

A regular meeting of the Council of the City of Blue Ash, Ohio, was held on April 14, 2005. Mayor Rick Bryan called the meeting to order in Council Chambers at 7:30 PM.

OPENING CEREMONIES

Mayor Bryan led those assembled in the Pledge of Allegiance.

Mayor Bryan asked for everyone to remain standing for a moment of silence in honor of the soldier from Blue Ash who was recently killed in Afghanistan in a helicopter accident (Daniel J. Freeman of Edenton Lane).

ROLL CALL

MEMBERS PRESENT: Mayor Rick Bryan, Vice Mayor Robert Buckman, Councilman Lee Czerwonka, Councilman Henry Stacey, Councilwoman Stephanie Stoller, Councilman James Sumner (entered the meeting at approximately 8:20PM), 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, Economic Development Director Judy Clark, Recreation Leader Tiphonie Crane, member of the press, and interested citizens

Sycamore High School students participating in Student Government Day included:

- ?? Brant Osborne, 11142 Woodlands Way
- ?? Chris Singer, 4896 Hunt Road, #105
- ?? Andrea Perlman, 3615 Tiffany Ridge Lane
- ?? Sarah Fenstermaker, 4212 Fox Hollow Drive
- ?? Abbey Hull, 4747 Hunt Road
- ?? Matt Cadwallader, 6 Hollow Oak

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

- "1. MEETING CALLED TO ORDER
- 2. OPENING CEREMONIES
- 3. ROLL CALL - Clerk of Council Jamie K. Eifert
- 4. APPOINTMENT OF PERSON(S) TO READ ORDINANCES IN FULL IN REAR OF COUNCIL CHAMBERS
- 5. ACCEPTANCE OF AGENDA
- 6. APPROVAL OF MINUTES
 - a. Regular Meeting of March 10, 2005
 - b. Work Session of April 7, 2005

7. COMMUNICATIONS

- a. Communications to Council - Clerk of Council Jamie K. Eifert
- b. Reports From Outside Agencies
- c. Mayor's Reports – February & March 2005 – Honorable Rick Bryan
- d. Financial Report – Motion to accept the reports for February & March 2005

8. HEARINGS FROM CITIZENS

9. COMMITTEE REPORTS

- a. Finance & Administration Committee, Mark F. Weber, Chairperson
 - 1. Ordinance No. 2005-26, transferring funds
 - 2. Ordinance No. 2005-28, authorizing a contract for professional services associated with facilitation of economic development strategic planning
 - 3. Ordinance No. 2005-27, creating an accounting fund related to a FEMA grant
 - 4. Ordinance No. 2005-23, awarding a bid for multi-year HVAC services for City facilities
 - 5. Ordinance No. 2005-29, authorizing a contract for professional architectural services associated with the renovation and preservation of the historic Hunt House
 - 6. Ordinance No. 2005-30, amending Chapters 131 and 133 of the Blue Ash Code of Ordinances
- b. Planning & Zoning Committee, James W. Sumner, Chairperson
 - 1. Ordinance No. 2005-31, authorizing a contract for professional services associated with the updating of the Downtown Master Plan

10. MISCELLANEOUS BUSINESS

11. ADJOURNMENT”

APPROVAL OF MINUTES

Councilman Stacey moved, Councilman Czerwonka seconded to approve the minutes of the regular meeting of March 10, 2005. A voice vote was taken. All members present voted yes. Motion carried.

Councilman Stacey moved, Vice Mayor Buckman seconded to approve the minutes of the work session of April 7, 2005. A voice vote was taken. All members present voted yes. Motion carried.

COMMUNICATIONS

Communications to Council

There were no communications.

Reports From Outside Agencies

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

Mayor's Report – February and March 2005

	FEBRUARY 2005	MARCH 2005
RECEIPTS:		
Collected	\$29,080	\$33,625.00
Bonds carried over	\$650	\$300.00
Interest	\$7.34	\$5.75
Bonds collected	\$450.00	\$1,250.00
Total Receipts	\$30,187.34	\$35,180.75
DISBURSEMENTS		
To COBA (fines, etc.)	\$21,835.34	\$25,033.75
To State of Ohio	\$7,352.00	\$8,552.00
Refund of overpaid fines		\$45.00
Bond \$\$ applied	\$510.00	\$280.00
Bond \$\$ returned	\$190.00	\$120.00
Total Disburse' ts	\$29,887.34	\$34,030.75
Balance in bonds	\$300	\$1,150.00
# citations issued	189	257
# criminal citations issued	16	24
Total # of cases	205	281
Rev. from MC cases	\$21,835.34	\$25,033.75

