

A regular meeting of the Council of the City of Blue Ash, Ohio, was held on September 8, 2005. Mayor Rick Bryan called the meeting to order in Council Chambers at 7:00 PM.

**OPENING CEREMONIES**

Mayor Bryan led those assembled in the Pledge of Allegiance.

**ROLL CALL**

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

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

**PRESERVATION OF RECOMMENDATIONS ASSOCIATED WITH THE ECONOMIC DEVELOPMENT/“BRANDING” STUDY – Mr. Marty Blubaugh, TrueNorth Strategies**

Mr. Blubaugh of TrueNorth Brand Strategies gave an approximate 40-minute presentation of his preliminary findings to-date relating to his economic development/branding study. Some of the thoughts presented during that presentation are summarized below:

- ?? Blue Ash has an exceptional legacy. The success it has achieved over the years did not happen by accident.
- ?? During his extensive interviews with decision makers, certain points about Blue Ash were repeatedly brought up, with some examples being:
  - ?? The Blue Ash local government is stable and has visionary leaders (including a long-term professional city manager).
  - ?? The government has a dedicated leadership team.
  - ?? The city offers excellent services for residents and businesses.
  - ?? Blue Ash's proximity to highway transportation is a definite advantage.
  - ?? The Airport is functional and serves a variety of aviation enthusiasts.
  - ?? The presence of health care and insurance industries is growing.
  - ?? The university presence is open to unique alliances that enrich the community.
  - ?? People feel safe and secure.

Examples of Mr. Blubaugh's assessment inventory included points such as:

- ?? Current department directors are gifted and caring individuals who are “dancing as fast as they can.”
- ?? Some residents take for granted the fine services Blue Ash offers; others recognize the advantages.
- ?? Excellent transportation/street system.
- ?? If Blue Ash desires rapid solutions to economic development issues, a regional-only approach to progress would be difficult to rely upon.
- ?? The recent turnover in the Congressional District is noticed.
- ?? The university in Blue Ash is significant; however its true potential has either not

been fully explored or fully implemented.

Examples of Mr. Blubaugh's needs assessment included points such as:

- ?? Leadership should arrive at a common vision for how Blue Ash will look in the next 5-10 years.
- ?? Select and prepare the next city manager for a seamless transition.
- ?? Prioritize and equip the City's ED program.
- ?? It is important to keep current companies "happy" with their Blue Ash location.
- ?? Be cooperative on a regional basis; but don't rely only on that tie.
- ?? Cultivate a good relationship with the new Congressional representative.
- ?? Decide whether or not to pursue fully developing downtown.
- ?? Assure a legal structure to be a lead player in developing the airport property.
- ?? Utilize available buildings to their highest and best use.

Examples of Mr. Blubaugh's points relating to creation of a vision statement include:

- ?? A focus on lifestyle zones.
- ?? A focus on special events that pump money into the local economy.
- ?? The golf course is a huge asset and could be highlighted and used more as a focus. With some improvements, the potential to host major national-level golf events is real.
- ?? The potential Performing Arts Center could be a focus.
- ?? Emerge as the epicenter of SW Ohio for key elements of recreation, corporate services, quality of life, political forums, aviation, and visionary leadership.

Regarding identity and positioning, some thoughts include:

- ?? Blue Ash is in the heart of greater Cincinnati region that is growing away from the City of Cincinnati.
- ?? As Blue Ash asserts greater leadership in regional matters that are important, its moral authority can be established over time.

Tenets for the branding process include:

- ?? Providing Blue Ash residents with an outstanding quality of life.
- ?? Blue Ash must appeal to the business world to have a tax base.
- ?? The brand should be crisp, contemporary, and corporate.
- ?? Blue Ash should not try to be all things to all people.
- ?? Blue Ash can and should stand shoulder-to-shoulder with any city in America of comparable size.

In addressing a question from Mayor Bryan, Mr. Blubaugh explained that the next step in this process would be to receive feedback from staff and Council and to incorporate that in the vision statement. After that, the next step would be to develop an action plan.

In addressing a question from Councilman Czerwonka, Mr. Blubaugh commented that within its business population, Blue Ash has strengths that are very exceptional and that perhaps the existing business strengths can help target the audience to pursue. The office and commercial markets are already well established. Blue Ash should consider pursuing industries in sectors that are realistic.

**PUBLIC HEARING - 7:30PM - Consideration of Ordinance No. 2005-45 -  
approving a development plan on Cornell Road (including retail/office,  
residential, and improvement of an existing parking area) and approving a  
rezoning of .14 acres (from Residential R-3 to Planned Commercial C-2)  
associated with that development**

The Clerk was asked to read Ordinance No. 2005-45 in its entirety:

THEN WAS PRESENTED AND READ IN ITS ENTIRETY:

ORDINANCE NO. 2005-45

APPROVING A DEVELOPMENT PLAN UNDER CHAPTERS 1157 AND 1185 OF THE CODIFIED ORDINANCES FOR CONSTRUCTION OF THREE NEW TWO-STORY COMMERCIAL (RETAIL/OFFICE) BUILDINGS ALONG CORNELL ROAD, SIX SINGLE-FAMILY HOMES ALONG FLORENCE AVENUE, AND CONSTRUCTION OF A NEW SHARED PARKING AREA ON AN ADJACENT PROPERTY AND AMENDING THE DISTRICT MAP ESTABLISHED IN THE CODIFIED ORDINANCES OF THE CITY OF BLUE ASH, PART ELEVEN, PLANNING AND ZONING CODE, CHAPTER 1141, AND THUS THE BOUNDARIES OF THE DISTRICTS AS APPROVED ON MARCH 13, 2003, BY PLACING CERTAIN REAL ESTATE IN THE C-2 PLANNED COMMERCIAL DISTRICT (AN APPROXIMATE .14 ACRE STRIP AFFECTING THE NORTHERNMOST PORTIONS OF PARCELS 968 THROUGH 982 AND THE SOUTHERNMOST PORTION OF PARCEL 998 OF BOOK 612, PAGE 190 OF THE HAMILTON COUNTY AUDITOR'S OFFICE RECORDS) SUBJECT TO SAID DEVELOPMENT PLAN

The applicant, Mr. John Post, explained the plans that were posted at the meeting. He commented that a good portion of this property would be purchased from Blue Ash. His experience is primarily as a single-family builder and has already nine homes in the Hazelwood neighborhood (on Florence, Centennial, and Labelle), with three others under construction. His goal is to continue to provide new housing that costs less than \$200,000.

This project includes both commercial (including retail and office) as well as six single-family homes. The commercial portion, to be called the Shoppes of Hazelwood, will be designed to blend with the nearby residential (featuring a Classic Federalist architecture style). His business plans to occupy one of the office spaces, and he has others interested in both the commercial as well as residential portions of the development. All three commercial buildings will be two levels plus a basement, with both the first and second floors to be finished. The homes to be built along Florence will be similar to other homes he has constructed in the neighborhood. The owner of the only existing development on this block (to the east), a single family home owned by Mr. Hamm, will be moving into one of his new homes. The other adjacent property to the west is the Bible Believers Baptist Church, who will be affected positively by this development as well through an improved shared parking area. The area to be rezoned is an approximate 15-foot strip across the rear of the residential areas. It is Mr. Post's intent to incorporate this area as the buffer between the residential and commercial properties. His intent on rezoning this was to assure that the maintenance of the landscaped area remained with the commercial property, in lieu of six separate homeowners. The commercial properties will be available for sale or lease, and it is his conjecture that most will be sold. Each business would be 1,600 square feet (800 square feet on each floor one and two) plus an 800 square foot basement.

City Manager Thompson commented that the applicant has worked closely with the City throughout the process and the Administration is very much in favor of this development as they believe it will be attractive visually as well as economically. Councilman Sumner added that the Planning Commission also was very enthused about the project and it passed by unanimous vote. It was the Planning Commission's opinion that this request for rezoning from Residential to Planned Commercial was minor and appropriate.

