

# BLUE ASH CITY COUNCIL

January 12, 2023

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## 1. MEETING CALLED TO ORDER

A regular meeting of the Council of the City of Blue Ash, Ohio, was held on January 12, 2023. Mayor Marc Sirkin called the meeting to order in Council Chambers at 7:00 p.m. The meeting was video recorded and live-streamed on the City of Blue Ash YouTube Channel.

## 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, Councilman Brian Gath, Vice Mayor Pramod Jhaveri, Councilwoman Katie Schneider, and Mayor Marc Sirkin

ALSO PRESENT: City Manager David Waltz, Solicitor Bryan Pacheco, Clerk of Council Jamie Eifert, Assistant City Manager Kelly Harrington, Police Chief Scott Noel, Public Works Director Gordon Perry, Parks & Recreation Director Brian Kruse, Fire Chief Chris Theders, Executive Assistant Julie Kipper, Communications Coordinator Rachel Murray, Planning & Zoning Administrator Paul Kleier, 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. *PUBLIC HEARING – 7:05 p.m. to consider an application for a Conditional Use Permit for a fuel station with 7 pumps at 11220 Reed Hartman Highway in the Blue Ash North District. (Resolution No. 2023-01)*
6. *PUBLIC HEARING – 7:10 p.m. for consideration of a Concept Development Plan for a Planned Unit Development at 10477-10609 Kenwood Road. (Ordinance No. 2023-01 – First Reading)*
7. *APPROVAL OF MINUTES*
  - a. *Regular Meeting of December 8, 2022*
8. *COMMUNICATIONS*
  - a. *Communications to Council – Clerk of Council Jamie K. Eifert*
  - b. *Reports From Outside Agencies*
  - c. *Mayor's Report – December 2022*
  - d. *Financial Report – Motion to accept the report for December 2022*
9. *HEARINGS FROM CITIZENS*
10. *COMMITTEE REPORTS*
  - a. *Parks & Recreation Committee, Katie Schneider, Chairperson*
    1. *Resolution No. 2023-02, Updating Parks & Recreation Department related fees*
    2. *Oath of Office - Ashley Marinich, Recreation Board member*
  - b. *Public Works Committee, Jill Cole, Chairperson*
    1. *Resolution No. 2023-03, Authorizing payment for traffic signal parts, repair services, upgrades, and utility location services throughout 2023*
    2. *Resolution No. 2023-04, Authorizing the purchase of bulk rock salt*
  - c. *Public Safety Committee, Jeff Capell, Chairperson*
    1. *Resolution No. 2023-05, Authorizing the purchase of one replacement police supervisor cruiser, and one replacement command vehicle for the Police Department*

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11. MISCELLANEOUS BUSINESS

12. EXECUTIVE SESSION

- a. *Economic Development Assistance – to consider confidential information related to the marketing plans, specific business strategy, production techniques, trade secrets, or personal financial statements of an applicant for economic development assistance, or with respect to negotiations with other political subdivisions regarding requests for economic development assistance.*
- b. *Property Acquisition – to consider the purchase of property for public purposes, or for the sale of property at competitive bidding, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal, private interest is adverse to the general public interest*
- c. *Personnel Matters – to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official.*

13. ADJOURNMENT

5. **PUBLIC HEARING** to consider an application for a Conditional Use Permit for a fuel station with 7 pumps at 11220 Reed Hartman Highway in the Blue Ash North District. (Resolution No. 2023-01)

Mayor Sirkin stated that at the request of the applicant, this agenda item will be delayed and considered at a later date. Solicitor Pacheco confirmed that a motion to table this item is not necessary.

6. **PUBLIC HEARING** for consideration of a Concept Development Plan for a Planned Unit Development at 10477-10609 Kenwood Road. (Ordinance No. 2023-01 – First Reading)

Mayor Sirkin opened the Public Hearing and the Clerk read Ordinance No. 2023-01 by title only for a first reading of the Ordinance.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2023-01

APPROVING A CONCEPT PLANNED UNIT DEVELOPMENT FOR A 3.6  
ACRE PARCEL WEST OF KENWOOD ROAD OPPOSITE THE  
KENRIDGE LAKE NEIGHBORHOOD

Mayor Sirkin stated that the applicant will provide a brief presentation followed by an opportunity for public comments and Council discussion. He noted that this is a first reading of this legislation and will not be voted on this evening. Mr. Rob Hayes, community design project manager representing the applicant, Fischer Homes, presented a summary of the concept planned unit development, Summit Pointe.



