

BLUE ASH CITY COUNCIL

April 24, 2008

Page 1

A regular meeting of the Council of the City of Blue Ash, Ohio, was held on April 24, 2008. Mayor Robert J. Buckman, Jr. called the meeting to order in the conference room off the Municipal & Safety Center main lobby area at 6:30 PM.

**EXECUTIVE SESSION – 6:30PM – Personnel Matter (in the Lobby Conference Room)**

Councilman Sumner moved, Vice Mayor Weber seconded to convene an Executive Session to discuss matters pertaining to personnel. Councilpersons Stoller, Sumner, Weber, Stacey, Czerwonka, and Mayor Buckman voted yes. Six yeases. Motion carried.

After matters pertaining to personnel were discussed, Councilman Czerwonka moved, Councilwoman Stoller seconded to convene to the regular meeting. A voice vote was taken. All Council members voted yes. Motion carried. Council moved to Council Chambers for the remainder of the meeting.

**OPENING CEREMONIES**

Mayor Buckman led those assembled in the Pledge of Allegiance in the Council Chambers.

**ROLL CALL**

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

MEMBER ABSENT: Councilman Rick Bryan

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

ALSO PRESENT: City Manager David Waltz, Solicitor Mark Vander Laan, Clerk of Council Jamie Eifert, Deputy Clerk of Council Sue Bennett, Treasurer/Administrative Services Director James Pfeffer, Parks & Recreation Director Chuck Funk, Service Director Mike Duncan, Assistant to the City Manager Kelly Osler, and interested citizens

**RESOLUTION NO. 2008-1 – A RESOLUTION OF APPRECIATION FOR WILLIAM P. SIKUTE FOR HIS YEARS OF VOLUNTEER SERVICE TO BLUE ASH**

The Mayor asked Mr. Bill Sikute to come forward to the podium, and the Mayor read in its entirety Resolution No. 2008-1:

THEN WAS PRESENTED AND READ IN ITS ENTIRETY:

RESOLUTION NO. 2008-1

EXPRESSING SINCERE APPRECIATION AND GRATITUDE TO  
WILLIAM P. SIKUTE FOR HIS MANY YEARS OF SERVICE TO AND  
SUPPORT OF THE CITY OF BLUE ASH, OHIO, AND WISHING HIM  
THE VERY BEST IN HIS RETIREMENT

Councilman Sumner moved, Councilwoman Stoller seconded to adopt Resolution No. 2008-1. There being no discussion, the Clerk called the roll. Councilpersons Sumner, Weber, Stacey, Czerwonka, Stoller, and Mayor Buckman voted yes. Six yeases. Resolution No. 2008-1 adopted.

Mr. Sikute received applause and was presented with a framed Resolution No. 2008-1. Mr. Sikute thanked Council and expressed much gratitude for his involvement with Blue Ash over the past many years. He commented that Blue Ash would always be "home" to the Sikute family. Council wished Mr. Sikute and his wife Janet well in their retirement and many happy and healthy years in their Tennessee home at Norris Lake.

Mayor Buckman appointed Kelly Osler to read the ordinance in its entirety in the rear of Council Chambers.

BLUE ASH CITY COUNCIL

April 24, 2008

Page 2

**ACCEPTANCE OF AGENDA**

Councilman Czerwonka moved, Councilwoman Stoller seconded to accept the agenda. A voice vote was taken. All members present voted yes. Motion carried.

- “1. MEETING CALLED TO ORDER
2. EXECUTIVE SESSION – 6:30PM – Personnel Matter
3. OPENING CEREMONIES (to begin no earlier than 7:00 PM)
4. ROLL CALL - Clerk of Council Jamie K. Eifert
5. RESOLUTION NO. 2008-1 – A RESOLUTION OF APPRECIATION FOR WILLIAM P. SIKUTE FOR HIS YEARS OF VOLUNTEER SERVICE TO BLUE ASH
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 April 3, 2008
9. COMMUNICATIONS
  - a. Communications to Council - Clerk of Council Jamie K. Eifert
  - b. Reports From Outside Agencies
  - c. Mayor’s Report – March 2008 – Honorable Robert J. Buckman, Jr.
  - d. Financial Report – Motion to accept the report for March 2008
10. HEARINGS FROM CITIZENS
11. COMMITTEE REPORTS
  - a. Finance & Administration Committee, Rick Bryan, Chairperson
    1. Resolution No. 2008-2, making temporary appointments of Vice Mayor
    2. Motion setting Saturday, May 3, 2008, 9AM, as a Work Session (Executive Session only to discuss Personnel Matter)
  - b. Parks & Recreation Committee, Lee Czerwonka, Chairperson
    1. Ordinance No. 2008-28, awarding bid for Category 8 (Aluminum Glass & Glazing) associated with the Phase II Recreation Center Expansion and renovation project (amending Ordinance No. 2008-16)
12. MISCELLANEOUS BUSINESS
13. ADJOURNMENT”