Financial Report – February and March 2005

Councilman Czerwonka moved, Councilman Weber seconded to accept the Financial Reports for February and March 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 FEBRUARY 28, 2005**

MONTH TO DATE	2004	2005
START OF MONTH FUND BALANCE: 2-1-05	\$9,123,553.86	\$9,913,447.90
Revenues:		
Earnings Tax Collections:	1,945,384.95	1,633,337.40
Debt Financing (long term)	0	0
Debt Financing (short term)	5,100,000.00	0
Other Revenue Received:	<u>544,195.06</u>	<u>537,981.53</u>
= Total Monthly Receipts	7,589,580.01	2,171,318.93
Expenditures:		
Bond Retirement	0	0
Short term debt refinancing	3,100,000.00	0
Other Expenditures:	<u>2,512,855.71</u>	<u>2,251,686.60</u>
= Total Monthly Expenditures:	<u>-5,612,855.71</u>	<u>-2,251,686.60</u>
ENDING FUND BALANCE: 2-28-05	11,100,278.16	9,833,110.23
YEAR TO DATE	2004	2005
START OF YEAR FUND BALANCE:	\$9,092,894.75	\$14,622,289.87
Revenues:		
Earnings Tax Collections:	3,881,631.94	4,024,938.24
Debt Financing (long term)	0	0
Debt Financing (short term)	5,100,000.00	0
Other Revenue Received:	<u>820,340.84</u>	<u>994,048.92</u>
= Total Monthly Receipts	9,801,972.78	5,018,987.18
Expenditures:		
Bond Retirement	0	0
Short term debt refinancing	3,100,000.00	5,100,000.00
Other Expenditures:	<u>4,694,589.37</u>	<u>4,708,166.80</u>
= Total Monthly Expenditures:	<u>-7,794,589.37</u>	<u>-9,808,166.80</u>
ENDING FUND BALANCE: 2-28-05	11,100,278.16	9,833,110.23

100% of the fund balance was invested as of 2-28-05. Interest paid to date on matured investments: \$46,173.53. Receipt and expenditure figures do not include interfund transfers.

**BLUE ASH INCOME TAX DIVISION INCOME TAX RECEIPT SUMMARY
FOR MONTH ENDING FEBRUARY 28, 2005**

MONTH-TO-DATE STATUS	2004	2005
Business Net Profit	352,535.90	59,201.15
Resident Net Profit	23,916.14	19,551.63
Non-Resident Net Profit	8,646.22	8,215.47
Subcontractor Net Profit	1,584.00	135.00
Net Profit Total	<u>386,682.26</u>	<u>87,103.25</u>
Withholding	1,524,372.61	1,522,404.63
Subcontractor Withholding	34,330.08	23,829.52
Withholding Total	<u>1,558,702.69</u>	<u>1,546,234.15</u>
Monthly Collection Totals	1,945,384.95	1,633,337.40
YEAR-TO-DATE STATUS	2004	2005
Business Net Profit	656,641.83	654,098.85
Resident Net Profit	75,364.58	81,557.68
Non-Resident Net Profit	21,427.14	25,154.61
Subcontractor Net Profit	1,713.00	2,235.50
Net Profit Total	<u>755,146.55</u>	<u>763,046.64</u>
Withholding	3,058,206.47	3,198,552.02
Subcontractor Withholding	68,278.92	63,339.58
Withholding Total	<u>3,126,485.39</u>	<u>3,261,891.60</u>
Year-to-date Collection Totals	3,881,631.94	4,024,938.24
Year-To-Date Refund Totals	<u>110,823.82</u>	<u>99,820.00</u>