In addressing a question from Councilman Czerwonka regarding signage, Mr. Post commented that he intends for there to be individual signage for each tenant, in the style of a 3' high by 2'6" wide sign to hang over the walkway (nine feet up) upon a wrought iron bracket. After some discussion, it was determined that since this development is in a planned commercial zone, the sign plans would be a part of this development, and assuming Council passed the ordinance, no further separate approval would be needed by the applicant for the sign plan.

There being no further questions from Council or the public, the public hearing was closed at approximately 8:10PM.

Mayor Bryan appointed Parks & Recreation Director Chuck Funk and Service Director Denny Albrinck to read the legislation in its entirety in the rear of Council Chambers. Mr. Bryan explained to the audience that anyone interested in hearing the ordinances and resolutions read in their entirety is welcome to move to the rear of the Chambers. He also mentioned that written copies of the legislation on tonight's agenda may be found on the ledges near the City Administration's desks.

### **ACCEPTANCE OF AGENDA**

Councilman Stacey 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. PRESENTATION OF RECOMMENDATIONS ASSOCIATED WITH THE ECONOMIC DEVELOPMENT/"BRANDING" STUDY – Mr. Marty Blubaugh, TrueNorth Strategies
5. PUBLIC HEARING – 7:30PM – Consideration of Ordinance No. 2005-45 – approving a development plan on Cornell Road (including retail/office, residential, and improvement of an existing parking area) and approving a rezoning of .14 acres (from Residential R-3 to Planned Commercial C-2) associated with that development
6. APPOINTMENT OF PERSON(S) TO READ ORDINANCES IN FULL IN REAR OF COUNCIL CHAMBERS
7. ACCEPTANCE OF AGENDA
8. APPROVAL OF MINUTES
  - a. Regular Meeting of August 11, 2005
9. COMMUNICATIONS
  - a. Communications to Council - Clerk of Council Jamie K. Eifert
  - b. Reports From Outside Agencies
  - c. Mayor's Report – August 2005 – Honorable Rick Bryan
  - d. Financial Report – Motion to accept the report for August 2005
10. HEARINGS FROM CITIZENS
11. COMMITTEE REPORTS
  - a. Planning & Zoning Committee, James W. Sumner, Chairperson
    1. Ordinance No. 2005-45, approving a development plan on Cornell Road (including retail/office, residential, and improvement of an existing parking lot) and approving a rezoning from residential to planned commercial of .14 acres associated with that development plan
    2. Motion setting 7:30PM, Thursday, October 13, 2005 as public hearing for consideration of a large-scale residential development near Kenridge Lake
    3. Motion establishing a date (the regular Council meeting of October 13, 2005) for Council consideration of a request from Richard A. Roth II regarding an appeal of a Board of Zoning Appeals decision
  - b. Finance & Administration Committee, Mark F. Weber, Chairperson
    1. Ordinance No. 2005-48, transferring funds
    2. Resolution No. 2005-13, establishing the maximum maturity for a General Obligation Bond for the Reed Hartman Highway Phase II improvements

3. Ordinance No. 2005-56, authorizing the issuance of a General Obligation Bond for the Reed Hartman Highway Phase II improvements
  4. Ordinance No. 2005-49, ordinance authorizing the purchase of real property located at 4361 Creek Road
  5. Ordinance No. 2005-50, awarding bid for the printing of the history book supplement
  6. Ordinance No. 2005-51, authorizing multi-year contract for CAFR/accounting services
  7. Ordinance No. 2005-52, authorizing creation of a Project Construction Fund relating to 9999 Carver Road (The Landings TIF project)
  8. Motion authorizing reimbursement of expenses to an employee associated with the Taste of Blue Ash
- c. Public Works Committee, Henry S. Stacey, Chairperson
1. Ordinance No. 2005-53, awarding bid for the purchase and delivery of bulk rock salt
  2. Ordinance No. 2005-54, authorizing the City Manager to seek financial assistance from the State Capital Improvement Program (SCIP) for the Blue Ash/Hunt Roads project
- d. Public Safety Committee, Stephanie Stoller, Chairperson
1. Ordinance No. 2005-55, authorizing purchase of an ambulance from the State's bid list
  2. Resolution No. 2005-11, adopting the National Incident Management System (NIMS) relating to homeland security issues
  3. Resolution No. 2005-12, establishing hours for trick-or-treat activities

12. MISCELLANEOUS BUSINESS

13. EXECUTIVE SESSION – Personnel Matters

14. ADJOURNMENT"

**APPROVAL OF MINUTES**

Councilman Sumner moved, Councilman Czerwonka seconded to approve the amended minutes of the regular meeting of August 11, 2005. A voice vote was taken. All members present voted yes. Motion carried. The amendment involved noting attendance of the Deputy Solicitor Bryan Pacheco in lieu of Mr. Vander Laan.

**COMMUNICATIONS**

**Communications to Council**

The Clerk of Council read a letter from Ohio Senate 8<sup>th</sup> District Representative Patricia Clancy congratulating Blue Ash on the occasion of its 50<sup>th</sup> anniversary of incorporation. Senator Clancy forwarded a letter from the President of the Ohio Senate, Bill Harris, "honoring the City of Blue Ash on its fiftieth anniversary." That letter is spread below:

HONORING  
THE CITY OF BLUE ASH  
ON ITS FIFTIETH ANNIVERSARY

On behalf of the members of the Senate of the 126<sup>th</sup> General Assembly of Ohio, we are pleased to extend special recognition to the City of Blue Ash on the memorable occasion of the Fiftieth Anniversary of its incorporation, celebrated July 31, 2005.

Over the years, the City of Blue Ash has become known for its residents' cooperation, integrity, and willingness to work hard, exemplary qualities that are still manifested by its citizens today. The city has enjoyed the benefits of a generous and civic-minded population, and those who currently make Blue Ash their home take great pride in its rich heritage. Their efforts have certainly made the area a pleasant and friendly place in which to live and work.

America is only as strong as her individual communities, which are unique and which make a significant contribution to the culture of our state and nation. The Fiftieth Anniversary of the City of Blue Ash offers its citizens the opportunity to share their memories and experiences and to reflect on the benefits of life in their close-knit community, for they have built on the best traditions of the past to ensure a future filled with hope and promise.

Thus, with sincere pleasure, we congratulate the City of Blue Ash on its Fiftieth Anniversary and extend best wishes for peace and prosperity in the years to come.

/S/Senator Bill Harris

President of the Ohio Senate

/S/Senator Patricia Clancy  
8<sup>th</sup> Senatorial District**Reports From Outside Agencies**

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

**Mayor's Report – August 2005**

## RECEIPTS:

Fines .....	\$29,151.00
Bonds & BMV fees carried over.....	\$200.00
Interest Earned.....	\$8.31
Bonds collected.....	\$300.00
TOTAL RECEIPTS:.....	\$33,201.32

## DISBURSEMENTS:

To Blue Ash (fines/costs/interest/Expungements/forfeitures)	\$21,209.31
To the State of OH.....	\$7,935.00
Refund of Overpaid Fine .....	\$ 0.00
Bond Money applied.....	\$50.00
Bond Money returned .....	\$0.00
BMV.....	\$ 15.00
TOTAL DISBURSEMENTS.....	\$29,209.31
BALANCE IN BONDS:.....	\$450.00
Mayor's Court traffic citations.....	294
Mayor's Court criminal citations	21
TOTAL .....	315
August Revenue from Mayor's Ct. Cases:	\$21,209.31

**Financial Report – August 2005**

Councilman Sumner moved, Councilwoman Stoller seconded to accept the Financial Report for August 2005 as submitted. A voice vote was taken. All members present voted yes.  
Motion carried.

