

# BLUE ASH CITY COUNCIL

April 8, 2021

Page 1

## **1. MEETING CALLED TO ORDER**

A regular meeting of the Council of the City of Blue Ash, Ohio, was held on April 8, 2021. Mayor Marc Sirkin called the meeting to order in Council Chambers at 7:00 PM.

## **2. OPENING CEREMONIES**

Mayor Sirkin led those assembled in the Pledge of Allegiance.

## **3. ROLL CALL**

MEMBERS PRESENT: Councilman Jeff Capell, Councilwoman Jill Cole, Councilman Lee Czerwonka, Vice Mayor Pramod Jhaveri, Councilman Joe Leet, Councilwoman Katie Schneider, and Mayor Marc Sirkin

ALSO PRESENT: City Manager David Waltz, Solicitor Bryan Pacheco, Clerk of Council Jamie Eifert, Treasurer Sherry Poppe, Public Works Director Gordon Perry, Executive Assistant Julie Kipper, Communications Coordinator Rachel Murray, and interested citizens

## **4. ACCEPTANCE OF AGENDA**

Councilman Czerwonka moved, Councilwoman Cole 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. *ACCEPTANCE OF AGENDA*
5. *APPROVAL OF MINUTES*
  - a. *Regular Meeting of March 11, 2021*
6. *COMMUNICATIONS*
  - a. *Communications to Council – Clerk of Council Jamie K. Eifert*
  - b. *Reports From Outside Agencies*
  - c. *Mayor's Report – March 2021*
  - d. *Financial Report – Motion to accept the report for March 2021*
  - e. *2020 Annual Report – Motion to accept the Annual Report for 2020*
7. *HEARINGS FROM CITIZENS*
8. *COMMITTEE REPORTS*
  - a. *Finance & Administration Committee, Lee Czerwonka, Chairperson*
    1. *Resolution No. 2021-14,           levying special assessments on real property related to property maintenance issues pursuant to Chapter 911 of the Blue Ash Code*
    2. *Resolution No. 2021-15       Providing for amendments within the 2021 annual appropriation resolution No. 2020-62*
  - b. *Planning & Zoning Committee, Pramod Jhaveri, Chairperson*
    1. *Motion setting a public hearing on Thursday, April 22 at 7:05 p.m. to consider approval of a Conditional Use Permit for a seven-unit Townhouse development at 5326 Hickory Trail Lane in the R-3 Residential High Density Zoning District*
    2. *Motion setting a public hearing on Thursday, April 22 at 7:10 p.m. to consider an amendment to the existing Park Manor development plan to allow for three single-family homes in place of a 12-unit condominium building adjacent to Monroe Avenue*
    3. *Resolution No. 2021-16       Approval of a Final Plat for Section Two of Summit View Subdivision*
  - c. *Public Works Committee, Joe Leet, Chairperson*
    1. *Resolution No. 2021-17,       Authorizing the City Manager to enter into a contract for the 2021 Paving Program for the unit prices as shown on the attached bid summary*
    2. *Resolution No. 2021-18,       Authorizing the City Manager to enter into a contract for the HAM-Plainfield Roundabouts Construction Administration Project*
  - d. *Public Safety Committee, Jeff Capell, Chairperson*

BLUE ASH CITY COUNCIL

April 8, 2021

Page 2

- 1. Ordinance No. 2021-02, Amending certain Sections of Part 3 Traffic Code and Part 5 General Offenses Code and declaring an emergency

9. MISCELLANEOUS BUSINESS

- a. Downtown Development Presentation – Ray Schneider, Gregg Lund and associates, Circle Development

10. ADJOURNMENT

5. APPROVAL OF MINUTES

Councilman Czerwonka moved, Councilwoman Cole seconded to approve the minutes of the regular meeting of March 11, 2021. A voice vote was taken. All members present voted yes. Motion carried.

6. COMMUNICATIONS

a. Communications to Council

There were no communications presented to Council.

b. Reports From Outside Agencies

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

c. Mayor's Report – March 2021

RECEIPTS COLLECTED:.....\$10,725.00  
 (Cash Book Total / Restitutions / Bond Surcharge / Bond Forfeitures / Bond Returned)

DISBURSEMENTS:

To the City of Blue Ash  
 (Fines / Costs / Sealing Fee / Bond Forfeitures / HCMC Fines).....\$8,260.00  
 To the State of Ohio:.....\$2,322.50  
 To Hamilton County Municipal Court.....\$82.50  
 Refunds Issued / Overpayment.....\$0.00  
 Bond Money returned.....\$0.00  
 Restitution payment.....\$60.00  
 TOTAL DISBURSEMENTS.....\$10,725.00

