

BLUE ASH CITY COUNCIL

February 9, 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 February 9, 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: Councilwoman Jill Cole, Councilman Lee Czerwonka, Councilman Brian Gath, Vice Mayor Pramod Jhaveri, and Mayor Marc Sirkin

MEMBERS ABSENT: Councilwoman Katie Schneider, Councilman Jeff Capell

ALSO PRESENT: City Manager David Waltz, Solicitor Bryan Pacheco, Clerk of Council Jamie Eifert, Assistant City Manager Kelly Harrington, Treasurer Sherry Poppe, Police Chief Scott Noel, Public Works Director Gordon Perry, Parks & Recreation Director Brian Kruse, Fire Chief Chris Theders, Planning and Zoning Administrator Paul Kleier, Communications Coordinator Rachel Murray, Executive Assistant Julie Kipper, and interested citizens

Mayor Sirkin moved, Councilman Czerwonka seconded to excuse Councilwoman Schneider and Councilman Capell from the meeting. A voice vote was taken. All members present voted yes. Motion carried.

4. ACCEPTANCE OF AGENDA

Councilwoman Cole moved, Vice Mayor Jhaveri seconded to accept the agenda. A voice vote was taken. All members present voted yes. Motion carried.

1. *MEETING CALLED TO ORDER*
2. *OPENING CEREMONIES*
3. *ROLL CALL – Clerk of Council Jamie K. Eifert*
4. *ACCEPTANCE OF AGENDA*
5. *APPROVAL OF MINUTES*
 - a. *Regular Meeting of January 26, 2023*
6. *COMMUNICATIONS*
 - a. *Communications to Council – Clerk of Council Jamie K. Eifert*
 - b. *Reports From Outside Agencies*
 1. *The BLUE presentation: Dean Lutton, Reztark Design*
 - c. *Mayor’s Report – January 2023*
 - d. *Financial Report – Motion to accept the report for January 2023*
7. *HEARINGS FROM CITIZENS*
8. *COMMITTEE REPORTS*
 - a. *Finance & Administration Committee, Lee Czerwonka, Chairperson*
 1. *Resolution No. 2023-10, Providing for amendments within the 2023 annual appropriation Resolution No. 2022-64*
 2. *Resolution No. 2023-11, Authorizing the issuance of Bond Anticipation Notes*
 3. *Resolution No. 2023-17, Authorizing the purchase of electricity through the Center for Local Government Electricity Consortium*
 - b. *Parks & Recreation Committee, Jill Cole, Committee member*
 1. *Resolution No. 2023-12, Awarding a contract (bid) for the Towne Square Renovation Project*

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2. Resolution No. 2023-13, *Authorizing the City Manager to enter into a contract for mowing services*

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

1. Resolution No. 2023-14, *Approval of a Final Development Plan for a Planned Unit Development for the BLUE mixed-use development at the northwest corner of Kenwood Road and Cooper Road in the Downtown Zoning District*

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

1. Resolution No. 2023-15, *Awarding a contract (bid) for the Blue Ash Hunt Road Pier Wall Project*

2. Resolution No. 2023-16, *Awarding a contract (bid) for the Lushek Drive storm pipe repairs*

9. MISCELLANEOUS BUSINESS

10. EXECUTIVE SESSION

a. *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*

11. ADJOURNMENT

5. APPROVAL OF MINUTES

Councilwoman Czerwonka moved, Councilman Cole seconded to approve the minutes of the regular meeting of January 26, 2023. A voice vote was taken. All members present voted yes. Motion carried.

6. COMMUNICATIONS

a. Communications to Council

There were no communications presented to Council.

b. Reports From Outside Agencies

1. The BLUE presentation: Dean Lutton, Reztark Design

Mr. Waltz provided a brief overview of the zoning process and stated that this property is being zoned as a PUD, which requires a concept and final approval. Last fall there was a public hearing for the concept plan, which was granted approval by Council. As part of the process, the final development plan was presented to Planning Commission and was recommended for approval with conditions for Council's consideration. He explained that at this stage, this is not an official public hearing, as that has already formally occurred for this project. However, the public will certainly have an opportunity to comment on this project during Hearings from Citizens. At Council's request, this brief presentation is to provide Council with updated renderings and answer any questions prior to Council voting on the legislation later in the meeting. Mayor Sirkin added that Council has seen this project in almost its entirety multiple times at open meetings of Council over the last 22 months.