**CITY OF BLUE ASH FINANCIAL POSITION STATEMENT  
FOR THE MONTH ENDING AUGUST 30, 2005**

MONTH TO DATE	2004	2005
START OF MONTH FUND BALANCE: 8-1-05	\$11,075,452.86	\$12,165,016.14
<u>Revenues:</u>		
Earnings Tax Collections:	1,638,348.07	1,681,964.22
Debt Financing (long term)	0	0
Debt Financing (short term)	0	0
Other Revenue Received:	<u>741,959.35</u>	<u>727,176.47</u>
= Total Monthly Receipts	2,380,307.42	2,409,140.69
<u>Expenditures:</u>		
Bond Retirement	0	0
Short term debt refinancing	0	0
Other Expenditures:	<u>2,040,428.31</u>	<u>2,361,908.69</u>
= Total Monthly Expenditures:	<u>-2,040,428.31</u>	<u>-2,361,908.69</u>
ENDING FUND BALANCE: 8-30-05	11,415,331.97	12,212,248.14
YEAR TO DATE	2004	2005
START OF YEAR FUND BALANCE:	9,092,894.75	14,622,289.87
<u>Revenues:</u>		
Earnings Tax Collections:	13,889,450.99	15,595,513.06
Debt Financing (long term)	0	0
Debt Financing (short term)	5,100,000.00	0
Other Revenue Received:	<u>6,321,010.48</u>	<u>6,347,478.61</u>
= Total Monthly Receipts	25,310,461.47	21,942,991.67
<u>Expenditures:</u>		
Bond Retirement	0	0
Short term debt refinancing	3,100,000.00	5,100,000.00
Other Expenditures:	<u>19,888,024.25</u>	<u>19,253,033.40</u>
= Total YTD Expenditures:	<u>-22,988,024.25</u>	<u>-24,353,033.40</u>
YTD FUND BALANCE	11,415,331.97	12,212,248.14

100% of the fund balance was invested as of 8-30-05. Interest paid to date on matured investments: \$183,960.14. Receipt and expenditure figures do not include interfund transfers.

**BLUE ASH INCOME TAX DIVISION INCOME TAX RECEIPT SUMMARY  
FOR MONTH ENDING AUGUST 30, 2005**

<b>MONTH-TO-DATE STATUS</b>	<b>2004</b>	<b>2005</b>
Business Net Profit	110,376.98	191,421.84
Resident Net Profit	32,984.02	45,787.59
Non-Resident Net Profit	10,051.37	13,085.17
Subcontractor Net Profit	1,373.00	763.00
Net Profit Total	<u>154,785.37</u>	<u>251,057.60</u>
Withholding	1,458,499.38	1,405,892.81
Subcontractor Withholding	25,063.32	25,013.82
Withholding Total	<u>1,483,562.70</u>	<u>1,430,906.62</u>
Monthly Collection Totals	1,638,348.07	1,681,964.22
<b>YEAR-TO-DATE STATUS</b>	<b>2004</b>	<b>2005</b>
Business Net Profit	2,043,193.31	3,581,847.61
Resident Net Profit	531,621.10	602,344.62
Non-Resident Net Profit	162,437.52	169,465.53
Subcontractor Net Profit	15,321.27	13,288.91
Net Profit Total	<u>2,752,573.20</u>	<u>4,366,946.67</u>
Withholding	10,941,742.39	11,045,274.17
Subcontractor Withholding	195,135.40	183,292.22
Withholding Total	<u>11,136,877.79</u>	<u>11,228,566.39</u>
YTD Collection Totals	13,889,450.99	15,595,513.06
YTD Refund Totals	<u>576,667.55</u>	<u>489,354.50</u>

### **HEARINGS FROM CITIZENS**

Ray MacNab, 4522 Chesswick Drive, addressed Council regarding the Hunt House project, which was a topic for discussion at a recent Historical Society. Mr. MacNab asked Council to give some thought to minimizing the work to be done on the Hunt House property and not to make it available for large meetings. Mr. MacNab commented that he does not believe the City should determine the House's future uses based upon the potential revenues that could be gained. Mr. MacNab also asked Council to consider another potential use for the former Thriftway site in downtown. If Kroger does not move forward with plans for the property, he asked Council to consider allowing Vonderhaar Catering to utilize the property as a chapel and reception hall. They would like to relocate their catering business to Blue Ash.

Doug Sullivan, 9483 Highland Avenue, expressed concern of continuing water problems in his neighborhood. He attended the August 11<sup>th</sup> Council meeting expressing similar concerns. The Project Coordinator recently informed him that the program the City was previously considering to assist homeowners with water problems would not be implemented. Mayor Bryan explained that City Council was advised by legal counsel that Blue Ash as a governmental body cannot spend public monies for private property issues to solve problems that were not created by the City. The City can perform such improvements over public properties or to correct problems caused by the City; however, the City does not have authority to perform such work on private properties caused by private parties. Solicitor Mark Vander Laan confirmed that problems such as Mr. Sullivan's and his neighbors are private legal issues and recommended that the homeowners as a group seek legal counsel. He further explained that common law says that you cannot change a flow of water in an unnatural way in a unreasonable fashion. If what an area homeowner did was cause flooding for neighbors, then what was done was probably not natural. Mr. Vander Laan commented that unfortunately, this sort of private dispute is common, and such problems must be resolved in the court system.

Lynn Harvey, 4884 Hunt Road (in the Regents Apartments), commented that she has lived in Blue Ash for two years. She believes Blue Ash is a beautiful community, and she and her family especially enjoy the Veterans Memorial. Speaking for her family, Mrs. Harvey asked for some guidance as to a method that could be organized to let the young people who are serving our country in Iraq, in the New Orleans clean-up efforts, or wherever they may be serving, know how much their community appreciates them and what they are doing for our country. Mrs. Harvey offered to spearhead such an effort, or to assist, but overall is asking for guidance as to how this goal may be reached. Mayor Bryan suggested that Mrs. Harvey talk with Blue Ash resident Tom Stone, in attendance at tonight's meeting, as he has a close connection with those serving and a long history in assisting the community with

such efforts. Mr. Stone agreed to help. Mayor Bryan thanked Mrs. Harvey for coming to the meeting and for presenting a wonderful idea. On behalf of Council, he wished the family well and a safe return to her son, Phillip, who would soon be deployed to Iraq.

### **COMMITTEE REPORTS**

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

"The following offers a brief description of the items included on the September 8th Council Agenda:

#### **Public Hearing and 11.a.1. Ordinance No. 2005-45 - Approving a development plan on Cornell Road (including retail/office, residential, and improvement of an existing parking lot) and approving a rezoning from residential to planned commercial of .14 acres associated with that development plan**

The City is in receipt of development plans for property at 5869 Cornell, which would include the Cornell Road property bounded by Kemper, Florence, and Centennial Avenues. Most of the land involved is currently owned by the City of Blue Ash under a contract to sell to JPC Properties as authorized by Ordinance No. 2005-16. The plan, the concept of which was reviewed and approved by Planning Commission at the July 7<sup>th</sup> meeting and reviewed by the Board of Site/Zoning Appeals at its July 11<sup>th</sup> meeting, involves a planned development for a 2.7 acre site containing retail/office and single-family residential land uses and a request to rezone a .14 acre strip of land from R-3 to C-2 subject to this plan. The strip involved with the rezoning request involves approximately 15 feet of the rear portion of the Florence Avenue residential lots. The plan also includes parking improvements to an existing lot servicing the Bible Believers Baptist Church.

The development plans include three new two-story retail/office buildings along Cornell Road, six single-family lots and homes along Florence Avenue, and the construction of a new shared parking facility for this retail/office building and the adjacent Bible Believers Church. The retail/office building could house 18 separate tenant spaces (each begin about 1,600 square feet total on two floors). The buildings are shown with Colonial Williamsburg style architecture. The applicant also plans to provide an appropriate buffer area between the planned single-family residential lots and the commercial property.

Plans will be posted at the meeting to provide further information to Council as well as the public.

#### **11.a.2. Motion setting 7:30PM, Thursday, October 13, 2005 as public hearing for consideration of a large-scale residential development near Kenridge Lake**

The City is in receipt of plans for a large-scale residential development on the Kenridge Lake "peninsula." There are five lots proposed for the 5.25-acre development, which would be accessed via private drive from the end of Meyers Lane and to the south from Kenridge Drive.