Mr. Hayes provided a brief background of Fischer Homes. He stated that it is a privately-owned, Cincinnati-based homebuilder founded in 1980. Fischer Homes strives to create the best total new home experience and maintains a high level of customer satisfaction ratings.

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Existing Conditions

12 parcels – ± 3.6 acres

Zoned Summit Park District (SPD)



Constraints

Asymmetrical parcel

Railroad



He stated that the parcels are located on the west side of Kenwood Road, north of Pfeiffer Road and the site is a little over 3 acres and currently zoned in the Summit Park District. He noted that there are a number of constraints and challenges with the site, primarily the parcel is asymmetrical and it borders the railroad tracks.



Aerial front view of development site



Aerial rear view of development site

Vision

Quality of Life



He explained that Fischer Homes is very excited about this opportunity and development and its proximity to Summit Park to complement the live, work, and play aspect of the park, and showcase Fischer Homes’ urban product.

Concept Development Plan

Twenty-two (22) fee simple homesites

20' wide x 69.5' deep (typical homesite)

Rear-entry(private alley) with two-car garages



Community Design

Simple + Understated

Contemporary

Contextual



He stated that the concept plan includes twenty-two homesites all with rear entry private entrances with two-car garages accessed by a private alley. Fischer Homes is very proud of their community design plans with a simple, understated, and contemporary feel.

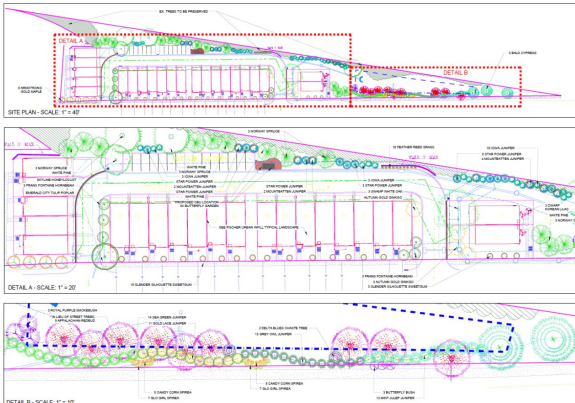


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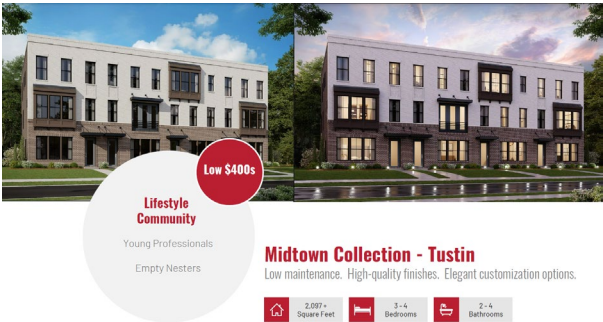


Proposed rendering of the front and side elevation views from Kenwood Road



Plan for proposed landscape design

Mr. Hayes stated that the landscaping plan includes screening of the railroad and a design to account for the topographic challenges of the site



Proposed townhome design



Front elevation view facing Kenwood Road

The proposed townhome product is the Tustin model from the Midtown Collection which is a low-maintenance lifestyle product with a base price starting from the low \$400s, although typically range from \$500K-\$600K depending on the customers' selected options. Each home would be around 2000 sq. ft. with 3-4 bedrooms and two to four baths based on options.



Renderings of the exterior



Renderings of exterior



Front elevation view



Exterior renderings - Rear elevation view showing garage entry

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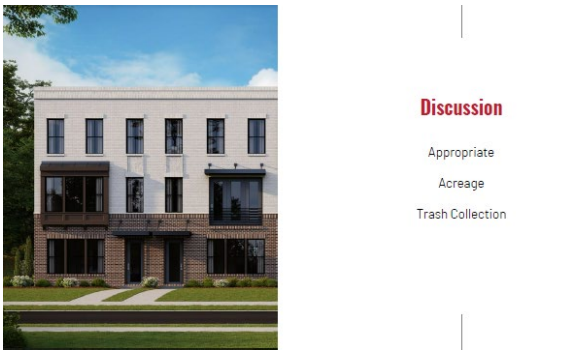
Exterior renderings -Side elevation view



Exterior renderings -Side elevation view



Sample views of interior designs



Mr. Hayes concluded the presentation and stated that Fischer Homes is excited about this proposed development and to be able to provide a high-quality housing alternative that supports local businesses and the community while having a low impact on City services. He added that Fischer Homes feels that the townhome product is appropriate for this particular site given the topographic challenges and amount of acreage.