Mr. Dean Lutton, principal architect with Reztark Design, provided a presentation including updated renderings of the development, as well as proposed building material samples. He stated that the final development plan is substantially the same as the concept plan. There has been some continued refinements as it moves further along in the design process, most notably based on Council's and Planning Commission's recommendations and feedback. The residential entry was relocated to the service/access drive circling the development on the west side due to some concern that its original location would provide congestion along Cooper Road if there were drop-offs, package and service deliveries occurring there. This relocation works well to improve efficiency of the entire development. Other improvements include the landscaping around the entire site, in particular screening of the service entrance from Cooper Road as much as possible. Additionally, the art features and landscape in the public spaces have been refined, as well as the construction materials. The ground level is still primarily masonry wrapping around on all four sides of the buildings, with glass store fronts along Kenwood Road. The materials are essentially the same with masonry, architectural

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metal panels, and glass, but the textures and colors are varied to break up the façade, create visual interest and separation of the buildings, and make it more people-scale around the streetscape and throughout the development. Mr. Lutton presented a display board with samples of the materials and color palate variations planned for the development. He noted that the high quality materials were selected for their durability and longevity, and to add visual texture.



Rendering of the BLUE mixed-use development – View from Kenwood and Cooper Road intersection



View from Blue Ash Road showing the relocated residential drop off and service delivery area located off of the service and the access drive circling the west side of the development.

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Rendering showing landscape improvements, outdoor seating and artistic features in the public spaces



View of one of the public gathering spaces

Mr. Lutton concluded his presentation and welcomed questions from Council.

Councilwoman Cole inquired about the expected timing and schedule for construction. Mr. Lutton stated that there is one continuous construction schedule, however there will be separate permit packages for those areas that can be occupied sooner. The anticipated timeline is 24 months for construction.

In response to questions about the project’s financing, Mr. Gregg Lund stated that the developer has received a pre-approval from a lender that they have done a lot of business with in the past which will finance the majority of the project, but they are working on a variety

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of different financing options.

In response to Councilman Czerwonka's questions about material durability, Mr. Lutton explained that depending on supply chain issues and availability of materials, the selected materials the developer is looking at mostly have a 30-year warranty, which is industry standard for the architectural metal panels. He noted that throughout the project, there is very little fiber cement except in the inset of the balconies on the residential units, which is a high-touch area. The reason for this is to minimize the maintenance required to repaint every few years. The metal panels are a substantial material with long lasting color and durability for the longevity of the development.

In answer to Vice Mayor Jhaveri's question, Mr. Lutton stated that a window manufacturer has not yet been determined, but with several variations of windows throughout the development, it will be something that is competitively bid in order to get the right window for the right price.

Councilman Gath inquired about the selected trees for the landscaping plan and how they will fit in with the other street trees in the downtown area. Gail Frazier, Landscape architect for the project, stated the columnar tulip poplar trees was chosen for several reasons. It is a native, flowering tree that is upright and fits with the current mixture of the existing pear, oak, honey locust, and maple trees. These trees fit well into the space, will never grow into the building and won't impede the street traffic, creating a maintenance problem.

In answering Mayor Sirkin's question about the metal panel's durability, Mr. Lutton explained that the metal panels will be above the ground level, which will be constructed with a masonry material. Damage or denting of the metal panels is heavily dependent on the installation and construction management process, so the developer will make sure that the contractor and subcontractors are responsible for fixing any panels should damage occur during construction.

Mayor Sirkin addressed the topic of the proposed concrete median on Cooper Road. He stated from a personal standpoint, he feels that it could be detrimental to the businesses in the Crossings of Blue Ash shopping center. The study completed by CT Consultants noted that the concrete median was recommended due to the potential benefits for traffic flow and safety, but with the Crossings having one main access point on Kenwood, and other more obscure access points on Alma Avenue and Blue Ash Road, the Cooper Road access is really important for the center. He hopes that it could be agreed upon that the median is not installed as the project goes forward, and he would like to hear thoughts from his fellow Councilmembers on this subject. Councilman Czerwonka concurs with Mayor Sirkin's opinion and feels that installing the median is premature since the traffic patterns are unknown until a few years after the development is completed. He stated that Council can always reevaluate the need for the median at that time. Councilwoman Cole agreed that access to the shopping plaza is important, and perhaps a right-in, right-out designation as opposed to a median could be considered, but she feels that a median sounds like it is not a good idea unless it is deemed necessary in the future. Councilman Gath and Vice Mayor Jhaveri agreed and stated they would like to wait and see what happens with the traffic patterns and revisit the issue in the future if it becomes a problem.

