up to \$100,000
- ?? Business development grant account: estimated value up to \$150,000

The total estimated value of the items described above offered to Wornick by the State is up to \$436,000.

The package described above offered by ODOD has some important assumptions, including:

- ?? That Wornick would expand its Ohio facility in Blue Ash.
- ?? That Wornick would make a total investment of \$10.7 million for the project.
- ?? That Wornick would create 200 new full-time positions within the first 3 years of the initial project operations at an average hourly rate of \$9, excluding benefits. The company would also retain 450 existing full-time positions.
- ?? That the State of Ohio is in competition with the State of Texas for this project.
- ?? That the incentives offered by ODOD are contingent upon local (i.e., Blue Ash) financial support for the project.

Ordinance No. 2006-30 addresses the final assumption listed above. The State is requiring a match of \$37,849 in cash towards the Wornick expansion project. Since this amount exceeds the ordinance threshold of \$25,000, formal Council approval via ordinance would be appropriate. This amount, which would be paid to the Wornick Company to assist with expansion, would be from the \$200,000 economic development line item already included in the 2006 Final Budget. The Administration strongly recommends approval of this ordinance since we estimate that these 650 jobs would generate approximately \$240,000 in annual income tax revenue to Blue Ash.

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

9.d.2. Ordinance No. 2006-31. authorizing expenditures relating to public and private development improvements on Towne Square Avenue

Ordinance No. 2006-31 authorizes an economic development assistance expenditure not to exceed \$85,000 related to the Drs. Pick and Petricone project in downtown on Towne Square Avenue. Please see a copy of the memo first distributed to Council before the March 9th meeting included in this packet for further reference. A letter from the developers is also included.

9.d.3. Motion accepting the Findings of Fact and Conclusions of Law regarding the appeal from Daryl Crear

At the March 9th Council meeting, a hearing was held to discuss the appeal of Mr. Daryl Crear regarding the Board of Zoning Appeals decision to deny the appeal relative to a zoning provision that prevents storage upon property owned by Mr. Crear fronting LaBelle Avenue.

The next step in this process would be formal Council approval, via motion, of the Findings of Fact and Conclusions of Law drafted by the Solicitor's Office (which is included in your packets).

Please direct questions regarding this issue to the Solicitor or Deputy Solicitor.

9.d.4. Motion setting 7:10PM, Thursday, April 27, 2006 as public hearing for consideration of a hotel (Hilton Garden Inn) within the C-2 Planned Commercial District at 4300 Glendale-Milford Road

The City is in receipt of development plans for the location of a Hilton Garden Inn hotel at 4300 Glendale-Milford Road. Since this project is in the C-2 Planned Commercial District, the project is required to be reviewed by Planning Commission as well as Council, including a public hearing. Therefore, this motion would

appropriately establish a public hearing for 7:10PM, Thursday, April 27th, at which time the detailed plans and more information will be presented for Council and the public.

Please direct questions regarding this motion to the Assistant City Manager.”

Finance & Administration Committee, Rick Bryan, Chairperson

Councilman Bryan asked the Clerk to read Ordinance No. 2006-25 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2006-25

AMENDING ORDINANCE NO. 2005-78 REGARDING A MULTI-YEAR LEASE AGREEMENT FOR CITY-OWNED REAL PROPERTY LOCATED AT 4391 CREEK ROAD, SITUATED ON THE SOUTH SIDE OF CREEK ROAD WEST OF MCKINLEY ROAD; AND DECLARING AN EMERGENCY

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

Councilman Bryan moved, Councilwoman Stoller seconded to adopt Ordinance No. 2006-25. In addressing a concern expressed by Councilman Sumner, Treasurer Jim Pfeffer explained that the City would be financing part of the modifications and recouping the financing through the Ethicon lease payments. The Administration recommends this since Ethicon is one of the City’s largest taxpayers and is likely to continue to grow in the future. Councilman Sumner again expressed concern with such City involvement with real estate. There being no further discussion, the Clerk called the roll. Councilpersons Weber, Stacey, Czerwonka, Bryan, Stoller, and Mayor Buckman voted yes. Councilman Sumner voted no. Six yeases. One no. Ordinance No. 2006-25 passed.