**CITY OF BLUE ASH FINANCIAL POSITION STATEMENT
FOR THE MONTH ENDING MARCH 31, 2005**

MONTH TO DATE	2004	2005
START OF MONTH FUND BALANCE: 31-05	\$11,100,278.16	\$9,833,110.23
Revenues:		
Earnings Tax Collections:	1,513,156.05	1,510,111.47
Debt Financing (long term)	0	0
Debt Financing (short term)	0	0
Other Revenue Received:	<u>1,387,880.10</u>	<u>369,699.34</u>
= Total Monthly Receipts	2,901,036.15	1,879,810.81
Expenditures:		
Bond Retirement	0	0
Short term debt refinancing	0	0
Other Expenditures:	<u>2,951,200.29</u>	<u>2,421,571.44</u>
= Total Monthly Expenditures:	<u>-2,951,200.29</u>	<u>-2,421,571.44</u>
ENDING FUND BALANCE: 3-31-05	11,050,114.02	9,291,349.60
YEAR TO DATE	2004	2005
START OF YEAR FUND BALANCE:	\$9,092,894.75	\$14,622,289.87
Revenues:		
Earnings Tax Collections:	5,394,787.99	5,535,049.71
Debt Financing (long term)	0	0
Debt Financing (short term)	5,100,000.00	0
Other Revenue Received:	<u>2,208,220.94</u>	<u>1,363,748.26</u>
= Total Monthly Receipts	12,703,008.93	6,898,797.97
Expenditures:		
Bond Retirement	0	0
Short term debt refinancing	3,100,000.00	5,100,000.00
Other Expenditures:	<u>7,645,789.66</u>	<u>7,129,738.24</u>
= Total Monthly Expenditures:	<u>-10,745,789.66</u>	<u>-12,229,738.24</u>
ENDING FUND BALANCE: 3-31-05	11,050,114.02	9,291,349.60

100% of the fund balance was invested as of 3-31-05. Interest paid to date on matured investments: \$62,813.87. Receipt and expenditure figures do not include interfund transfers.

**BLUE ASH INCOME TAX DIVISION INCOME TAX RECEIPT SUMMARY
FOR MONTH ENDING MARCH 31, 2005**

MONTH-TO-DATE STATUS	2004	2005
Business Net Profit	245,345.04	270,816.54
Resident Net Profit	33,930.00	41,769.90
Non-Resident Net Profit	11,842.74	10,459.62
Subcontractor Net Profit	1,333.00	2,496.19
Net Profit Total	<u>292,450.78</u>	<u>325,542.25</u>
Withholding	1,210,920.94	1,180,445.79
Subcontractor Withholding	9,784.33	4,123.43
Withholding Total	<u>1,220,705.27</u>	<u>1,184,569.22</u>
Monthly Collection Totals	1,513,156.05	1,510,111.47
YEAR-TO-DATE STATUS	2004	2005
Business Net Profit	901,986.87	924,915.39
Resident Net Profit	109,294.58	123,327.58
Non-Resident Net Profit	33,269.88	35,614.23
Subcontractor Net Profit	3,046.00	4,731.69
Net Profit Total	<u>1,047,597.33</u>	<u>1,088,588.89</u>
Withholding	4,269,127.41	4,378,997.81
Subcontractor Withholding	78,063.25	67,463.01
Withholding Total	<u>4,347,190.66</u>	<u>4,446,460.82</u>
Year-to-date Collection Totals	5,394,787.99	5,535,049.71
Year-To-Date Refund Totals	<u><u>223,269.34</u></u>	<u><u>153,412.30</u></u>

HEARINGS FROM CITIZENS

Several residents of Samstone Court were present to express concerns with an adjacent future residential development off Myerdale Drive. Those present included Inja and Kwang Kim, 5525 Samstone Court; Tim McMahon, 5577 Samstone Court; Jon Cochran, 5511 Samstone Court; and Dr. Michael Hodovanic, 5621 Samstone Court.

Dr. Hodovanic explained that their concern with the development behind their homes relates to the potential of it creating additional drainage problems for their neighborhood. This new development will include four homes, and the residents are concerned that drainage from this new development could end up in the back yards of homes on Samstone. It is the desire of these residents that their already-existing drainage situation not be worsened by this new development. Dr. Hodovanic also expressed concern with how the new development will be buffered from the existing homes (as he has been taking care of the property for several years). It is his understanding that no buffer, trees, or fence line is planned. The residents also expressed concern with the less than responsive service received from the City and representatives from National Inspection Corporation.

Mayor Bryan commented that when this plan was reviewed, drainage was specifically asked about and it was stipulated that drainage must be taken care of appropriately – it cannot detrimentally affect any other properties (either on Samstone or Myerdale). Mayor Bryan also commented that an employee formerly in the Community Development office who may have contributed to some confusion or delay experienced by these residents is no longer with Blue Ash. The City is in the process of hiring a replacement, and the hope is to have that new person on board within three weeks. Mayor Bryan commented that the final plans for this project have not yet been submitted to the City, and it would be required with those plans for the applicant to specify their plans for drainage (and our engineers, CDS Associates, would be responsible for reviewing and approving those plans). It will be one of the first jobs of this new person to assure that when those plans are submitted that the drainage system for the new development will not worsen the drainage situation for any other property.

