

BLUE ASH CITY COUNCIL

May 14, 2009

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A regular meeting of the Council of the City of Blue Ash, Ohio, was held on May 14, 2009. 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 Tom Adamec, Mayor Robert Buckman, Councilman Lee Czerwonka, Councilwoman Stephanie Stoller, Councilman James Sumner, and Vice Mayor Mark Weber

MEMBER ABSENT: Councilman Rick Bryan

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, Assistant Community Development Director Dan Johnson, Assistant to the City Manager Kelly Osler, and interested citizens

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

PUBLIC HEARING – 7:00 PM – Ordinance No. 2009-26 – consideration of an amendment to a special use permit for a townhouse development on the north side of Cooper Road at Monroe Avenue (Park Manor)

Councilman Sumner asked the Clerk of Council to read Ordinance No. 2009-26 in its entirety.

THEN WAS PRESENTED AND READ IN ITS ENTIRETY:

ORDINANCE NO. 2009-26

APPROVING A SPECIAL USE PERMIT FOR THE PARK MANOR DEVELOPMENT (NORTH OF COOPER ROAD, EAST OF MONROE AVENUE, AND WEST OF COOPER LANE) UNDER CHAPTER 1149, R-3 RESIDENTIAL DISTRICT, AND CHAPTER 1183, SPECIAL USE REGULATIONS, TO ALLOW A TOWNHOUSE DEVELOPMENT AND ALLOW A CHANGE IN THE DENSITY OF THE RESIDENTIAL DEVELOPMENT FROM A TOTAL OF 71 UNITS CURRENTLY APPROVED TO A MAXIMUM TOTAL OF 91 UNITS

Assistant Community Development Director Dan Johnson commented that Planning Commission recommended approval of this project, and noted that representatives from the applicant are present at tonight's meeting.

Mr. Richard Arnold from McGill Smith Punshon introduced the development team in attendance tonight, including Patty Payne from Sibcy Cline Realtors, the landscape architect Jose Castrejon, the architect Steve Ginter, and the construction manager. He noted that one of the highlights of the changes in his opinion is the positioning of a central park area. There are also additional courtyard areas included between buildings #1 and #2 and between buildings #4 and #5. He explained that since Council approval in 2008, the economics in the market are prohibiting the project and prior layouts from being successful. The current proposal is for 1,300 to 1,800 square-foot size, single-story units.

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Mr. Ginter commented that their desire is to maintain the architecture style already created at the site with the buildings already in place, including features such as stone, brick, shingle effects, and continuation of other materials. Mr. Arnold commented that they have not yet determined what to do with building #6. Depending upon the market, they may decide it best to build smaller size units (900 to 1000 square feet) with lower prices.

In addressing a question from Vice Mayor Weber, Mr. Arnold explained that there is underground parking included, along with some surface parking spread throughout. Overall, there are 241 parking spaces provided, with the Code requiring 186 spaces.

Councilman Sumner noted that he was pleased to see that the Cooper Lane access has been eliminated in this plan which should alleviate traffic concerns on Cooper Lane. Mr. Arnold added that he does not believe the number of units will adversely affect traffic overall and that the elimination of the access on Cooper Lane should satisfy those residents traffic concerns. In addressing a question from Councilman Sumner, Public Works Director Mike Duncan commented that generally accepted engineering studies would estimate that the 91 units would generate about an additional 56 cars in the morning, which is approximately seven or eight more cars calculated when considering the most recently approved 71 units. It is Mr. Duncan's opinion that this additional traffic would not warrant placement of a traffic signal at Cooper Road/Cooper Lane as there are adequate gaps along Cooper Road.

In addressing a question from Councilman Czerwonka, Assistant Community Director Dan Johnson confirmed that the Fire Department has reviewed the plans for this project, with their only concern being the width of the drives, which is addressed in the ordinance among the conditions.

In addressing a question from Mayor Buckman, it was noted that parking along Cooper Lane is allowed on the west side, but not on the east side.