Councilwoman Cole inquired about the close proximity of Blue Ash Road and Railroad Avenue and whether there has been any consideration to closing off Railroad Avenue access to Cooper Road to help alleviate some potential traffic issues. Mr. Waltz stated that the closing of Railroad Avenue has been discussed, but it was not something that would be decided on at this time. He explained that the developer would prefer to have full access from Cooper Road, and is not requesting that a median be installed. He added that the railroad is one of the biggest complications affecting traffic and access to the site. He stated that later in the meeting when this legislation comes up for approval, Council will need to affirmatively voice direction on whether or not to proceed with a plan of installing the concrete median.

After some additional discussion among Council, Councilman Czerwonka moved, Councilwoman Cole seconded to defer installation of the concrete median on Cooper Road related to the BLUE development project and re-examine it at a later date. A voice vote was taken. All members present voted yes. Motion carried.

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c. Mayor's Report – January 2023

RECEIPTS COLLECTED:

(Cash Book Total/Restitutions/Bond Surcharge/Bond Forfeitures/Bond Returned:\$8,791.00

DISBURSEMENTS:

To the City of Blue Ash
(Fines/costs/Expungements/forfeitures/NSF check charges, vendor permits)..... \$5,881.00
To the State of Ohio:..... \$1,928.00
To Hamilton County Municipal Court..... \$72.00
Refunds Issued/Overpayment (not included in receipts collected) \$0.00
Bonds Returned \$0.00
Restitution payment..... \$910.00
TOTAL DISBURSEMENTS \$8,791.00

TOTAL IN BOND ACCOUNT (not yet applied included in receipts collected)..... \$0.00
Traffic citations issued77
Parking citations issued2
Criminal/Building citations issued8
Total Mayor's Court Citations Issued 87
BLUE ASH REVENUE FROM MAYOR'S COURT CASES:..... \$5,881.00

d. Financial Report – January 2023

Councilwoman Cole moved; Councilman Gath seconded to accept the Financial Report for January 2023 as submitted. A voice vote was taken. All members present voted yes. Motion carried.

CITY OF BLUE ASH FINANCIAL POSITION STATEMENT- MONTH ENDING JANUARY 31, 2023

MONTH TO DATE / YEAR TO DATE	2022	2023
START OF MONTH FUND BALANCE:	\$64,402,017.70	\$75,428,618.83
Revenues:		
Income Tax Collections:	\$3,337,524.10	\$3,239,466.83
Debt Financing (long term)	-	-
Debt Financing (short term)	-	-
Other Revenue Received:	\$883,362.70	\$1,071,670.79
= Total Monthly Receipts	\$4,220,886.80	\$4,311,137.62
Expenditures:		
Long term Debt Payments	65,455.81	65,455.81
Short term Debt Payments	-	-
Other Expenditures:	\$3,017,298.19	\$3,013,061.77
= Total Monthly Expenditures:	\$(3,082,754.00)	\$(3,078,517.58)
END OF MONTH FUND BALANCE:	\$65,540,150.50	\$76,661,238.87

YTD Interest rec'd: (incl. in Other Rev.) \$121,013.40

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 JANUARY 31, 2023

MONTH TO DATE / YEAR TO DATE	2022	2023	
Business Net Profit	\$135,733.62	\$150,848.09	
Resident Net Profit	\$117,955.78	\$109,909.55	
Non-Resident Net Profit	\$21,411.34	\$30,308.36	
Subcontractor Net Profit	\$35,543.43	\$7,441.82	
Net Profit Total	\$310,644.17	\$298,507.82	
Withholding	\$2,956,363.24	\$2,837,984.29	
Subcontractor Withholding	\$70,516.69	\$102,974.72	
Withholding Total	\$3,026,879.93	\$2,940,959.01	
Monthly Collection Totals	\$3,337,524.10	\$3,239,466.83	-2.94%
Year-To-Date Refund Totals	\$33,379.76	\$44,175.94	

7. HEARINGS FROM CITIZENS

Hal Silverman, owner of the Crossings of Blue Ash, stated he was happy to hear Council's decision about the concrete median with regard to the BLUE development. He commented

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that it has been a great concern for him and his tenants, since it was different from the concept plan. He explained that the full access on Cooper Road is part of the lease documents for his tenants, The access has been in place since 1987, and it has functioned very well. He believes that the proposed median would cause traffic back-ups and would make it difficult for people to enter and exit the shopping center. He stated the Crossings of Blue Ash is doing very well and the vitality of downtown Blue Ash is very important. He thanked Council for their consideration and listening to his concerns.

Bob Wittenberg, 4616 Cooper Road, stated he is glad that Council made a motion to give consideration to removing the median. He is happy about the BLUE development project, however he still has concerns about the current traffic levels and the anticipated increase in traffic with the new development. He explained that at rush hour, the traffic backs up on Cooper Road past his house. He stated that at times he is not able to get out of his driveway for two to three minutes because of these traffic back-ups. He inquired as to whether a traffic study had been performed, and what the recommendations were for the proposed median.