At the conclusion of the presentation, Mayor Sirkin invited public comments on this proposed development.

Maxine Kopel-Bookbinder, 10653 Kenridge Drive, commented that she lives in the neighborhood across Kenwood Road from the site and it is very difficult to turn left out of her street due to the volume of traffic on Kenwood Road. She has concerns about increased traffic from the new development. She noted that the site previously had houses on it and they were torn down when Kenwood Road was widened. She questioned whether anyone would want to purchase a home that is so close to a busy four-lane road and railroad tracks, noting that the parcel is too small for the proposed development and it should be left as greenspace.

Peter Nord, 10527 Kenridge Drive, commented that there is a home listed for sale in his neighborhood for \$600K that has been recently rehabbed and has a small yard, and it is still for sale with very little interest. He stated that it is hard to believe that someone would pay \$600K for a home that has no yard, fronts a busy road and backs up to railroad tracks. He added that this is a marginal development and the site would be served better as a park.

Joyce Raymore, 10554 Kenwood Road, stated that Council should consider the fact that not



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all residents want new home developments. She noted that there is value in greenspace, and noted that after the business traffic dies down in the evening, it is a beautiful and mostly quiet space. Living directly across from this site, she values this greenspace and how it balances the business traffic that is also a reality of where she has chosen to live. She added that Blue Ash residents want the city to move in a direction that aligns with their values, and it is important for Council to consider resident values when allowing new developments within the City. She noted that if development must occur at the site, put something there that appeals to most of the residents that live in Blue Ash.

David Gentry, 5259 Kenridge Drive, stated that he is a 50-year resident of Blue Ash. He agrees with all of the residents' comments tonight and that Blue Ash does not need three-story townhomes on this site.

Jen Lindsey, 10512 Kenwood Road, thanked the City's Parks Maintenance department for doing a wonderful job maintaining the greenspace. She agrees with the other comments and stated that this is not a great location for a high-end housing development. She stated that the homes that were previously on this site, were raised when Kenwood Road was widened, further proving that this is not an ideal location for residential homes. She has concerns about the developer's plans for stormwater management, and explained that she deals with frequent sewer backups in her basement and stormwater drainage issues. She feels that removing this greenspace for this development could potentially cause more issues. She also noted that the elevations are not in keeping with the traditional homes in the area.

Ron Brown, 10462 Kenwood Road, stated that the volume of traffic and trucks are a big issue and the noise reverberates off of the warehouse buildings. He added that the proposed designs are ugly and do not complement the homes in the area.

Councilwoman Cole stated that she has some concerns with some of the residents' comments. The initial design that was presented to Council was a more appealing project compared to this current proposal.

Councilman Czerwonka concurred with Councilwoman Cole's comments, and noted that the initial design matched into the neighborhood better than this current proposal.

Councilman Capell stated that he found the design of the development noticeably lacking.

Councilman Gath stated that he agrees with his fellow Councilmember's comments. He noted that that this site is not an urban setting, and the proposed design doesn't reflect the initial proposal.

Councilwoman Schneider agreed with Council's comments and thanked the residents for sharing their thoughts about the development. She stated that she feels the proposed design is not up to Blue Ash standards.

Vice Mayor Jhaveri agreed with Council's comments and stated that the architectural look is not what the City is looking for and the initial design proposal was much better.

Mayor Sirkin clarified that Council entertained requests for proposals, and this is one of the proposals that was brought forward. Council will not be voting on this legislation tonight, and the public will have another opportunity to speak about this matter.

Councilman Capell asked about the conditions placed on the legislation by Planning Commission, specifically the first two conditions, and the City Engineer's recommendations that they were not necessary. Mr. Waltz stated that staff can provide Council with more detailed information, but that City staff strongly recommends striking those conditions from the legislation. In response to Councilman Capell's question about increased traffic from the development, Mr. Waltz stated that the volume and design of the development is more than adequate for the twenty-two proposed residences.

There being no further questions or comments from the public or Council, Mayor Sirkin moved, Councilwoman Cole seconded to close the public hearing.

The public hearing was declared closed at 7:35 p.m.

## 7. APPROVAL OF MINUTES

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Councilwoman Cole moved, Councilman Gath seconded to approve the minutes of the regular meeting of December 8, 2022. A voice vote was taken. All members present voted yes. Motion carried.

