

BLUE ASH CITY COUNCIL

March 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 March 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: 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, Assistant City Manager Kelly Harrington, Solicitor Bryan Pacheco, Clerk of Council Jamie Eifert, Treasurer Sherry Poppe, Police Chief Scott Noel, Public Works Director Gordon Perry, Parks & Recreation Director Brian Kruse, Executive Assistant Julie Kipper, Communications Coordinator Rachel Murray, and interested citizens

4. ACCEPTANCE OF AGENDA

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

1. *MEETING CALLED TO ORDER*
2. *OPENING CEREMONIES*
3. *ROLL CALL – Clerk of Council Jamie K. Eifert*
4. *ACCEPTANCE OF AGENDA*
5. *APPROVAL OF MINUTES*
 - a. *Regular Meeting of February 9, 2023*
6. *COMMUNICATIONS*
 - a. *Communications to Council – Clerk of Council Jamie K. Eifert*
 - b. *Reports From Outside Agencies*
 - c. *State Forfeitures Year-End Report for 2022*
 - d. *Mayor’s Report – February 2023*
 - e. *Financial Report – Motion to accept the report for February 2023*
7. *HEARINGS FROM CITIZENS*
8. *COMMITTEE REPORTS*
 - a. *Finance & Administration Committee, Lee Czerwonka, Chairperson*
 1. *Resolution No. 2023-18, Levying special assessments on real property related to property maintenance issues pursuant to Chapter 911 of the Blue Ash Code of Ordinances*
 - b. *Parks & Recreation Committee, Katie Schneider, Chairperson*
 1. *Resolution No. 2023-19, Authorizing the City Manager to execute a grant agreement with the Ohio Division of Natural Resources related to the Towne Square Renovation Project*
 2. *Resolution No. 2023-20, Authorizing the purchase of golf course mowing and outdoor maintenance equipment*
 - c. *Planning & Zoning Committee, Pramod Jhaveri, Chairperson*
 1. *Motion setting a Public Hearing for Thursday, April 13, 2023 at 7:05 p.m. for consideration of a zoning text amendment and zoning map amendment*

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

1. *Resolution No. 2023-21, Amending Resolution No. 2022-32 Accepting rights-of-way for public maintenance in the Retreat at Summit Park subdivision*
2. *Resolution No. 2023-22, Amending Resolution No. 2022-33 Accepting rights-of-way for public maintenance on Cooper Springs Lane*
3. *Resolution No. 2023-23, Authorizing the purchase of a commercial scrubber-sweeper for the Service Department*
4. *Resolution No. 2023-24, Authorizing the purchase of two crew cab pickup trucks for the Service Department*
5. *Resolution No. 2023-25, Authorizing the submittal of an application to participate in the Ohio Public Works Commission State Capital Improvement Program and Local Transportation Improvement Program*
6. *Resolution No. 2023-26, Awarding a contract (bid) for the 2023 Sidewalk Repair Program*

9. *MISCELLANEOUS BUSINESS*

- a. *Motion to proceed with Summit Park Tower design/build project*

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

Councilman Gath moved, Mayor Sirkin seconded to amend page 13 of the February 9, 2023 minutes to add the following:

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.

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

Councilman Czerwonka moved, Vice Mayor Jhaveri seconded to approve the minutes of the regular meeting of February 9, 2023 as amended. A voice vote was taken. All members present voted yes. Motion carried.

6. COMMUNICATIONS

a. **Communications to Council**

There were no communications presented to Council.

b. **Reports From Outside Agencies**

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

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c. State Forfeitures Year-End Report for 2022

1. <u>Beginning Balance:</u>	\$87,132.98
2. <u>Receipts:</u>	
a) Monies Deposited in Law Enforcement Trust Fund	\$16,659.53
b) Proceeds From Sale of Real or Personal Property	\$0.00
Total Received in 2022	\$16,659.53
3. <u>Expenditures:</u>	
a) Protracted or complex investigations or prosecutions	\$0.00
b) Technical training or expertise	\$0.00
c) Matching funds for Federal Grants in support of drug abuse prevention	\$0.00
d) Emergency action taken under 3745.13 O.R.C	\$0.00
e) Other law enforcement purposes	\$6,256.30
f) Community prevention education programs	\$0.00
Total Expenditures in Calendar Year 2022	\$6,256.30
Close of 2022 Balance on Hand	\$97,536.21

d. Mayor's Report – February 2023

RECEIPTS COLLECTED:
(Cash Book Total/Restitutions/Bond Surcharge/Bond Forfeitures/Bond Returned: \$10,552.00

DISBURSEMENTS:
To the City of Blue Ash
(Fines/costs/Expungements/forfeitures/NSF check charges, vendor permits)..... \$7,735.00
To the State of Ohio:..... \$2,713.50
To Hamilton County Municipal Court..... \$103.50
Refunds Issued/Overpayment (not included in receipts collected) \$0.00
Bonds Returned \$0.00
Restitution payment..... \$0.00
TOTAL DISBURSEMENTS \$10,552.00

