

BLUE ASH CITY COUNCIL

June 8, 2006

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A regular meeting of the Council of the City of Blue Ash, Ohio, was held on June 8, 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, Councilman James Sumner, and Vice Mayor Mark Weber

MEMBER ABSENT: Councilwoman Stephanie Stoller

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

ALSO PRESENT: City Manager Marvin Thompson, Solicitor Mark Vander Laan, Clerk of Council Jamie Eifert, Deputy Clerk of Council Sue Bennett, Assistant City Manager David Waltz, Treasurer/Administrative Services Director James Pfeffer, Parks & Recreation Director Chuck Funk, Service Director Dennis Albrinck, Deputy Solicitor Bryan Pacheco, Fire Chief Rick Brown, Police Captains Jim Schaffer and Bob Lilley, Economic Development Director Judy Clark, members of the press, and interested citizens

Mayor Buckman appointed Parks & Recreation Director Chuck Funk and 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 Bryan moved, Councilman Stacey 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. Meetings of May 11, 2006, May 13, 2006, and May 25, 2006
7. COMMUNICATIONS
  - a. Communications to Council - Clerk of Council Jamie K. Eifert
  - b. Reports From Outside Agencies
10. 8. HEARINGS FROM CITIZENS
9. COMMITTEE REPORTS
  - b. Parks & Recreation Committee, Lee Czerwonka, Chairperson
    1. Ordinance No. 2006-43, authorizing purchase of lighting assemblies for the Blue Ash Sports Center
    2. Ordinance No. 2006-44, authorizing contracts associated with the Hunt House restoration project
    3. Resolution No. 2006-4, reappointing a member to the Recreation Board
  - c. Public Works Committee, Henry S. Stacey, Chairperson
    1. Ordinance No. 2006-45, awarding bid for 2006 paving program
  - d. Planning & Zoning Committee, James W. Sumner, Chairperson
    1. Ordinance No. 2006-46, authorizing payment for various services associated with economic development marketing efforts
    2. Resolution No. 2006-5, reappointing a member to the Planning Commission

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- e. Finance & Administration Committee, Rick Bryan, Chairperson
  - 1. Resolution No. 2006-6, reappointing members to the Civil Service Commission and Board of Tax Review
- 10. MISCELLANEOUS BUSINESS
- 11. SPECIAL RECOGNITION FOR MARVIN D. THOMPSON (retiring after 33 years of service to the City of Blue Ash)
- 12. ADJOURNMENT"

**APPROVAL OF MINUTES**

Councilman Stacey moved, Councilman Czerwonka seconded to approve the minutes of the meetings of May 11, May 13, and May 25, 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 representatives from outside agencies present at the meeting.

**HEARINGS FROM CITIZENS**

David Hartwig, 10112 Zig Zag Road, expressed concerns with infill housing, especially as it relates to setbacks. He encouraged Council and the City to continue looking at this issue. He noted that two infill houses are being built next to his home, with none sold to date. He expressed concern with such builders completing their housing project, hence completing their investment and "leaving town," and not solving problems which might arise in the future.

Mike Kelly, 9639 Cooper Lane, also expressed concerns with infill housing changing the character of established older neighborhoods. He also encouraged Blue Ash to continue looking at means to control such new housing so that the character of quality, established older neighborhoods does not change.

Jim Dyer of Myerdale Drive addressed Council, as summarized below:

- He wished Mr. Thompson well in his retirement.
- He expressed concern with Council's delay in addressing what he believes are serious issues associated with infill housing. He believes requiring a bond from builders would be effective in avoiding future problems, especially associated with potential future storm water issues for adjoining properties.
- He believes setback issues have not yet been adequately addressed.
- He believes that Blue Ash should limit construction hours for such infill housing.
- He believes that Blue Ash should move more quickly on these issues.

Brent Fisher, 5000 Myerdale, expressed concern with the lack of privacy experienced during construction of the infill housing. A recent incident at his home resulted in his wife encountering a construction worker at 6:10AM. He also expressed continued concerns with noise created during construction of such housing and storm water drainage issues. He encouraged the City to solve these problems proactively, rather than reactively.