8. COMMUNICATIONS

a. Communications to Council

The Clerk reported that the City received a notice from the Ohio Division of Liquor Control for a liquor license transfer application for a transfer of ownership (Permit No. 2485379) from Elite Pizza LLC. DBA Mios Blue Ash to DOABA Enterprises LLC. (Permit No. 22594200005), 230 W. Olentangy St. Powell, OH 43026. The Police Department has reviewed the request and had no objections.

There were no objections expressed by Council.

b. Reports From Outside Agencies

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

c. Mayor's Report – December 2022

RECEIPTS COLLECTED:

(Cash Book Total/Restitutions/Bond Surcharge/Bond Forfeitures/Bond Returned: ..... \$10,619.47

DISBURSEMENTS:

To the City of Blue Ash

(Fines/costs/Expungements/forfeitures/NSF check charges, vendor permits)..... \$7,787.00

To the State of Ohio:..... \$2,683.00

To Hamilton County Municipal Court..... \$105.00

Refunds Issued/Overpayment (not included in receipts collected) ..... \$0.00

Bonds Returned ..... \$0.00

Restitution payment..... \$44.47

TOTAL DISBURSEMENTS ..... \$10,619.47

TOTAL IN BOND ACCOUNT (not yet applied included in receipts collected)..... \$0.00

Traffic citations issued .....59

Parking citations issued .....2

Criminal/Building citations issued .....1

Total Mayor's Court Citations Issued ..... 62

BLUE ASH REVENUE FROM MAYOR'S COURT CASES:..... \$7,787.00

d. Financial Report – December 2022

Councilman Czerwonka moved; Councilwoman Cole seconded to accept the Financial Report for December 2022 as submitted. A voice vote was taken. All members present voted yes. Motion carried.

CITY OF BLUE ASH FINANCIAL POSITION STATEMENT- MONTH ENDING DECEMBER 31, 2022

MONTH TO DATE	2021	2022
START OF MONTH FUND BALANCE:	\$65,166,954.58	\$75,488,792.64
Revenues:		
Income Tax Collections:	\$2,852,424.66	\$3,038,261.01
Debt Financing (long term)	-	-
Debt Financing (short term)	-	-
Other Revenue Received:	\$649,767.60	\$1,953,217.89
= Total Monthly Receipts	\$3,502,192.26	\$4,991,478.90
Expenditures:		
Long term Debt Payments	-	-
Short term Debt Payments	-	-
Other Expenditures:	\$4,267,129.14	\$5,051,652.71
= Total Monthly Expenditures:	<u>\$(4,267,129.14)</u>	<u>\$(5,051,652.71)</u>
END OF MONTH FUND BALANCE:	<u>\$64,402,017.70</u>	<u>\$75,428,618.83</u>

YEAR TO DATE	2021	2022
START OF YEAR FUND BALANCE:	\$51,905,856.87	\$64,402,017.70
Revenues:		

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Earnings Tax Collections:	\$38,724,481.38	\$40,369,606.67	
Debt Financing (long term)	-	-	
Debt Financing (short term)	-	-	
Other Revenue Received:	<u>\$23,807,207.88</u>	<u>\$28,773,829.42</u>	
= Total YTD Receipts	\$62,531,689.26		\$69,143,436.09
Expenditures:			
Long term Debt Retirement	\$7,274,604.52	\$6,185,892.02	
Short term Debt Payments	\$78,293.22	\$78,293.22	
Other Expenditures:	<u>\$42,682,630.69</u>	<u>\$51,852,649.72</u>	
= Total YTD Expenditures:			
	<u>\$(50,035,528.43)</u>	<u>\$(58,116,834.96)</u>	
YEAR TO DATE FUND BALANCE:	<u>\$64,402,017.70</u>	<u>\$75,428,618.83</u>	