Councilwoman Stoller commented that she recently learned about this problem, and that it is her understanding that the residents are willing to invest to correct the drainage problem.

City Manager Thompson confirmed that the developer has not yet submitted final plans. They have up to 12 months to submit plans; and if they do not, the applicant may be required to again go through the City's review process.

Mayor Bryan thanked the residents for coming to Council this evening and apologized to them for the miscommunication received from the City and NIC. The Mayor asked them to contact the City if, once the new hire is on board, there is not substantial improvement in response and quality of service.

Hearings from Citizens was declared closed at 7:57 PM.

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 April 14th Council Agenda:

STUDENT GOVERNMENT DAY ACTIVITIES

To date, the seven students expected to participate in this year's Student Government Day are listed below. All are Sycamore students. The students will spend the day at City hall beginning at approximately 10:15AM, and their day will include discussions, lunch, and tours of the various City facilities and areas of responsibilities. Those expected to participate include:

- ?? Brant Osborne, 11142 Woodlands Way
- ?? Chris Singer, 4896 Hunt Road, #105
- ?? Andrea Perlman, 3615 Tiffany Ridge Lane
- ?? Sarah Fenstermaker, 4212 Fox Hollow Drive
- ?? Abbey Hull, 4747 Hunt Road
- ?? Matt Cadwallader, 6 Hollow Oak
- ?? Abhijeet Gummadavelli, 9631 Ash Court

9.a.1. Ordinance No. 2005-26 - Transferring funds

Several issues need to be addressed via a transfer ordinance amending the budgetary appropriations for 2005. Although an attachment has been included detailing the specific transfer adjustments, the explanation can be condensed to only several issues.

The most significant item involves providing funding in the amount of \$150,000 from the General Fund contingency for appropriation within the capital account for the Recreation programming area. The Final Budget contained a total contingency amount of \$550,000, which included an amount to cover the first-year costs associated with the restoration and preparation of the historic Hunt House acquired in early 2004. This shift from contingency will provide a certain measure of funding within the Recreation area, a necessary accommodation in that there is an ordinance on the agenda for a contract for professional architectural renovation and preservation services for the Hunt House.

The second issue, which involves a number of listings on the attachment, represents the appropriation of the revenue (and the shifting of funds to the appropriate area) related to the successful recovery of \$56,294 under the FEMA disaster grant program. A check has been received from FEMA for this amount in response to a grant request by the Service and Finance areas relating to the significant snow and ice storm in late December 2004. This FEMA payment is being deposited into a new Fund No. 290, from which transfers will be made to reimburse the areas where expenditures were made for the snowfall event.

The final item involves the need to shift \$2,025 from the Miscellaneous Contractual area in the Police Department to be apportioned among the three major special event accounts in Recreation. This involves shifting funding for the rental of the command center for these events from the Police Department to the Recreation area.

Please direct questions regarding these matters to the Treasurer.

9.a.2. Ordinance No. 2005-28 - Authorizing a contract for professional services associated with facilitation of economic development strategic planning

As Council is aware, the Administration has been working to expand its economic development efforts. Recent discussion has been had with key City staff, and the Economic Development Director (Judy) and Public Information Officer (Sue) were asked to talk with multiple potential companies/consultants which provide branding and/or economic development consulting services.

Four companies were asked to submit proposals – two were local and two were not. These companies were chosen since Judy had knowledge of such firms through her work with her former employer, the Greater Cincinnati Chamber of Commerce.

The recommended contract is with a consultant based in Colorado Springs (though has done work nationally) – TrueNorth Brand Strategies Corp. This particular consultant (Marty Blubaugh) was the top choice for several reasons, as described below:

- ?? This consultant seems to be the best fit for our needs as Mr. Blubaugh has both branding/positioning experience as well as economic development experience. The other firms seemed to have experience in one area, but not necessarily the other.
- ?? The proposal amount from Mr. Blubaugh was substantially lower in comparison. The ordinance authorizes \$62,000, plus \$125 for additional services as requested by the City (though four hours of additional consultation is included in the amount). Mr. Blubaugh explained in his proposal that TrueNorth is a niche consulting firm which does not keep permanent staff on the payroll between projects (though depending upon the client, does rely upon additional help). He takes the lead with each project, and limits the number of clients at any one time to allow him to give this more direct personal service.
- ?? A conference call was held, which included the City Manager and Assistant City Manager in addition to Sue and Judy. It is the consensus of the team that Mr. Blubaugh seems to have the experience Blue Ash is looking for – with the branding or positioning concept as well as understanding and experience of economic development strategic planning in the public sector.