**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 June 8th Council Agenda:

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**9.a.1. Ordinance No. 2006-43 - Authorizing purchase of lighting assemblies for the Blue Ash Sports Center**

The 2006 Final Budget included funds for replacement of field lighting at the Blue Ash Sports Center. This is a project originally scheduled to be completed in 2005; however, it was delayed until 2006. Council may recall that on April 11<sup>th</sup>, a contract was authorized with Rigling Electric for the installation of the replacement lighting; Ordinance No. 2006-43 authorizes the purchase by the City of the lighting assembly product directly from the F.D. Lawrence Electric Company for an amount not to exceed \$45,000.

The Administration is also requesting Council waive formal bidding procedures for this purchase as well. Efforts were made to seek vendors interested in participating in a formal bid; however, no other vendor was interested in participating in that bid (unless guaranteed the installation job) due to the cost of engineering work associated with preparation of that bid. The recommended company, F.D. Lawrence, was interested since they had performed much of the engineering work in 2005, before the project had been delayed to the 2006 calendar year. The Administration estimates that if this project did go through formal bidding procedures that the overall cost would be at least 50% higher.

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

**9.a.2. Ordinance No. 2006-44 - Authorizing contracts associated with the Hunt House restoration project**

At the May council meeting, the Recreation Director and Project Coordinator presented the results of a bidding process for the restoration of the Hunt House. The recommendation was that Council reject the sole bid received since that bid received was significantly out of range of the project's estimated cost. Council was also asked (and agreed) to support the pursuit of an informal bid process with the hopes to reduce expenses. That informal bid process was completed on May 30, 2000, with desired results.

The aggregate bids received for the same work as bid in the formal process last month totals \$125,895. This compares to the \$240,990 obtained from formal bidding -- a savings of 47%. The Parks & Recreation Director and Project Coordinator request that Council authorize the following contracts and waive formal bidding requirements:

- L&B Construction for the Carpentry component in the amount of \$54,400 (which includes an estimated \$8000 for possible field changes);
- True Cut Painting for the Interior Painting and Finishes component in the amount of \$46,000 (which includes \$4000 for possible field changes); and
- Peck Hannaford + Briggs Service Corporation for installation of HVAC and Plumbing equipment, in the amount of \$50,049 (which includes \$3000 for possible field changes).

Additionally, the City had contracted with Superior Company (under Purchase Order number 80750) for interior masonry repairs in April for \$25,000. In the process of completing those repairs, additional masonry conditions became apparent that were best corrected by this contractor. Ordinance No. 2006-44 also requests that Council authorize the expenditure of an additional \$6000 for a total of \$31,000 with this vendor for this work, and waive formal bidding requirements.

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

**9.a.3. Resolution No. 2006-4 - Reappointing a member to the Recreation Board**

As directed by Council, Resolution Nos. 2006-4, 2006-5, and 2006-6 provide for reappointments for positions to the various volunteer boards and commissions of the City. Reappointments are summarized below:

- Clete Oaks to the Recreation Board (Resolution No. 2006-4)
- Beverley Gill to the Planning Commission (Resolution No. 2006-5)
- Sandra Roberts to the Civil Service Commission (Resolution No. 2006-6)
- Robert Miller to the Board of Tax Review (Resolution No. 2006-6)

**9.b.1. Ordinance No. 2006-45 - Awarding bid for 2006 paving program**

The 2006 Paving Program will consist of repaving Glendale-Milford/Pfeiffer Road from Reed Hartman Highway east to I-71. Another area considered has been put on hold because of funding restrictions or project construction (Greater Cincinnati Water Works Blue Ash Road Transmission Line).

Plans and specs for this year's program were developed by CDS. The project was advertised in the **Northeast Suburban Life Press** on Wednesday, May 3, 2006 and bids were publicly opened and read aloud on Wednesday, May 24<sup>th</sup>. Bids were received from Barrett Paving and the John R. Jurgensen Company, both of which met all requirements.

The bids were reviewed by the Service Director and CDS personnel. It is recommended that the award be given

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to the John R. Jurgensen Company for the base bid only. Alternate 1 is not being recommended.

Please direct questions regarding this ordinance to the Service Director.

