

CITY OF BLUE ASH

Interoffice Memo – City Manager's Office

TO: City Council
FROM: City Manager and Department Directors
SUBJECT: Agenda Items for the October 27 Council Meeting
DATE: October 25, 2011
COPIES: Department Directors, Press, Clerk of Council, Solicitor

This memo offers a brief description of the topics included on the October 27 Council agenda.

9.a.1. Ordinance No. 2011-65 - Transferring funds

Several items have arisen which require the presentation of a transfer ordinance to City Council to make adjustments to the 2011 budget. Each of the recommended changes are detailed on the attachment to Ordinance 2011-65, involving revenue and expenditure appropriations, as well as shifts or transfers within existing appropriations.

The first item, in the amount of \$55,000, relates to the need to recognize additional building permit revenue and the corresponding expense relating to the City's contractual arrangement for building inspection services through NIC (National Inspection Corporation). It is not possible to make payment to NIC for construction inspection services without appropriating the corresponding revenue. The 2011 building permit revenue was budgeted at \$175,000, but collections totaled \$244,883 as of October 15, 2011. Within the General Fund, there is a \$500 listing relating to contributions, representing a donation received from The Cincinnati Reds organization to our Police Department. The Police Department has requested that the donation be directed toward uniforms.

The two items beginning with the prefix "752" relate to the City's Golf Course Enterprise Fund and represent a shift of \$30,000 from a revenue line to a "Deposit" line within that fund. Although progress continues toward the completion of the new Cooper Creek Event Center and Pro Shop, a number of issues relating to just how funding is to be managed, deposits recorded, and expenses tracked remain under study. In this instance, the receipt of an event deposit should not be booked as revenue until the event actually takes place. As a result, the shift has been recommended by the Deputy Treasurer.

On the top portion of the attachment, there are references to the employee benefit-related fund #901. All of these items pertain to the necessity of providing funding in the appropriate accounts for Flexible Spending Account (FSA) that will be in effect for our staff beginning with the new plan year as of November 1, 2011. Given that funding for a FSA must be in place at the start of the plan year, it is necessary to provide advances to those areas, and the City is reimbursed through the payroll contributions for FSAs as employees are paid throughout the following 12 months. Because the FSA plan year does not correspond with our accounting year, it is necessary to have two such funds, and we alternate between Fund 901 and 902 to keep them separate.

The remaining items detailed on the lower portion of the attachment pertain to shifts within the existing expenditure appropriations. The Parks and Recreation Director and Project Coordinator have requested that the sum of \$50,000 be moved from the Professional Services area within the golf course construction fund to the construction area. At this stage of the project, those funds originally estimated for professional services have been fully determined, thus allowing the funds to be moved to where they are needed.

The Facilities Superintendent has requested a shift from the Maintenance of Facilities account to the Operating Supplies area in the amount of \$60,000, which merely reflects the manner in which costs were actually expended on projects so far this year.

Finally, a \$14,000 allocation has been requested in the Technology capital area, funded out of Contingency, to replace the City's east wing primary copier. This copier, which is over 10 years old, is no longer capable of being covered by a service agreement, has generated well in excess of 2.2 million copies, and it has reached the end of its contribution to our administrative efforts. The new copier, if funded, will maintain the high copying speed to which we have been accustomed, includes scanning, fax capability, and will be covered under a full maintenance contract.

Any questions relating to the transfer can be directed to the Treasurer.

9.b.1. Motion accepting the preliminary Master Park Plan for Blue Ash's 130-acre property bordered by Plainfield and Glendale-Milford Roads

Although the City Blue Ash has been successful in creating unique attractions and remarkable amenities over the years, few can argue about the potential that the phased development of the 130-acre "signature" park offers our residential and business citizens. This project was made possible by the passage of Issue 15 in the Fall of 2006, the acquisition of the 130-acre site, and the use of respected consultants and substantial community input in the planning process. It has permitted the development of a Master Plan that frames, in general, the type of park that will eventually be constructed. Although efforts have been underway for some time, it was during Miscellaneous Business of the August 11, 2011 Council Meeting that the City Manager, the Planning Team, and the Consultants presented the general concept of what the park may eventually turn out to be.