Though more details, including the plans, will be presented at the October 13<sup>th</sup> public hearing, please direct questions regarding this motion to the Assistant City Manager.

#### **11.a.3. Motion establishing the Council meeting of October 13, 2005 to consider the request for an appeal by Richard A. Roth II regarding a Board of Zoning Appeals decision**

The Board of Zoning Appeals recently denied the request of a resident to expand a graveled parking area at a residence on Cornell Road within the R-1 Residential District. The applicant, Richard A. Roth II, has requested that Council formally reconsider this decision. This motion would appropriately establish a time for Council to consider that decision (at the October 13<sup>th</sup> regular meeting). More information will be provided for Council at that meeting.

Please direct questions regarding this issue to the Assistant City Manager or the Assistant Community Development Director.

#### **11.b.1. Ordinance No. 2005-48 - Transferring funds**

As we approach the end of the third quarter, there are a number of significant, and also routine, issues that need to be addressed with a transfer ordinance. The items discussed are reflected upon the attachment to this ordinance that summarizes all transfer adjustments, by category, as to revenue, expenditure, or changes within existing allocations.

We are recommending a partial usage of the General Fund contingency (currently at \$275,300), to fund the \$138,000 cost of the replacement Horton ambulance for the Fire Department. The Fire Chief had delayed this acquisition, (which was a departure from the normal rotation), but the need exists to replace this unit as previously discussed with Council. Authorization for the purchase of this ambulance, as well as the disposal of the old unit, is reflected elsewhere in this memo, pertaining to Ordinance No. 2005-55.

Funding accommodations are also required for the potential purchase of real property on Creek Road as described under Ordinance No. 2005-49. As Council is aware, the City tendered an offer to the owner of 4361 Creek Road that was contingent upon formal approval by Council. A funding allocation in the General Government property acquisition area of \$625,000 has been established as shown on the attachment. At this time, the seller has accepted the City's contingent offer on a "backup" basis, in that there appears to be one offer submitted prior to ours which may, or may not, prove viable. Should the City be successful in the acquisition of

this real estate, then there would need to be further discussion regarding economic development opportunities, and a requirement to seek further City Council authorization for any future arrangement.

Also in the General Government Capital area, a \$10,000 allocation is necessary for the replacement of the Recreation Center primary printer/copier/fax. That unit has reached the end of its useful life and needs to be replaced with a new one.

Within the Police Department, a total of \$38,000 must to be appropriated to accommodate the anticipated purchase of the Tasers, representing an amount net of the generous \$12,000 contribution received from Bob Ready at LSI Industries.

Additional funding in the gasoline accounts for the Police Department, Administration, and Facility Maintenance areas is needed for a total of \$20,000, and new funding is required in salaries and benefits within Administration and the Service Department totaling \$75,000. Our review of those accounts indicates that this was likely a budgeting error, not due to over utilization of staff by these departments or divisions.

Within the Recreation area, an additional allocation of \$15,000 is required to supplement Golf Course irrigation utilities, likely due to our relatively dry season. At the Sports Center, \$8,000 is needed in additional concession supplies (to be offset with additional revenue), and \$22,000 is required in the Parks and Grounds Maintenance Construction account relating to paving and minor requirements in the ongoing renovation of 6171 Interstate Circle. We anticipate that the Project Coordinator will be able to provide Council and the Administration a "recap" of progress and expenses to date on this project. A projection can also be made about what work remains to be done and the total expected cost. Finally, \$26,000 is needed as a supplement to the Miscellaneous Contractual 239 account at the Recreation Center relating to expenses associated with the 50<sup>th</sup> Anniversary panel dedication at Towne Square on July 31<sup>st</sup>.

Although there is further information in this memo relating to the issuance of a general obligation bond for the Reed Hartman Highway Phase II Project, there are some project – specific transfer accommodations which are required at this time. All of the funds beginning with "448" on the attachment relate to this project. At the present time, the City has outstanding Bond Anticipation Notes totaling \$4,000,000, and all of those notes mature November 15, 2005. The Final Budget was structured to borrow \$4,000,000 utilizing an uninsured, but Moody's rated, ten-year general obligation bond to provide the funding (this fall) to retire these notes and convert temporary financing into permanent debt obligations.

The Deputy Treasurer/Tax Commissioner recently reviewed the entirety of the project expenses for the Phase II widening of Reed Hartman with the Service Director, and it is believed that there are more than adequate resources in Fund 448 at this time, and that we will need to borrow less than anticipated. To accommodate this adjustment, we are recommending that \$300,000 of funding in the construction account of Fund 448 be transferred directly to the debt retirement Fund 331, to assist in offsetting part of the cost of the maturing notes. The \$4 million in notes will be retired utilizing a \$3.7 million ten-year bond and \$300,000 transferred in from Fund 448. Items reflected on the attachment with the prefix "448" or "331" relate to this shift from the original budget structure.

Even though 2005 would appear be the final year that the City of Blue Ash will serve as the administering agency for DART, there are some adjustments required in the 2005 Budget at this time. A shift within Fund 282 totaling \$14,444 has been recommended by the DART staff and has been included on the attachment for this transfer ordinance.

On August 11, 2005, City Council passed Ordinance 2005-46 addressing numerous issues pertaining to Duke Realty's "The Landings" project targeting the previous Whiting property at 9999 Carver Road. That document addressed many of the topics that needed to be resolved for this Tax Increment Financing (TIF) project, except for creating a project construction fund (described under the comment for Ordinance No. 2005-52), and the need to provide funding within the project-related accounts for 2005.

From an accounting standpoint, the need exists to establish and maintain two specific TIF-related funds within the City's accounting structure. The first is Fund No. 332 which will serve as a restricted debt retirement or debt service account, and Fund No. 444, which will be the TIF Construction Fund through which costs associated with the public improvements of the project are addressed.

In October, the City will need to issue a revenue backed Bond Anticipation Note for \$3.2 million, which will provide funding of \$300,000 within Fund No. 332 and \$2.9 million in the Construction Fund No. 444. Resources available in the debt service Fund No. 332 will be utilized to pay all interest and debt issuance expenses related to this project, and the funding in 444 will be utilized to pay the cost associated with the construction of the first phase parking garage on the property, as well as phase II efforts when they occur.

The TIF Construction Fund No. 444 will remain active only as long as it takes to complete phase one and phase two of the construction of the public improvements on the property. Then that fund will be closed, and any surplus balance will be shifted to the related debt service account No. 332. The debt service fund will remain active for up to 30 years, for it is this area through which the property owner will make payments in lieu of taxes that will be utilized to retire the debt associated with this project, and to also provide the promised payments to the Sycamore Community School District.

Although Duke's The Landings project has no impact upon the City's General Fund resources, funding necessary to accommodate all of the other adjustments in the budget have been accommodated from contingency (\$138,000), through the appropriation of net profit income tax revenues which are anticipated through the

remainder of the year, and via the appropriation of collected building permit revenue and interest earnings in 2005. The City achieved its 2005 "target" or budgeted net profit collection threshold in the middle of August, and net profit revenues anticipated for the remainder of the year have been partially appropriated to provide the resources for most of these transfer items.

Please direct questions regarding this transfer to the City Treasurer.

**11.b.2. Resolution No. 2005-13 - Establishing the maximum maturity for a General Obligation Bond for the Reed Hartman Highway Phase II improvements**

Although the City of Blue Ash provided initial or startup funding for the Reed Hartman Phase II project out of the Street Construction Maintenance and Repair (SCMR) Fund several years ago, all other resources have been provided by the issuance of one-year maturity Bond Anticipation Notes. At the present time, the City has a total of \$4 million in principal value of notes that will mature on November 15, 2005. As this project is essentially complete, we are in a position to provide for the retirement of these short-term notes through the issuance of a 10-year maturity general obligation bond. We had originally expected (and budgeted) that we would issue a \$4 million general obligation bond in the fall of 2005 that would provide funding, on a more permanent basis, to retire the notes and wrap up this project.