Assuming Council approves the contract, the desire is to begin work with Mr. Blubaugh in mid May, and have the majority of his work completed before the end of the year. It is anticipated that the consultant would be in Blue Ash for at least six visits throughout this period. It is the Administration's intent to finance this project from the \$200,000 of funding provided by Council in the Final Budget through the Community and Economic Development area related to potential economic initiatives.

Please direct questions regarding this ordinance to the City Manager, Assistant City Manager, Economic Development Director, or Public Information Officer.

9.a.3. Ordinance No. 2005-27 - Creating an accounting fund related to a FEMA grant

Ordinance No. 2005-27 creates a new accounting fund for the revenues received by the City from the Federal Emergency Management Agency (FEMA) related to the snow emergency in late December 2004. In order to accommodate the \$56,294 funding received, a special fund must be established (Fund No. 290).

Please direct questions regarding this ordinance to the Treasurer.

9.a.4. Ordinance No. 2005-23 - Awarding a bid for multi-year HVAC services for City facilities

The City recently solicited formal bids for the certified HVAC maintenance and service contract. The bidding opportunity was advertised in the **Northeast Suburban Life Press** on March 2nd, and bids were publicly opened on March 21st. The City received a total of nine bids, two of which were invalid (bid bonds were not in compliance).

After review of each of the seven valid bids, the Project Coordinator is recommending that the City award the bid to the first-year low bidder (and the City's current contractor) Peck, Hannaford & Briggs. The ordinance as submitted to Council would authorize that first year cost to be \$52,900 plus an hourly amount not to exceed \$58 for non-covered work performed by the vendor. The ordinance also authorizes contracts for years two and three, with those rates to be approved annually by the City Manager and limited to increase by no more than 15% of the previous year's rates. The City has been very pleased with their services in recent past years. Our relationship with Peck, Hannaford, & Briggs is sound, and they have demonstrated their willingness and capability to respond to our needs promptly.

When this bid activity was first planned, it was anticipated to be awarded at a late March meeting, with the contract to begin April 1st. However, with that Council meeting being cancelled, it was agreed by both parties that an award date could be made at the first regular April meeting, with that contract to be retroactively effective.

Please direct questions regarding this ordinance to the Treasurer.

9.a.5. Ordinance No. 2005-29 - Authorizing a contract for professional architectural services associated with the renovation and preservation of the historic Hunt House

As was discussed with Council, Ordinance No. 2005-29 authorizes a contract with Fearing & Hagenauer Architects, Inc. for professional architectural services associated with the preservation and renovation of the City-owned Hunt House and property. The ordinance authorizes an amount in 2005 not to exceed \$35,000. This firm was chosen because of its experience in historic preservation.

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

9.a.6. Ordinance No. 2005-30 - Amending Chapters 131 and 133 of the Blue Ash Code of Ordinances

Ordinance No. 2005-30 amends both Chapters 131 and 133 of the Code. Those proposed changes are described below:

- ?? Amending the Economic Development Director title to “Economic and Community Development Director” (affecting Sec. 131.07-1 and the job description [title only] in 133.07-79). The change in title more accurately reflects the current responsibilities of this position: directing Economic Development projects planning, as well as providing supervision and direction for planning and zoning regulation (as currently written in the job description). In addition, the various Codes make reference to a “Community Development Director,” so changing the title would clarify this process as well. (No change in salary is proposed for this position.)
- ?? Amending the Community Development Coordinator title to “Assistant Community Development Director” (again affecting Sec. 131.07-1 and 131.07-38) and increasing the pay range. During the recruitment process, it became clear from the various candidates that to attract a person with the zoning and planning experience desired, an increase in range for this position is suggested. The low end of the range suggested remains unchanged. The ordinance allows for the high-end of the range to be extended from 21 to 24S, and the low end of the range to remain at 20S.
- ?? Amending the pay range for the part-time Administrative Clerk classification from Grade 11 to a Grade range of 11 – 15, thereby allowing the City to compensate for the variety of certifications and expertise required by each separate department with employees holding this same classification.
- ?? Amending Sec. 133.01 (d) to reflect changes in the probationary period served by certain Police Department employees. The change reflects the necessity for the following employees to have a longer probationary period: full-time police officers, paid part-time auxiliary police officers, unpaid auxiliary police officers, and police dispatchers. These employees are required to participate in a field training program that lasts several months. For this reason, the City has routinely extended their probationary period to twelve months. The Code now allows that a probationary period may be extended beyond 6 months if it is deemed to be in the best interest of the Municipal service. Police Department employees have long been required to serve a probationary period of one year. This change to the Code would simply allow the City to reduce the administrative paperwork associated with this issue, and would more clearly reflect the expectations of these employees.
- ?? The Treasurer has recommended that responsibilities previously vested in the Tax Commissioner position be shifted to the City’s Finance Officer, Sherry Poppe. To accommodate this organizational change, it is necessary to eliminate the currently vacant Tax Officer position, which is at a Grade 25S (salary) and to change the title of the Finance Officer to Deputy Treasurer/Tax Commissioner. Placing both the Tax and Finance Division under one supervisor calls for an amendment to the range for the new Deputy Treasurer/Tax Commissioner. The recommended range is Grade 26-29. It is expected that the outcome of this change will create a measure of efficiency and improved operations in both offices.

