

BLUE ASH CITY COUNCIL

February 11, 2010

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A regular meeting of the Council of the City of Blue Ash, Ohio, was held on February 11, 2010. 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, and Mayor Mark Weber

MEMBER ABSENT: Councilman James W. Sumner

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

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 Mike Duncan, Fire Chief Rick Brown, Assistant Fire Chief Greg Preece, 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

Vice Mayor 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 January 14, 2010

b. Special Meeting of January 20, 2010

c. Work Session of January 28, 2010

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. 2010-7, authorizing professional services contract associated with the ICMA budget reprioritization process

2. Ordinance No. 2010-10, authorizing purchase of vacant property at the northeast corner of Brown & Highland Avenues

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

1. Ordinance No. 2010-8, authorizing professional services contract associated with the design phase of the Golf Course Clubhouse project

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

1. Ordinance No. 2010-9, authorizing economic development agreement

10. MISCELLANEOUS BUSINESS

11. ADJOURNMENT"

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APPROVAL OF MINUTES

Councilman Adamec moved, Councilman Bryan seconded to approve the minutes of the regular meeting of January 14, 2010; the special meeting of January 20, 2010; and the work session of January 28, 2010. A voice vote was taken. All members present voted yes. Motion carried.

COMMUNICATIONS

Communications to Council

There were no communications presented to Council.

Reports From Outside Agencies

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

HEARINGS FROM CITIZENS

Peter Nord of Kenridge Lake extended his thanks, on behalf of the residents in his entire neighborhood, to the City's snow crews for their hard work in efficiently clearing the snow from Blue Ash roadways during this most recent significant snowfall.

Dr. Nord also complimented the City's efforts to keep Wornick Company in Blue Ash. He talked about the importance of long-term planning and suggested that extra staff, in addition to Economic Development Director Judy Clark, be employed to assist with the retention and recruitment of businesses. He suggested that a volunteer advisory committee be utilized to supplement such efforts.

Mr. Jeff Capell, 9354 Hunters Creek Drive, commented that he had attended a meeting about 10 or 11 months ago explaining the safety issues associated with too many Canada Geese in the area, particularly near the Airport. He encouraged the City to get the larger community involved in the effort to control the population of these geese, particularly those areas with lakes which attract the geese.

Mr. Capell explained that he recently received a letter from the NAACP explaining allegations against the Cincinnati Public Schools (CPS) regarding their public bidding procedures. The problem appears to be that CPS accepts the lowest bid, and later in the process that bidder submits multiple large change orders driving the cost of the project up significantly. He encouraged Blue Ash to assure policies are in place to make sure similar occurrences are not the case in Blue Ash.

Mr. Capell, after having a recent discussion with Sycamore Township Trustee Tom Weidman, also questioned whether the City-provided health plan coverage for employees covers/allows for abortions.

City Manager Waltz commented, regarding the geese situation, that these geese are federally protected. Each year, the City applies and receives a legal permit to eliminate a specified number of these geese to assist with keeping the population under control, and elimination is accomplished discreetly. Addressing Mr. Capell's comment regarding abortion, Mr. Waltz added that he hopes the City will not move towards politicizing the employee health insurance coverage.

Councilwoman Stoller suggested that Mr. Capell talk with previous speaker Dr. Nord as he has dealt with the geese population issue within the Kenridge neighborhood. She was once told, perhaps by an unconfirmed source, that some breeds of the geese are not protected.

There being no further citizens who wished to address Council, Hearings from Citizens was declared closed at approximately 7:13 PM.

COMMITTEE REPORTS

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

"The following offers a brief description of the topics included on the February 11 Council agenda:

9.a.1. Ordinance No. 2010-7 - Authorizing professional services contract associated with the ICMA budget reprioritization process

Ordinance No. 2010-7 authorizes payment for the services from the local government advisors associated with the International City/County Management Association (ICMA) towards the budget prioritization process. The January 28 Council work session framed up the components of that

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process, which is expected to last at least four to five months. The ordinance authorizes a not-to-exceed amount of \$28,000 plus travel-related expenses as approved by the City Manager. These travel expenses, to be billed at cost, are estimated to be approximately \$1,000 to \$1,200 per visit. At least three on-site visits with the consultants are planned (one already occurred in late January), with additional potential visits possible.