As explained during that session, and as recently clarified in a press release about the park, significant input has been received, and utilized, by the Planning Team and the Consultants in working toward the type of park that contains those amenities that are most favored by the community. The large amount of property available and the variety of facilities and amenities that can be incorporated therein, provides a nearly unique opportunity to develop this park in a manner that provides a steadily evolving availability to the citizens, with the types of facilities they desire, eventually resulting in a timeless park of which the entire community can be proud.

Given that August 11th presentation and the draft of the Master Park Plan included in this packet, it seems appropriate to approach City Council with a Motion that accepts, in concept, those ideas, facilities, and its approach that was explained in the presentation of August 11th and the general content of the report. Clearly, it is important for all involved to reach some consensus so that the final report, when completed, can be certain to reflect those intentions as it is reviewed and evaluated by other stakeholders in the process.

In addition to being available for citizen comment, the draft report will be presented by staff to the Recreation Board and the Planning Commission in upcoming meetings. This represents the most logical approach in moving forward assuring that the concepts envisioned are moving closer to reality and being done so in a mindset supported by those who will be involved in its implementation.

Favorable consideration by City Council of this Motion merely permits the Team to move forward and actually get into the process of securing specific comments, suggestions, and refinements which will ultimately be reflected in the phased construction stages of the park.

Any questions relating to this Motion can be directed to City Manager or the Parks and Recreation Director.

9.c.1. Ordinance No. 2011-66 – authorizing economic development incentives upon Parcels 572 & 574 of Book 612, Page 150, Lot 4 of the Legacy Pointe Subdivision

Judy Clark, the City's Economic Development Director, has been working very closely with the City Manager's office on the potential redevelopment of approximately 16.4-acres of property bordered by Kenwood Road on the east, Osborne Boulevard on the north and the new Ilmenau

Way currently out for construction bid. The property available is owned by Duke Realty Limited Partnership, LLC representing 3.3-acres (a portion of the old Osborne Trucking parcel), as well as 13.1-acres of land that was previously known as General Foods or Kraft Warehouse property at 10901 Kenwood Road. That property is currently owned by TRS Realty, LLC. Essentially, the property involved is all of those parcels and building between Wornick Manufacturing and the south side of Osborne Boulevard.

Judy Clark has been working with Forest Pharmaceuticals, Inc., a Delaware Corporation, which is a subsidiary of the New York City based Forest Laboratories, Inc. Forest Pharmaceuticals currently occupies space on Brotherton Road in Cincinnati and has diligently been working toward the purchase of this property so that the existing structure (the Osborne Trucking building and the warehouse property) may be demolished and a completely new facility be constructed bordered by Ilmenau Way, Osborne Boulevard and Kenwood Road. Clearly, the development of this acreage, essentially across Ilmenau Way from the new intelligence development currently under construction along Ilmenau Way, would be a very positive factor in the evolving completion of development for this area.

In order to enable this project to move forward, it was necessary for the City of Blue Ash, and other parties, to provide incentives and accommodations to enable Forest Pharmaceuticals to move ahead. In order to conclude the property acquisition framework, it was necessary for the City of Blue Ash to offer an economic development incentive of \$100,000 directly to Forest Pharmaceuticals and to concede supplemental funding to address a closing shortfall of \$225,000.

Ordinance No. 2011-66 describes the framework of the arrangement, the value and nature of the economic development incentives incorporated into the deal, and authorizes the City Manager enter into an escrow agreement (for protection of the City's contribution until closing occurs), as well as a supplemental agreement for economic development with Forest Pharmaceuticals.