Please direct questions regarding this ordinance to the Human Resources Officer (745-8530), Assistant City Manager, or City Manager.

9.b.1. Ordinance No. 2005-31 - Authorizing a contract for professional services associated with the updating of the Downtown Master Plan

As discussed with Council, Ordinance No. 2005-31 authorizes a professional services contract with an urban design planning specialist, Menelaos Triantafillou, associated with the updating of the City’s Downtown Master Plan for an amount not to exceed \$48,000.

The first planning meeting has been set for Wednesday, April 20th.

Please direct questions regarding this ordinance to the Assistant City Manager or the City Manager.”

Finance & Administration Committee, Mark E. Weber, Chairperson

Councilman Weber asked the Clerk to read Ordinance No. 2005-26 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2005-26

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 Weber, Buckman, Stacey, Czerwonka, Stoller, and Mayor Bryan voted yes. Six yeases. Motion carried.

Councilman Weber moved, Councilwoman Stoller seconded to adopt Ordinance No. 2005-

26. There being no discussion, the Clerk called the roll. Councilpersons Buckman, Stacey, Czerwonka, Stoller, Weber, and Mayor Bryan voted yes. Six yeses. Ordinance No. 2005-26 passed.

Councilman Weber asked the Clerk to read Ordinance No. 2005-28 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2005-28

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT IN
2005 TO ASSIST THE CITY WITH ITS ECONOMIC
DEVELOPMENT EFFORTS; AND DECLARING AN EMERGENCY

Councilman Weber moved, Councilman Czerwonka 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, and Mayor Bryan voted yes. Six yeses. Motion carried.

Councilman Weber moved, Councilwoman Stoller seconded to adopt Ordinance No. 2005-28. In addressing a question from Councilman Weber, City Manager Thompson commented that before any plans for applying a "branding" strategy are finalized, Council will have a chance to review. There being no further discussion, the Clerk called the roll. Councilpersons Stacey, Czerwonka, Stoller, Weber, Buckman, and Mayor Bryan voted yes. Six yeses. Ordinance No. 2005-28 passed.

Councilman Weber asked the Clerk to read Ordinance No. 2005-27 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2005-27

ESTABLISHING A NEW ACCOUNTING FUND KNOWN AS
THE "FEMA GRANT - 2004 SNOW EMERGENCY" (FUND NO.
290); AND DECLARING AN EMERGENCY

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

Councilman Weber moved, Councilman Czerwonka seconded to adopt Ordinance No. 2005-27. There being no discussion, the Clerk called the roll. Councilpersons Stoller, Weber, Buckman, Stacey, Czerwonka, and Mayor Bryan voted yes. Six yeses. Ordinance No. 2005-27 passed.

Councilman Weber asked the Clerk to read Ordinance No. 2005-23 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2005-23

AUTHORIZING THE CITY MANAGER TO AWARD A BID FOR
MULTI-YEAR HVAC MAINTENANCE AND SERVICE
CONTRACT FOR CITY FACILITIES FOR AN AMOUNT NOT TO
EXCEED \$52,900 PLUS \$58 PER HOUR FOR NON-COVERED
WORK (IN YEAR 1, COVERING THE APRIL 1, 2005
THROUGH MARCH 31, 2006); 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 Weber, Buckman, Stacey, Czerwonka, Stoller, and Mayor Bryan voted yes. Six yeses. Motion carried.