Councilman Bryan asked the Clerk to read Ordinance No. 2006-26 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2006-26

AUTHORIZING THE CITY MANAGER TO ENTER INTO A MULTI-YEAR COLLECTIVE BARGAINING AGREEMENT WITH FRATERNAL ORDER OF POLICE, DISPATCHERS UNIT; AMENDING SEC. 131.07-2(g) OF CHAPTER 131 OF THE BLUE ASH CODE OF ORDINANCES; AMENDING SEC. 133.18-2(g) OF CHAPTER 133 OF THE BLUE ASH CODE OF ORDINANCES; AND DECLARING AN EMERGENCY

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

Councilman Bryan moved, Councilman Sumner seconded to adopt Ordinance No. 2006-26. There being no discussion, the Clerk called the roll. Councilpersons Stacey, Czerwonka, Bryan, Stoller, Sumner, Weber, and Mayor Buckman voted yes. Seven yeases. Ordinance No. 2006-26 passed.

Parks & Recreation Committee, Lee Czerwonka, Chairperson

Councilman Czerwonka asked the Clerk to read Ordinance No. 2006-27 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2006-27

AUTHORIZING THE PURCHASE AND INSTALLATION OF PROFESSIONAL ELECTRICAL SERVICES AND RELATED EQUIPMENT TO ACCOMMODATE UPGRADED ELECTRIC SERVICE NEEDED AT THE PARKS MAINTENANCE FACILITY AT 6171 INTERSTATE CIRCLE AND REMOVAL, REPAIR, AND INSTALLATION OF FIELD LIGHTS AT THE BLUE ASH SPORTS CENTER FOR AN AMOUNT NOT TO EXCEED \$63,000 IN 2006; AND DECLARING AN EMERGENCY

Councilman Czerwonka moved, Councilwoman Stoller seconded to suspend the rules of Council

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

Councilman Czerwonka moved, Councilwoman Stoller seconded to adopt Ordinance No. 2006-27. In addressing a question from Councilman Stacey, Mr. Pfeffer explained that approximately \$38,000 of the \$63,000 is estimated for the Sports Center lighting, and the remaining towards the 6171 Interstate Circle facilities. He also explained that Rigling Electric has worked more on the systems than any other firm. The City will be purchasing the fixtures, and Rigling will install, providing a cost efficiency for the City since a markup on the fixtures will be avoided. There being no further discussion, the Clerk called the roll. Councilpersons Bryan, Stoller, Sumner, Weber, Stacey, Czerwonka, and Mayor Buckman voted yes. Seven yeses. Ordinance No. 2006-27 passed.

Councilman Czerwonka asked the Clerk to read Ordinance No. 2006-28 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2006-28

AUTHORIZING THE CITY MANAGER TO MAKE PAYMENT FOR PLUMBING SERVICES IN 2006 FOR AN AMOUNT NOT TO EXCEED \$31,500 FOR WORK PERFORMED IN CONJUNCTION WITH THE NEW PARKS MAINTENANCE FACILITIES AT 6171 INTERSTATE CIRCLE AND ROUTINE PLUMBING MAINTENANCE RELATED ITEMS AFFECTING MULTIPLE CITY FACILITIES THROUGHOUT THE YEAR; AND DECLARING AN EMERGENCY

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

Councilman Czerwonka moved, Councilman Stacey seconded to adopt Ordinance No. 2006-28. There being no discussion, the Clerk called the roll. Councilpersons Sumner, Weber, Stacey, Czerwonka, Bryan, Stoller, and Mayor Buckman voted yes. Seven yeses. Ordinance No. 2006-28 passed.

Public Works Committee, Henry S. Stacey, Chairperson

Councilman Stacey asked the Clerk to read Ordinance No. 2006-29 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2006-29

AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR THE TRAFFIC SIGNAL IMPROVEMENT AT GLENDALE-MILFORD ROAD AND PLAINFIELD ROAD FOR THE UNIT PRICES INCLUDING ALTERNATE BID ITEMS AS SHOWN ON THE ATTACHED BID SUMMARY; AND DECLARING AN EMERGENCY

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

Councilman Stacey moved, Councilwoman Stoller seconded to adopt Ordinance No. 2006-29. In addressing a question from Councilwoman Stoller, City Manager Marvin Thompson explained that the City has been asked often to improve this signal. Though it may cause minor congestion at times, it appears to be the only potential solution. There being no further discussion, the Clerk called the roll. Councilpersons Stacey, Czerwonka, Bryan, Stoller, Sumner, Weber, and Mayor Buckman voted yes. Seven yeases. Ordinance No. 2006-29 passed.