YTD Interest rec'd: (incl. in Other Rev.) \$556,963.10

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

BLUE ASH INCOME TAX DIV. INCOME TAX RECEIPT SUMMARY - MONTH ENDING DECEMBER 31, 2022

MONTH TO DATE	2021	2022	
Business Net Profit	\$571,594.00	\$857,597.46	
Resident Net Profit	\$68,500.02	\$47,665.86	
Non-Resident Net Profit	\$21,673.30	\$15,933.64	
Subcontractor Net Profit	<u>(10,184.89)</u>	<u>\$14,420.29</u>	
Net Profit Total	\$651,582.43	\$935,617.25	
Withholding	\$2,164,252.73	\$2,017,102.98	
Subcontractor Withholding	<u>\$36,589.50</u>	<u>\$85,540.78</u>	
Withholding Total	\$2,200,842.23	\$2,102,643.76	
Monthly Collection Totals	<u>\$2,852,424.66</u>	<u>\$3,038,261.01</u>	6.52%
YEAR TO DATE:	2021	2022	
Business Net Profit	\$6,477,567.91	\$8,512,787.43	
Resident Net Profit	\$1,699,676.88	\$1,967,423.77	
Non-Resident Net Profit	\$356,647.76	\$334,823.31	
Subcontractor Net Profit	<u>\$301,977.15</u>	<u>\$329,673.90</u>	
Net Profit Total	\$8,835,869.70	\$11,144,708.41	26.13%
Withholding	\$29,303,967.76	\$28,435,174.83	
Subcontractor Withholding	<u>\$584,643.92</u>	<u>\$789,723.43</u>	
Withholding Total	\$29,888,611.68	\$29,224,898.26	-2.22%
Year-To-Date Collection Totals	<u>\$38,724,481.38</u>	<u>\$40,369,606.67</u>	4.25%
Year-To-Date Refund Totals	<u>\$1,463,141.27</u>	<u>\$1,968,228.65</u>	

9. HEARINGS FROM CITIZENS

Rob Hayes, representing Fischer Homes, quickly addressed the comments on the changes in the design elevations for the proposed townhome development. He stated that the developer considered other design elevations, but those designs utilized significantly less masonry, and more hardie siding such as the Modern farmhouse design with a more traditional roof line. He noted that it appears from the comments this evening that Council would like to see something with a more traditional roof line.

Mike Duncan, 11191 Jardin Place, informed Council about a free tax counseling and preparation service available to the City's elderly citizens through the AARP Tax Counseling Program. There are several sites serving the Cincinnati area. The closest location for Blue Ash citizens is located at the Sharonville Community Center on Wednesdays and Fridays by appointment only, beginning February 8<sup>th</sup> through April 14<sup>th</sup>. The free tax service is also available at the Mayerson Jewish Community Center in Amberley Village on Thursdays from February 2<sup>nd</sup> through March 30<sup>th</sup> by appointment only. Interested citizens can contact the Sharonville Community Center or Mayerson Jewish Community Center for more information and to make an appointment.

Adel Shamali, 11180 Reed Hartman Highway, stated that he arrived late and wanted to comment on the proposed Kroger fuel station development on Reed Hartman Highway. Mayor Sirkin clarified that the hearing for that item was postponed at the request of the applicant and will be held at a later date that is unknown at this time. Mr. Shamali stated he has been



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in Blue Ash for about 25 years, and he owns the building directly across Cornell Road from the proposed site, where his engineering business is located. He commented on some issues he had with the City from many years ago when he first bought the building. He wants to see high tech companies in Blue Ash, and feels that a gas station is not an appropriate business for this location.

Hal Silverman, commented that he has been a Blue Ash resident since 1983, and has been developing and building since 1980. He addressed some issues he has on the median proposed on Cooper Road across from his shopping plaza property and the proposed BLUE Development. He asked for Council support in eliminating the proposed median from the final development plan and allowing full access to the shopping plaza.

Peter Nord, 10527 Kenridge Drive, stated that he agrees with Mr. Silverman's comments about the proposed traffic median at the BLUE development. He commented on the proposed townhome development on Kenwood Road.

Hearings from Citizens was declared closed at 7:56 p.m.

### **10. 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 January 12, 2023 Council agenda.*

#### **5. PUBLIC HEARING – 7:05 p.m. to consider an application for a Conditional Use Permit for a fuel station with 7 pumps at 11220 Reed Hartman Highway in the Blue Ash North District (Resolution No. 2023-01)**

*Anne McBride, on behalf of Kroger, presented to Planning Commission on December 1, 2022 for approval of a Conditional Use Permit to allow a fuel station at 11220 Reed Hartman Highway. The site is at the northeast corner of the intersection of Cornell and Reed Hartman.*

*The project includes 7 fuel pumps (for a total of 14 dispensers), exceeding the limit of 4 set by the Zoning Code. There would be a kiosk occupied by an employee at all times the fuel station is open.*