Recent review efforts by the Service Director and the Deputy Treasurer/Tax Commissioner point toward an anticipated reduction in the cost associated with the project, and shows an availability of at least \$300,000 in construction funds which can be redirected, by transfer, to the debt retirement fund to help pay off the notes. We are recommending a shift of \$300,000 of project related resources to the debt retirement Fund No. 331, meaning that the City need borrow only \$3.7 million on the bond issue this fall.

We expect that we will secure a Moody's rating on this bond issue, that it will be underwritten by Fifth Third Securities, reviewed by bond counsel Fred Kiel, and issued on an uninsured basis for 10 years with the first principal payment being in the fall of 2006.

Once all of these factors are determined, the actual issuance of the bonds requires a two-part legislative process. The first step involves a resolution authorizing or establishing the maximum maturity of the bond. That is the purpose of Resolution No. 2005-13. Essentially, the benefit of this legislation is that it requires an evaluation of the improvements being financed on a long-term basis as to their useful life, and requires a certification of that useful life relative to the length of the debt. This process assists in avoiding the mistake of financing a short-term need or requirement with long-term debt. This resolution must be passed by City Council to move forward with the bond issuance process.

Please direct questions regarding this to the Treasurer.

**11.b.3. Ordinance No. 2005-56 - Authorizing the issuance of a General Obligation Bond for the Reed Hartman Highway Phase II improvements**

The next step in the bond issuance process involves legislation passed by Council that specifically authorizes the issuance of the debt for this particular project. That is the purpose of Ordinance No. 2005-56. As we have done in recent years, we are recommending a shift away from a competitively bid process, to a negotiated arrangement through the underwriter Fifth Third Securities. This process allows the legislation for this bond issue to be done at this time, and that the combined efforts of the city, bond counsel, and the underwriter to determine the most advantageous time for actually taking this issue to the market. The "certificate of determination" mentioned in the ordinance will be completed once the bond details have become known. When the Blue Ash bonds have been taken to the market and the interest rate established, we will then establish a timetable for closing and advise Council as to the outcome. We estimate that this ten-year bond (rated yet uninsured) should be secured at an interest rate less than 4.45% (on a tax exempt basis).

The timing of the bond's determination, an interest rate, and the closing must be carefully coordinated to make certain that we have sufficient resources available to retire the maturing \$4 million notes on November 15, 2005. Once completed, this process will convert the note funding into a permanent bond that will be incorporated into the City's next 10 years of debt retirement budgeting.

Once the road improvement project under Fund 448 has been totally completed, any remaining balances in that account must be transferred to the general obligation bond fund No. 331 to assist in retiring project associated debt.

Please direct questions regarding this ordinance to the Treasurer.

**11.b.2. Ordinance No. 2005-49 - Ordinance authorizing the purchase of real property located at 4361 Creek Road**

An offer for the purchase of this commercially zoned real estate, contingent upon City Council's approval, has been presented, and the owners have accepted it as a "backup" offer. Apparently, the first offer contains a number of significant contingencies and other elements which may result in the termination of that arrangement and increases the likelihood of our backup offer becoming primary.

The City offered \$625,000 for this property, has completed a title search (no problems), but will withhold further efforts as to property inspection and environmental assessment until we are confident that our offer will be successful. The acquisition of this property provides the City with future economic development advantages, and the Administration will return to City Council for specific authorization/approval for any economic development, or other proposal, which would result in the lease, sale, or conveyance of the property we

anticipate acquiring on Creek Road.

Please direct questions regarding this ordinance to the Treasurer.

**11.b.3. Ordinance No. 2005-50 - Awarding bid for the printing of the history book supplement**

Bids were recently solicited for the printing of the History Book supplement with the City receiving three bids. Within the specifications, bidders were asked to quote unit prices at varying quantities given certain assumptions that would affect the cost of such a project. Though those assumptions may vary given the final product, this method allows fair comparison of bids. Examples of those assumptions included:

- ?? Book to be hardbound with all color printing throughout, including on the cover (no dust jacket).
- ?? Book size: 8 ½" x 11" oblong
- ?? 300 inside pages
- ?? 100 color high-resolution scans (by printer) to be included in base cost; printers were asked to quote an additional unit cost for scans required in excess of 100
- ?? Paper stock on inside pages similar to first history book (70# matte)
- ?? City to perform design and layout in-house

Printers were asked to quote unit prices given varying quantities to be determined by their operations and presses, the additional unit cost for each photo/graphic scan required (in excess of the 100 assumption described above), and the turn-around time from the point the City approves the final color proof. The major factors governing overall cost in this project would be the quantity of books ordered as well as the number of scans required. Another major consideration for selecting the printer would be the print time, especially given our commitment to complete this project in 2005.

The bids were extremely close. All three printers appear qualified for this project and submitted appropriate bid bonds. Ordinance No. 2005-50 recommends that an award be authorized with RPI Graphic Data Solutions for the unit prices as included on the bid form. After evaluating all bids, the following were important factors in selecting RPI:

- ?? The City has worked with RPI as they currently print our community newsletters. We have been satisfied with their work.
- ?? Though none of the three companies were in Blue Ash, RPI does have a Blue Ash tie as the representative lives in Blue Ash (on Conklin Road). She also represents the company with the newsletter project and has proven reliable to date.
- ?? An attractive feature of the RPI bid was the \$0 cost to provide high resolution scans of photos (even those in excess of the 100 scan assumption). At the writing of the specs, the number of photos/graphics was not known. We now have a better idea, and an estimated 225+ scans will be requested of the printer. RPI will not charge additional amount even given this relatively large quantity.
- ?? Perhaps the most attractive feature of the RPI bid was the turn-around time of 25 to 30 days (i.e., about one month). This is a notable difference from the other bidders and will be extremely valuable given the nature and timing of the project.
- ?? Though not specified or requested within the bid specs, RPI offered to warehouse the printed books and deliver when needed at no charge. Though this is not the deciding factor, this service could prove to be helpful.

Please direct questions regarding this project or the ordinance to the Public Information Officer.

**11.b.4. Ordinance No. 2005-51 - Authorizing multi-year contract for CAFR/accounting services**

Since 1986, the Finance Officer has been required to present the City's financial performance, historical information, and financial status in the form of a Comprehensive Annual Financial Report (CAFR). The CAFR format is structured around generally accepted business accounting principles and represents one step in a long-standing plan to standardize and improve the presentation of governmental financial information in a more business-like arrangement.

Since 1986, the City has relied upon the CAFR-related consulting services and accounting assistance from Donald J. Schonhardt & Associates, Inc. The Treasurer and Finance Officer recommend a continued reliance upon Schonhardt & Associates for the upcoming CAFR's, and seek Council's authorization to enter into a three-year agreement for those services. The proposal provided by Schonhardt & Associates covers the CAFR's for 2005, 2006, and 2007. Given the complexity of this process it is the Treasurer and Deputy Treasurer recommendation that Council favorably consider this ordinance, which would authorize a three-year contract for an amount not to exceed an aggregate total for all three years of \$44,250. The ordinance would also allow for additional consulting services that may become necessary beyond the scope of the agreement for an amount not to exceed \$100 per hour, plus mileage and other reimbursable expenses.

Please direct questions regarding this ordinance to the Treasurer.

**11.b.5. Ordinance No. 2005-52 - Authorizing creation of a Project Construction Fund relating**

**to 9999 Carver Road (The Landings TIF project)**

A specific project fund (No. 444) needs to be authorized and created within the City's accounting structure to handle the revenue and expenses associated with the construction of the public improvements that are a part of the Duke Realty's "The Landings" tax incentive financing project. As this project moves forward, this fund will need to receive the proceeds of a portion of a revenue bond anticipation note (to be issued this fall) that will allow the design and construction of the first public parking garage at 9999 Carver Road.

The revenues anticipated for this fund include bond anticipation note and bond proceeds, potential bond or note premium, and interest earned on fund balances. The only expected expenses relate to the construction of the parking garage in phase I, and the ultimate construction of the second garage in phase II. Upon the completion of the project, any remaining fund balance in this account must be transferred to the related debt retirement fund No. 332.