BALANCE IN BOND ACCOUNT (not yet applied included in receipts collected).....\$ . -  
 Mayor's Court traffic citations issued.....52  
 Mayor's Court Criminal / Building citations issued.....14  
 Total Mayor's Court citations issued.....66  
 Blue Ash Revenue from Mayor's Court Cases:.....\$8,260.00

d. Financial Report – March 2021

Councilman Leet moved, Vice Mayor Jhaveri seconded to accept the Financial Report for March 2021 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 MARCH 31, 2021

MONTH TO DATE	2020	2021
<b>START OF MONTH FUND BALANCE:</b>	\$52,703,503.06	\$52,748,391.70
<b>Revenues:</b>		
Income Tax Collections:	\$3,463,716.33	\$4,238,596.37
Debt Financing (long term)	-	-
Debt Financing (short term)	-	-
Other Revenue Received:	\$642,746.00	\$2,799,613.24
= Total Monthly Receipts	\$4,106,462.33	\$7,038,209.61
<b>Expenditures:</b>		
Long term Debt Payments	-	-
Short term Debt Payments	-	-
Other Expenditures:	\$2,939,650.91	\$2,159,461.94
= Total Monthly Expenditures:	(\$2,939,650.91)	(\$2,159,461.94)
<b>END OF MONTH FUND BALANCE:</b>	\$53,870,314.48	\$57,627,139.37

YEAR TO DATE	2020	2021
<b>START OF YEAR FUND BALANCE:</b>	\$52,589,517.28	\$51,905,856.87
<b>Revenues:</b>		
Earnings Tax Collections:	\$8,979,112.08	\$9,892,056.94

BLUE ASH CITY COUNCIL

April 8, 2021

Page 3

Debt Financing (long term)	-	-	-
Debt Financing (short term)	-	-	-
Other Revenue Received:	<u>\$2,280,180.22</u>		<u>\$4,213,525.28</u>
= Total YTD Receipts		\$11,259,292.30	\$14,105,582.22

Expenditures:

Long term Debt Retirement	\$909,288.78		\$852,568.31
Short term Debt Payments	-		-
Other Expenditures:	<u>\$9,069,206.32</u>		<u>\$7,537,731.41</u>
= Total YTD Expenditures:		<u>\$(9,978,495.10)</u>	<u>\$(8,384,299.72)</u>

**YEAR TO DATE FUND BALANCE:**

	<u>\$53,870,314.48</u>		<u>\$57,627,139.37</u>
--	------------------------	--	------------------------

YTD Interest rec'd: (incl. in Other Rev.) \$50,119.27

Receipt and expenditure figures do not include interfund transfers or advances. All debt includes principal and interest.

**CITY OF BLUE ASH EARNINGS TAX RECEIPT SUMMARY FOR THE MONTH ENDING MARCH 31, 2021**

MONTH TO DATE:	2020	2021	
Business Net Profit	\$577,268.84	\$467,449.23	
Resident Net Profit	\$84,141.38	\$106,747.47	
Non-Resident Net Profit	\$18,101.59	\$14,699.64	
Subcontractor Net Profit	\$17,319.39	\$13,914.25	
<i>Net Profit Total</i>		\$696,831.20	\$602,810.59
Withholding	\$2,722,737.07	\$3,599,897.96	
Subcontractor Withholding	\$44,148.06	\$35,887.82	
<i>Withholding Total</i>		\$2,766,885.13	\$3,635,785.78
Monthly Collection Totals	<u>\$3,463,716.33</u>	<u>\$4,238,596.37</u>	22.37%

YEAR TO DATE:	2020	2021	
Business Net Profit	\$838,109.00	\$788,642.67	
Resident Net Profit	\$237,892.40	\$263,431.33	
Non-Resident Net Profit	\$66,901.42	\$54,742.36	
Subcontractor Net Profit	\$26,656.14	\$66,886.74	
<i>Net Profit Total</i>		\$1,169,558.96	\$1,173,703.10
Withholding	\$7,616,489.07	\$8,581,324.55	
Subcontractor Withholding	\$193,064.05	\$137,029.29	
<i>Withholding Total</i>		\$7,809,553.12	\$8,718,353.84
YTD Collection Totals	<u>\$8,979,112.08</u>	<u>\$9,892,056.94</u>	10.17%
YTD Refund Totals	<u>\$226,641.10</u>	<u>\$115,032.83</u>	

**e. Annual Report – 2020**

Councilwoman Cole moved, Councilman Czerwonka seconded to accept the Annual Report for 2020. A voice vote was taken. All members present voted yes. Motion carried.