**APPROVAL OF MINUTES**

Councilman Sumner moved, Councilman Stacey seconded to approve the minutes of the regular meeting of April 3, 2008. A voice vote was taken. All members present voted yes. Motion carried.

**COMMUNICATIONS**

**Communications to Council**

There were no communications presented to Council.

**Reports From Outside Agencies**

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

BLUE ASH CITY COUNCIL

April 24, 2008

Page 3

**Mayor's Report – March 2008**

RECEIPTS:

Fines .....	\$ 13,058.00
Bonds & BMV fees carried over .....	\$ 0
Interest Earned .....	\$0.35
Bonds collected .....	\$ 0
<b>TOTAL RECEIPTS:</b> .....	<b>\$ 13,058.35</b>

DISBURSEMENTS:

To Blue Ash (fines/costs/interest/Expungements/forfeitures) .....	\$ 9,596.35
To the State of OH .....	\$3,462.00
Refund of Overpaid Fines .....	\$0.00
Bond Money applied .....	\$0.00
Bond Money returned .....	\$ 0.00
BMV .....	\$0.00
<b>TOTAL DISBURSEMENTS</b> .....	<b>\$13,058.35</b>

BALANCE IN BONDS: .....	\$0
Mayor's Court traffic citations .....	143
Mayor's Court criminal citations .....	16
Total Mayor's Court cases .....	159
March revenues from Mayor's Ct. Cases:.....	\$ 9,596.35

**Financial Report – March 2008**

Councilman Stacey moved, Councilwoman Stoller seconded to accept the Financial Report for March 2008 as submitted. A voice vote was taken. All members present voted yes. Motion carried.

**CITY OF BLUE ASH FINANCIAL POSITION STATEMENT - MONTH ENDING MARCH 31, 2008**

MONTH TO DATE	2007	2008
START OF MONTH FUND BALANCE: 3-1-08	\$15,508,223.19	\$24,217,805.55
<u>Revenues:</u>		
Earnings Tax Collections:	1,992,245.51	2,539,600.77
Debt Financing (long term)	0	0
Debt Financing (short term)	0	0
Other Revenue Received:	1,436,090.55	948,046.51
= Total Monthly Receipts	3,428,336.06	3,487,647.28
<u>Expenditures:</u>		
Bond Retirement	0	0
Short term debt refinancing	0	0
Other Expenditures:	4,103,945.32	2,379,324.66
= Total Monthly Expenditures:	-4,103,945.32	-2,379,324.66
END OF MONTH FUND BALANCE: 3-31-08	14,832,613.93	25,326,128.17
YEAR TO DATE	2007	2008
START OF YEAR FUND BALANCE:	\$17,286,456.32	\$24,395,221.48
<u>Revenues:</u>		
Earnings Tax Collections:	6,004,519.28	7,739,357.18
Debt Financing (long term)	0	0
Debt Financing (short term)	0	0
Other Revenue Received:	2,502,835.26	1,997,786.20
= Total Monthly Receipts	8,507,354.54	9,737,143.38
<u>Expenditures:</u>		
Bond Retirement	0	0
Short term debt refinancing	0	0
Other Expenditures:	10,961,196.93	8,806,236.69
= Total Monthly Expenditures:	-10,961,196.93	-8,806,236.69
YTD FUND BALANCE:	14,832,613.93	25,326,128.17

100% of the fund balance was invested as of 3/31/08. Interest paid to date on matured investments: \$246,064.75. Receipt and expenditure figures do not include interfund transfers.