Please direct questions regarding this ordinance to the Treasurer.

**11.b. Motion authorizing reimbursement of expenses to an employee associated with the Taste of Blue Ash**

This motion would provide appropriate authorization to reimburse an employee (Ruth McLaws) for a Taste of Blue Ash related expense of up to \$2,500. In order to secure the rental of a mobile unit (which apparently was difficult to find over this weekend given other special events happening in the Greater Cincinnati area), Ruth utilized her personal credit card, as this appeared to be the only option provided by the company to assure the City's use. City policy is that for any expense over \$500, Council authorization via motion would be required.

Please direct questions regarding this motion to the Treasurer.

**11.c.1. Ordinance No. 2005-53 - Awarding bid for the purchase and delivery of bulk rock salt**

The City advertised in the Northeast Suburban Life-Press on August 3, 2005 and sent notices to seven suppliers of highway rock salt throughout the country. Four bids were received and opened on August 24, 2005, all of which were responsive to the City's requests and requirements. The Service Director has reviewed the bids and recommends that the City Manager be authorized to enter into an agreement with Cargill Incorporated, Deicing Technology, 24950 Country Club Boulevard, Suite 450, North Olmsted, OH 44070 as their bid was the best and most responsive based upon quality, service, performance record, and price. It should be noted that our recommended winning bid this year (\$39.65 dumped) was \$6.64 a ton more than last year's winning bid (\$33.01 dumped), a 20% increase. These types of increases and prices were seen by other neighboring communities. It is assumed that gasoline prices is their main reason for this increase.

Please direct questions concerning this ordinance to the Service Director.

**11.c.2. Ordinance No. 2005-54 - Authorizing the City Manager to seek financial assistance from the State Capital Improvement Program (SCIP) for the Blue Ash/Hunt Roads project**

The Administration has previously announced its plans to resubmit its Blue Ash/Hunt Road Improvement Project to the District II Integrating Committee for possible partial funding from the State Capital Improvement Program (SCIP), formerly known as Issue 2. It is a requirement of the program that proper authority be given to submit this grant request. Ordinance No. 2005-54 grants such authority to the City Manager as we have done in previous years for former projects such as Reed Hartman Highway, Phase II, Kenwood Road, and Cornell Road improvement projects.

Please direct questions regarding this ordinance to the Service Director.

**11.d.1. Ordinance No. 2005-55 - Authorizing purchase of an ambulance from the State's bid list**

As was discussed with Council at the August meeting, Ordinance No. 2005-55 authorizes the purchase of an ambulance, including accessories and options, from the State's bid list from Horton Ambulance for an amount not to exceed \$136,383.63. As was discussed with the City Manager at that meeting, the City was originally planning to include purchase of this replacement ambulance within the 2006 Budget. However, given the urgent need to replace the existing 1996 unit (which recently has been frequently in disrepair), and given the favorable price and conditions included on the State's bid list, the Administration recommended this capital purchase be moved up to this year. The ordinance also addresses disposal of the old unit. Also as discussed with Council, the need to replace the 100-foot ladder truck has also become relatively urgent, requiring that purchase to be moved up to 2006.

Please address questions regarding this purchase to the Fire Chief or the City Manager.

**11.d.2. Resolution No. 2005-11 - Adopting the National Incident Management System (NIMS) relating to homeland security issues**

The City is required to comply with certain Federal regulations relating to President Bush's issuance of the Homeland Security Presidential Directive in February 2003. The National Incident Management System (NIMS) is a comprehensive, national approach to incident management that is applicable at all jurisdictional levels, including for Blue Ash, and across functional disciplines. Its purpose is to provide a consistent nationwide template to enable all government, private sector, and nongovernmental organizations to work together during domestic incidents. This resolution represents a part of the required NIMS implementation process. The Fire

Department will be coordinating this effort for the City, including the coordination of training required for various departments.

Please direct questions regarding this resolution to the Fire Chief.

**11.d.3. Resolution No. 2005-12 - Establishing hours for trick-or-treat activities**

Every year, City Council authorizes a resolution establishing the date and time to observe Halloween activities within the City. Traditionally, the City has recognized Halloween activities on the date of Halloween, October 31<sup>st</sup>. This resolution establishes Monday, October 31, 2005, from 6 to 8PM as the time to observe the occasion of Halloween. Blue Ash Police and Fire personnel will be patrolling the streets and handing out candy to children while insuring that the safety of all is protected."

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

Councilman Sumner asked the Clerk of Council to read Ordinance No. 2005-45 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY (it having been read in its entirety during the public hearing):

ORDINANCE NO. 2005-45

APPROVING A DEVELOPMENT PLAN UNDER CHAPTERS 1157 AND 1185 OF THE CODIFIED ORDINANCES FOR CONSTRUCTION OF THREE NEW TWO-STORY COMMERCIAL (RETAIL/OFFICE) BUILDINGS ALONG CORNELL ROAD, SIX SINGLE-FAMILY HOMES ALONG FLORENCE AVENUE, AND CONSTRUCTION OF A NEW SHARED PARKING AREA ON AN ADJACENT PROPERTY AND AMENDING THE DISTRICT MAP ESTABLISHED IN THE CODIFIED ORDINANCES OF THE CITY OF BLUE ASH, PART ELEVEN, PLANNING AND ZONING CODE, CHAPTER 1141, AND THUS THE BOUNDARIES OF THE DISTRICTS AS APPROVED ON MARCH 13, 2003, BY PLACING CERTAIN REAL ESTATE IN THE C-2 PLANNED COMMERCIAL DISTRICT (AN APPROXIMATE .14 ACRE STRIP AFFECTING THE NORTHERNMOST PORTIONS OF PARCELS 968 THROUGH 982 AND THE SOUTHERNMOST PORTION OF PARCEL 998 OF BOOK 612, PAGE 190 OF THE HAMILTON COUNTY AUDITOR'S OFFICE RECORDS) SUBJECT TO SAID DEVELOPMENT PLAN

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

Councilman Sumner moved, Councilwoman Stoller seconded to adopt Ordinance No. 2005-45. There being no discussion, the Clerk called the roll. Councilpersons Sumner, Buckman, Stacey, Czerwonka, Stoller, Weber, and Mayor Bryan voted yes. Seven yeas. Ordinance No. 2005-45 passed.

Councilman Sumner moved, Councilwoman Stoller seconded to set 7:30PM, Thursday, October 13, 2005 as public hearing for consideration of a large-scale residential development near Kenridge Lake. A voice vote was taken. All members present voted yes. Motion carried.

Councilman Sumner moved, Councilman Stacey seconded to establish a date (the regular Council meeting of October 13, 2005) for Council consideration of a request from Richard A. Roth II regarding an appeal of a Board of Zoning Appeals decision. A voice vote was taken. All members present voted yes. Motion carried. In addressing a question from Council, it was explained that a resident is in disagreement with a decision to not allow expansion of a gravel area in an R-1 Residential District. The Code allows the resident to present his case to Council, with Council to make final determination afterwards. More details will be provided to Council prior to this meeting (in their packets).

**Finance & Administration Committee, Mark F. Weber, Chairperson**

Councilman Weber asked the Clerk to read Ordinance No. 2005-48 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2005-48

PROVIDING FOR THE TRANSFER OF FUNDS AND  
AMENDMENTS WITHIN THE ANNUAL APPROPRIATION  
ORDINANCE NO. 2005-3 FOR THE YEAR 2005 (AS SHOWN  
ON ATTACHMENT); AND DECLARING AN EMERGENCY

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

Councilman Weber moved, Councilman Czerwonka seconded to adopt Ordinance No. 2005-48. There being no discussion, the Clerk called the roll. Councilpersons Stacey, Czerwonka, Stoller, Weber, Sumner, Buckman, and Mayor Bryan voted yes. Seven yeas. Ordinance No. 2005-48 passed.