**7. HEARINGS FROM CITIZENS**

Steve Tolbert, 106 Bentwood Court, addressed Council about an issue with the noise generated by activities at the City’s Golf Maintenance building in the early morning hours before 7:00 AM. He cited an instance in early February when City employees were using a wood chipper and it was extremely loud and disruptive, especially in a residential neighborhood. He stated that he has spoken with Mr. Kincaid and Mr. Kruse about the matter. As a short-term solution, he asks that Council direct City staff to please curtail noisy activities in the early morning hours. He also requests that as a long-term solution to this problem, Council should consider relocating the building to another location outside of the residential areas.

Matt Dunn, 108 Bentwood Court, echoed Mr. Tolbert’s complaints about the Golf Maintenance facility. He explained that he has tried to create a natural barrier to reduce the noise, and that the City has altered the parking arrangements for the City vehicles so as not to create the loud beeping noise when the trucks are backing in to the parking area. He also stated that delivery trucks are a hazard for pedestrians in the residential area. He stated he would appreciate changes in the Golf Maintenance facility operations in the short and long-term.

Bob Sugarman, 114 Bentwood Court, stated he is concerned about his property values declining with the appearance of the Golf Maintenance facility and the noise associated with the daily operations. He requested Council to consider moving the structure and operations to another

# BLUE ASH CITY COUNCIL

April 8, 2021

Page 4

location.

Rob Ryan, 9514 Conklin Avenue, addressed Council on the following items:

Does Option B of the redevelopment of Towne Square include existing and future Veterans Memorial pavers?

He has suggested the elimination for the mini-Dog Park from Option B. What is the current status of Option B and the previously proposed mini-Dog Park?

Several years ago, the use of Emergency Ordinances was limited by the introduction of resolutions for routine purchases such as salt, office supplies, etc. How many Emergency Ordinances have been passed since that time?

Please define the intent and responsibilities of pet owners at Blue Ash public lands in regard to being Pet Friendly.

What is the status of videotaping city council meetings now that Zoom recordings are no longer available?

The audio recordings are of mixed quality, can the setup of the various microphones be optimized?

Bob Wittenberg, 4616 Cooper Road, asked Council to consider passing an Ordinance to allow low-speed vehicles (road legal golf carts) on City roads. He referenced the City of Milford, Harrison, Terrace Park and New Richmond have recently passed legislation allowing the use of low-speed vehicles on public roadways.

Hearings from Citizens was declared closed at 7:18 PM.

## **8. COMMITTEE REPORTS**

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

*This memo offers a brief description of the topics included on the April 8<sup>th</sup> Council agenda.*

### **8.a.1. Resolution No. 2021-14 – levying special assessments on real property related to property maintenance issues pursuant to Chapter 911 of the BA Code**

*The City's property maintenance provisions defined in Chapter 911 (Noxious Weeds and High Grass) allows for the City to "step in" and take care of property maintenance violations for which the property owner, after an extended period of time and with notice, has not taken care. The City then bills the property owner for the total cost of that maintenance. If the invoice has not been paid by the property owner after a defined period, the City can then "certify" the costs incurred to the County Auditor to be placed upon the tax duplicate, collected, and then paid back to the City.*

*In the past several months, the City has taken care of maintenance issues on several Blue Ash properties. Resolution No. 2021-14 represents the notification to the County Auditor of such payments directing the specified amounts to be levied and assessed on the properties as noted within the resolution.*

*Please direct any questions regarding this resolution to the Treasurer/Administrative Services Director.*

### **8.a.2. Resolution No. 2021-15 – Providing for amendments within the 2021 annual appropriation Resolution No. 2020-62**

*Resolution 2021-15 provides for the following 2021 budget amendment:*

- *The City will begin receiving County TIF payments related to the Summit View TIF (fund 510) with this year's first real estate tax settlement. These budget appropriations provide for the expected TIF revenues as well as expenses related to county fees and the transfer of funds to the TIF trustee.*
- *As a result of excessive runoff during the construction of the Daventry, the developer paid the City \$19,990.00 to remedy the sediment buildup that collected along the creek that runs through the Blue Ash Golf Course.*
- *The final budget adjustments will close out the prior year's Flexible Spending Account Fund (903). This provides for a transfer payment of \$4,043.24 back to the General Fund.*

*Please direct any questions regarding this resolution to the Treasurer/Administrative Services Director.*

### **8.b.1 Motion setting a public hearing on Thursday, April 22 at 7:05 p.m. to consider approval of a Conditional Use Permit for a seven-unit Townhouse development at 5326 Hickory Trail Lane in the R-3 Residential High Density Zoning District.**

*The applicant, Hal Homes, Inc., is seeking to develop seven single-family detached residences on a 1.117 acre*

BLUE ASH CITY COUNCIL

April 8, 2021

Page 5

site that will become a part of the Hickory Ridge Condominiums. A letter from the applicant explains that this site was originally retained by the owners, but was intended to be included in Hickory Ridge when they eventually moved and sold the land to the original developer.