BLUE ASH CITY COUNCIL

April 24, 2008

Page 4

**BLUE ASH INCOME TAX DIVISION INCOME TAX RECEIPT SUMMARY  
FOR MONTH ENDING MARCH 31, 2008**

MONTH-TO-DATE STATUS	2007	2008
Business Net Profit	208,611.93	336,219.21
Resident Net Profit	38,182.29	46,105.64
Non-Resident Net Profit	10,680.68	7,714.71
Subcontractor Net Profit	7,983.00	7,213.80
Net Profit Total	265,457.90	397,253.36
Withholding	1,706,508.27	2,119,454.99
Subcontractor Withholding	20,279.34	22,892.42
Withholding Total	1,726,787.61	2,142,347.41
Monthly Collection Totals	1,992,245.51	2,539,600.77
YEAR-TO-DATE STATUS	2007	2008
Business Net Profit	496,975.58	1,084,304.79
Resident Net Profit	133,468.11	154,386.43
Non-Resident Net Profit	47,573.61	39,115.70
Subcontractor Net Profit	11,196.19	10,956.19
Net Profit Total	689,213.49	1,288,763.11
Withholding	5,194,594.10	6,315,800.11
Subcontractor Withholding	120,711.69	134,793.96
Withholding Total	5,315,305.79	6,450,594.07
YTD Collection Totals	6,004,519.28	7,739,357.18
YTD Refund Totals	165,018.61	204,646.43

**HEARINGS FROM CITIZENS**

Mr. Jeff Capell, 9354 Hunter’s Creek Drive, spoke briefly regarding the State of Ohio’s capital bill. Mr. Cappel encouraged Council to pass a resolution in opposition to the direction of any additional State of Ohio capital funds towards the Underground Railroad Freedom Center in downtown Cincinnati. It is his belief that this project has received more than its share of public funding assistance.

**COMMITTEE REPORTS**

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

“The following offers a brief description of the topics included on the April 24th Council agenda:

**5. Resolution No. 2008-1 – A Resolution of Appreciation for William P. Sikute for his years of volunteer service to Blue Ash**

Resolution No. 2008-1 is a resolution of appreciation for Bill Sikute, a long-time (35-year) citizen and Blue Ash supporter who has served as a volunteer to the City in several capacities, including on the Civil Service Commission from May 1976 to May 1984, and on the Planning Commission from 2002 to 2008. He has also been a tremendous advocate of the Blue Ash Airport for many years, and was a strong supporter of the Issue 15 campaign in 2006.

Though Mr. Sikute has retired to his home in Tennessee, he and his wife Janet will be in attendance at Thursday’s meeting.

**11.a.1. Resolution No. 2008-2 - Making temporary appointments of Vice Mayor**

As has been done on limited occasion in the past, Resolution No. 2008-2 makes temporary appointments of Vice Mayor to allow the appointee to perform marriage ceremonies as requested by Blue Ash citizens. This resolution appoints Councilman Sumner as Vice Mayor over a portion of the Memorial Day weekend, and appoints Councilman Bryan as Vice Mayor from November 7 – 9.

**11.a.2. Motion setting Saturday, May 3, 2008, 9AM, as a Work Session (Executive Session only to discuss Personnel Matter)**

As requested by Council, this motion would formally establish a Council meeting for Saturday morning, May 3rd, to allow opportunity for Council to further discuss and/or interview potential Planning Commission applicants. The work session meeting will have a sole topic -- an Executive Session to discuss personnel matters.

BLUE ASH CITY COUNCIL

April 24, 2008

Page 5

We have been forwarding information to Council as it has been received from potential applicants, and have also includes copies of all information received to date within your packets for your convenience.

Please direct questions regarding this motion to the Public Information Officer.

**11.b.1.Ordinance No. 2008-28 - Awarding bid for Category 8 (Aluminum Glass & Glazing) associated with the Phase II Recreation Center Expansion and renovation project (amending Ordinance No. 2008-16**

Work associated with Category 8 (Aluminum Glass & Glazing) of the Recreation Center Expansion and Renovation project was recently rebid, being advertised April 2<sup>nd</sup>, and bids opened and read on April 17<sup>th</sup>. Two bids were received, and the project team is recommending the bid award be made to the low bidder, Mark Spaulding Construction, for their bid amount not to exceed \$335,000. A bid summary is included in packets for reference.

Ordinance No. 2008-28 amends previously passed Ordinance No. 2008-16 as this vendor was awarded other categories of bid associated with the project. Section II of the ordinance is being amended to reflect this additional category of work, for the additional amount bid of \$335,000 for Category 8 work. Section II also authorizes an additional \$21,000 to allow, if authorized by the City Manager, a substitution related to painting of the window frames if needed.