Councilman Weber moved, Councilman Czerwonka seconded to adopt Ordinance No. 2005-23. In addressing a question from Council, Treasurer Jim Pfeffer commented that he was very pleased with the bids and that the first year cost bid by the contractor is substantially less than what the City is paying currently. The 15% increase limit for years two and three are meant to limit any proposed increases, an amount which he deems

reasonable. There being no further discussion, the Clerk called the roll. Councilpersons Buckman, Stacey, Czerwonka, Stoller, Weber, and Mayor Bryan voted yes. Six yeses. Ordinance No. 2005-23 passed.

Councilman Weber asked the Clerk to read Ordinance No. 2005-29 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2005-29

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT FOR ARCHITECTURAL SERVICES ASSOCIATED WITH THE RENOVATION AND PRESERVATION OF THE HISTORIC CITY-OWNED HUNT HOUSE FOR AN AMOUNT NOT TO EXCEED \$35,000 IN 2005; AND DECLARING AN EMERGENCY

Councilman Weber moved, Vice Mayor Buckman 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, and Mayor Bryan voted yes. Six yeses. Motion carried.

Councilman Weber moved, Councilwoman Stoller seconded to adopt Ordinance No. 2005-29. In addressing a question from Councilwoman Stoller, Mr. Thompson commented that this contract is meant to provide immediate analysis of maintenance issues associated with the historic Hunt House (not necessarily future ideas for renovation, etc.). Before any extensive planning, Council will be asked for further direction with the project. Once further direction is provided from Council, more extensive plans will be developed for the House. Councilman Stacey suggested that before the next work session, an additional visit to the Hunt House by Council be scheduled (Mr. Funk will coordinate this). There being no further discussion, the Clerk called the roll. Councilpersons Stacey, Czerwonka, Stoller, Weber, Buckman, and Mayor Bryan voted yes. Six yeses. Ordinance No. 2005-26 passed.

Councilman Weber asked the Clerk to read Ordinance No. 2005-30 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2005-30

AMENDING SECTIONS 131.07-1, 131.07-2(a), 131.07-18, 131.07-38, AND 131.07-79 AND REPEALING SECTION 131.07-19 OF CHAPTER 131 OF THE BLUE ASH CODE OF ORDINANCES; AND AMENDING SEC. 133.01(d) OF CHAPTER 133 OF THE BLUE ASH CODE OF ORDINANCES; AND DECLARING AN EMERGENCY

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

Councilman Weber moved, Councilman Stacey seconded to adopt Ordinance No. 2005-30. There being no discussion, the Clerk called the roll. Councilpersons Stoller, Weber, Buckman, Stacey, Czerwonka, and Mayor Bryan voted yes. Six yeses. Ordinance No. 2005-30 passed.

Planning & Zoning Committee, James W. Sumner, Chairperson

Since Councilman Sumner had not yet arrived to the meeting, the Mayor asked Councilman Stacey to preside. Councilman Stacey asked the Clerk of Council to read Ordinance No. 2005-31 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2005-31

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT FOR PLANNING/URBAN DESIGN CONSULTING SERVICES FOR AN AMOUNT NOT TO EXCEED \$48,000 WITH MENELAOS TRIANTAFILLOU TO ASSIST WITH THE UPDATING OF THE DOWNTOWN MASTER PLAN; AND DECLARING AN EMERGENCY

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

Councilman Stacey moved, Councilman Czerwonka seconded to adopt Ordinance No. 2005-31. There being no discussion, the Clerk called the roll. Councilpersons Buckman, Stacey, Czerwonka, Stoller, Weber, and Mayor Bryan voted yes. Six yeses. Ordinance No. 2005-31 passed.

MISCELLANEOUS BUSINESS

City Manager Thompson commented that there is no longer a need for a public hearing on May 26th (as initially reported at the April 7th meeting). Given this fact, he asked Council if they would prefer to schedule the next work session on May 26th, rather than having a third meeting on May 19th. After some discussion, it was determined that the next work session would be scheduled for 7PM, May 19th, and that the second regular meeting in May (on May 26th) would be cancelled since at least two Council members would not be able to attend.

Councilman Stacey moved, Mayor Bryan seconded to cancel the regular meeting of May 26th. A voice vote was taken. All members voted yes. Motion carried. It was agreed that a regular meeting will be held on May 12th (starting at 7:30PM) and the work session will be on May 19th, starting at 7PM (work session topic: Hunt House).