In addressing a question from Councilwoman Stoller, Mr. Arnold commented that the planned buffer along Cooper Lane would include trees between the buildings as well as along the right-of-way – similar to the appearance now seen along Cooper Road in front of the completed units. The landscape architect added that the overall intent is to maintain the same streetscaping pattern and character along both Cooper Road and Cooper Lane.

In addressing a question from Councilman Sumner, the landscape architect explained that the buffering to the north will be increased (more dense) in terms of quantity and plant material. The current plan has eliminated the previous drives in that area, so this buffer area adjacent to residential properties will be more green.

In addressing a question from Councilman Czerwonka, Ms. Payne from Sibcy Cline confirmed that the marketing for the project will have to change given the now urban "flat" floor plan. They anticipate having more, and different, marketing events, along with at least two decorated models. It is anticipated that the remainder of the project will be completed in phases.

In addressing a question from Councilman Adamec, Mr. Johnson commented that the project's proposed density would be a maximum of 12.78 units per acre. The Code allows for this zone (R-3) to allow 14.52 units per acre.

Mr. Dan Bell, 9595 Cooper Lane, commented on the high price range planned for the units (\$375,000 and higher). He expressed concern with the changes to the project, which first was approved with 42 units, then 71, and now 91 units. He added that not many of the units already built have sold. He presented a petition signed by 24 residents. Mr. Bell read the introduction to the petition:

"The following Blue Ash residents are strongly opposed to the number of Park Manor housing units increasing. The proposed number of 91 units is more than 2 times the original number of 42. 91 housing units translate to 91 families with an average of 2 cars per household. That means 182 cars added to the already congested area. Sycamore Junior High School arrival, dismissal

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and sporting events, Pipkins traffic, the Post Office and Library all cause terrible traffic problems.

To make matters worse, the 182 drivers will quickly realize that cutting up Cooper Lane will keep them out of Kenwood Road traffic. This will be terrible for residents of Cooper Lane. Without sidewalks and no speed bumps/humps traffic speeds through this area already. We do not want additional traffic added to this existing problem. Increasing the number of Park Manor units will do just that.”

Mr. Bell added that area residents met with Councilman Sumner last evening to express their largest concern: traffic. He added that it is his opinion that the Cooper Road portion of the project should be finished out first, rather than their plans to begin in the back/north (near his home). He added his concern that the smaller units will become rentals and not owner occupied.

In addressing a question from Councilman Sumner regarding a concern that the project/buildings not become apartment buildings, some discussion was had involving City Solicitor Mark Vander Laan. It was the conclusion of this discussion that with this planned development, the City can prevent the project from being converted from buildings containing condo units to buildings containing apartment units. Such a change would require the project owners to come back to the City for approval, including Planning Commission and Council review and approval via ordinance.

Mr. Bell added that he would suggest the City consider revising its notification procedure to, in the least, advise adjacent property owners of such a change as he was not notified of this ordinance being considered this evening.

Jamie Pike, 4907 Myrtle Avenue, commented that the increase in the number of units and resulting increase in cars will increase traffic in her neighborhood (Arcadia). Currently, Arcadia has no sidewalks, requiring walkers and bikes to be in the street. She expressed concern with the potential of increased rental properties in the area and added her strong belief that rental properties tend to degrade neighborhoods in general.

Julie Brook, 9566 Cooper Lane, commented that she disagrees with the concept of the development and added her concern that the wrong market is being targeted. It is her opinion that the proposed change of design and layout will be no more successful than the phase already completed. She also expressed concern with increased traffic and the inability of Cooper Lane traffic to turn left onto Cooper Road. She mentioned that her son was hit by a car last year while trying to cross Monroe Avenue, in the crosswalk, in this area. She was among the residents that met with Councilman Sumner last evening, and though she is pleased to see access to Cooper Lane from this development eliminated, she reiterated her belief that this particular development is not appropriate for this location. She mentioned that Councilman Sumner’s belief that the proposed development is better than keeping it a vacant lot does not make it the right thing to do. She expressed concern with Council’s apparent allegiance to developers rather than to residents. She encouraged Council to not approve this change.

