

A special meeting of the Council of the City of Blue Ash, Ohio, was held on August 17, 2006. Mayor Robert J. Buckman, Jr. called the meeting to order in Council Chambers at 7:00 PM.

OPENING CEREMONIES

Mayor Buckman led those assembled in the Pledge of Allegiance.

ROLL CALL

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

MEMBER ABSENT: Councilman James Sumner

Councilman Bryan moved, Councilman 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, Service Director Dennis Albrinck, members of the press, and interested citizens

ACCEPTANCE OF AGENDA

Councilman Stacey moved, Councilman Bryan seconded to accept the revised 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. ACCEPTANCE OF AGENDA
5. HEARINGS FROM CITIZENS
6. COMMITTEE REPORTS
 - a. Finance & Administration Committee, Rick Bryan, Chairperson
 1. Motion adding, to the previously discussed schedule, a public Open House regarding the Airport Park project from 7:00 PM to 9:00 PM on Wednesday, October 4th, at the Recreation Center
 2. Ordinance No. 2006-52, providing for the submission to Blue Ash electors the question of amending a portion of Article IX of the Blue Ash Charter regarding earnings tax (second and final reading)
7. MISCELLANEOUS BUSINESS
8. EXECUTIVE SESSION – Personnel Matter
9. ADJOURNMENT”

The following report was given to Council explaining the revised agenda:

“Thursday’s Council Agenda has been revised for several reasons, as described below:

Item 6.a.1.

Several suggestions have been made to add a public open house during evening hours to give further opportunity for residents to learn about the Airport Park project. To address this concern, the Administration recommends that an additional open house be scheduled for 7:00 to 9:00PM, Wednesday, October 4th, at the Recreation Center. Assuming Council agrees, the complete schedule of open houses is included below:

- Thursday, Sept. 14th 4:30 - 6PMRecreation Center
- Saturday, Sept. 23rd..... 10AM - NoonHazelwood Civic Center
- Thursday, Sept. 28th 4:30 - 6PMNorth Firehouse
- Tuesday, Oct. 3rd 11AM - 1:30PM.....Council Chambers/Municipal & Safety Center
- Wednesday, Oct. 4th..... 11AM - 1:30PM.....Recreation Center
- Wednesday, Oct. 4th 7PM – 9PM.....Recreation Center

Since there was a Council motion formally establishing the first five open houses, it would be appropriate for Council to make a formal motion adding this sixth opportunity.

The open houses will supplement additional public outreach efforts, including information booths at the various events scheduled from late August through late October, as well as continuous static displays at the Recreation Center and Golf Course, and itinerant displays to be determined at area restaurants and office buildings. The staff also plans to be available to attend neighborhood, civic, and other meetings upon request from residents.

Items 7. and 8.

The Administration also added the “Miscellaneous Business” option for tonight’s meeting, as well as an Executive Session to discuss a personnel matter not known at the time packets were delivered earlier this week.”

The Mayor asked the Clerk to read the following two letters received by the City today via fax from individuals unable to attend tonight’s meeting:

“Honorable Jack Buckman, Mayor
City of Blue Ash
4343 Cooper Road
Blue Ash, Ohio 45242

Dear Mayor Buckman:

The Ohio Aviation Association (OAA) is a non-profit organization representing fixed-base operators, airport sponsors and governing bodies, aviation engineers and planners, pilots, and aviation enthusiasts. As president of OAA I wish to commend you and the officials of Blue Ash and the City of Cincinnati for your farsightedness and collaboration in the establishment of plans to maintain the Blue Ash airport.

I have personally spoken to pilots and community members there in Blue Ash who can attest to the important role that the airport plays in the economic vitality of the area. Additionally, the Blue Ash airport is recognized as an important component of our Ohio’s aviation infrastructure.

For these reasons we strongly encourage the adoption of Blue Ash City Ordinance # 2006-52.

We are aware of the many challenges facing redevelopment of the airport, and offer the assistance of our association. Feel free to call upon OAA and the resources our group can bring to bear here in Ohio as you move forward in this process.