Please direct questions regarding this ordinance or process to the City Manager.

9.a.2. Ordinance No. 2010-10 - Authorizing purchase of property at the northeast corner of Brown & Highland Avenues

As discussed with Council at a January Council meeting, a representative from the estate which owns property at the northeast corner of Highland and Brown Avenues has contacted the City asking of potential interest in purchasing the property. This property sits at the northeast corner of Highland and Brown Avenues and abuts other City-owned property on three sides. This property is approximately 7,425 square feet (Book 612, Page 50, Parcel 24), with 50-foot frontage on Highland Avenue and 148.5-foot frontage on Brown Avenue.

The property is located to the east of the City's Recreation Center property, and at this time, the City also already owns the three adjoining residential lots to the north. Given the availability of the property and its proximity to the Recreation Center, it was the general consensus of Council to move forward with its acquisition. As reported to Council, the attorney representing the estate asked that the City consider payment equal to the assessed valuation, which currently is \$20,200. The ordinance authorizes an amount not to exceed \$22,000 to cover any associated closing costs.

Please direct questions regarding this ordinance or the property to the Treasurer.

9.b.1. Ordinance No. 2010-8 - Authorizing professional services contract associated with the design phase of the Golf Course Clubhouse project

The Parks & Recreation Director recently sent out Requests for Proposals for construction management services associated with the future Golf Course Clubhouse project. Though construction is not anticipated to begin soon, the 2010 final budget does provide for engineering and design work to continue on this project through 2010. To have the construction manager involved in these early phases of design and engineering is very beneficial to the process and can potentially offer savings and improved quality in the long run.

Eight packets were sent out to interested firms, and the City received five proposals for these construction management services. After review of each proposal and after discussions with bidders, the project team is recommending a contract be authorized with Schumacher-Dugan Construction for construction management services associated with the Golf Course Clubhouse project for an amount not to exceed \$300,000 (associated with services through the design and engineering phases). An additional \$30,000 has also been added to the ordinance to allow for unforeseen additional services that may be requested of Schumacher. It should be noted that the costs came in about 50% lower than anticipated due to the economic conditions and competitiveness in the marketplace.

As Council is aware, Schumacher Dugan served as the construction manager for the Recreation Center project (both the 1994 and 2007-2009 expansion projects), and the City has been very pleased with their competency and commitment to value-engineering and a quality product.

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

9.c.1. Ordinance No. 2010-9 - Authorizing economic development agreement

The management team at Wornick Co., a supplier of shelf-stable foods, was recently considering relocation outside of Blue Ash. However, after considering all options, they are finalizing details that will help them remain in Blue Ash. The company currently employs 580 people, and is said to generate in the range of \$300,000 in earnings tax revenues to the City annually. The company recently decided to add a manufacturing line to their existing Kenwood Road facility which will enable them to increase their production capacity as well as add approximately 100 more employees in 2010.

In October, Wornick officials appeared at the State of Ohio Development Finance Authority Council and received a \$6.4 million Ohio Enterprise Bond Fund Loan for equipment for this new production line. In conjunction with the State's Enterprise Bond Loan Fund loan, it is recommended that the City provide \$116,000 in local support of this expansion – payable over a two-year period. The funds would be used by Wornick toward lease payments for the employee parking lot (on adjacent property) which is critical to the ongoing operations of their Blue Ash facility as they often lack adequate on-site parking. The Economic Development Director suggests that this support is justified as it demonstrates, along with partnership with the Ohio Department of Development, the City's commitment to retain a large local employer.

Please address questions regarding this ordinance to the Economic Development Director Judy Clark via E-mail to jclark@blueash.com or 745-8524."