Planning Commission considered the proposed plan at its April 1, 2021 meeting and recommended approval with conditions.

Please direct any questions to the Community Development Director.

**8.b.2 Motion setting a public hearing on Thursday, April 22 at 7:10 p.m. to consider an amendment to the existing Park Manor development plan to allow for three single-family homes in place of a 12-unit condominium building adjacent to Monroe Avenue.**

The applicant, Park Manor, LLC., is seeking to modify the existing site plan for Park Manor. The proposed plan replaces one 12-unit building that would be in the northwest corner of the site with 3 single-family homes. All three of the homes would be accessed from the internal site driveway adjacent to Monroe Avenue. The proposed homes would remain a part of the Park Manor development owner's association.

Planning Commission considered the proposed plan at its April 1, 2021 meeting and recommended approval with conditions.

Please direct any questions to the Community Development Director.

**8.b.3 Resolution No. 2021-16 – approving a final plat for Section Two of the Summit View Subdivision**

Planning Commission considered the proposed Final Plat for Section Two of the Summit View Subdivision at its April 1, 2021 meeting. The proposed plan creates five lots for the Summit View Office building, the Cincinnati Rehabilitation Hospital, the WP Land condominiums, and for Summit Park. It creates one common lot for the development's retention basin and dedicates the last of the rights-of-way in the development. The Final Plat substantially conforms to the approved Preliminary Plan for development.

The developer will be required to complete the public improvement plans and provide a performance bond prior to filing the plat that is sufficient to provide for the completion of the development, if the developer fails to complete it per plan. Approval of a Final Plat does result in dedication of new public rights-of-way, but it does not result in the City accepting maintenance responsibility for the improvements within those new rights-of-way. The City accepts maintenance only after 80 percent of the lots within the subdivision have been developed and the streets are more than one year old.

Approval of a Final Plat does not require a public hearing.

Please direct questions regarding this Resolution to the Community Development Director.

**8.c.1. Resolution 2021-17 – Authorizing the City Manager to enter into a contract for the 2021 Paving Program for the unit prices as shown on the attached bid summary**

Bids for the 2021 Paving Program were advertised in the March 17, 2021 Edition of the Northeast Suburban Life. Two bids were received and publicly opened and released on Thursday, April 1, 2021 via Bid Express electronic bidding site. Administration is recommending Council authorize an award to the low bidder, Barrett Paving Materials, Inc. for unit prices as shown on the bid summary. Staff recommends the award include the base bid, alternate 1, and alternate 3 which meets the budgeted allotment for this work. The bids were consistent with the engineer's estimate.

A summary of this year's paving program is shown below:

**Base Bid – Asphalt, milling, storm sewer inlet repair, and base repairs – West Ave., Perry Ave. at West, Northfield Rd., Miller Rd., Conklin Rd., Maynard Dr., and Highland Ave.**

**Bridge Surface Repairs – Anderson Way, Carver Rd., and Alliance Culvert.**

**Alternate 1 – Asphalt, milling, storm sewer inlet repair, and base repairs – Creek Rd.**

**Alternate 3 – Asphalt, milling, storm sewer inlet repair, install ADA ramps, and base repair – Myerdale Dr., Woodcreek Dr., and Muirfield Ln.**

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

**8.c.2. Resolution 2021-18 – Authorizing the City Manager to enter into a contract for the HAM-Plainfield Roundabouts Construction Administration Project**

The City of Blue Ash has solicited requests for Letters of Interest from qualified firms for the construction administration, inspection and materials management for PID #103416, HAM-Plainfield Rd. Roundabouts Project; Federal Project Number E161(0660).

The City of Blue Ash has directly selected the consultant based on their Programmatic Consultant Selection Rating from their LOI submission following strict Ohio Department of Transportation guidelines. Based on the selection rating process, the City of Blue Ash will enter into an agreement with Prime AE based on the attached fee proposal. Prime AE is local, with an office in the City of Blue Ash.

Please address questions regarding this resolution to the Public Works Director.