*Entry to the site would be from Cornell Place, a private road.*

*Planning Commission recommended approval at their December meeting with the following conditions:*

- 1. The applicant provide a traffic study determining the impact on left turn movements from eastbound Cornell Road onto the private road and from the private road onto eastbound Cornell Road.*
- 2. The applicant comply with all local, county, state, and federal stormwater management standards and regulations for a fueling station on a redevelopment lot of greater than one acre.*
- 3. The comments of the City Architect be incorporated into the design.*

*Following the traffic study that was conducted and after communicating with the City Engineer and Public Works, the applicant has requested that the Public Hearing be tabled to allow further analysis of the traffic impacts of the project.*

*Please direct questions regarding this item to the Assistant City Manager or the Planning and Zoning Administrator.*

#### **6. PUBLIC HEARING – 7:10 p.m. for consideration of a Concept Development Plan for a Planned Unit Development at 10477-10609 Kenwood Road (Ordinance No. 2023-01 – First Reading)**

*Rob Hayes, on behalf of Fischer Homes, presented to Planning Commission on December 1, 2022 for approval of a Concept Development Plan PUD to 22 townhomes on the property west of Kenwood Road opposite the Kenridge lake neighborhood.*

*The project includes 22 townhomes, an interior drive, parking, and a drainage basin. The townhomes would be three stories and include garages on the ground floor.*

*Entry to the site would be from Kenwood Road.*

*Planning Commission recommended approval at their December meeting with the following conditions:*

- 1. Applicant constructs a left turn bay on northbound Kenwood Road for entrance to the north driveway of the development.*
- 2. Applicant shall construct an extension of the Kenwood Road island at the south driveway of the development to prevent left turns onto northbound Kenwood Road.*
- 3. Continuing materials from the front elevation onto all north, south, and east sides of the buildings excluding the small gap between buildings.*

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*The City's engineer has reviewed the project with the Public Works Department and does not feel conditions 1 and 2 (above) are necessary. Rather, signage should be installed demonstrating that the south entrance is a right in/right out to include right turn only signage when exiting and signage on Kenwood Road restricting a northbound left into this entrance. Staff recommends that the legislation be modified accordingly.*

*Please direct questions regarding this item to the Assistant City Manager or the Planning and Zoning Administrator.*

**10.a.1. Resolution No. 2023-02 – Updating Parks & Recreation Department related fees**

*The Parks and Recreation Department periodically reviews and recommends adjustments to the pricing of recreation fees in relation with market changes, operational costs and usage trends. The attachment to the resolution reflects the suggested adjustments for 2023, which are focused on field rental and usage guidelines at the Blue Ash Sports Center.*

*Please direct questions related to this Resolution to the Parks and Recreation Director.*

**10.b.1. Resolution No. 2023-03 – Authorizing payment for traffic signal parts, repair services, and upgrades throughout 2023**

*Resolution No. 2023-03 authorizes payment for routine purchase of parts, professional maintenance, upgrades, and repair of traffic signals provided by Capital Electric Line Builders throughout 2023 for an amount not to exceed \$100,000. The City has a favorable long-term relationship with this vendor for these types of services, and these items were included within the 2023 Final Budget. In addition to the previous costs for maintenance, repair and signal upgrades, this also includes \$15,000 to cover the costs of utility locating services as is required by State law. These services are required utility marking and locating services, which aid contractors with construction within the public right of way.*

*Please address questions regarding this Resolution to the Public Works Director.*

**10.b.2. Resolution No. 2023-04 – Authorizing the purchase of bulk rock salt**

*Resolution No. 2023-04 authorizes the City Manager to enter into a unit price contract with Compass Minerals for the purchase of bulk rock salt for the 2023 snow season for an amount not to exceed \$90.97 per ton delivered. This purchase is in conjunction with a shared purchasing arrangement through Southwest Ohio Purchasers for Government (SWOP4G). Southwest Ohio Purchasers for Government (SWOP4G) recently publicly bid highway salt for the purposes of snow and ice removal, and has awarded the bid to Compass Minerals.*

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

**10.c.1. Resolution No. 2023- 05 – Authorizing the purchase of one replacement police supervisor cruiser, and one replacement command vehicle for the Police Department**

*Resolution No. 2023-05 authorizes the City Manager to purchase two 2023 Chevy Tahoe PPVs from Ganley Chevrolet of Aurora, Ohio at the price of \$43,645.00 each for a total of \$87,290.00. These purchases were approved in the 2023 budget. The Police Department was able to secure two vehicles at pricing better than State bid for a total savings of approximately \$13,000.*