Finance & Administration Committee, Rick Bryan, Chairperson

Councilman Bryan asked the Clerk to read Ordinance No. 2010-7 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

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ORDINANCE NO. 2010-7

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT IN 2010 TO ASSIST THE CITY WITH EFFORTS RELATED TO A BUDGET PRIORITIZATION PROCESS TO BE GUIDED BY LOCAL GOVERNMENT ADVISORS ASSOCIATED WITH THE INTERNATIONAL CITY/COUNTY MANAGEMENT ASSOCIATION (ICMA); 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 Stoller, Buckman, Czerwonka, Adamec, Bryan, and Mayor Weber voted yes. Six yeases. Motion carried.

Councilman Bryan moved, Councilwoman Stoller seconded to adopt Ordinance No. 2010-7. Councilman Bryan noted that this ordinance authorizes funding for the process that began at the January 28 Council meeting. There being no further discussion, the Clerk called the roll. Councilpersons Buckman, Czerwonka, Adamec, Bryan, Stoller, and Mayor Weber voted yes. Six yeases. Ordinance No. 2010-7 passed.

Councilman Bryan asked the Clerk to read Ordinance No. 2010-10 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2010-10

AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR THE PURCHASE OF REAL PROPERTY LOCATED ON THE NORTH SIDE OF BROWN AVENUE EAST OF HIGHLAND AVENUE CONSISTING OF APPROXIMATELY 7,425 SQUARE FEET, ALSO REFERRED TO AS PARCEL 24 OF PAGE 50, BOOK 612 OF THE HAMILTON COUNTY AUDITOR'S OFFICE RECORDS; AND DECLARING AN EMERGENCY

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

Councilman Bryan moved, Vice Mayor Czerwonka seconded to adopt Ordinance No. 2010-10. There being no discussion, the Clerk called the roll. Councilpersons Adamec, Bryan, Stoller, Buckman, Czerwonka, and Mayor Weber voted yes. Six yeases. Ordinance No. 2010-10 passed.

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

Councilman Buckman asked the Clerk to read Ordinance No. 2010-8 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2010-8

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT FOR CONSTRUCTION MANAGEMENT SERVICES ASSOCIATED WITH THE GOLF COURSE CLUBHOUSE PROJECT; AND DECLARING AN EMERGENCY

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

Councilman Buckman moved, Councilwoman Stoller seconded to adopt Ordinance No. 2010-8. Councilman Buckman commented that the City sent packets to eight firms, with five submitting bids. It was noted that the recommended construction manager (Schumacher Dugan) was the same utilized with the Recreation Center expansion project, and the City was very satisfied with their performance. There being no further discussion, the Clerk called the roll. Councilpersons Stoller, Buckman, Czerwonka, Adamec, Bryan, and Mayor Weber voted yes. Six yeases. Ordinance No. 2010-8 passed.

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Planning & Zoning Committee, James W. Sumner, Chairperson

In Councilman Sumner's absence, Vice Mayor Czerwonka was asked to preside.

Vice Mayor Czerwonka asked the Clerk of Council to read Ordinance No. 2010-9 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2010-9

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN ECONOMIC DEVELOPMENT AGREEMENT WITH WORNICK CO.; AND DECLARING AN EMERGENCY

Vice Mayor Czerwonka moved, Councilman Adamec 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, and Mayor Weber voted yes. Six yeases. Motion carried.

Vice Mayor Czerwonka moved, Councilwoman Stoller seconded to adopt Ordinance No. 2010-9. In addressing a question from Council, City Manager Waltz explained that in 2009, the Wornick Company was courted by the State of Kentucky for a potential move to that area; however, after further analysis and efforts, they were able to secure incentives from the State of Ohio, with the local match addressed in this ordinance. The recovery from this investment is approximately six months based upon the income being provided to the City by this business. There being no further discussion, the Clerk called the roll. Councilpersons Czerwonka, Adamec, Bryan, Stoller, Buckman, and Mayor Weber voted yes. Six yeases. Ordinance No. 2010-9 passed.

MISCELLANEOUS BUSINESS

Public Information Officer/Deputy Clerk of Council Sue Bennett noted that the Administration would like to schedule in the near future a work session regarding housing. It was suggested that the work session be set for February 25, March 11, or April 22; however, it is our understanding that Councilman Sumner would be absent on March 11. After brief discussion and added information from the Assistant to the City Manager Kelly Osler, Mayor Weber moved, Councilman Adamec seconded to set the February 25, 2010 Council meeting as a work session to discuss housing. A voice vote was taken. All members present voted yes. Motion carried.