Councilman Weber asked the Clerk to read Resolution No. 2005-13 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2005-13

RESOLUTION REQUESTING FISCAL OFFICER TO CERTIFY AS TO  
ESTIMATED MAXIMUM MATURITY OF \$3,700,000 OF BONDS

Councilman Weber moved, Councilman Czerwonka seconded to adopt Resolution No. 2005-13. There being no discussion, the Clerk called the roll. Councilpersons Czerwonka, Stoller, Weber, Sumner, Buckman, Stacey, and Mayor Bryan voted yes. Seven yeas. Resolution No. 2005-13 passed.

Councilman Weber asked the Clerk to read Ordinance No. 2005-56 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2005-56

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF \$3,700,000 OF BONDS OF THE CITY OF BLUE ASH, OHIO, FOR THE PURPOSES OF (i) RETIRING AT MATURITY BOND ANTICIPATION NOTES ISSUED PURSUANT TO ORDINANCE NO. 2004-99; AND (ii) PAYING OTHER LAWFUL COSTS INCIDENT TO THE ISSUANCE OF THE BONDS, OR NOTES ISSUED IN ANTICIPATION THEREOF; AND DECLARING AN EMERGENCY

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

Councilman Weber moved, Councilman Stacey seconded to adopt Ordinance No. 2005-56. There being no discussion, the Clerk called the roll. Councilpersons Weber, Sumner, Buckman, Stacey, Czerwonka, Stoller, and Mayor Bryan voted yes. Seven yeas. Ordinance No. 2005-56 passed.

Councilman Weber asked the Clerk to read Ordinance No. 2005-49 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2005-49

AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND THEREAFTER ENTER INTO A CONTRACT FOR THE PURCHASE OF REAL PROPERTY LOCATED AT 4361 CREEK ROAD, SITUATED ON THE SOUTH SIDE OF CREEK ROAD WEST OF MCKINLEY ROAD, CONSISTING OF APPROXIMATELY 1.055 ACRES, ALSO REFERRED TO AS THE ENTIRETY OF PARCELS 332, 333, AND 334 OF PAGE 150, BOOK 612 OF THE HAMILTON COUNTY AUDITOR'S OFFICE RECORDS; AND DECLARING AN EMERGENCY

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

Councilman Weber moved, Councilwoman Stoller seconded to adopt Ordinance No. 2005-49. There being no discussion, the Clerk called the roll. Councilpersons Buckman, Stacey, Czerwonka, Stoller, Weber, and Mayor Bryan voted yes. Councilman Sumner voted no. Six yeas. One no. Ordinance No. 2005-49 passed.

Councilman Weber asked the Clerk to read Ordinance No. 2005-50 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2005-50

AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR THE PRINTING OF THE BLUE ASH HISTORY BOOK SUPPLEMENT; AND DECLARING AN EMERGENCY

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

Councilman Weber moved, Councilwoman Stoller seconded to adopt Ordinance No. 2005-50. In addressing questions from Councilwoman Stoller and Councilman Sumner, Public Information Officer Sue Bennett explained that all three bids received were examined closely. As there are some unknowns at this time, some assumptions had to be made in

order to compare the bids favorably. The recommended bid award to RPI Graphic Data Solutions was made largely because of three factors: we have worked with this company and have been satisfied with their service (they currently print our Community Newsletter); their time to complete this project was very favorable, representing a two to four week faster turnaround time; and their cost of \$0 for additional scans (with no quantity limit) was very appealing. Though, depending upon the final quantity to be ordered (the Administration is considering between 1,500 and 1,600 at this time), the RPI unit price may be somewhat higher, there is definite value to the quicker turnaround time as well as the no-cost scans (the final number of high resolution scans to be asked of the printer is not yet known). The City is still pondering quantity, and will make a final decision as the final product evolves. Ms. Bennett explained that the Administration envisions the book will be used also as a promotional and economic development tool, and that we expect the project to come in under budget. There being no further discussion, the Clerk called the roll. Councilpersons Czerwonka, Stoller, Weber, Sumner, Buckman, Stacey, and Mayor Bryan voted yes. Seven yeas. Ordinance No. 2005-50 passed.

Councilman Weber asked the Clerk to read Ordinance No. 2005-51 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2005-51

AUTHORIZING THE CITY MANAGER TO ENTER INTO A  
CONTRACT FOR MULTI-YEAR PROFESSIONAL  
ACCOUNTING CONSULTATION SERVICES; AND DECLARING  
AN EMERGENCY

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

Councilman Weber moved, Councilwoman Stoller seconded to adopt Ordinance No. 2005-51. There being no discussion, the Clerk called the roll. Councilpersons Weber, Sumner, Buckman, Stacey, Czerwonka, Stoller, and Mayor Bryan voted yes. Seven yeas. Ordinance No. 2005-51 passed.

Councilman Weber asked the Clerk to read Ordinance No. 2005-52 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2005-52

ESTABLISHING A NEW ACCOUNTING FUND KNOWN AS THE TIF CONSTRUCTION  
FUND (FUND NO. 444); AND DECLARING AN EMERGENCY

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

Councilman Weber moved, Councilman Stacey seconded to adopt Ordinance No. 2005-52. There being no discussion, the Clerk called the roll. Councilpersons Buckman, Stacey, Czerwonka, Stoller, Weber, Sumner, and Mayor Bryan voted yes. Seven yeas. Ordinance No. 2005-52 passed.

Councilman Weber moved, Councilwoman Stoller seconded to authorize reimbursement of expenses to an employee associated with the Taste of Blue Ash (Ruth McLaws). A voice vote was taken. All members voted yes. Motion carried.

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

Councilman Stacey asked the Clerk to read Ordinance No. 2005-53 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2005-53

AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR THE PURCHASE OF HIGHWAY DE-ICING ROCK SALT; AND DECLARING AN EMERGENCY

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

Councilman Stacey moved, Councilman Czerwonka seconded to adopt Ordinance No. 2005-53. In addressing a question from Councilman Stacey, Service Director Denny Albrinck explained that the large increase in cost of salt compared to last year is due to the increased cost of fuel. There being no further discussion, the Clerk called the roll. Councilpersons Czerwonka, Stoller, Weber, Sumner, Buckman, Stacey, and Mayor Bryan voted yes. Seven yeas. Ordinance No. 2005-53 passed.

The Clerk was asked to read Ordinance No. 2005-54 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2005-54

AUTHORIZING THE CITY MANAGER TO SEEK FINANCIAL ASSISTANCE FROM THE STATE CAPITAL IMPROVEMENT PROGRAM (SCIP) FOR FUNDING A CAPITAL INFRASTRUCTURE IMPROVEMENT PROJECT AND RELATED FINANCING COSTS; AND DECLARING AN EMERGENCY

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

Councilman Stacey moved, Councilman Weber seconded to adopt Ordinance No. 2005-54. There being no discussion, the Clerk called the roll. Councilpersons Weber, Sumner, Buckman, Stacey, Czerwonka, Stoller, and Mayor Bryan voted yes. Seven yeas. Ordinance No. 2005-54 passed.

**Public Safety Committee, Stephanie Stoller, Chairperson**

Councilwoman Stoller asked the Clerk to read Ordinance No. 2005-55 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2005-55

AUTHORIZING THE PURCHASE OF AN AMBULANCE INCLUDING RELATED OPTIONS THROUGH THE STATE OF OHIO'S COOPERATIVE PURCHASING AGREEMENT FOR AN AMOUNT NOT TO EXCEED \$136,383.63; AUTHORIZING DISPOSAL OF OBSOLETE SQUAD UNIT; AND DECLARING AN EMERGENCY

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

Councilwoman Stoller moved, Councilman Sumner seconded to adopt Ordinance No. 2005-55. There being no discussion, the Clerk called the roll. Councilpersons Buckman, Stacey, Czerwonka, Stoller, Weber, Sumner, and Mayor Bryan voted yes. Seven yeas.

Ordinance No. 2005-55 passed.