Siddarth Vikram, 11085 Sycamore Grove Lane, reported to Council on a project that he is working on through his Boy Scout Troop #674. He stated that he is a sophomore at Sycamore High school, and was recently elected to be the Sr. Patrol Leader with his Scout troop. The project is the African Library Project, which is a non-profit started in 2005, and the purpose is to help kids in Africa with their education. His mission is to collect 1000 books to build a library in Africa. In addition to collecting the books, he needs to collect funds to pay the freight costs for shipping the books. He presented an informational flyer and encouraged everyone to donate to this important cause.

Karthick Poosekar, 4826 Laurel Avenue, stated that the new project looks great and it is exciting for the downtown area residents, but he is concerned about the increase in traffic on Laurel Avenue. He stated that cars drive pretty fast down the street and there are always children playing. He requested that Council consider adding restricted access to parking on Laurel Avenue or block the road and make it for residents only.

Gabrielle Bergman, 4828 Laurel Avenue, stated she is excited about the development, but concerned about the proposed traffic light directing traffic down her street. The thought of cars speeding down the street makes her nervous about her daughter playing. Her family has lived in the area for two decades and she loves the walkability of the neighborhood, but she is concerned about the safety with the increased traffic. She would like to see speed bumps or something installed to slow down traffic.

Mike Frazee, 5325 Cooper Road, stated that he watched the last Council meeting on video and one of the residents commented that Blue Ash was becoming overdeveloped. He stated that he agrees and thinks that the City needs to maintain a balance of economic development and natural preservation of green space to make sure that people want to continue to live here. He feels that the mixed-use developments are not that exciting and Blue Ash needs to incorporate creative ideas to maintain its uniqueness and character. He commented that he offered his support to some of Councilman Capell's statements about the importance of transparency and that these developers that come in should probably be reviewed by the Council to make sure that what they are presenting is practical and ready to be presented to the public.

Andy Stoeckel, 4606 Cooper Road, stated that the City does a fantastic job with the amount of sidewalks and making the community very walkable, however on Brown Avenue behind the Rec Center, there is not a sidewalk to access Cooper Road. He added that many people walk in this area, and with the amount of vehicle traffic in the area, installing a sidewalk would be a great idea.

Bao Ngyuen, 4752 Alpine Avenue, stated that he wanted to check the box that he spoke at a City Council meeting, and that being a Council member must be stressful and he expressed kudos and thanks to the Council members for serving in their positions and doing a great job.

Scott Reis, 4239 St. Andrews Place, stated that it is a great honor to give the development rights to the Kenwood and Cooper corner, and inquired as to how the new development will benefit and beautify Blue Ash. He also recommended that a roundabout be installed at Kenwood and Cooper Road. He commended Mayor Sirkin on being named one of the top 500

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most influential executives in Ohio. He stated that the citizens are honored to have him serve as the Mayor of Blue Ash, and thanked all the Council members for their service.

Hearings from Citizens was declared closed at 7:49 p.m.

8. COMMITTEE REPORTS

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

This memo offers a brief description of the topics included on the February 9, 2023 Council agenda.

8.a.1. Resolution No. 2023-10 – Providing for amendments within the 2023 annual appropriation Resolution No. 2022-64

Resolution 2023-10 provides for a temporary General Fund advance into the Towne Square Improvement Fund, as needed, to cover any project related expenditures prior to receiving the debt proceeds in March or April. Only the amount needed to balance the fund will be advanced. Once the proceeds are received, additional budget amendments will be needed to record the debt proceeds, fund the cost of issuance, and to adjust budget for actual advance amount.

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

8.a.2. Resolution No. 2023-11 – Authorizing issuance of bond anticipation notes related to the Towne Square Project

This legislation authorizes the issuance of Bond Anticipation Notes (BANs) related to the Towne Square renovation and authorizes the City Manager and Treasurer to execute documents and agreements related to the issuance, sale or delivery of the BANs.

This resolution has been prepared by the City's bond counsel, Dinsmore & Shohl LLP, and contains the necessary components to comply with the various constitutional, federal, state, and local requirements regarding the issuance of municipal debt.

Listed below are some of the more specific items relate to the issuance of BANs:

- The City anticipates issuing \$10,000,000 in BANs. BANs will mature in one year.
- The maximum borrowing rate of 6% is stated in this resolution for flexibility. However Administration anticipates that the final borrowing rate will be around 4%.
- Once the borrowing rate and cost of issuance (ratings, bond counsel, underwriters, etc.) are known, a budget amendment will be presented to Council for approval that will provide additional budget for debt issuance costs and any other budget adjustments needed at that time.