Public Works Director Mike Duncan gave a brief update on two upcoming Cincinnati Water Works projects. The first will start later this month and will begin in Blue Ash on Cooper just west of Kenwood (where the most recent Water Works project in Blue Ash left off). This involves replacement of a 36" transmission line. Work will continue eastward on Cooper to Delray in Montgomery, north on Delray through other residential areas of Montgomery, continuing east and underneath I-71, eventually ending in Montgomery in the vicinity of the Pfeiffer/Montgomery intersection. The work in downtown Blue Ash to be started in late February will be completed at night and over the weekend, and will require the Cooper/Kenwood intersection to be closed the weekend of February 26. That first phase of the project begins just west of Kenwood on Cooper and will stop in the area of the post office/library in downtown, and it is required to be completed by May 1. The contractor will then come back to finish the work in Blue Ash from the library/post office eastward in the summer after school is out.

The second Cincinnati Water Works project involves replacement of a 1926 waterline on Hunt Road between Plainfield and West Avenue and also replacement of waterlines in the "birdville" neighborhood. This project is expected to begin in early March, with the construction work to be done during the daytime hours (similar work was completed in the Arcadia neighborhood last year).

In addressing a question from Councilman Buckman, Mr. Duncan commented that the road and sidewalk work on Hunt Road is complete.

Parks & Recreation Director Chuck Funk commented that the Recreation staff has been working towards consolidation of its volunteer functions. At this point, we have the Special Events Committee (SEC), which was begun about 35 years ago prior to the start of the Recreation Department in place today. The direct involvement of the SEC has diminished over time given development of the Department. We also have a separate volunteer program whose role has grown over recent years. The desire is to consolidate these two groups so they're under one "umbrella," making it easier for the staff to work and plan with the volunteers. Mr. Funk explained

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that they did not want to move forward with this consolidation before checking with Council. After brief discussion, no Council member expressed an objection to the Department's consolidation of these groups.

City Manager Waltz commented, in addressing a previous discussion during Hearings from Citizens from Dr. Nord, that the City does have an Ambassador's Committee which is a group of volunteer business-oriented citizens who helps the Economic Development area with business retention efforts. Also, Ms. Clark works regularly with, and the City pays for related services from, the Regional Chamber of Commerce who does regularly provide leads for potential new businesses.

Solicitor Mark Vander Laan, in addressing a comment from Mr. Capell during Hearings from Citizens, commented that the City's Charter does not require the City to take the low bid – it stipulates the best and most responsive bid. He added that over his 20+ years with the City, he is very comfortable with the City's bidding procedures and practices and overall demand and assurance for quality. The City's reputation is such that contractors who do not produce quality work generally do not bid on Blue Ash projects. If there has been a time when this has not been the case, then the City has successfully sued.

Councilman Bryan thanked the Service Department for doing a great job with snow removal over the recent significant snowfalls. He mentioned that he continues to be amazed at how quickly and efficiently Blue Ash streets are cleared. Public Works Director Mike Duncan clarified that the Service Department does get assistance from the Parks & Grounds and Facilities Maintenance staff with its snow removal efforts as well. Mr. Duncan thanked those crews as well for their help in maintaining Blue Ash's roads during the significant snowfall.

Councilmembers Buckman, Adamec, Czerwonka, Stoller, and Mayor Weber agreed with Councilman Bryan's comments regarding snow removal efforts, and all thanked the Service Department, Parks & Grounds, and Facilities crews for their work in keeping Blue Ash roads clear and safe.

ADJOURNMENT

All items on the agenda having been acted upon, Councilman Bryan moved, Councilman Buckman seconded to adjourn the meeting. A voice vote was taken. All members voted yes. The Council meeting was adjourned at approximately 7:39 PM.

Mark F. Weber, Mayor

Jamie K. Eifert, Clerk of Council

MINUTES WRITTEN BY:

Susan K. Bennett, Deputy Clerk of Council