Barry Brook, 9566 Cooper Lane, commented that he believes some questions remain unanswered regarding this project, as summarized below:

- What will be the affect of this change in the traffic pattern in the area? Especially when considering the school-related traffic, has there been a formal evaluation done?
- He expressed concern with the affect of this change on the remaining condos (those already built) especially since only a relatively few have been sold. Will the value of those units decrease?
- What will be the affect of this change on the surrounding community? There are a wide range of home prices – will this change increase or decrease that diversity?
- What is the affect of this change on the central business district?

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- Is it realistic that these units will sell? Has there been a study/financial analysis looking at this?

Mr. Brook expressed disappointment that Council seems to be favoring business interests rather than residents' safety interests and commented that he agrees this project has not been well thought out.

Dr. Marvin Lucas, 3748 Fallen Tree Lane, expressed concerns, as summarized below:

- His calculations based upon numbers discussed this evening equate the price of these units being in the \$200 to \$290 per-square-foot range. The cost of his home equates to about \$100 per square foot. He expressed concern that these units are priced two to three times more than general single-family homes.
- He mentioned that this is prime real estate, and has read that the City is considering relocating offices in the current City Hall building elsewhere to make more room for the Police Department. He read similar desires for the future relocation of the Sycamore School Board offices to provide needed additional space. He asked why this location could not be used for these types of purposes.
- He mentioned that should this ordinance be approved this evening, there is a 40-day time frame in which residents could submit a petition. In addressing a question from Dr. Lucas, Solicitor Mark Vander Laan commented that the basis for the quantity of signatures needed for such an effort would be based upon the number of voters in the November 2008 general election (not the May primary).

Jim Morgalis, 9651 Cooper Lane, commented that he has lived on Cooper Lane since 1983. He expressed concern with the increase of people and traffic likely with this project, especially since it began with 42 units (targeted towards empty nesters) to the current 91 units likely to add 180 people. In addressing a question from Mr. Morgalis regarding parking, it was stated that about two-thirds of the extra parking is counted within the surface/outside parking areas, and about one-third is underground. He urged Council to consider all options before moving forward with this project.

This public hearing was declared closed at approximately 8:02PM.

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

ACCEPTANCE OF AGENDA

Councilman Czerwonka moved, Vice Mayor Weber 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. PUBLIC HEARING – 7:00 PM – Ordinance No. 2009-26 – consideration of an amendment to a special use permit for a townhouse development on the north side of Cooper Road at Monroe Avenue (Park Manor)
5. APPOINTMENT OF PERSON(S) TO READ ORDINANCES IN FULL IN REAR OF COUNCIL CHAMBERS
6. ACCEPTANCE OF AGENDA
7. APPROVAL OF MINUTES
 - a. Regular Meeting of April 23, 2009
8. COMMUNICATIONS
 - a. Communications to Council - Clerk of Council Jamie K. Eifert
 - b. Reports From Outside Agencies
 - c. Proclamation – Public Works Week, May 17-23 – Honorable Robert J. Buckman, Jr.
9. HEARINGS FROM CITIZENS

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10. COMMITTEE REPORTS

- a. Planning & Zoning Committee, James W. Sumner, Chairperson
 1. Ordinance No. 2009-26, approving a special use permit for the Park Manor development to allow a townhouse development and allow a change in the density of the residential development from a total of 71 units currently approved to a maximum total of 91 units
 2. Motion setting 7:05PM, Thursday, July 9, 2009 as public hearing for consideration of a request from Bloomin' Garden Centre for a Zoning Text Amendment
- b. Finance & Administration Committee, Rick Bryan, Chairperson
 1. Motion setting 7:00PM, Thursday, July 9, 2009 as public hearing for consideration of the 2010 Tax Budget
- c. Parks & Recreation Committee, Lee Czerwonka, Chairperson
 1. Ordinance No. 2009-27, amending Ordinance No. 2008-16 regarding the Recreation Center expansion and renovation project
- d. Public Works Committee, Thomas C. Adamec, Chairperson
 1. Ordinance No. 2009-28, authorizing a contract for the purchase of road salt (in cooperation with the City of Cincinnati)
 2. Motion setting a public hearing for 7:05 PM, Thursday, June 11 to adopt the rules and regulations for the Hamilton County Storm Water District

11. MISCELLANEOUS BUSINESS

12. EXECUTIVE SESSION – Personnel Matter (Planning Commission vacancy) & Potential Litigation

13. ADJOURNMENT”

APPROVAL OF MINUTES

Vice Mayor Weber moved, Councilwoman Stoller seconded to approve the minutes of the regular meeting of April 23, 2009. A voice vote was taken. All members present voted yes. Motion carried.