*Please direct questions regarding this resolution to the Police Chief.*

**11. Miscellaneous Business**

*The BLUE final development plan received a positive recommendation with conditions from Planning Commission at its January 5<sup>th</sup> meeting. Staff anticipated inclusion of the BLUE on this Council agenda, however, the applicant and staff need additional time in order to respond to the Planning Commission conditions and requested it not be on the agenda at this time.*

**a. Parks & Recreation Committee, Katie Schneider, Chairperson**

Councilwoman Schneider asked the Clerk to read Resolution No. 2023-02 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2023-02

ESTABLISHING FEES FOR THE USAGE OF RECREATIONAL  
FACILITIES AND EQUIPMENT OF THE CITY OF BLUE ASH, OHIO

Councilwoman Schneider moved, Councilwoman Cole seconded to adopt Resolution No. 2023-02.

There being no discussion, the Clerk called the roll. Councilpersons Cole, Gath, Capell, Vice Mayor Jhaveri, Councilpersons Czerwonka, Schneider, and Mayor Sirkin voted. Seven yeases. Resolution No. 2023-02 passed.

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Mayor Sirkin administered the Oath of Office to newly-appointed Recreation Board member, Ashley Marinich.

**b. Public Works Committee, Jill Cole, Chairperson**

Councilwoman Cole asked the Clerk to read Resolution No. 2023-03 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2023-03

AUTHORIZING THE CITY MANAGER TO MAKE PAYMENT FOR  
PROFESSIONAL TRAFFIC SIGNAL SYSTEM PARTS, REPAIR AND  
MAINTENANCE SERVICES, AND UTILITY MARKING AND  
LOCATING SERVICES THROUGHOUT 2023

Councilwoman Cole moved, Councilman Czerwonka seconded to adopt Resolution No. 2023-03.

There being no discussion, the Clerk called the roll. Vice Mayor Jhaveri, Councilpersons Capell, Cole, Czerwonka, Gath, Schneider, and Mayor Sirkin voted. Seven yeses. Resolution No. 2023-03 passed.

Councilwoman Cole asked the Clerk to read Resolution No. 2023-04 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2023-04

AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT  
FOR THE PURCHASE OF BULK ROCK SALT

Councilwoman Cole moved, Councilman Czerwonka seconded to adopt Resolution No. 2023-04.

There being no discussion, the Clerk called the roll. Councilpersons Capell, Cole, Czerwonka, Gath, Schneider, Vice Mayor Jhaveri, and Mayor Sirkin voted. Seven yeses. Resolution No. 2023-04 passed.

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

Councilman Capell asked the Clerk to read Resolution No. 2023-05 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2023-05

AUTHORIZING THE PURCHASE OF ONE REPLACEMENT POLICE  
SUPERVISOR CRUISER, AND ONE REPLACEMENT COMMAND  
VEHICLE FOR THE POLICE DEPARTMENT

Councilman Capell moved, Councilman Czerwonka seconded to adopt Resolution No. 2023-05.

There being no discussion, the Clerk called the roll. Councilpersons Czerwonka, Gath, Schneider, Cole, Vice Mayor Jhaveri, Councilman Capell, and Mayor Sirkin voted. Seven yeses. Resolution No. 2023-05 passed.

**11. MISCELLANEOUS BUSINESS**

Mr. Waltz reported that at a future meeting, the developer of the Neighborhoods at Summit Park will provide an update on current and potential future projects. He provided highlights of significant projects and accomplishments in 2022 and updated Council on important upcoming projects and events for 2023.

Ms. Harrington reported that the BLUE final development plan received a positive recommendation from Planning Commission last week with conditions. It will come before Council for a vote at a future meeting, and asked if Council would like to see a brief presentation of the design again before voting. Council briefly discussed it and decided that a brief presentation would be beneficial. She stated that the upcoming Sister City visit will be April 24<sup>th</sup> through May 1<sup>st</sup>.



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Mr. Perry reported that the City has received communications from ODOT about an upcoming project on the bridge overpass over I-71 on Cooper Road. The project is east of the school and in the City of Montgomery, however, ODOT will be closing the bridge and there will be a significant detour around the project. The work is expected to begin in March and wrap up in May.

Mr. Kruse reported that the Friday Night concerts will not be happening this summer due to the upcoming construction on the Towne Square project. Tuesday Night concerts will be held in the Nature Park, and the schedule is expected to be coming out soon.