The Clerk was asked to read Resolution No. 2006-1 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2006-1

APPROVING THE UPDATE OF THE SOLID WASTE MANAGEMENT
PLAN OF THE HAMILTON COUNTY SOLID WASTE
MANAGEMENT DISTRICT

Councilman Stacey moved, Councilwoman Stoller seconded to adopt Resolution No. 2006-1. Councilman Sumner encouraged the Administration to continue investigating the possibility of the City's offering E-waste services for Blue Ash residents in the future. There being no further discussion, the Clerk called the roll. Councilpersons Czerwonka, Bryan, Stoller, Sumner, Weber, Stacey, and Mayor Buckman voted yes. Seven yeases. Resolution No. 2006-1 passed.

Planning & Zoning Committee, James W. Sumner, Chairperson

Councilman Sumner asked the Clerk of Council to read Ordinance No. 2006-30 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2006-30

AUTHORIZING PAYMENT OF A LOCAL MATCH CONTRIBUTION
ENABLING AN ECONOMIC DEVELOPMENT PACKAGE THROUGH
THE OHIO DEPARTMENT OF DEVELOPMENT RELATING TO
RETENTION OF THE WORNICK COMPANY IN BLUE ASH; AND
DECLARING AN EMERGENCY

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

Councilman Sumner moved, Councilman Stacey seconded to adopt Ordinance No. 2006-30. There being no discussion, the Clerk called the roll. Councilpersons Stoller, Sumner, Weber, Stacey, Czerwonka, Bryan, and Mayor Buckman voted yes. Seven yeases. Ordinance No. 2006-30 passed.

Councilman Sumner asked the Clerk of Council to read Ordinance No. 2006-31 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2006-31

AUTHORIZING EXPENDITURES RELATING TO PUBLIC AND
PRIVATE DEVELOPMENT IMPROVEMENTS ON THE EAST SIDE OF
TOWNE SQUARE AVENUE IN DOWNTOWN BLUE ASH; AND
DECLARING AN EMERGENCY

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

Councilman Sumner moved, Councilman Czerwonka seconded to adopt Ordinance No. 2006-31. There being no discussion, the Clerk called the roll. Councilpersons Weber, Stacey, Czerwonka, Bryan, Stoller, Sumner, and Mayor Buckman voted yes. Seven yeases. Ordinance No. 2006-31 passed.

Councilman Sumner moved, Councilman Weber seconded to accept the Findings of Fact and Conclusions of Law regarding the appeal from Daryl Crear. A voice vote was taken. All members voted yes. Motion carried.

Councilman Sumner moved, Councilwoman Stoller seconded to set 7:10PM, Thursday, April 27, 2006 as public hearing for consideration of a hotel (Hilton Garden Inn) within the C-2 Planned Commercial District at 4300 Glendale-Milford Road. A voice vote was taken. All members voted yes. Motion carried.

MISCELLANEOUS BUSINESS

City Manager Thompson summarized the format for upcoming Council meetings:

- ?? April 27th: regular meeting with three public hearings scheduled.
- ?? May 11th: regular meeting.
- ?? May 25th: Work Session with the topic being presentation of the pro-formas for the potential Recreation Center expansion and Golf Course clubhouse projects.
- ?? From June through August: one Council meeting each month (second Thursday only) – unless a subject requiring discussion arises.

Councilwoman Stoller commented that she would be absent from the May 25th and June 8th Council meetings.

Assistant City Manager David Waltz commented that the Administration has been working on potential ideas for an additional tribute at the Veterans Memorial. In the past, an idea of an eternal flame had been discussed. He encouraged Councilmembers to view a conceptual project currently on view in the conference room off Council Chambers. It is a model of a poly/plastic type monument featuring various laser-style lights visible at night. There is an image etched into the structure which would be highlighted by these laser lights. Additional information or verbiage would be included with such a concept, something to the effect "... lighting the way home..."