COMMUNICATIONS

Communications to Council

The City is in receipt of the following new liquor permit request:

Permit #: 9699500

Type: New; Permit class: D5I

TO: Winstons Grill LLC, DBA Incahoots Restaurant & Bar, 4110 Hunt Road, 45236

The Police have reviewed this D5I permit (allows liquor and beer for consumption on premises until 2:30AM), and has expressed no objections. No Council person expressed objection to this request.

Reports From Outside Agencies

There were no representatives from an outside agency present at the meeting.

Proclamation - Public Works Week, May 17-23

Mayor Buckman noted that on tonight's agenda is a proclamation for Public Works Week which is May 17 – 23. He explained that the public works role of local government is a very important one and one that every day affects all of our citizens as well as visitors. He noted his pride in the work the employees of our Service Department do each and every day. This proclamation will be spread in full in the Council minutes, and will be posted to our bulletin board.

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“Whereas, public works services in our community are an integral part of our citizens' everyday lives; and

Whereas, the support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs such as water, sewers, streets and highways, sidewalks and bike paths, solid waste collection, snow removal, and waste reduction activities, such as recycling; and

Whereas, the health, safety, and comfort of this community greatly depend on these facilities and services; and

Whereas, the quality and effectiveness of these facilities, as well as their planning, design, and construction, are vitally dependent upon the efforts and skill of public works personnel and officials; and

Whereas, the efficiency of the qualified and dedicated personnel who staff public works departments is materially influenced by the people's attitude and understanding of the importance of the work they perform.

Now, Therefore, I, Robert J. Buckman, Jr., Mayor of the City of Blue Ash, Ohio, do hereby proclaim May 17 through May 23, 2009 as PUBLIC WORKS WEEK in Blue Ash, Ohio and call upon all citizens and civic organizations to acquaint themselves with the challenges involved in providing our public works and to recognize the contributions that public works officials and personnel make everyday to our health, safety, and comfort.

In Witness Whereof, I have hereunto subscribed my name and caused the Seal of The City of Blue Ash, Ohio to be affixed this 14th day of May in the Year of Our Lord Two Thousand and Nine.”

HEARINGS FROM CITIZENS

Dr. Marvin Lucas, 3748 Fallen Tree Lane, mentioned that he was a recent candidate for City Council's Ward 5 position, from which he eventually withdrew. He asked how he could get some of his proposals incorporated, with those proposals summarized below:

- Dr. Lucas suggested designating Council meetings targeted for each ward. He believes this could better bring the community together, would generate more ideas from residents, and could develop more leadership within each ward. Vice Mayor Weber commented that this idea has merit, and suggested that a time after the end of regular meetings could be designated for specific wards to have a question and answer session. Councilpersons Sumner and Stoller commented that similar concepts have been tried in the past and have not been successful (i.e., no one shows up). Councilman Sumner added that he believes Council is now available and accessible to residents. Discussion was concluded with the notion that Dr. Lucas and Councilman Weber would discuss this concept further.
- Dr. Lucas suggested the formation of perhaps a “board of elections” comprised of citizens that could act as an intermediary when questions arise between the Council and the Administration.
- Dr. Lucas suggested that the Blue Ash Code of Ordinances be updated. It appears to him that the last update as included on the Drane website happened in June 2007, and he suggested It be updated much more often.

Hearings from Citizens was declared closed at approximately 8:16PM.