Please direct questions relating to this resolution to the Treasurer or City Manager.

8.b.1 Resolution No. 2023-12– Authorizing a contract (bid award) for the Towne Square Renovation Project

As has been discussed with Council, the Parks & Recreation and Public Works Administration advertised on the Bid Express website to solicit bids for the Blue Ash Towne Square Renovation Project. At the conclusion of the bid period, the City received three responses. Resolution No. 2023-12 authorizes the City Manager to enter into an agreement with Alpha Construction Company. The project's scope mainly includes the approximately 3 acres of site demolition, including removal of existing structures, new construction consisting of approximately 2,775 SF of enclosed toilet room/storage structure, approximately 4,054 SF of canopy structures and new construction of a great lawn, Veterans Memorial Park, parking lot, dog park, children's play features and landscaping.

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

8.b.2. Resolution No. 2023-13 – Authorizing a contract for mowing services for the City of Blue Ash

The parks department has concluded the public bidding for a portion of its mowing obligations throughout the City. This contractual mowing package includes 30 individual areas. City Staff will still continue to maintain and mow areas such as Summit Park, Municipal Building, Sports Center, Recreation Center and several others.

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

8.c.1 Resolution No. 2023-14 – Approving a Final Development Plan for a 6.2 acre Planned Unit Development “The BLUE” at the northwest corner of the intersection of Kenwood Road and Cooper Road in the Downtown Zoning District

City Council passed Ord. 2022-07 on September 8, 2022 granting concept approval of the BLUE Planned Unit Development. The development team has determined that they are ready to present the Final Development Plan for consideration.

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The site consists of 6.2 acres at the northwest corner of the intersection of Cooper Road and Kenwood Road. The project includes up to 250 apartments, 90,000 square feet of commercial and office uses, and two parking garages comprising about 625 parking spaces. The design allows for street level retail, restaurants, etc. along Kenwood Road with the residential component accessed from the west side of the development. Semi-public areas are planned for the prominent corner at the Kenwood Road intersection and at a "Center Park" midway up Kenwood Road.

Entry to the site would be from Kenwood Road across from Laurel Avenue and from Cooper Road across from Blue Ash Road. Included in this packet are memos from the City Manager and CT Consultants regarding the proposed median on Cooper Road. In addition to that analysis, CT reviewed the on-street parking along Kenwood Road and determined that it is in accordance with Ohio Revised Code regulations and the ODOT Location & Design Manual.

Planning Commission recommended approval of the PUD Final Development Plan at their January 5, 2023 meeting with a number of conditions. Several conditions have been met since the January 5, 2023 meeting so two versions of legislation are included in this packet: the first lists all of Planning Commission's original conditions and the second is amended with only outstanding conditions listed.

Please direct any questions related to this Resolution to the City Manager or Assistant City Manager.

8.d.1. Resolution No. 2023-15 – Authorizing the City Manager to enter into a contract for the Blue Ash Hunt Road Pier Wall Project

The City received four (4) RFQ's for Design/Build Services to provide a complete design, construction documents, and construction of a 131 foot long Pier Wall for stabilization on a failing embankment along the south side of Hunt Road, located approximately 290 feet west of the Fox Run Apartments entrance. The City requested qualification packets which were reviewed and scored by the City's Review Board for this project. The most responsive Design/Build team with the highest score was selected and a price was negotiated for the contract in the amount of \$250,000 for the Design/Build Services.

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

8.d.2. Resolution No. 2023-16 – Authorizing the City Manager to enter into a contract for the Lushek Storm Pipe Repair Project

The City is continuing the replacement of a 54" corrugated metal pipe that is deteriorating under Lushek Dr. with a 54" ADS storm pipe. Last year, the City replaced approximately 500 feet of the pipe which was located under the KOI parking lot. The City is wanting to continue this replacement of the additional 350 feet pipe to its outfall structure. The existing 350 feet of 54" corrugated metal pipe runs from a manhole in the driveway apron of KOI and heads west under Lushcek Dr. through the property of the Higher Ground Education development (previously Bonnie Lynn's Bakery) located at 11179 Lushek Drive.

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

a. Finance & Administration Committee, Lee Czerwonka, Chairperson

Councilman Czerwonka asked the Clerk to read Resolution No. 2023-10 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2023-10

PROVIDING FOR AMENDMENTS WITHIN THE 2023 ANNUAL
APPROPRIATION RESOLUTION NO. 2022-64

Councilman Czerwonka moved, Councilwoman Cole seconded to adopt Resolution No. 2023-10.