**9.c.1. Ordinance No. 2006-46 - Authorizing payment for various services associated with economic development marketing efforts**

Ordinance No. 2006-46 authorizes payment for various services associated with the expanded economic development marketing efforts underway. As Council is aware, for several months (beginning in 2005), the City has been working towards enhancing the City's economic development marketing efforts, including the development of a branding identity and tag line, creation of design components for that new identity system, website design related to economic development, and other current and future projects related to economic development efforts. The Economic Development Director (with participation by the branding/economic development consultant TrueNorth Brand Strategies) underwent an informal bid/request for proposals process, interviewing potential firms for various phases of the project. The result of that informal proposal process resulted in the selection of a single vendor, Metaphor Studios, chosen to perform that particular phase of the project. Examples of the work Metaphor has performed, or is expected to perform, include development of the branding/tag line and design ("Aspire.Achieve.Advance"); design components for the related identity system, including design of new letterhead, envelopes, business cards, a template for a business newsletter, and other economic development related promotional materials; website design and content integration for the new economic development targeted website; and other current and potential projects, such as creation of design standards/presentation, an interactive business directory, etc.

Although no single component of these efforts will exceed the ordinance threshold of \$25,000, since aggregate expenditures from this single vendor will exceed this limit in 2006, Council approval via ordinance would be appropriate and in compliance with audit guidelines. Ordinance No. 2006-46 requests approval of an amount not to exceed an aggregate of \$55,000 in 2006.

Please direct questions regarding this ordinance to the Economic Development Director at 745-8524 (she is also expected to be in attendance at the meeting).

**9.c.2. Resolution No. 2006-5 - Reappointing a member to the Planning Commission**

See Item 9.a.3. above.

**9.d.1. Resolution No. 2006-6 - Reappointing members to the Civil Service Commission and Board of Tax Review**

See Item 9.a.3. above.

**10.SPECIAL RECOGNITION FOR MARVIN D. THOMPSON (retiring after 33 years of service to the City of Blue Ash)**

Since this is the last regularly scheduled Council meeting before Mr. Thompson's official retirement after 33 years of service, special recognition at this meeting is planned."

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

Councilman Czerwonka asked the Clerk to read Ordinance No. 2006-43 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2006-43

AUTHORIZING THE PURCHASE OF LIGHTING ASSEMBLIES ASSOCIATED WITH REPLACEMENT FIELD LIGHTS FOR THE BLUE ASH SPORTS CENTER FOR AN AMOUNT NOT TO EXCEED \$45,000; AND DECLARING AN EMERGENCY

Councilman Czerwonka moved, Councilman Stacey 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, and Mayor Buckman voted yes. Six yeases. Motion carried.

Councilman Czerwonka moved, Councilman Sumner seconded to adopt Ordinance No. 2006-43. There being no discussion, the Clerk called the roll. Councilpersons Weber, Stacey, Czerwonka, Bryan, Sumner, and Mayor Buckman voted yes. Six yeases. Ordinance No. 2006-43 passed.

Councilman Czerwonka asked the Clerk to read Ordinance No. 2006-44 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

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ORDINANCE NO. 2006-44

AUTHORIZING CONTRACTS FOR CARPENTRY, INTERIOR PAINTING AND FINISHES, AND HVAC AND PLUMBING WORK ASSOCIATED WITH THE HUNT HOUSE RESTORATION PROJECT; AND AUTHORIZING PAYMENT FOR INTERIOR MASONRY SERVICES ASSOCIATED WITH THE HUNT HOUSE RESTORATION PROJECT; AND DECLARING AN EMERGENCY

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

Councilman Czerwonka moved, Councilman Stacey seconded to adopt Ordinance No. 2006-44. There being no discussion, the Clerk called the roll. Councilpersons Czerwonka, Bryan, Sumner, Weber, Stacey, and Mayor Buckman voted yes. Six yeases. Ordinance No. 2006-44 passed.

Councilman Czerwonka asked the Clerk to read Resolution No. 2006-4 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2006-4

PROVIDING FOR THE REAPPOINTMENT OF CLETUS OAKS OF 5155 MEYERS LANE TO THE RECREATION BOARD OF THE CITY OF BLUE ASH, OHIO FOR THE TERM EXPIRING JULY 1, 2011

Councilman Czerwonka moved, Councilman Bryan seconded to adopt Resolution No. 2006-4. There being no discussion, the Clerk called the roll. Councilpersons Bryan, Sumner, Weber, Stacey, Czerwonka, and Mayor Buckman voted yes. Six yeases. Resolution No. 2006-4 passed.

**Public Works Committee, Henry S. Stacey, Chairperson**

Councilman Stacey asked the Clerk to read Ordinance No. 2006-45 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2006-45

AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR THE 2006 PAVING PROGRAM FOR THE UNIT PRICES AS SHOWN ON THE ATTACHED BID SUMMARY; AND DECLARING AN EMERGENCY

Councilman Stacey moved, Councilman Czerwonka 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, and Mayor Buckman voted yes. Six yeases. Motion carried.