**8.d.1 Ordinance No. 2021-02 – amending and re-enacting certain Sections of Part 3 Traffic Code and**

BLUE ASH CITY COUNCIL

April 8, 2021

Page 6

**Part 5 General Offenses Code**

*Ordinance No. 2021-02 incorporates the State law changes required for the Traffic Code (Part 3) and for the General Offenses Code (Part 5) as part of the annual Code of Ordinances update. These changes mirror revisions made at the State level, bringing the City of Blue Ash into compliance with the Ohio Revised Code and the Ohio Administrative Code. The current changes have been reviewed by Dinsmore & Shohl as well as by the Police Administration.*

*Please direct questions regarding this Ordinance to the City Solicitor or Police Chief.*

**a. Finance & Administration Committee, Lee Czerwonka, Chairperson**

Councilman Czerwonka asked the Clerk to read Resolution No. 2021-14 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2021-14

A RESOLUTION TO LEVY SPECIAL ASSESSMENTS ON REAL PROPERTY FOR THE TOTAL COST OF MITIGATING NOXIOUS WEEDS AND HIGH GRASS PURSUANT TO CHAPTER 911 OF THE BLUE ASH CODE OF ORDINANCES AND O.R.C. 715.261

Councilman Czerwonka moved, Councilman Capell seconded to adopt Resolution No. 2021-14.

There being no discussion, the Clerk called the roll. Councilpersons Capell, Leet, Schneider, Cole, Czerwonka, Vice Mayor Jhaveri, and Mayor Sirkin voted. Seven yeases. Resolution No. 2021-14 passed.

Councilman Czerwonka asked the Clerk to read Resolution No. 2021-15 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2021-15

PROVIDING FOR AMENDMENTS WITHIN THE 2021 ANNUAL APPROPRIATION RESOLUTION NO. 2020-62

Councilman Czerwonka moved, Councilwoman Cole seconded to adopt Resolution No. 2021-15.

There being no discussion, the Clerk called the roll. Vice Mayor Jhaveri, Councilpersons Schneider, Leet, Capell, Cole, Czerwonka and Mayor Sirkin voted. Seven yeases. Resolution No. 2021-15 passed.

**b. Planning & Zoning Committee, Pramod Jhaveri, Chairperson**

Vice Mayor Jhaveri moved, Councilwoman Cole seconded to set a Public Hearing for Thursday, April 22, 2021 at 7:05 p.m. to consider approval of a Conditional Use Permit for a seven-unit Townhouse development at 5326 Hickory Trail Lane in the R-3 Residential High Density Zoning District..

A voice vote was taken. All members present voted yes. Motion carried.

Vice Mayor Jhaveri moved, Councilwoman Cole seconded to set a Public Hearing for Thursday, April 22, 2021 at 7:10 p.m. to consider an amendment to the existing Park Manor development plan to allow for three single-family homes in place of a 12-unit condominium building adjacent to Monroe Avenue.

A voice vote was taken. All members present voted yes. Motion carried.

Vice Mayor Jhaveri asked the Clerk to read Resolution No. 2021-16 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2021-16

APPROVING A FINAL PLAT FOR SECTION TWO OF THE SUMMIT VIEW SUBDIVISION

Vice Mayor Jhaveri moved, Councilwoman Cole seconded to adopt Resolution No. 2021-16.

There being no discussion, the Clerk called the roll. Councilpersons Leet, Schneider, Capell, Cole, Czerwonka, Vice Mayor Jhaveri, and Mayor Sirkin voted yes. Seven yeases. Resolution No. 2021-16 passed.

BLUE ASH CITY COUNCIL

April 8, 2021

Page 7

**c. Public Works Committee, Joe Leet, Chairperson**

Councilman Leet asked the Clerk to read Resolution No. 2021-17 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2021-17

AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR THE 2021 PAVING PROGRAM FOR THE UNIT PRICES AS SHOWN ON THE ATTACHED BID SUMMARY

Councilman Leet moved, Councilwoman Cole seconded to adopt Resolution No. 2021-17.

Councilman Leet explained this is an annual program that is necessary to maintain City streets.

There being no additional discussion, the Clerk called the roll. Councilpersons Capell, Cole, Schneider, Czerwonka, Vice Mayor Jhaveri, Councilman Leet, and Mayor Sirkin voted. Seven yeses. Resolution No. 2021-17 passed.

Councilman Leet asked the Clerk to read Resolution No. 2021-18 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2021-18

AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR THE HAM - PLAINFIELD ROAD ROUNDABOUT CONSTRUCTION ADMINISTRATION PROJECT

Councilman Leet moved, Councilman Capell seconded to adopt Resolution No. 2021-18.

There being no discussion, the Clerk called the roll. Councilpersons Cole, Czerwonka Capell, Vice Mayor Jhaveri, Councilpersons Leet, Schneider, and Mayor Sirkin voted. Seven yeses. Resolution No. 2021-18 passed.