COMMITTEE REPORTS

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

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"The following offers a brief description of the topics included on the May 14 Council agenda:

4. and 10.a.1. Ordinance No. 2009-26 - Approving a special use permit for the Park Manor development to allow a townhouse development and allow a change in the density of the residential development from a total of 71 units currently approved to a maximum total of 91 units

The City is in receipt of a request from the owner of the Park Manor residential development for a special use application. Planning Commission reviewed this plan at its April 2 meeting, and recommended unanimous approval to City Council, along with conditions as outlined in Section I of the ordinance.

Park Manor was first approved by Council as a large-scale residential development in November 2005. The plan then included a total of 42 units in 12 buildings (three to five units each). To date, four of the buildings have been constructed, containing a total of 15 units.

In July 2008, Council approved a modification to the plan which increased the number of approved units to a total of 71. The buildings included underground parking garages with flats accessed by elevator. The owner believed that the market was not supportive of the initial multi-story unit design.

The current proposed modification would reduce the number of buildings from 12 to ten, but the number of potential units in each of the remaining buildings would increase, resulting in a maximum of 91 units in the development. The overall density of 12.78 units per acre is below the maximum allowable townhouse density of 14.52 units per acre. For the undeveloped portion of the site, the plan indicates five buildings with up to 12 units each, and one building with up to 18 units. The applicant verbally indicated that the numbers described on the plan would be the maximum, but mentioned that they would like to have the flexibility to decrease the density depending upon market conditions.

Access to the site would be modified so that no vehicular access is provided from Cooper Lane, and all access would be from Cooper Road or Monroe Avenue. The prior plan included driveways along the north side of the site, adjacent to the neighboring residential properties. The current plan removes those drives so the yard area between the buildings and the neighboring properties would be retained in landscape.

The minimum setback proposed is ten feet from Cooper Lane, and about 13 feet from Cooper Road. The minimum setbacks approved in 2008 were ten feet from both street rights-of-way. The minimum setback from the north side would decrease from about 45 feet to 30 feet.

Representatives of the development are expected at Thursday's hearing, and plans will be posted for review by the public and Council. Please direct questions regarding this ordinance to the Assistant Community Development Director Dan Johnson at djohnson@blueash.com or by calling Dan at 745-8528.

10.a.2. Motion setting 7:05PM, Thursday, July 9, 2009 as public hearing for consideration of a request from Bloomin' Garden Centre for a Zoning Text Amendment

The City is in receipt of a request from Bloomin' Garden Centre at 8793 Kenwood Road requesting a change to Section 1187.05 of the Zoning Code. If approved, the regulation is not district specific as it would apply equally to every property throughout Blue Ash. The change would provide the opportunity for an owner of a nonconforming use to make an application for a Special Use Permit to approve a particular development or land use. This motion sets a public hearing for the July Council meeting, including the first reading of the ordinance. The second reading and vote would be scheduled for the August Council meeting.

More details regarding this item will be provided at the hearing in July. Please direct questions regarding this item to the Assistant Community Development Director Dan Johnson at djohnson@blueash.com or by calling Dan at 745-8528.

10.b.1. Motion setting 7:00PM, Thursday, July 9, 2009 as public hearing for consideration of the 2010 Tax Budget

As is customary this time of year, this motion sets the public hearing date for the 2010 Tax Budget for July 9, 2009 at 7:00 PM. It is necessary to hold a public hearing and to thereafter present Council with a resolution for the Budget's acceptance, as has been the practice in the past. A copy of the Tax Budget will be available for review by the public, and Council's copy will be delivered in early July.

Please direct any questions regarding this motion or the tax budget process to the Treasurer.

10.c.1. Ordinance No. 2009-27 - Amending Ordinance No. 2008-16 regarding the Recreation Center expansion and renovation project

As was discussed with and directed by Council at the April 23 meeting, this ordinance authorizes the appropriate change orders associated with the trellis features outside the family area of the new

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recreation center. This feature was included as an alternate in the original bidding process; however, the decision to move forward was postponed to allow for the evaluation of the funding situation towards the end of the project and to pursue savings via value engineering. This ordinance authorizes amendment to three existing contracts. The change will be funded within existing limits by savings obtained through value engineering changes throughout the project. Ordinance No. 2009-27 authorizes changes to the following contracts, with the total cost of the trellis alternate being \$37,535:

- Empire Building Company (concrete) – not to exceed an additional \$8,644
- Weisbrod Masonry (masonry) – not to exceed an additional \$7,160
- Mark Spaulding Construction (general trades) – not to exceed an additional \$21,731

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

10.d.1. Ordinance No. 2009-28 - Authorizing a contract for the purchase of road salt (in cooperation with the City of Cincinnati)

Ordinance No. 2009-28 authorizes a contract for the purchase of road salt for an amount not to exceed \$62.01 per ton. This purchase is in conjunction with a relatively new initiative, the Government Cooperation and Efficiency Project (GCEP), which is a shared purchasing arrangement available to all local governments within Hamilton County. The City of Cincinnati recently bid the purchase of salt, and the winning bidder was North American Salt Company. The unit cost of \$62.01 per ton (delivered to the Service garage) is substantially lower than the higher prices experienced last year. Blue Ash's intent is to purchase at least 3,000 tons through the Cincinnati contract.

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

10.d.2. Motion setting a public hearing for 7:05 PM, Thursday, June 11 to adopt the rules and regulations for the Hamilton County Storm Water District

The Public Works Director has been working with the Solicitor's office relating to the adoption of the rules and regulations for the Hamilton County Storm Water District. The regulations encompass specific requirements within these regulations and requirements for the "enforcing official," which in most cases is Blue Ash, not the District. A public hearing is required, with subsequent presentation of appropriate legislation to Council thereafter. More details regarding this item will be provided to Council at the time of the hearing and presentation of legislation. Please see the separate memo in your packets from the Public Works Director regarding this issue.

Please address questions regarding this item to the Solicitor or Public Works Director."

Planning & Zoning Committee, James W. Sumner, Chairperson

Ordinance No. 2009-26 already having been read in full during the public hearing, 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 Stoller, Sumner, Weber, Adamec, Czerwonka, and Mayor Buckman voted yes. Six yeases. Motion carried.

Councilman Sumner moved, Councilwoman Stoller seconded to adopt Ordinance No. 2009-26. Vice Mayor Weber commented that Public Works Director Mike Duncan has previously addressed traffic concerns, and agrees with his opinion that traffic would be only marginally affected. Vice Mayor Weber added that it is not the City's determination as to whether the homes are marketable. Rather, he presumes that given the large investment involved by the applicants that they have done their homework to support that investment. He added that the City did complete a downtown marketing study in recent years, and the recommendation is that more housing in and near downtown is needed to generate more foot traffic to assure the future success of downtown. Vice Mayor Weber believes this project will support Blue Ash's downtown goals.

Councilman Czerwonka expressed support of the project; however, he agreed with the prior discussion (during the public hearing) regarding the idea that apartment units are not desired.

Councilwoman Stoller expressed support for the project and commented that it is her opinion that the empty-nesters would not have preferred the previous design featuring multi-level condos, and that it is her opinion the proposed single-floor units will sell well.

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In addressing a question from Mayor Buckman, Mr. Arnold commented that the reason they want to begin building in the northeast (back) of the development is two-fold. The first reason is marketing related. He explained that if you build in the front (i.e., along Cooper), then the market will not be able to see the building going on behind. He explained that it is better from a marketing standpoint to work "inside out". Secondly, they prefer to start building in the rear due to the drainage plans and existing grades of the property. Mr. Tim Traschsel commented that he was brought onto the team to help rebrand the project and added that he recently worked on a very successful project in Mariemont. That project's price was approximately \$300 per square foot. He concurred that building from back to front helps to build momentum for a project and increases its marketability.

Councilman Adamec commented that in his opinion, this project will be an improvement and will benefit downtown.

Councilman Sumner commented that the Planning Commission (which he is also a member) passed this plan unanimously, with the conditions as outlined within the ordinance. He added that he has not been in support of this project all along; however, he supports the project now because he believes it is important for this project to move forward rather than remain uncompleted.

There being no further discussion, the Clerk called the roll for adoption of Ordinance No. 2009-26. Councilpersons Sumner, Weber, Adamec, Czerwonka, Stoller, and Mayor Buckman voted yes. Six yeses. Ordinance No. 2009-26 passed.