Councilwoman Stoller asked the Clerk to read Resolution No. 2005-11 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2005-11

ADOPTING THE NATIONAL INCIDENT MANAGEMENT SYSTEM  
(NIMS) ASSOCIATED WITH HOMELAND SECURITY EFFORTS

Councilwoman Stoller moved, Councilman Czerwonka seconded to adopt Resolution No. 2005-11. In addressing a question from Council, Fire Chief Rick Brown explained that passage of such a resolution is part of the Homeland Security efforts and would allow Blue Ash to apply for federal grants should the need arise. He explained that eventually everyone in the City will receive some degree of training, and that these efforts are related to an unfunded mandate (to which Councilman Sumner expressed frustration). There being no further discussion, the Clerk called the roll. Councilpersons Stacey, Czerwonka, Stoller, Weber, Sumner, Buckman, and Mayor Bryan voted yes. Seven yeses. Resolution No. 2005-11 passed.

Councilwoman Stoller asked the Clerk to read Resolution No. 2005-12 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2005-12

AUTHORIZING HALLOWEEN ACTIVITIES AND  
ESTABLISHING TIME LIMITATIONS IN THE CITY OF BLUE  
ASH, OHIO, FOR OCTOBER 31, 2005

Councilwoman Stoller moved, Councilman Sumner seconded to adopt Resolution No. 2005-12. There being no discussion, the Clerk called the roll. Councilpersons Czerwonka, Stoller, Weber, Sumner, Buckman, Stacey, and Mayor Bryan voted yes. Seven yeses. Resolution No. 2005-12 passed.

**MISCELLANEOUS BUSINESS**

Mr. Jim Fearing, the historical architect working with the City on the Hunt House project, was present to address questions from Council. Mr. Fearing's cost report was distributed to Council at the August meeting. It is the desire of the Administration to gain further direction from Council as to what should be done next with the project.

Mayor Bryan summarized his understanding of the recommendations in that the City should finish the first level to its 1890 state (which will not be difficult nor costly to accomplish), and to do minimal work/change on the historic home's second level. Mr. Fearing commented that the report did give further details as to further work that could be completed if the City chose (i.e., a basic scheme, much like Mayor Bryan's description, and a full scheme including other project dimensions, both inside and outside of the home). Under the basic scheme, the first floor would be restored to its 1890s appearance, and there would be one restroom under the staircase (not handicap accessible). Among other items, the second scheme would make more changes to the second floor, as in its current state it could not take significant loads. Another option that could be done is to build a comfort station outside which could include handicap-accessible restrooms. Mr. Fearing commented that in his opinion, the most interesting aspect about this historic home is the first floor as it is almost entirely intact. He is not aware of another home like it in this region. The first floor could accommodate small gatherings. He anticipated that the largest groups to tour the home would probably be school tours.

Councilman Sumner expressed his strong desire to limit changes to the home at this time to the first floor and to develop further decisions regarding future plans at a later time. He

would support preserving/modifying the home's first floor to the 1890 era, and to limit exhibit space on the second level. He would not support moving forward at this time with a comfort station/restroom building, with major change to the grounds, including creation of a parking lot or re-creation of the barn. His goal would be for any improvement to complement the historic nature of the property. Councilman Sumner would support efforts to get every school student through the home.

In addressing a question from Council, City Manager Thompson commented that the current budget would accommodate the phase one recommendations (re-create the 1890 period on the first floor, minor changes on the second floor and maintenance of the grounds, and overall maintenance/repair of the home). He would recommend developing concept plans for future phases as a part of the CIP planning process.

Councilwoman Stoller commented that she would be satisfied with restoring the first level; however, she does not believe there would be problems in allowing small groups to utilize the home for meetings. She also believes the enhancement of gardens would be an asset. Councilman Weber commented that he thought the lack of handicap accessible restrooms would limit the number of school tours to the home.

After some discussion, it was the consensus of Council that the Administration should move forward with restoration of the first floor of the home to the 1890 era, with minor modifications to the second level and grounds (mostly maintenance related issues). Council also asked Mr. Fearing to look at alternatives to address the handicap-accessible restroom issue that would not be invasive to the home's integrity or structure.

City Manager Thompson commented that Blue Ash has taken some action to assist the people in the south (New Orleans and Mississippi areas) devastated by Hurricane Katrina. Two Blue Ash Firefighters were recently sent to the area to assist (through a FEMA sponsored program). Those Firefighters (John Hale and Mike Nelson) are now in Gulfport and report that they are going through areas that have not yet been assisted. Of the 30 career Firefighters in the department, Chief Brown reported that eight volunteered for this duty. Mr. Thompson also commented that ICMA, along with State and local municipal leagues, are planning on sending assistance in coming weeks/months to assist with the rebuilding process. Perhaps two or three others from Blue Ash may participate in this activity.

Assistant City Manager David Waltz reviewed some economic development successes over the recent months, summarized below:

- ?? Under construction or already approved is about 672,000 square feet of new office space. This includes the new medical building currently under construction on the north side of Glendale-Milford across from the Airport (30,000 square feet); the building under construction adjacent to the MOM building near Glendale-Milford and Reed Hartman Highway(20,000 square feet); Duke's The Landings project on the former Whiting Manufacturing site; the new office building to be constructed at the Kenwood Professional Building visible from the Ronald Reagan Highway access ramps, with this development to include an attractive "Welcome to Blue Ash" sign; two buildings to be constructed on Millington Court by Gallenstein; and an office building on Creek Road west of Ethicon/McKinley.
- ?? The City is experiencing a reduction in the vacancy rate of current office buildings. For example, CTI Clinical Trials has leased space in a Northmark building, Cincinnati Eye Institute will soon occupy the entirety of the Northmark III office building, the building at Malsbary and Reed Hartman is now fully occupied by a medical user, and Sunny Delight has occupied a portion of the MOM office building at Reed Hartman and Glendale-Milford.

Mayor Bryan suggested that the Administration provide Council with such an update on a quarterly basis.

Several Council members complimented Parks & Recreation and others involved with the recent successful Taste of Blue Ash event.

In addressing a question from Councilman Buckman, Mr. Waltz commented that the Hills Corporate building near Towne Square is nearly at full occupancy.

In addressing a question from Councilwoman Stoller regarding traffic light timing, particularly at Reed Hartman Highway and Pfeiffer Roads, City Manager Thompson explained that he agrees some improvements can be made. However, he believes such improvements can only materialize through the use of improved camera-like sensors at these intersections. He mentioned that these are costly improvements; however, eventually they will be on all signals. He recommends phasing such improvements in over an approximate three-year period as this equipment is expensive. The Administration will work with the City engineers at CDS Associates to consider such signals in the upcoming budget.

In addressing a question from Councilman Czerwonka, Mr. Albrinck explained that the contractor for Reed Hartman Highway (Barrett) has been experiencing timing issues associated with the purchase of the new manhole and flume improvements needed near P&G. Completion is now estimated for the end of October.

Councilman Stacey complimented the City's efforts to improve the flowers in the downtown area this year. In addressing a question from Councilman Stacey, Mr. Albrinck commented that the City believes the additional rubberized areas (to benefit pedestrian use) at the railroad crossing at Hunt/Blue Ash Roads should be complete by the end of this year.

#### **EXECUTIVE SESSION**

Councilman Stacey moved, Councilwoman Stoller seconded to convene an Executive Session to discuss matters pertaining to personnel. The Clerk called the roll. Councilpersons Stoller, Weber, Sumner, Buckman, Stacey, Czerwonka, and Mayor Bryan voted yes. Seven yeas. Motion carried.

After matters pertaining to personnel were discussed, Councilman Sumner moved, Councilman Weber 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, Councilman Sumner moved, Councilman Weber seconded to adjourn the meeting. A voice vote was taken. All members voted yes. The Council meeting was adjourned at approximately 10:15 PM.

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Rick Bryan, Mayor

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Jamie K. Eifert, Clerk of Council

MINUTES WRITTEN BY:

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Susan K. Bennett, Deputy Clerk of Council