In response to Councilman Gath's question, Mr. Waltz explained that this legislation is related to funding for the Towne Square project and other significant capital projects.

There being no further discussion, the Clerk called the roll. Councilpersons Gath, Cole, Czerwonka, Vice Mayor Jhaveri, and Mayor Sirkin voted. Five yeses. Resolution No. 2023-10 passed.

Councilman Czerwonka asked the Clerk to read Resolution No. 2023-11 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2023-11

A RESOLUTION AUTHORIZING THE SALE AND ISSUANCE OF
GENERAL OBLIGATION BOND ANTICIPATION NOTES FOR THE
PURPOSE OF FINANCING THE ACQUISITION, CONSTRUCTION
AND EQUIPPING OF IMPROVEMENTS KNOWN AS THE TOWN

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SQUARE RENOVATION PROJECT IN A PRINCIPAL AMOUNT NOT
TO EXCEED \$10,000,000

Councilman Czerwonka moved, Councilwoman Cole seconded to adopt Resolution No. 2023-11.

There being no discussion, the Clerk called the roll. Vice Mayor Jhaveri, Councilpersons Czerwonka, Cole, Gath, and Mayor Sirkin voted. Five yeases. Resolution No. 2023-11 passed.

Councilman Czerwonka asked the Clerk to read Resolution No. 2023-17 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2023-17

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER
INTO AN AGREEMENT FOR RETAIL ELECTRICITY WITH A
COMPETITIVE RETAIL ELECTRIC SERVICE PROVIDER THROUGH
THE CENTER FOR LOCAL GOVERNMENT ELECTRICITY
CONSORTIUM

Councilman Czerwonka moved, Councilman Gath seconded to adopt Resolution No. 2023-17.

Ms. Harrington explained that with electricity pricing constantly changing, the City has an opportunity to purchase electricity through a collaboration of several other local governments at a savings. This legislation is a pre-approval, so once the final pricing is received, it will authorize the City Manager, along with all the other local governments in the collaboration, to sign off at the same time and get the greatest savings. Mr. Waltz added that as the City builds new projects, it assesses utilizing alternative sources of energy including solar, and they often don't meet a reasonable rate of return over time, however as energy prices continue to escalate, staff will continue looking at these alternatives.

There being no additional discussion, the Clerk called the roll. Councilpersons Czerwonka, Cole, Gath, Vice Mayor Jhaveri, and Mayor Sirkin voted. Five yeases. Resolution No. 2023-17 passed.

b. Parks & Recreation Committee, Jill Cole, Committee Member

Councilwoman Cole asked the Clerk to read Resolution No. 2023-12 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2023-12

AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT
FOR THE BLUE ASH TOWNE SQUARE RENOVATION PROJECT
FOR THE UNIT PRICES AS SHOWN ON THE ATTACHED BID
SUMMARY

Councilwoman Cole moved, Councilman Gath seconded to adopt Resolution No. 2023-12.

Councilwoman Cole explained that this is an exciting project and it has been a long process to get to this point. She stated that this project will add a nice amount of greenspace to the downtown area, and she thinks the residents and businesses will really enjoy the new space.

Councilman Gath commented that staff has done a really great job throughout this entire project's planning process, including multiple outreach efforts to gain feedback from citizens. He noted that although the park will be closed for about a year during construction, once the project is completed this park will be something that is active many more days a year than its current usage. Mayor Sirkin added that the Towne Square renovation and the BLUE development are synergistic projects that are going to really revitalize the downtown area.

There being no further discussion, the Clerk called the roll. Councilpersons Czerwonka, Gath, Cole, Vice Mayor Jhaveri, and Mayor Sirkin voted. Five yeases. Resolution No. 2023-12 passed.

Councilwoman Cole asked the Clerk to read Resolution No. 2023-13 by title only.

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THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2023-13

AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT
FOR THE 2023 CITY OF BLUE ASH MOWING SERVICES FOR THE
UNIT PRICES AS SHOWN ON THE ATTACHED BID SUMMARY

Councilwoman Cole moved, Councilman Czerwonka seconded to adopt Resolution No. 2023-13.

Councilwoman Cole stated that this is similar to previous years where the City contracts out some of the mowing of City properties. Councilman Gath noted that this bid is \$46K less than last year's price, so the City is lucky to have received multiple bids at a good savings for the City.