In addressing a question from City Manager Thompson, it was determined that Council would walk in the Memorial Day Parade. Councilman Weber volunteered the use of his convertible to carry the candy to be distributed.

Assistant City Manager David Waltz commented that a new business will soon locate in Blue Ash: Schaeffer Investment, a national investment firm to locate at 5151 Pfeiffer Road (in the Pfeiffer Woods building). Schaeffer will bring 70 full-time high-paid employees, and they are moving to Blue Ash from Forest Park.

Service Director Denny Albrinck commented that work on Reed Hartman has begun and should be complete within six weeks.

In addressing a concern from Councilwoman Stoller regarding an abrupt lane change on southbound Reed Hartman north of Cornell, Mr. Albrinck commented that currently curbs are being poured and that situation should correct itself soon. Mr. Albrinck was asked to be persistent with the contractor to assure this problem does not continue.

Service Director Albrinck commented that Monday, April 18th, is spring leaf pickup-day, a one-day event whereby leaves that were not able to be placed out last fall, or leaves that have fallen since, can be raked to the curb and vacuumed by City crews. He also commented that residents seem very appreciative of the reinstated curbside brush pickup service.

Parks & Recreation Director Chuck Funk commented that the contractor is in the process of installing the new roof at the new parks and grounds facility at 6171 Interstate Circle. This should be complete in May, and the equipment should be out of the Kenwood Road facility by the end of April.

Deputy Solicitor Bryan Pacheco reminded Council that their financial disclosure statements required by the Ohio Ethics Commission are due on April 15th.

Deputy Solicitor Pacheco explained that the Time Warner Cable (TWC) franchise agreement is due to expire within three years. Within 30 to 36 months of expiration, the franchise agreement requires that there be a public hearing held (within six months of the request, which was received March 18th) to identify any cable requirements, address concerns with the current franchise, and/or identify future needs. That public hearing would be required no later than September 18th. Mr. Pacheco also explained that in lieu of having a public hearing at this time, the City does have the option (per federal law) to ask the cable operator to submit a proposal for renewal of the franchise agreement. After some discussion, it was determined that the City would follow the route of the public hearing, and Mr. Thompson would determine an appropriate future Council meeting for such a hearing (required before September 18th).

Councilman Weber expressed thanks to Mr. Pfeffer and Ms. Crane for coordinating the Student Government Day activities. Councilman Weber also proposed, as he suggested last year, that an eternal flame be added to the Veterans Memorial (visible from Cooper Road), which would acknowledge that the battle our country is now fighting is a long-term fight.

Councilman Sumner apologized for being late to this evening's meeting. He had a meeting in downtown Cincinnati which could not have been avoided.

Vice Mayor Buckman, Councilman Czerwonka, Councilman Stacey, and Councilwoman Stoller expressed thanks to all the students who participated this evening and thanked the members of the Administration who coordinated the day's activities.

Mayor Bryan asked each student to comment on their most enjoyable part of the day's activities as well as to comment on what they found most surprising.

Matt Cadwallader commented that he enjoyed the tour of the various City facilities the most, and he found it surprising that the new firehouse did not have a fire pole.

Abbey Hull commented that she enjoyed being given the opportunity to work a backhoe, and found it surprising how nice the new firehouse is.

Andrea Perlman commented that she enjoyed being up front at tonight's meeting and playing a part in it. She found it surprising to learn about all the work the Service Department does for the citizens.

Brant Osborne commented that he enjoyed being assured of a positive future ahead for citizens his age. He was surprised as to how nice the Service Department facility is and how well taken care of the equipment and building were.

Chris Singer commented that he enjoyed Mr. Pfeffer's stories the most, and was most surprised to learn that the Recreation Center is operated by the City. He was pleased with how directly involved the entire City is with the citizens.

Sarah Fenstermaker commented that she most enjoyed learning about Blue Ash and hearing about how the City and its government operates. She also was surprised that the firehouse did not have a fire pole.

Mayor Bryan commented favorably about the students, the conversation they invoked, and the fact that his generation will have young leaders capable of receiving the torch to be passed along.

ADJOURNMENT

All items on the agenda having been acted upon, Mayor Bryan moved, Vice Mayor Buckman seconded to adjourn the meeting. A voice vote was taken. All members voted yes. The Council meeting was adjourned at approximately 8:34 PM.

Rick Bryan, Mayor

Jamie K. Eifert, Clerk of Council

MINUTES WRITTEN BY:

Susan K. Bennett, Deputy Clerk of Council