Councilman Sumner moved, Councilwoman Stoller seconded to set 7:05 PM, Thursday, July 9, 2009 as public hearing for consideration of a request from Bloomin' Garden Centre for a Zoning Text Amendment. A voice vote was taken. All members voted yes. Motion carried.

Finance & Administration Committee, Rick Bryan, Chairperson

In Councilman Bryan's absence, Councilwoman Stoller was asked to preside.

Councilwoman Stoller moved, Vice Mayor Weber seconded to set 7:00PM, Thursday, July 9, 2009 as public hearing for consideration of the 2010 Tax Budget. A voice vote was taken. All members voted yes. Motion carried.

Parks & Recreation Committee, Lee Czerwonka, Chairperson

Councilman Czerwonka asked the Clerk to read Ordinance No. 2009-27 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2009-27

AMENDING PORTIONS OF ORDINANCE NO. 2008-16 REGARDING PHASE II OF THE RECREATION CENTER EXPANSION AND RENOVATION PROJECT RELATED TO TRELIS FEATURES; AND DECLARING AN EMERGENCY

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

Councilman Czerwonka moved, Councilwoman Stoller seconded to adopt Ordinance No. 2009-27. In addressing a question from Vice Mayor Weber, Parks & Recreation Director Chuck Funk commented that the work being approved by this ordinance was the trellis work discussed at the prior meeting. This was an alternate with the original bid, and the recommendation is being made to move forward with the project because of the quality being added. There being no further discussion, the Clerk called the roll. Councilpersons Adamec, Czerwonka, Stoller, Sumner, Weber, and Mayor Buckman voted yes. Six yeses. Ordinance No. 2009-27 passed.

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Public Works Committee, Thomas C. Adamec, Chairperson

Councilman Adamec asked the Clerk to read Ordinance No. 2009-28 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2009-28

AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR THE PURCHASE OF BULK ROCK SALT FOR AN AMOUNT NOT TO EXCEED \$62.01 PER TON DELIVERED; AND DECLARING AN EMERGENCY

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

Councilman Adamec moved, Councilwoman Stoller seconded to adopt Ordinance No. 2009-28. There being no discussion, the Clerk called the roll. Councilpersons Stoller, Sumner, Weber, Adamec, Czerwonka, and Mayor Buckman voted yes. Six yeses. Ordinance No. 2009-28 passed.

Councilman Adamec moved, Vice Mayor Weber seconded to set 7:05 PM, Thursday, June 11 to adopt the rules and regulations for the Hamilton County Storm Water District. A voice vote was taken. All members voted yes. Motion carried.

MISCELLANEOUS BUSINESS

Public Information Officer/Deputy Clerk of Council Sue Bennett reminded Council and the audience of the upcoming Memorial Day activities, including the parade and ceremonies, set to take place on Monday, May 25. The keynote speaker is from the Blue Ash Air National Guard Station, and the military band is the 338 Army Reserve band from Columbus. She mentioned that this year represents the community's 57th annual event.

Public Works Director Mike Duncan thanked Council and the Mayor for the proclamation related to Public Works Week and mentioned that even though perhaps the department's most visible activity is snow removal, the employees of the Service Department work hard year-round on public works related activity.

Mr. Duncan referred to a new recycling toter, placed in the back of Council Chambers, which is being made available to residents. This 65-gallon toter is intended to replace, upon request, the red curbside recycling containers. It will hold much more than the red recycling bin, and will also offer protection from the rain for the recycling items, as well as protection from these items being blown out of the smaller bin. These larger toters, with notice of their availability on our website as well as mentioned in the community newsletter, will be delivered to residents, upon request, the week of June 22.

City Manager Waltz reminded all that waste pickup service, including curbside recycling, is paid in full by the City of Blue Ash, representing a cost in excess of \$1 million annually. He noted that this represents a significant savings for our residents and that Blue Ash is one of the few remaining communities which continue to cover this expense for citizens.