In addition to the monetary support provided by the City, Ordinance 2011-66 provides the City Manager the authority to donate to Forest Pharmaceuticals Lot 7 of the final subdivision plat for Legacy Pointe, which represents a non-buildable lot of 0.128-acres separating the rear property line of the warehouse property from the new Ilmenau Way. This property was deeded to the City of Blue Ash, by recording of the plat, by Duke Realty to provide the City some developmental involvement in what would eventually happen to the 13+ acre TRS Realty/Warehouse property in the future. Given the status of this project, it would not be necessary for the City to maintain ownership of that donated lot, thus providing access to Ilmenau Way for the new building being constructed by Forest Pharmaceuticals.

Based upon the estimate of net impact in terms of new jobs for the City of Blue Ash, such an investment by the City has an approximate 2-year payback and seems reasonable given the City's long-term interest in quality development – particularly along Osborne Boulevard. It is important to remember that when Osborne Boulevard was first built, all of the properties, including the TRS Realty property, was owned by Hines interests and new development by Hines was prevented by deteriorated economic conditions. Via this project, the original scope of the Osborne development is being "recaptured" with the inclusion of the TRS Realty 13+-acre site, and such development, when combined with the intelligence project, provides a significant improvement to the area and bodes well for future development on the remaining three lots that are still owned by Duke Realty Limited Partnership, Inc.

Obviously, all of the Letters of Agreement and escrow documents to be executed by the City Manager will be reviewed by the City Solicitor's office. In fact, the intended purchase agreement between the parties as well as the Escrow Agreement has already been provided in draft form, to Dinsmore & Shohl for their preliminary review.

Any questions relating to this matter can be referred to the City Manager or Treasurer.

9.d.1. Ordinance No. 2011-67 – authorizing the City Manager to enter into a Hamilton County, Ohio Mutual Aid Agreement for Law Enforcement for police services

On October 3, 1991, the City of Blue Ash entered into a mutual aid agreement with other Hamilton County Law Enforcement agencies titled the “Hamilton County Local Government Mutual Aid Agreement”. This contract allowed for the provision of reciprocal police services, across jurisdictional lines to enhance the capabilities of law enforcement to protect citizens and property. On October 26, 1995, the City signed an addendum to this agreement titled the “Risk Allocation Agreement Addendum To The Hamilton County Local Government Mutual Aid Agreement For Law Enforcement” which added the services of specialized law enforcement teams or task forces.

The Hamilton County Chiefs of Police Association has reviewed this existing agreement and proposes that a new agreement is necessary due to changes in the Ohio Revised Code and to combine the terms and conditions of the agreement and addendum.

Therefore, the City of Blue Ash desires to enter into a revised agreement with other government entities within Hamilton County for these purposes.

Please direct questions relating to this matter to Captain Schaffer.

9.d.2. Ordinance No. 2011-68 – amending Ordinance No. 2011-8 for the purchase of replacement police cruiser mobile video recording devices from the State’s cooperative bidding program

At the start of 2011, the Police Department’s 13 marked cruisers were equipped with video cameras that were at the end of their life cycle. Council approved the purchase of 5 next generation video cameras on March 24, 2011. Those units were installed in five cruisers that did not have reliable working video systems.

The Department plans to replace the remaining 8 cameras with the next generation video. The next generation video has several advantages over the old units:

- turn on automatically with the car’s ignition;
- video is downloaded to a computer server, instead of a DVD-RAM disk;
- downloaded video can be accessed on the City’s computer network by supervisors for quality control reviews; and
- technology is less susceptible to breakdowns due to vehicle vibration, since there are no moving parts in the video camera, no CD/DVD/RAM disks, etc.

By purchasing 3 additional units this fall, the Department will have two units available for 2 new cruisers that will be put in service in early 2012. The third unit will be used in an existing cruiser. The funding for the remaining 5 units will be included in the 2012 budget request.

Any questions should be directed to Lt. Rich Riley.