Councilman Stacey moved, Councilman Czerwonka seconded to adopt Ordinance No. 2006-45. There being no discussion, the Clerk called the roll. Councilpersons Weber, Stacey, Czerwonka, Bryan, Sumner, and Mayor Buckman voted yes. Six yeases. Ordinance No. 2006-45 passed.

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

Councilman Sumner asked the Clerk of Council to read Ordinance No. 2006-46 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2006-46

AUTHORIZING THE CITY MANAGER TO MAKE PAYMENT FOR SERVICES ASSOCIATED WITH ECONOMIC DEVELOPMENT MARKETING EFFORTS IN 2006 FOR AN AGGREGATE AMOUNT NOT TO EXCEED \$55,000; AND DECLARING AN EMERGENCY

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

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Councilman Sumner moved, Councilman Weber seconded to adopt Ordinance No. 2006-46. There being no discussion, the Clerk called the roll. Councilpersons Czerwonka, Bryan, Sumner, Weber, Stacey, and Mayor Buckman voted yes. Six yeases. Ordinance No. 2006-46 passed.

Councilman Sumner asked the Clerk of Council to read Resolution No. 2006-5 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2006-5

PROVIDING FOR THE REAPPOINTMENT OF BEVERLEY GILL OF 5249 BRASHER AVENUE TO THE PLANNING COMMISSION FOR THE TERM EXPIRING JULY 1, 2010

Councilman Sumner moved, Councilman Stacey seconded to adopt Resolution No. 2006-5. There being no discussion, the Clerk called the roll. Councilpersons Bryan, Sumner, Weber, Stacey, Czerwonka, and Mayor Buckman voted yes. Six yeases. Resolution No. 2006-5 passed.

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

Councilman Bryan asked the Clerk to read Resolution No. 2006-6 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2006-6

PROVIDING FOR THE REAPPOINTMENTS OF SANDRA R. ROBERTS TO THE CIVIL SERVICE COMMISSION AND ROBERT MILLER TO THE BOARD OF TAX REVIEW

Councilman Bryan moved, Councilman Sumner seconded to adopt Resolution No. 2006-6. There being no discussion, the Clerk called the roll. Councilpersons Sumner, Weber, Stacey, Czerwonka, Bryan, and Mayor Buckman voted yes. Six yeases. Resolution No. 2006-6 passed.

**MISCELLANEOUS BUSINESS**

Service Director Denny Albrinck commented that the City recently received an Excellence in Public Service award from the Street Maintenance and Sanitation Officials of Southwest Ohio related to the City's curbside pickup program.

Assistant City Manager David Waltz expressed his sincere thanks and congratulations to retiring City Manager Marvin Thompson. Though Mr. Waltz had the pleasure of working with Mr. Thompson for a relatively brief time, he realizes he has "big shoes" to fill in being Blue Ash's next City Manager. Several jovial comments were exchanged.

Solicitor Mark Vander Laan thanked Mr. Thompson for his 33 years at Blue Ash, many of which were shared with Mr. Vander Laan as Solicitor.

Councilman Sumner commented that it was "fantastic" to work with Mr. Thompson. He started involvement with Blue Ash as a volunteer many years ago, and looks forward to keeping in touch with Mr. Thompson during his retirement.

Councilman Weber complimented and thanked Mr. Thompson for his 33 years of service to Blue Ash. Councilman Weber elaborated that Mr. Thompson saw the "picture" of Blue Ash and applied his professional skills to make it all happen. He added that Mr. Thompson's leadership was brilliant, and through all the success, Mr. Thompson has managed to remain humble and unassuming.

Councilman Stacey thanked Mr. Thompson for being a resource for him since he started his position on Council a relatively short time ago. Councilman Stacey commented that he will miss Mr. Thompson, and his "wealth of knowledge."

Councilman Czerwonka commented that he moved to Blue Ash 14 years ago, and he loves living in Blue Ash and being a Councilman. He thanked Mr. Thompson for making Blue Ash the wonderful community that it is today.

Councilman Bryan added that Mr. Thompson has taken what was once a very modest community to one of the "50 fabulous" places to raise a family across all of America – an incredible tribute to Mr. Thompson. He commented that not only is Mr. Thompson a neighbor, but a friend. He expressed sincere thanks for his service to Blue Ash.