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

**Finance & Administration Committee, Rick Bryan, Chairperson**

In Councilman Bryan’s absence, Councilman Stacey was asked to preside.

Councilman Stacey asked the Clerk to read Resolution No. 2008-2 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2008-2

ACCEPTING THE RESIGNATION OF MARK F. WEBER AS  
VICE MAYOR AND APPOINTING JAMES W. SUMNER AND  
RICK BRYAN AS VICE MAYOR FOR SPECIFIC PERIODS

Councilman Stacey moved, Councilman Czerwonka seconded to adopt Resolution No. 2008-2. Councilpersons Weber, Stacey, Czerwonka, Stoller, Sumner, and Mayor Buckman voted yes. Six yeses. Resolution No. 2008-2 adopted.

Councilman Stacey moved, Vice Mayor Weber seconded to set Saturday, May 3, 2008, 9AM, as a Work Session (Executive Session only to discuss Personnel Matter). A voice vote was taken. All members voted yes. Motion carried.

**Parks & Recreation Committee, Lee Czerwonka, Chairperson**

Councilman Czerwonka asked the Clerk to read Ordinance No. 2008-28 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2008-28

AMENDING SECTION II OF ORDINANCE NO. 2008-16  
REGARDING PHASE II OF THE RECREATION CENTER  
EXPANSION AND RENOVATION PROJECT (RELATED TO  
THE RE-BID OF WORK ASSOCIATED WITH BID CATEGORY  
8 – ALUMINUM GLASS AND GLAZING); AND DECLARING  
AN EMERGENCY

Councilman Czerwonka 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, Sumner, Weber, and Mayor Buckman voted yes. Six yeses. Motion carried.

BLUE ASH CITY COUNCIL

April 24, 2008

Page 6

Councilman Czerwonka moved, Councilwoman Stoller seconded to adopt Ordinance No. 2008-28. There being no discussion, the Clerk called the roll. Councilpersons Czerwonka, Stoller, Sumner, Weber, Stacey, and Mayor Buckman voted yes. Six yeases. Ordinance No. 2008-28 passed.

**MISCELLANEOUS BUSINESS**

Public Information Officer/Deputy Clerk of Council Sue Bennett reminded Council that the Student Government event is being scheduled during the fall this year to avoid complications involved with the typical happenings during April and May at the high schools, such as prom, graduation, and other activities. The Council meeting being considered for this event this year, after discussions with Sycamore, is September 25<sup>th</sup>. This date seems to fit well with school calendars, and avoids holidays. Council was asked to advise the Administration of any problems in scheduling it at this time.

Service Director Mike Duncan gave a brief update regarding the Blue Ash/Hunt Roads project. The design of new 16" water main, to replace an aging existing 12" main, should be finished soon. Work on that replacement will begin in the south and will move northward.

Mr. Duncan commented that a request for funding from OKI in the amount of \$525,000 has been submitted. The project involves construction of bike lanes on both sides of Plainfield Road and a separated multi-use path on the east side of Plainfield Road between Cooper and Glendale-Milford Roads, with the entire project estimated to cost \$950,000. The request would be for Year 2012 funding, with the City's costs to include engineering and 42% of construction cost.

City Manager Waltz wished Councilwoman Stoller a happy birthday.

Mr. Waltz commented that he has been asked to serve on a hotel tax committee for Hamilton County. The committee is a task force to continue ongoing discussion related to the residual funding tax monies associated with County hotel tax revenues.

Mr. Waltz commented that the recent trip to the Netherlands with the Chamber of Commerce was very informative, and presented even more opportunity than originally anticipated in regards to potential business leads and interaction. The group also learned much from the tours of several public improvement projects. Mr. Waltz plans to make a brief presentation to Council in June or July to provide more information about this business mission trip.

Councilman Weber wished Mr. Sikute and his wife Janet the best in their retirement and commented that he and fellow residents on Bluewing Terrace will truly miss them.

Councilman Czerwonka complimented staff on the efficient relocation of the Recreation Center equipment and offices to their temporary home during the reconstruction period.

**ADJOURNMENT**

All items on the agenda having been acted upon, Councilman Sumner moved, Councilman Stacey seconded to adjourn the meeting. A voice vote was taken. All members voted yes. The Council meeting was adjourned at approximately 7:19PM.

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Robert J. Buckman, Jr., 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