Parks & Recreation Director Chuck Funk noted that the Recreation Center project continues to move forward. The Center has been closed this week as current activity includes relocation of various functions to their final home within the center. The building will reopen next week (May 21). At that time, about 80% of the project will be complete, with the project scheduled to be 100% complete by late June.

City Manager Waltz commented that an additional service will be offered to residents at the neighborhood cleanup day scheduled for Saturday, October 17 – a free paper shredding service. He noted that this additional service is being added based upon direct suggestions from residents.

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Mr. Waltz commented that he had the privilege to talk with government classes at Sycamore High School earlier today. He enjoyed the opportunity to interact with our community's future leaders and noted their energy. He mentioned the particular pride of Blue Ash students in their renovated and expanded recreation center soon to be open.

Mr. Waltz made note of a memo previously distributed to Council suggesting the possibility of additional research regarding our zoning code and potential future request related to energy-generating windmills or wind turbines. After some discussion, it was the consensus of Council that this concept be further researched for potential inclusion within our Code and discussed at a future meeting.

Mr. Waltz gave a brief update on the future multi-functional golf clubhouse and other golf improvements. The project is somewhat on hold in anticipation of the near future completion of the Recreation Center as well as a watch on the overall affect of the economy on the City's budget. Current efforts include an updated marketing analysis now underway to assure that the size and type of facility being proposed is still right for today's market and circumstances. The Administration hopes to have that completed study back within the next few weeks. Once those results are back, and assuming signs of economic recovery continue to be imminent, clubhouse design will be re-examined this fall, and the overall project will include public outreach, open houses, etc. The hope is for this project to begin sometime in 2010.

Mr. Waltz reminded Council of traffic light enhancements for downtown to occur next fall. Along with those improvements, ideas for streetscaping updates (light poles, etc.) will be fine tuned. Such improvements will be budget driven, and will most likely be phased over multiple budgets/years.

Mr. Waltz reminded Council of a memo previously distributed regarding his encouragement to consider what amenities are desired for the future 130-acre park. Though we are now in a holding pattern awaiting Cincinnati's relocation of the airport facilities, this is an appropriate time to continue thoughts on overall amenities for the park. Some discussion was had, and it was the consensus of Council that further discussion would be scheduled and the potential of a public "walk through" of the park might be a good idea to generate even more ideas and to encourage public input.

Councilwoman Stoller commented that in addition to the parade and ceremonies on Memorial Day, there will also be a Blue Ash Symphony Concert on Towne Square. The Youth Symphony will also perform as a part of that event.

Mayor Buckman welcomed Councilman Adamec to City Council (as the Mayor was unable to attend the last meeting, representing Councilman Adamec's first).

In addressing a question from Mayor Buckman, Mr. Funk commented that the golf course will soon start offering an additional senior citizen greens fee discount on Mondays and Tuesdays. Though the senior rate is already substantially discounted, this new proposal will offer even deeper discounts on Mondays and Tuesdays only. If this trial is deemed a success and the recommendation is to continue, a change to the golf fees will be presented to Council as a part of the overall recreation fee resolution.

EXECUTIVE SESSION

After all items on the agenda were acted upon, Mayor Buckman moved, Councilman Czerwonka seconded to convene an Executive Session to discuss matters pertaining to personnel (Planning Commission vacancy) and potential litigation. The Clerk called the roll. Councilpersons Sumner, Weber, Adamec, Czerwonka, Stoller, and Mayor Buckman voted yes. Six yeses. Motion carried.

After matters pertaining to personnel and potential litigation were discussed, Councilman Sumner moved, Vice Mayor Weber seconded to convene to the regular meeting. A voice vote was taken. All Council members voted yes. Motion carried.

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ADJOURNMENT

All items on the agenda having been acted upon, Councilwoman Stoller moved, Councilman Sumner seconded to adjourn the meeting. A voice vote was taken. All members voted yes. The Council meeting was adjourned at approximately 9:35 PM.

Robert J. Buckman, Jr., Mayor

Jamie K. Eifert, Clerk of Council

MINUTES WRITTEN BY:

Susan K. Bennett, Deputy Clerk of Council