Respectfully

/S/ John A. Popio, President”

“Charles H. Gerhardt, III
August 17, 2006

Robert J. Buckman, Jr.
Mayor
City of Blue Ash, Ohio
4343 Cooper Road
Blue Ash, Ohio 45242-5699

Re: Airport Plan

Dear Mayor Buckman and Members of Council:

I apologize that I could not attend tonight’s meeting, but I had a previously scheduled engagement. As you may recall, I represent the Aircraft Owners and Pilots Association (AOPA).

Through this letter I wanted to reiterate AOPA’s support for the plan before you this evening. Having focused on this issue for many years, it is heartening that the cities of Cincinnati and Blue Ash are working in good faith to ensure that airport operations are maintained at the Blue Ash Airport for many years to come. While the AOPA performs many functions, maintaining at the full utility and viability of general aviation airports is our highest priority and we will do whatever we can to maintain operations at Blue Ash Airport and to ensure that the airport remains open for public use for decades to come.

I recognize that in some quarters this may not be the ideal plan, but it is the plan before us and it is the closest we have come to putting a viable plan together that will maintain operations at Blue Ash Airport and the benefits this important airport provides to your community. We have met with business leaders and elected officials in both Blue Ash and Cincinnati, and believe that they are acting in good faith. We call on you as leaders of the community to work diligently to keep the airport open and operational.

Could circumstances change? Certainly, but we do not believe that the proponents of this plan are engaging in subterfuge with the ultimate goal of closing down the airport. However, as airport proponents, we must work together to ensure that the plan is carried out as it is being presented to us. United, we will be able to hold our public officials accountable.

I am fearful that if we do not move forward with the plan, we will almost certainly lose control of the situation. Because there is no other plan, the City of Cincinnati will be able to consider other plans that are not as beneficial to the City of Blue Ash and with the swipe of the pen, could shut down the airport by mid-October. We do not believe you wish to see this occur since the loss of this vital transportation asset would not be in your best interest. Should the opportunity arise for the City of Blue Ash to acquire the entire property – including the airport – we urge you to take advantage of that opportunity. AOPA stands ready and willing to assist you in making Blue Ash Airport a key component of a national transportation system and gem for your city.

Thank you for the opportunity to formally present these remarks.

Sincerely,

/S/ Charles H. Gerhardt, III”

HEARINGS FROM CITIZENS

Matt Dunn, 9352 Hunter’s Creek Drive, and Carol Rybka, Hunter’s Creek Drive and President of the condo Homeowner’s Association introduced themselves. Mr. Dunn commented that he was asked by the homeowner’s board to look into the issue of the gate currently in disrepair that is located at the south end of Raven Lane abutting the Hunter’s Creek/Twin Lakes development. The gate is about six feet tall and 10 or 12 feet wide. He commented it was his understanding that the gate was first installed for emergency access reasons to the development while it was under construction. It is located at the end of Raven

Lane, close to the Raven Lane pavement and about 20 or 30 feet from one of the Twin Lake development lakes. Over time the gate has aged. He would like to put on public record a request from the Twin Lakes homeowners association to the City to either fix or replace the fence. After talking with Towne Properties, it is his understanding that the City (at the request of former Councilman Bob Schueler) erected the fence, and that the only key to that gate is kept by the City. If the fence belongs to the homeowners association, they are not aware of it. The fence is a safety concern of the homeowners, particularly for children. He commented that the homeowner's association does not have the funds to repair or replace the fence soon, and Mr. Dunn requests that the City consider either fixing or replacing it. If it is determined to be the homeowner's association responsibility, then are they legally required to keep a gate/fence in that location?

In addressing a question from Councilman Czerwonka, Mr. Dunn commented that there is a homeowner's association owned perimeter fence in the vicinity; however, it is clearly of different style than the subject gate.

Service Director Denny Albrinck commented that the staff has been looking into this issue and recently located a file on the project that may answer the questions being presented tonight. Mr. Albrinck met with Mr. Dunn during the meeting, in the lobby area.

Mike Oyster, 3826 Meadowlark Lane (Fairfax), commented that he works in Cincinnati and has clients throughout this part of the country. He frequently utilizes the Blue Ash Airport for business reasons. He would very much like for the Airport to remain in operation and stressed its importance to the regional air transportation system. He also hopes that continued airport operation is important to the City and encourages Blue Ash to do everything it can to save the Airport.