**d. Public Safety Committee, Jeff Capell, Chairperson**

Councilman Capell asked the Clerk to read Ordinance No. 2021-02 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2021-02

AMENDING AND ENACTING CERTAIN SECTIONS OF PART 3 TRAFFIC CODE AND PART 5 GENERAL OFFENSES CODE; AND DECLARING AN EMERGENCY

Councilman Capell moved, Councilwoman Cole seconded to suspend the rules of Council requiring a second reading of the ordinance. The Clerk called the roll. Councilpersons Cole, Czerwonka Leet, Schneider, Capell, Vice Mayor Jhaveri, and Mayor Sirkin voted. Seven yeses. Motion carried.

Councilman Capell moved, Councilman Czerwonka seconded to adopt Ordinance 2021-02.

There being no discussion, the Clerk called the roll. Vice Mayor Jhaveri, Councilpersons Capell, Cole, Schneider, Czerwonka, Leet, and Mayor Sirkin voted. Seven yeses. Ordinance No. 2021-02 passed.

**9. MISCELLANEOUS BUSINESS**

- a. Downtown Development Presentation - Ray Schneider, Gregg Lund and associates, Circle Development

Mr. Waltz briefly summarized the background on the City-owned property at the corner of Kenwood and Cooper, often referred to as the Hosbrook property. He stated that around the same time that the City purchased the former Hosbrook property, Ray Schneider of Circle Development Company purchased the adjacent properties (Blue Ash Chili and Ringo Lanes) and have expressed an interest in a possible partnership with the City in the development process. They are here this evening to present their conceptual designs for the development site. Mr. Waltz explained that this presentation is not intended to be a formal zoning approval process,



BLUE ASH CITY COUNCIL

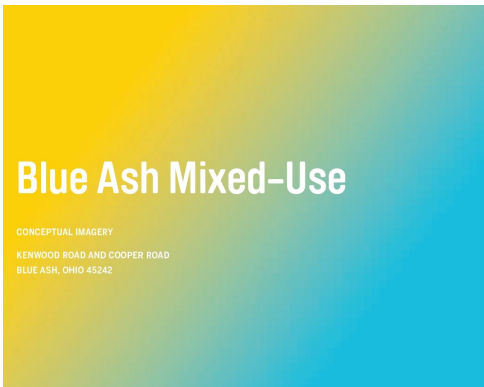
April 8, 2021

Page 8

however there will be a time for that in the future including a public hearing and opportunity for citizen input. Mr. Waltz introduced Gregg Lund with Circle Development Company.

Mr. Lund thanked Council for the opportunity to present Circle Development’s vision for the development of the site. He stated that Circle Development has spent a considerable amount of time taking in Council’s feedback from previous meetings, and working in collaboration with Reztark Design Studio to create a project that they believe will provide for a cornerstone in Blue Ash and a very important parcel at the crossroads of Kenwood and Cooper Roads. He stated that they believe that together with the City, we have the ability to collectively create a development that is one of activity and usefulness with a mix of uses that sets a benchmark for other communities. Mr. Lund introduced Dean Lutton from Reztark Design Studio.

Mr. Lutton explained that Circle Development and Reztark Design Studios have collaborated to create a community-based, pedestrian and pet-friendly mixed-use development that emphasizes walkability and connectivity, with design aesthetics that coincide with the City’s Downtown Zoning Code requirements and promotes a vibrant “Alive after 5” atmosphere with destination restaurants, specialty retail, residential, and office spaces.



View of existing site at Kenwood and Cooper

Mr. Lutton provided an aerial image and a brief description of the existing site bounded by Kenwood Road on the east side, Cooper Road on the south end, the railroad tracks on the west side and Keystone Plaza on the north end of the site. Mr. Lutton stated their vision for the site will be a vibrant, true mixed-use development that draws people and activity to the site, respects the existing urban feel, and builds on the City’s vision of a walkable, vibrant Downtown area.



View from corner of Kenwood and Cooper



Another view of the public corner at Kenwood and Cooper

Mr. Lutton stated that this is a unique project that incorporates a special mix of residential commercial, and office space including specialty restaurants, retail and a boutique hotel.



BLUE ASH CITY COUNCIL

April 8, 2021

Page 9



View looking south on Kenwood Road showing retail streetscape



At the public corner, the buildings will be set back to allow site lines emphasizing the importance of community and social interaction with greenspace, public art and hardscapes. The residential portion of the development will be set back from all sides with limited visibility from the street and a special entry off of Cooper Road in an effort to maximize the commercial frontage on Kenwood Road. The office spaces will be located on the second level overlooking a pedestrian plaza below, a lobby entry off of Kenwood Road and an enclosed parking garage below the residential units with a lobby that is specifically for the office tenants. On the ground level along the length Kenwood Road, there is abundant retail and restaurants with outdoor gathering spaces, outdoor seating for the restaurants, and clear visibility from the street. Mr. Lutton showed a video clip of the entire development starting from the north end of the site at the boutique hotel and circles back to the central park outdoor space.