Mr. Waltz commented that more information would be presented to Council at the May 11th meeting regarding the status/recommendations about the reverse 9-1-1 system being researched by Police and Fire staff.

Deputy Solicitor Bryan Pacheco commented on a Task Force on Eminent Domain meeting scheduled for Monday evening, April 17th, at Norwood High School. There are 26 members on this Task Force, and the goal of the Task Force is to make recommendations about eminent domain issues in Ohio.

In addressing a question from Councilman Sumner, Public Information Officer Sue Bennett commented that it is her understanding the Morgan's Raid historical monument project (slated for the Hunt House) is currently on hold.

In addressing a question from Councilman Sumner directed to the Parks & Recreation Director Chuck Funk, Mr. Pfeffer commented that he was aware of no meeting yet scheduled for the "Friends of the Hunt House" project, though the City is getting some response for individuals to serve on this committee.

Councilman Sumner commented on his past suggestions related to the Code changes, particularly affecting infill housing issues. He has a particular concern with the potential of putting too large of a home on too small of a lot and the new home being out of proportion with the original zoning. Councilman Bryan commented on the home located on Monroe just north of the Wellness Center in that in his opinion, this home is far too large for the given lot. Another example provided by Councilman Sumner, in his opinion, can be seen on Northfield. After some discussion, it was agreed that the Community Development office, Administration and Solicitor's Office would delve deeper into attempting to incorporate resolution of this issue within the current zoning ordinance changes being considered, and to report back at the April 27th meeting.

Councilman Weber commented that tonight is his fifth Student Government Day, and he enjoyed it tremendously. He commented that he hopes these students have as much confidence in current City Council doing a good job as Mr. Weber has in these students and future community leaders.

In addressing a question from Councilman Stacey, Service Director Denny Albrinck commented that the City is working with the railroad company and SORTA to continue work at the Blue Ash Road/Hunt Road railroad crossing.

In addressing a question from Councilman Stacey, Deputy Solicitor Bryan Pacheco commented that the residency requirement, Senate Bill 82, has passed and will go into effect on May 1st. He agreed with Councilman Stacey that this Bill, among others, is a threat to municipal Home Rule power. Councilman Sumner encouraged all to continue dialogue with State legislators.

Councilman Czerwonka commented that this is his second Student Government Day, and complimented the students.

Councilman Bryan encouraged the Administration to further consider a potential resolution to the barking dog dilemma which the Greissingers explained earlier in the meeting, particularly the thought of allowing one complaint that is supported by observation by a law enforcement official.

Mayor Buckman complimented the students on their participation and asked each student to introduce herself/himself, and to briefly comment on their day in Blue Ash.

Maria Kellison, a Junior at Sycamore High, commented that she enjoyed the day more than she originally anticipated.

Ruthann Chernausek, a Junior at Sycamore High, also enjoyed the day and commented that she felt she learned a lot about what Blue Ash does.

Brittany Stephens, also a Junior at Sycamore, commented that she found the day very interesting.

Kevin Mastman, a Senior at Sycamore, commented that he learned much about what Blue Ash does and that he had fun throughout the day.

Dori Bahir from Sycamore commented that she did not realize all that Blue Ash does for its citizens.

Myisha Phillips, a Senior from Sycamore, commented that she learned much about Blue Ash and that she did not realize all the responsibilities of the City personnel.

Corey Schwartz, a Senior from Sycamore, commented that he also learned much today.

Mayor Buckman also recognized the visiting students from Germany (visiting Ursuline Academy). Katrin Muellejans commented that she enjoyed the day and likes the area so much that she would like to live here. Cordula Ackermann commented that she also enjoyed the day in Blue Ash and thanked the City for allowing people who do not live in Blue Ash to learn more.

EXECUTIVE SESSION

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

After matters pertaining to property acquisition and personnel matters were discussed, Councilman Sumner moved, Councilman Weber 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 Bryan moved, Councilman Stacey seconded to adjourn the meeting. A voice vote was taken. All members voted yes. The Council meeting was adjourned at approximately 10:10 PM.

Robert J. Buckman, Jr., Mayor

Jamie K. Eifert, Clerk of Council

MINUTES WRITTEN BY:

Susan K. Bennett, Deputy Clerk of Council