Bob Steele, a Deerfield Township resident, commented on the proposed language included in the framework contract between Cincinnati and Blue Ash, and he read several portions of that document. His concern is that Cincinnati has too much opportunity to close the airport and is headed in that direction. He asked if Cincinnati would close the airport, would Blue Ash buy that property and maintain the airport operations.

Earl Sod, 9420 Hunter's Creek Drive, commented that he is a pilot and owner of a plane based at the Blue Ash Airport. He commends Blue Ash for keeping the dialogue open with Cincinnati. It is his belief that the contract is less than optimal, particularly due to the contract proposal clause that seemingly turns the fate of the airport over to the City of Cincinnati. He commented that Cincinnati has been reluctant to accept federal funding to improve the airport in the past. He believes that the support for the proposed tax increase will require defining more of the issues between the Cities, specifically related to the reconfiguration effort. He encouraged Blue Ash to finalize the contract language soon – before the information sessions -- so that voters could cast informed votes. He commented that he hopes to be able to enjoy the green space at the airport property for years to come.

Bill Christian, 9854 Kenwood Road and owner and operator of Blue Ash Aviation based at the Blue Ash Airport (one of four operators at the airport), commented that it is important that the language specifically about the airport is spelled out. Most of the language in the contract is geared towards the park aspect. Nothing in the contract guarantees existence of the airport. He questions why, if the federal funds are available to improve the airport, no applications have been filed. He also questioned why Council believes that spending tax money on creating a tunnel under Plainfield Road to access golf holes is appropriate.

Mr. Terry Breckenridge, 6274 Bentley Woods (Morrow), read the following letter and afterwards presented it to the Clerk of Council.

“Aug. 17, 2006

STATEMENT FROM

Mr. Don Wilson, 3533 Mohler Road, Phone 513-985-9318 Aug. 17, 2006

Another commitment prevents my attending the Council meeting this Thursday 17 August. But feel free to share the following with Council on my behalf.

I expect there will be considerable discussions by others in the near future about a tax increase to create a parkland green space, but my interest is keeping the airport open, and that’s where my focus will remain. I’ve given considerable thought since the 10 August meeting about the shortcomings of the proposal.

Those who support the proposal expressed relief that, after a quarter-century of frustration, Cincinnati is now ready to sell property to Blue Ash. What they overlook is (in my judgment) the INEVITABLE resultant closure of the airport – because there is no leverage on Cincinnati to keep it open. Some leverage would be gained by the following:

1. The proposed contract states “Blue Ash envisions that the cooperative airport relocation process between Cincinnati and Blue Ash will permit the formation of an advisory Blue Ash Airport Board ...”

The contract should be altered to read “Blue Ash and Cincinnati will create a Blue Ash Airport Advisory Board whose purpose is to manage the completion of relocation feasibility studies, relocation planning, and the preparation and submission of grant requests needed to assure the economic viability of continued airport operation.”

2. The contract should additionally state that “The first two annual payments following closing will be placed in escrow specifically for the purpose of funding the above Board activities.”

If the Council cannot commit to the above (or some equivalent process to insure a fair economic evaluation), then one can only conclude that their expressed desire to keep the airport open is no more than political posturing.

Signed,
Don Wilson
3533 Mohler Road
Phone 513-985-9318”

Mr. Jamie Spouse, a Northern Kentucky resident and pilot at the Blue Ash Airport, commented that small airports such as Blue Ash are members of an endangered species. Blue Ash has an opportunity to create a mixed-use type development that would make them a pioneer in aviation and in community development. With the airport, it could thrive and be a model community. He urged Blue Ash to ask the City of Cincinnati for more control of the airport’s destiny.

Scott Meyer, a Maineville resident, asked if it is true that Blue Ash never asked to buy the airport property from Cincinnati, and if that is true, why?