Chief Theders reminded Council that Courtenay Brooks will be retiring from the Fire Department after 25 years of service to the City. A celebration is planned for Friday, January 13<sup>th</sup> from 1:00 p.m. to 4:00 p.m. at the North Fire Station. Everyone is invited to come out and wish Courtenay well in her retirement.

Councilman Capell reported that the legislation he drafted and submitted to the Solicitor and Clerk was not placed on the agenda. He noted that the other legislation items were placed on the agenda, however, his draft legislation was not included. He read the legislation by title and explained the substance of the legislation. Councilman Capell moved for passage of his legislation. There was no second to his motion. The motion did not pass.

Councilwoman Cole expressed her gratitude for the hard work of the Public Works, Safety Services and Facilities Maintenance staff over the Christmas holiday weekend. She wished everyone a Happy New Year, and noted that the Rec Center is very busy this time of year. She reported that Sugar n' Spice diner will be having a soft opening this weekend, and it will be great to have a new business opening at the park.

Councilwoman Schneider commented on the new camera set up and thanked Ms. Harrington for working on this so that viewers at home can see the presentations during the Council meetings. She stated that the Community Reinvestment Area was discussed at a few recent Council meetings and it seems that there wasn't a consensus among Council to make any changes to the program at this time. She stated that she would like to revisit the program at the next Council retreat. After some discussion among Council, it was decided that the program would be reviewed again at the Council retreat in 2024.

Councilman Gath reminded citizens that applications are still open for the Blue Ash Citizen Academy. He stated it is a great program for a behind the scenes look at City operations. If anyone is interested, please email Rachel Murray. He reported that at a recent Sycamore Advisory Council meeting for the Sycamore Schools Board of Education, they are looking for at-large members who currently do not have students in the school system to be a part of the board to provide opinions and recommendations to the school board. Anyone who may be interested can contact him for more information. He noted that the City's reserves have been mentioned several times recently and the City is doing a great job in building the reserve funds over the years. He stated that there are several projects on the horizon that will require use of some of the reserve funds, but he feels that \$60M is too much to be holding for the long term. He stated that he received a text message from a constituent shortly after Christmas who wanted to thank the Public Works department for their quick response in replacing his mailbox that was struck by a snowplow during the weather event over the holidays.

Councilman Czerwonka reminded everyone about the Sugar n' Spice soft opening this weekend and to cheer on the Bengals in the upcoming playoff game this weekend.

Vice Mayor Jhaveri reported that he was overseas over the holidays and he is very happy to be back home in Blue Ash. He wished everyone a Happy New Year.

Mayor Sirkin reminded everyone that if they see a streetlight out, please get the number on the light pole and contact the City or Duke Energy so it can be reported and repaired. Mr. Perry added that they can report it to the Public Works office and they will take care of getting those sent to Duke Energy. Mayor Sirkin commented that there is a rooster somewhere on Bluewing Terrace or near the UC Blue Ash campus, and he has not received any complaints yet, but if it starts to be an issue, Council and staff may want to look at doing something to regulate roosters in the City.

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**12. EXECUTIVE SESSION**

After all items on the agenda were acted upon, Councilman Cole moved, Vice Mayor Jhaveri seconded to convene an Executive Session to discuss matters pertaining to:

- a. Economic Development Assistance – *to consider confidential information related to the marketing plans, specific business strategy, production techniques, trade secrets, or personal financial statements of an applicant for economic development assistance, or with respect to negotiations with other political subdivisions regarding requests for economic development assistance.*
- b. Property Acquisition – *to consider the purchase of property for public purposes, or for the sale of property at competitive bidding, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal, private interest is adverse to the general public interest*
- c. Personnel Matters – *to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official.*

The Clerk called the roll. Councilpersons Capell, Cole, Schneider, Czerwonka Vice Mayor Jhaveri, Councilman Gath, and Mayor Sirkin voted. Seven yeses. Motion carried.

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

**13. ADJOURNMENT**

All items on the agenda having been acted upon, Councilwoman Cole moved, Vice Mayor Jhaveri seconded to adjourn the meeting. A voice vote was taken. All members voted yes. The Council meeting was adjourned at approximately 9:22 p.m.

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Marc Sirkin, Mayor

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Jamie K. Eifert, Clerk of Council

MINUTES RECORDED AND WRITTEN BY:

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Julie Kipper, Executive Assistant

January 12, 2023

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