There being no discussion, the Clerk called the roll. Councilwoman Cole, Vice Mayor Jhaveri Councilpersons Czerwonka, Gath, and Mayor Sirkin voted. Five yeses. Resolution No. 2023-13 passed.

c. Planning & Zoning Committee, Pramod Jhaveri, Chairperson

Vice Mayor Jhaveri asked the Clerk to read Resolution No. 2023-14 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2023-14

APPROVING A FINAL DEVELOPMENT PLAN FOR A 6.2 ACRE
PLANNED UNIT DEVELOPMENT "THE BLUE" AT THE
NORTHWEST CORNER OF THE INTERSECTION OF KENWOOD
ROAD AND COOPER ROAD IN THE DOWNTOWN ZONING
DISTRICT

Vice Mayor Jhaveri moved, Councilwoman Cole seconded to adopt Resolution No. 2023-14 (Amended).

Ms. Harrington explained that the amended version of this legislation was revised to remove some of the Planning Commission recommendations that have been satisfied throughout the last several weeks, so the wording was changed in the last Whereas clause to reflect that.

Councilman Gath stated that he is very excited for this project, and this is a once in a lifetime development in the heart of Blue Ash. It's going to go a long way to achieving the goals that Council has set after hearing from citizens to make the City more alive after five, and bring in more restaurants and visitors. Council has done a great job being instrumental in the vision for this project, and the developers did a great job of meeting that vision.

Mr. Waltz addressed some of the comments about traffic, and wanted to reiterate that the City is sensitive to the citizens' concerns. Preliminary traffic assessments have been completed, and City staff and engineers will continue to monitor traffic over the next few years to see what the best practice is going forward.

There being no further discussion, the Clerk called the roll. Councilpersons Czerwonka, Gath, Cole and Mayor Sirkin voted yes. Vice Mayor Jhaveri voted no. Four yeses, one no. Resolution No. 2023-14 (Amended) passed.

d. Public Works Committee, Jill Cole, Chairperson

Councilwoman Cole asked the Clerk to read Resolution No. 2023-15 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2023-15

AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT
FOR THE BLUE ASH HUNT ROAD PIER WALL DESIGN/BUILD
FOR THE NEGOTIATED PRICE OF \$250,000

Councilwoman Cole moved, Councilman Czerwonka seconded to adopt Resolution No. 2023-15.

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Councilwoman Cole gave a brief summary of the purpose of this legislation. Mr. Perry stated that the timing of the project relies heavily on the availability of materials. This is a design-build project, so the contractor will be designing and constructing the project. He noted that with this project being on Hunt Road, there will be a month-long full closure of Hunt Road in the project area during construction with a substantial detour during that time period. Once the City receives the construction schedule from the contractor, staff will inform everyone of the timeframe for the project.

There being no further discussion, the Clerk called the roll. Councilpersons Cole, Czerwonka, Vice Mayor Jhaveri, Councilman Gath, and Mayor Sirkin voted. Five yeases. Resolution No. 2023-15 passed.

Councilwoman Cole asked the Clerk to read Resolution No. 2023-16 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2023-16

AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT
FOR THE LUSCHEK STORM PIPE REPAIR FOR THE UNIT PRICES
AS SHOWN ON THE ATTACHED BID SUMMARY

Councilwoman Cole moved, Councilman Gath seconded to adopt Resolution No. 2023-16.

Mr. Perry stated that last year, a five-foot diameter pipe collapsed in this area and the City repaired half of it, so this project will repair the other part of the pipe under Lusчек Drive. It is about 20 feet deep, and there will be a partial closure of Lusчек Drive during the construction period which the City will coordinate with the businesses.

There being no further discussion, the Clerk called the roll. Councilpersons Gath, Cole, Czerwonka, Vice Mayor Jhaveri and Mayor Sirkin voted. Five yeases. Resolution No. 2023-16 passed.

9. MISCELLANEOUS BUSINESS

Mr. Waltz stated that the approval of the Towne Square and the BLUE projects is significant and exciting. He also requested to be excused from the March 9, 2023 Council meeting.

Mr. Kruse reported on the City's commitment and dedicated efforts throughout the years to the preservation of greenspace in Blue Ash. He stated that a recent study by the Ohio Parks and Recreation Association was concluded with 63 municipalities throughout Ohio including major cities such as Cincinnati, Toledo and Columbus. Amongst those 63 municipalities, Blue Ash ranked fifth in terms of overall budget commitment to parks and recreation. However, Blue Ash topped the list in terms of budget per capita. The second-ranked city spends less than half the amount that the City of Blue Ash spends per resident for parks and recreation. Blue Ash has 208 acres of publicly accessible parks and recreation space. Estimates show that Summit Park draws nearly 1 million visitors a year, the Rec Center checks in 300,000 guests, the golf course sees about 45,000 rounds in a season, and over 5000 hours of field use at the Sports Center last year. He provided statistics on a number of Blue Ash Parks and Recreation categories. He stated that while he believes the preservation of greenspace is wonderful, and as a parks professional he truly stands by that, he also personally thinks that Blue Ash and City Council's support stretching back to the one-third promise is second to none when it comes to the importance of the outdoors. People need to remember that the City is only seven square miles and the City has and continues to provide unique opportunities for the community to enjoy the outdoors through a very well-rounded philosophy of programs events and facilities. He commended the father and son who spoke this evening about the African library project.