TOTAL IN BOND ACCOUNT (not yet applied included in receipts collected)..... \$0.00
Mayor's Court Traffic citations issued84
Mayor's Court Parking citations issued3
Mayor's Court Criminal/Building citations issued2
Total Mayor's Court cases 89
BLUE ASH REVENUE FROM MAYOR'S COURT CASES:..... \$7,735.00

e. Financial Report – February 2023

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

CITY OF BLUE ASH FINANCIAL POSITION STATEMENT- MONTH ENDING FEBRUARY 28, 2023

MONTH TO DATE	2022	2023
START OF MONTH FUND BALANCE:	\$65,540,150.50	\$76,661,238.87
Revenues:		
Earnings Tax Collections:	\$2,640,878.30	\$2,527,892.21
Debt Financing (long term)	-	-
Debt Financing (short term)	-	-
Other Revenue Received:	\$1,082,472.13	\$799,444.33
= Total Monthly Receipts	\$3,723,350.43	\$3,327,336.54
Expenditures:		
Long term Debt Payments	\$749,056.25	\$749,143.75
Short term Debt Payments	-	-
Other Expenditures:	\$3,228,487.54	\$2,958,794.82
= Total Monthly Expenditures:	\$(3,977,543.79)	\$(3,707,938.57)
END OF MONTH FUND BALANCE:	\$65,285,957.14	\$76,280,636.84

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YEAR TO DATE	2022	2023
START OF YEAR FUND BALANCE:	\$64,402,017.70	\$75,428,618.83
Revenues:		
Earnings Tax Collections:	\$5,978,402.40	\$5,767,359.04
Debt Financing (long term)	-	-
Debt Financing (short term)	-	-
Other Revenue Received:	\$1,965,834.83	\$1,871,115.12
= Total YTD Receipts	\$7,944,237.23	\$7,638,474.16
Expenditures:		
Long term Debt Retirement	\$814,512.06	\$814,599.56
Short term Debt Payments	-	-
Other Expenditures:	\$6,245,785.73	\$5,971,856.59
= Total YTD Expenditures:		
	<u>\$(7,060,297.79)</u>	<u>\$(6,786,456.15)</u>
YEAR TO DATE FUND BALANCE:	<u>\$65,285,957.14</u>	<u>\$76,280,636.84</u>

YTD Interest rec'd: (incl. in Other Rev.) \$272,714.57

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 FEBRUARY 28, 2023

MONTH TO DATE	2022	2023
Business Net Profit	\$131,983.03	\$124,740.23
Resident Net Profit	\$82,740.32	\$64,531.18
Non-Resident Net Profit	\$16,589.22	\$11,605.15
Subcontractor Net Profit	\$18,815.91	\$7,226.10
<i>Net Profit Total</i>	\$250,128.48	\$208,102.66
Withholding	\$2,343,225.98	\$2,242,550.66
Subcontractor Withholding	\$47,523.84	\$77,238.89
<i>Withholding Total</i>	\$2,390,749.82	\$2,319,789.55
Monthly Collection Totals	<u>\$2,640,878.30</u>	<u>\$2,527,892.21</u>
		-4.28%
YEAR TO DATE:	2022	2023
Business Net Profit	\$267,716.65	\$275,588.32
Resident Net Profit	\$200,696.10	\$174,440.73
Non-Resident Net Profit	\$38,000.56	\$41,913.51
Subcontractor Net Profit	\$54,359.34	\$14,667.92
<i>Net Profit Total</i>	\$560,772.65	\$506,610.48
Withholding	\$5,299,589.22	\$5,080,534.95
Subcontractor Withholding	\$118,040.53	\$180,213.61
<i>Withholding Total</i>	\$5,417,629.75	\$5,260,748.56
Year-To-Date Collection Totals	<u>\$5,978,402.40</u>	<u>\$5,767,359.04</u>
		-3.53%
Year-To-Date Refund Totals	<u>\$157,363.58</u>	<u>\$196,299.33</u>

7. HEARINGS FROM CITIZENS

Hugh Martin, 3880 Mohler Road, reported to Council that he is having issues with stormwater and flooding on his property. He has tried several methods to try to alleviate the issues, but there are still problems with erosion and flooding. He provided some pictures of his property during the recent heavy rains from last week. He is requesting assistance from the City to help him with solutions to the flooding.

Denise Sretchen, 4911 Cooper Road, reported on the Memory Café series, as well as other programs for infants, toddlers, children and adults that are available at the Blue Ash branch of the Hamilton County Public Library. She added that one of their programs was held at the Veterans Memorial, however, they are working with Blue Ash Recreation staff, Sarah Tower and Callie Fisher, to try and work out a partnership with the Blue Ash Recreation Center for a temporary location for that program while the Towne Square area is under construction.