Bill Sikute, 9566 Bluewing Terrace, a Blue Ash resident and pilot who owns a plane based at Blue Ash, expressed his support for the City’s efforts and proposal. He mentioned that Blue Ash Council has been on record over the years expressing their position to save the airport. Those actions show that they clearly believe the airport is a valuable asset for the community. In speaking to citizens, he stressed that this is the first legitimate opportunity that we have had to control that large area of Blue Ash, and it could be the last opportunity as well. There is no reason the City of Cincinnati should determine what happens to that large part, 230 acres, of our community. To ask the Council and Administration to answer hypothetical questions is very difficult, as it would be for anybody. The opportunity before us today to buy a large portion of this property for the betterment of the community should not be missed. There are four businesses located at the airport. Three of the four favor the Blue Ash proposal as presented. Those three businesses that support the proposal represent an accumulated 120 years of service to Blue Ash and operation of viable businesses at the

airport. He strongly favors the proposal as a resident and taxpayer, and encourages residents to vote for this tax increase to allow this proposal to move forward as this represents the best opportunity to control its destiny.

Amy Christian, 9854 Kenwood Road and part of the Blue Ash Aviation business operation, commented that it is not that she and her husband don't support Blue Ash's efforts; they simply want Blue Ash to buy the airport property and not just the part of the airport to be used as a park. She asked why Council members do not want to own the airport. If the question is liability, she commented that insurance would address that concern. She plans to heavily campaign to get these answers.

Steve Pollak, 8011 Deersadow Lane (Montgomery), commented that the Blue Ash Airport would never rival larger area reliever airports; however, it does play an important role in the air transportation system. He commented that the Councils and the business owners have made a best effort without hidden agendas. He urged Council to accept the proposal at hand, and to continue to work in good faith moving forward.

Bob Ready, owner of LSI Industries in Blue Ash as well as a business at the airport, expressed support for the City's efforts and proposal as presented. He commented that his business has been in Blue Ash for 30 years, and that he has been a business owner at the airport for 24 years. He stressed that there is no one more passionate than he about keeping the Blue Ash Airport open. However, he believes he is also realistic. For over 24 years, he has been fighting the battle to save the airport. Never has Blue Ash Council ever been anything but positive about that goal. His business has 600 to 700 employees, and his business has been built around Blue Ash and the airport. Over that 24-year battle, there have been five Cincinnati City Managers, and the battle has been very frustrating. He applauds what has been accomplished as he believes this represents the airport's best chance of remaining open in the future. What everyone should do if they truly want to save the airport is to get behind the City's efforts and to work together. Attitude is key, as is attaining the FAA and federal funding to improve the airport. Nobody likes the idea of a tax increase; however, Blue Ash is a well-run community and is very well managed. With his business, he deals with Councils all across the country, and in his opinion, Blue Ash is one of the best. He remarked that for those residents who do not recognize this, be assured that Blue Ash is progressive, aggressive, and creative. The airport is an asset that we do not want to lose. And to those who think Blue Ash should buy all the airport property, he asks where they think all that money will come from. Though this proposal may not guarantee the airport will remain permanently, the proposal before us represents the best fighting chance to assure it remains open. He stressed that it is up to the residents of the Blue Ash community as they will have the opportunity to vote on an earnings tax issue that will take this community to yet another step up. His company was built around the use of the airport, and Mr. Ready expressed concern with the apparent battle brewing. He urged the community to not work to divide and conquer, but for everyone to get behind this effort. Otherwise, in his opinion, the community risks losing it all.

Roger Burdorf, 24 Carpenter's Run Drive, commented that he has been associated with Mr. Ready for over 20 years, and has been associated with the airport for over 50 years. He remarked that just as Mr. Ready and Mr. Sikute this evening have commented, he believes that the proposal being pursued by Blue Ash represents the best chance to get the job done and to save the airport. Securing another grant from the FAA will be key, and he remarked that seems to be the Cities' intent. He urged all to support the proposal and to get on with it.

Dick Huskey, 5061 Myerdale, asked why, if Blue Ash is serious about the airport remaining open, why it doesn't rezone the subject property to "Airport."

Brent Fisher, 5000 Myerdale Drive, commented that he continues to experience issues with noise and lack of privacy in conjunction with the infill housing construction being done on his street. He complimented the City on actions today that resolved a neighborhood drainage concern in an amicable and friendly fashion.