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Mayor Buckman commented that he has lived in Blue Ash since 1968, and has been involved in the community since 1980. Mayor Buckman commented that he would miss Mr. Thompson's daily involvement very much, and also asked Mr. Thompson's family, present at the meeting, to stand up. Marvin's wife, Judy, and children, Cari and Joe, were present.

**SPECIAL RECOGNITION FOR MARVIN D. THOMPSON (retiring after 33 years of service to the City of Blue Ash)**

Mayor Buckman read Resolution No. 2006-3 in its entirety:

THEN WAS PRESENTED AND READ BY THE MAYOR IN ITS ENTIRETY:

RESOLUTION NO. 2006-3

EXPRESSING SINCERE APPRECIATION TO MARVIN D.  
THOMPSON FOR HIS 33 YEARS OF DEDICATED SERVICE TO THE  
CITY OF BLUE ASH, OHIO, AND WISHING HIM THE VERY BEST  
IN HIS RETIREMENT

Councilman Bryan moved, Councilman Sumner seconded to adopt Resolution No. 2006-3. There being no discussion, the Clerk called the roll. Councilpersons Weber, Stacey, Czerwonka, Bryan, Sumner, and Mayor Buckman voted yes. Six yeses. Resolution No. 2006-3 passed.

A framed copy of this resolution was presented to Mr. Thompson.

Mr. Thompson was also presented with an inscribed marble mantle clock, including the City's logo and "thanks" for his 33 years of service.

Police Captains Jim Schaffer and Bob Lilley presented Mr. Thompson with a Blue Ash Police Badge, encapsulated within clear acrylic. Captain Schaffer explained that it is tradition in the Police service that when one retires from public service, a badge, indicating the highest rank attained, be presented. This is a personal gift from individuals within the department. Mr. Thompson thanked the Police Captains.

Mayor Buckman read a letter from Bob Ready, President & CEO of Blue Ash based Lighting Systems Inc.:

"June 8, 2006

The Mayor and City Council  
City of Blue Ash  
4343 Cooper Road  
Blue Ash, Ohio 45242

Over the past thirty years, I have had the pleasure to know and to work with Marvin Thompson. During this time, I have watched Blue Ash progressively grow and prosper through Marvin's leadership and his commitment to the Blue Ash community. As part of this community, LSI Industries has also grown and prospered due in part to the great support and services that have been provided over these thirty years. We are proud to be part of Blue Ash and I am proud to have had the opportunity to work with Marvin.

Each year LSI has tried to make a special contribution to be used to help improve the quality of life of Blue Ash for its citizens. This year we would like to make this contribution as a recognition to Marvin Thompson. We would like to have Marvin make the recommendation to where this contribution would best help the community.

In closing, thank you Marvin for all you have done for this great community, and we all hope you and Judy have a wonderful well-deserved retirement.

Respectfully,  
/S/ Bob Ready"

Included with the letter was a \$10,000 check.

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A humbled Mr. Thompson expressed sincere thanks not only to Mr. Ready, but also to his friends on Council and City staff. It is Mr. Thompson's desire to direct the funds from Mr. Ready/LSI to two Blue Ash charitable organizations equally: Matthew 25 Ministries (Kenwood Road) and The Wellness Community (Cooper Road).

He commented that it has been an honor to work with Blue Ash for so many years, and expressed thanks for the many supportive Councils he has had the privilege to work with over his 33 years. He expressed sincere thanks to his long-time, extremely capable staff, and commented that it was the team effort that made Blue Ash's success possible. Mr. Thompson also expressed sincere thanks to his family who was in attendance at tonight's meeting, including his children, Cari and Joe, and his "best friend" and wife, Judy. Mr. Thompson received a standing ovation. (Administrative note: a public open house was held for Mr. Thompson prior to this evening's Council meeting, with over 175 people attending.)

**ADJOURNMENT**

All items on the agenda having been acted upon, Councilman Bryan moved, Councilman Weber seconded to adjourn the meeting. A voice vote was taken. All members voted yes. The Council meeting was adjourned at approximately 7:47 PM.

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Robert J. Buckman, Jr., Mayor

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Jamie K. Eifert, Clerk of Council

MINUTES WRITTEN BY:

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Susan K. Bennett, Deputy Clerk of Council