View of Central Park, the “heart” of the project



View of street level retail and restaurants illustrating building materials and signage

Mr. Lutton noted the high quality materials, predominately brick and stone, the covered walkways along the street level retail and restaurants and a signage package to ensure high quality, refined and elegant signage throughout the project. He described the “Central Park” area as a pocket park outdoor space that is the “heart of the project. He stated they envision a feature tenant, such as a brewery, along with other restaurants and retail to serve as an anchor to the whole retail frontage.



View of private residential pool and open space area



View of southwest corner of the project showing office above retail



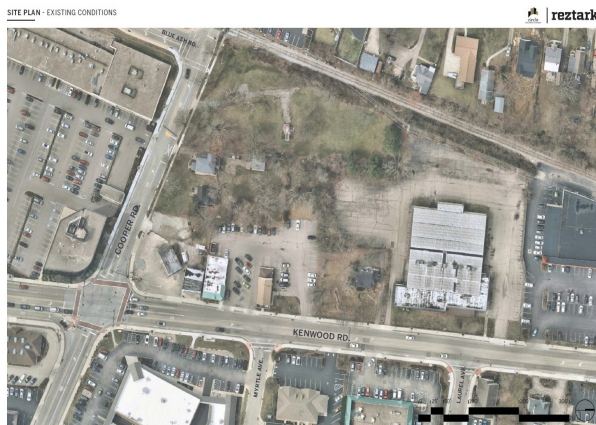
# BLUE ASH CITY COUNCIL

April 8, 2021

Page 10

The residential component of the development is set back behind the commercial spaces and features at most 250 attached residential units, however that number may be reduced depending on the final development plans.

The two level parking garage serves as mixed-use parking that serves office and retail. Additional on street parking is located on Kenwood Road. There is also a separate garage for the residential use. Both garages can be accessed from the proposed access road bordering the west side of the development site along the railroad tracks.



Aerial view of the existing site



Aerial view of proposed development overlay on existing site



Side view showing parking garage elevation, retail, office and residential



Mr. Lutton stated that they estimate about 5700 people on the site on an average daily basis through the various uses, and of those 5700 people, up to 400 could be residents and their guests which equates to approximately 7% of the total. 93% of the daily occupants would be there for the retail, restaurants, office, hotel or utilizing the outdoor spaces along the street scapes. He stated that this is a commercially driven product that uses the collaboration of mixed uses to create an active, 18 hour/day project.

In summary, Mr. Lutton stated that this vision was created based on Council's initial comments during discussions at previous meetings, as well as the Downtown Strategic Plan and Zoning Codes. Circle Development believes that this dynamic, mixed use project will bring much needed economic development, social interaction and vitality to the northern gateway of Downtown Blue Ash. Mr. Lutton thanked Council for the opportunity to present their concept plan this evening.

Mr. Schneider thanked City Council for the opportunity to present Circle Development's concept plan. He stated that he has been in Blue Ash for the past 35 years, noting that his business's corporate headquarters is here and he is deeply invested in Blue Ash. He hopes that with Council's support, he can bring the vision for this development to the cornerstone of Blue Ash and create a vibrant, walkable destination for people to come and enjoy that is poised for long term success.

Mr. Waltz stated that some key things to take away from the presentation are that they did a good job incorporating Council's feedback, articulating the buildings so they are set back to create an inviting streetscape, and there is a nice use of open space. He noted that it is unknown if the library will be a part of this development project, as they have their own processes related to expansion, relocation and development.

## BLUE ASH CITY COUNCIL

April 8, 2021

Page 11

Mayor Sirkin stated that it is a lot of information to take in and at this time, he did not have any comments. He thanked Mr. Lund, Mr. Schneider and Mr. Lutton for presenting their ideas this evening.

In response to Councilman Capell's questions, Mr. Lutton stated that conceptually, the development would comprise approximately 60-65% residential use, and about 35% would be office, retail and restaurant, and hotel use based on square footage. However, from an occupancy standpoint, the restaurant and retail uses really drive the daily uses. He stated that visual buffering on the west side of the development would include trees and landscaping as well as distancing. He explained that the concept plan does include a smaller boutique type hotel, but that market studies would be done to determine if a hotel is the best use for the space.

In response to Councilman Leet's question, Mr. Lutton stated that the residential units are high-end rental apartments.

Vice Mayor Jhaveri inquired about the number of rooms in the hotel. Mr. Lutton stated the proposed boutique hotel would be a smaller scale hotel with approximately 75-85 rooms.

In response to Councilman Czerwonka's questions, Mr. Lutton stated there are approximately 600 spaces in the parking garages and an additional 27 on-street parking spaces along Kenwood Road. A portion of the parking would be public parking, and some would be designated for the office, hotel, retail and residential uses, with planned access points, and service corridors.