Doug Sullivan, Highland Avenue, expressed concern with the thought of spending public funds on yet more green space and parks as he believes there are plenty of both already in Blue Ash.

Hearings from Citizens was declared closed at approximately 7:55 PM.

COMMITTEE REPORTS

Finance & Administration Committee, Rick Bryan, Chairperson

Councilman Bryan moved, Councilwoman Stoller seconded to add, to the previously discussed schedule, a public Open House regarding the Airport Park project from 7:00 PM to 9:00 PM on Wednesday, October 4th, at the Recreation Center. A voice vote was taken. All members voted yes. Motion carried. Councilman Bryan commented to the audience that this motion simply adds one additional evening session to the schedule previously established by Council.

Councilman Bryan asked the Clerk to read Ordinance No. 2006-52 in its entirety.

THEN WAS PRESENTED AND READ IN ITS ENTIRETY:

ORDINANCE NO. 2006-52

PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF BLUE ASH, OHIO, THE QUESTION OF AMENDING THE SECOND PARAGRAPH OF SECTION 9.01 OF ARTICLE IX OF THE CHARTER OF BLUE ASH; AND DECLARING AN EMERGENCY

Councilman Bryan moved, Councilwoman Stoller seconded to make this ordinance an emergency, effective upon passage. There being no discussion, the Clerk called the roll. Councilpersons Stoller, Weber, Stacey, Czerwonka, Bryan, and Mayor Buckman voted yes. Six yeses. Motion carried.

Councilman Bryan moved, Councilman Czerwonka seconded to adopt Ordinance No. 2006-52. Councilman Bryan commented that the Charter Revision Committee recently met with three (of the four) members in attendance. The Committee voted unanimously to endorse that Council pass the appropriate legislation to put this Charter amendment question before voters. He remarked that the Committee members were also enthusiastic about the airport park project. There being no further discussion, the Clerk called the roll. Councilpersons Weber, Stacey, Czerwonka, Bryan, Stoller, and Mayor Buckman voted yes. Six yeses. Ordinance No. 2006-52 passed.

MISCELLANEOUS BUSINESS

City Manager David Waltz commented briefly about the airport park proposal and spoke to some of the concerns brought forward this evening. He explained that if the voters approve the earnings tax increase, the formal contract between the cities will be executed, and Blue Ash will own about 130 acres. The remaining 98 acres will be owned by the City of Cincinnati, and it would be difficult for Blue Ash to dictate all of the terms associated with that property. Cincinnati has clearly agreed to the process that Blue Ash and Cincinnati will jointly work together towards keeping the reconfigured airport viable and in operation. The Administration is confident and comfortable with the spirit of cooperation demonstrated by Cincinnati officials in working on a long-term solution, and this work will continue. The park will create an exciting green space and other excellent amenities for our community. Mr. Waltz further remarked that he believes that if this earnings tax increase is not approved by voters, then that will give Cincinnati a clear message that the community of Blue Ash does not care about the airport. In that scenario, he believes there is no doubt that Cincinnati would soon close the airport and sell all of the property (228 acres) to the highest bidder. He pronounced that Blue Ash has received much support for the proposal from many residents and from many prominent Blue Ash businesses, and stressed that the City Administration will continue to provide information to the public in general as well as through the upcoming open houses.

Councilwoman Stoller commented that the City is working on the hours of operation issue and concern associated with infill housing in established neighborhoods.

EXECUTIVE SESSION

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

After matters pertaining to property acquisition and personnel matters were discussed, Councilman Bryan moved, Stoller seconded to convene to the regular meeting. A voice vote was taken. All Council members voted yes. Motion carried.

ADJOURNMENT

All items on the agenda having been acted upon, Mayor Buckman moved, Councilwoman Stoller seconded to adjourn the meeting. A voice vote was taken. All members voted yes. The Council meeting was adjourned at approximately 8:21 PM.

Robert J. Buckman, Jr., Mayor

Jamie K. Eifert, Clerk of Council

MINUTES WRITTEN BY:

Susan K. Bennett, Deputy Clerk of Council