Ms. Eifert stated that Mr. Hosbrook would be happy to see what will be built on his former property.

Solicitor Pacheco commented on Mayor Sirkin's recent recognition as one of the top 500 influential executives in Ohio.

Councilman Czerwonka inquired about the upcoming ODOT project and the timing for the Cooper Road/ I-71 overpass bridge closure. Mr. Perry stated that the latest update on the

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ODOT project is that crews will be replacing the walls and fencing on the I-71 bridge overpass on Cooper Road. Cooper Road will be closed to through traffic starting in early March and is expected to be a three-month road closure. He welcomed the Citizen Academy participants and stated that this program has been in place for a few years, and the participation is greatly appreciated as most of the participants tend to become ambassadors for the City. He commented on the previous Council meeting where the developer presented an idea for a proposed private high school's football stadium in the Neighborhoods at Summit Park development adjacent to Summit Park. He stated that since that meeting, he has been contacted by numerous residents who do not envision the stadium as a good use of the space, and he agrees with them. He would like to hear from his fellow Council members as to their thoughts on the matter.

Mayor Sirkin stated that he agrees with Councilman Czerwonka and noted that the developer provided some examples for additional uses of the stadium such as a concert venue, but the City already has Summit Park, the Nature park amphitheater and Towne Square for this purpose. He stated that Council has been very flexible with the developer of the property, granting approval of four residential developments, and considering the original plan was for a corporate headquarters to be located on this site.

Mayor Sirkin and the other Council members addressed some comments made at a previous Council meeting about transparency, as it relates to the developer's choices in how the stadium idea was presented to the media prior to Council. Mr. Waltz added that over the next few months, Council and staff will plan discussions on economic development strategies and ideas to look at new and different ways to activate that site, considering the change in the demand for corporate development and office environment.

(Approved with the following amendment by Councilman Gath) In response to Councilman Czerwonka's question, Councilman Gath stated that he was concerned by the proposed project. He stated that the comments from the developer made him imagine an area more like The Banks and that such energy did not match with the rest of the park. Further, he was concerned of the impact such a project would have on police and fire and felt that relying exclusively on off-site parking would have a negative impact on other users of the park. He stated his agreement with the City Manager stating that Council needed to investigate what types of developments corporations would be looking for to match a hybrid work system.

Vice Mayor Jhaveri stated that Summit Park was a family park and that it was not appropriate for there to be projects that detracted from that. He also stated that the City had approved enough residential projects at the Neighborhoods of Summit Park and that he was not in favor of more.

Councilman Gath stated that he is grateful for the citizens participating in the Citizen Academy in getting involved and informed about City operations. He reported on the vaping problem going on in schools and the community, and whether Council should consider passing legislation to regulate the sales of some of these vaping products.

Councilwoman Cole thanked the Citizen Academy participants for their interest in learning about City operations. She also thanked staff for their efforts and putting together such a nice program. She congratulated Sherry Poppe, as today marks her 25th year with the City. She thanked Mr. Kruse for his update on the City's parks and greenspace.

Vice Mayor Jhaveri commented on Siddarth Vikram's African Library Project. He stated that he will share the information, and will be happy to make a donation to the project. He inquired about the progress on the roundabout project at Plainfield and Peppermill. Mr. Perry stated that there were some delays in materials, but crews are expected to start back up in March when the weather improves. The project is planned for completion later this year.

Mayor Sirkin commented on greenspace and noted that the City has more park acreage than the City of Montgomery.

Council and staff collectively welcomed the Citizens of Blue Ash Academy participants in attendance this evening.

10. EXECUTIVE SESSION

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Councilwoman Cole moved, Councilman Gath seconded to adjourn into Executive Session for the purpose of discussing 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*

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

After matters pertaining to property acquisition were discussed, Councilman Czerwonka moved, Vice Mayor Jhaveri seconded to convene to the regular meeting. A voice vote was taken. All Council members voted yes. Motion carried.

11. ADJOURNMENT

All items on the agenda having been acted upon, Councilman Gath 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 9:10 p.m.

Marc Sirkin, Mayor

Jamie K. Eifert, Clerk of Council

MINUTES RECORDED AND WRITTEN BY:

Julie Kipper, Executive Assistant

February 9, 2023

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