Councilwoman Cole inquired as to what the developer's vision is regarding a build-out timeline. Mr. Lutton stated that a definitive timeline is unknown at this time, but that it could be broken out into phases.

In response to Councilman Czerwonka's question regarding demolition of the existing buildings, Mr. Schneider commented that he would like to get the buildings taken down as soon as possible, but he stated that before that happens, he would like to have a weekend event, possibly for charity, where everyone could come and bowl one more time, and then commence with the demolition soon after full approval of the project.

Mr. Waltz informed Council that he will be attending an upcoming webinar on commercial real estate development. He stated that if Council is interested in attending, please contact Ms. Kipper.

Solicitor Pacheco clarified the 2016 City Charter amendment concerning the City's Codified Ordinances. He also reported that the Supreme Court hearing on the Duke Pipeline was held on March 31<sup>st</sup> and is available to view online at the Ohio Channel website.

Councilman Leet thanked City staff on the wonderful job they did producing the City's Annual Report.

Councilman Leet made a motion to direct staff to video record Council meetings and to make the recordings available on the City website. Councilman Capell seconded. He added that this is just direction to the staff and it is staff's decision on the best way to implement video recording the meetings.

There being no further discussion, Councilman Leet asked the Clerk to call the roll. Councilpersons Capell, Cole, Czerwonka, Leet, Schneider, Vice Mayor Jhaveri, and Mayor Sirkin voted. Seven yeases. Motion carried.

Councilwoman Schneider stated she is excited about the great news about the Cincinnati Opera and the Off Market monthly events coming to Summit Park this summer. She thanked Mr. Kruse and the City staff for their involvement in bringing these opportunities to Blue Ash.

Mr. Waltz commented on some of the citizen comments about the Golf Maintenance building and operations. He stated that Mr. Kruse and Mr. Kincaid have had multiple conversations with the residents and they are sensitive to their concerns. He noted that operations have been modified to try and alleviate some of the noise. He also commented on the citizen's question regarding the brick pavers at the Veterans Memorial, and explained that the City does not have a definitive answer at this point, but the City will work with the designer, and the American Legion, who is supportive of the project, to determine a strategy and solution.

Councilman Czerwonka expressed his compliments to Ms. Murray for a job well done on the Annual Report, and to the Parks and Recreation staff for bringing the Cincinnati Opera to Summit Park. Regarding the citizen comment on allowing golf carts on public roadways, Councilman

# BLUE ASH CITY COUNCIL

April 8, 2021

Page 12

Czerwonka asked Solicitor Pacheco if the City's Code already addresses this issue. Solicitor Pacheco stated he would look into it and report back to Council.

Councilman Capell reported that the OKI Board meeting was held earlier today. He stated that the main topic of discussion was on a public infrastructure bill coming in the near future and the Board strongly suggested that local governments get their plans in place for infrastructure projects. He remarked that he is happy that Council has agreed to video record Council meetings, noting that it is important for the public to be able to view City Council meetings if they are unable to attend in person. He stated that he will be watching closely to ensure that the selected format will be a substantive, professional, high quality video recording that is easily accessible to residents. He also indicated future consideration of a Charter amendment regarding videotaping.

Councilwoman Cole commented on the Annual Report and that staff did an excellent job putting it together. She noted it is a testament to how the City kept doing a great job and getting things done to serve the citizens of Blue Ash, especially during a very difficult year. She thanked the Parks and Recreation staff for their efforts in bringing the Cincinnati Opera to Blue Ash, and hopes that it will encourage more groups to bring arts and entertainment to the City and its residents and visitors.

Vice Mayor Jhaveri thanked staff for the great work on the Annual Report and bringing the Cincinnati Opera to Summit Park.

Mayor Sirkin congratulated Solicitor Pacheco for presenting a very persuasive argument during the recent Duke Energy Pipeline Supreme Court Appeal Hearing. He also commented on the great job staff did on the annual report and for bringing the Cincinnati Opera to Blue Ash. He congratulated Chad Lewis on his recent promotion as the new Superintendent of Sycamore Schools. In response to Councilman Capell's comments, he noted that a Charter Amendment is an organizational item, and not meant to dictate operational policies and procedures.

## **10. ADJOURNMENT**

All items on the agenda having been acted upon, Councilwoman Cole moved, Councilman Czerwonka seconded to adjourn the meeting. A voice vote was taken. All members voted yes. The Council meeting was adjourned at approximately 8:35 PM.

---

Marc Sirkin, Mayor

---

Jamie K. Eifert, Clerk of Council

MINUTES RECORDED AND WRITTEN BY:

---

Julie Kipper, Executive Assistant