Peter Nord, 10527 Kenridge Drive, commented on current traffic issues and noted that he feels that the new development will result in an increase in traffic problems, especially at Cooper and Kenwood Road. He expressed concerns about the safety of electric vehicles parking in the future parking garage proposed at the development.

Hearings from Citizens was declared closed at 7:15 p.m.

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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 March 9, 2023 Council agenda.

8.a.1. Resolution No. 2023-18 – Levying special assessments on real property related to property maintenance issues pursuant to Chapter 911 of the BA Code

The City's property maintenance provisions defined in Chapter 911 allow for the City to "step in" and take care of the mowing of tall grass and weeds if the property owner, after an extended period of time and with notice, has not taken care of the problem. The City then bills the landowner for the cost of that maintenance. If the invoiced cost of the maintenance has not been paid by the landowner to the City after a defined period, the City can then "certify" it to the County Auditor to be placed upon the tax duplicate and collected and paid back to the City.

In the past several months, the City has taken care of maintenance issues multiple times on several Blue Ash properties. Resolution No. 2023-18 represents the notification to the County Auditor of such payments directing the specified amounts to be levied and assessed on the properties as noted within the resolution.

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

8.b.1 Resolution No. 2023-19 – Authorizing the City Manager to execute a grant agreement with the Ohio Division of Natural Resources related to the Towne Square Renovation Project

The City requested grant funding from the Ohio Capital Budget (H.B. 687) in support of the Towne Square redevelopment project. The City was awarded \$300,000 which will be administered through the Ohio Department of Natural Resources.

Please direct questions related to this Resolution to the Assistant City Manager or Parks and Recreation Director.

8.b.2 Resolution No. 2023-20 – Authorizing the City Manager to purchase golf course mowing and outdoor maintenance equipment

Resolution No. 2023-20 authorizes the purchase of (2) John Deere 2750 E-Cut Hybrid Triplex Mowers from Beard Equipment through the State of Ohio's Cooperative Purchasing Program (Contract #STS515) for an amount not to exceed \$93,269.08.

This equipment is necessary to replace aging mowing and outdoor equipment used to maintain the Blue Ash Golf Course. Funding for this equipment was approved by City Council in the 2023 final budget.

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

8.c.1. Motion setting a Public Hearing for Thursday, April 13, 2023 at 7:05 p.m. for consideration of a zoning text amendment and zoning map amendment

The applicant is seeking approval of a Zoning Text Amendment to the Table of Permitted Uses in Chapter 1135 Commercial Zoning Districts that would allow "animal boarding facilities and kennels" as a use that is permitted with standards in the Summit Park District. The proposed standard would be to allow these facilities "in the SP zoning district subject to the lot being set back a minimum of 1,000 feet from any residential district or use." The 1,000 foot setback would eliminate much of the Summit Park district east of the Techwoods Circle north of Pfeiffer, east of Alliance Road south of Pfeiffer, south of Malsbary Road, and west of McKinley Road, as well as the majority of the Neighborhoods at Summit Park as eligible locations for animal boarding facilities.

Pending approval, Circle Development intends to open a Red Dog Pet Resort and Spa at this location, a former Applebees restaurant. They approached the City in 2022 with a proposal for a Planned Unit Development, but this failed to pass City Council with a supermajority. A text amendment would allow the proposed use, but would still require the occupant to adhere to Zoning Code requirements. This means that any development subsequent to approval of the text amendment would be reviewed by the Board of Site Arrangement and the Board of Zoning Appeals for any needed variances.

Planning Commission considered the proposed plan at its March 2, 2023 meeting and recommended denial.

Planning Commission subsequently voted to recommend approval of a Zoning Map Amendment changing the designation of 10635 Techwoods Circle, and the four properties between it and Creek Road, from Summit Park District to Blue Ash North. This would allow animal boarding facilities and kennels as a permitted use at the proposed Red Dog site. Similar to a text amendment, a map amendment would still require the occupant to adhere to Zoning Code requirements. This means that any development subsequent to approval of the map amendment would be reviewed by the Board of Site Arrangement and the Board of Zoning Appeals for any needed variances.

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

8.d.1. Resolution No. 2023-21 – Amending Resolution 2022-32 Accepting rights-of-way for public

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maintenance in the Retreat at Summit Park subdivision

AND 8.d.2. Resolution No. 2023-22 – Amending Resolution 2022-33 Accepting rights-of-way for public maintenance on Cooper Springs Lane

Last June, Council passed legislation accepting the improvements for public maintenance within the public rights-of-way in Phase 3 and 4 of the Retreat at Summit Park subdivision and on Cooper Springs Lane. The Hamilton County Engineer's office has requested amendments to this legislation to include the subdivision plat information.

Please direct any questions to the Assistant City Manager or Public Works Director.

8.d.3. Resolution No. 2023-23 – Authorizing the purchase of a commercial outdoor scrubber-sweeper

As part of the capital equipment replacement schedule, the Service Department requests authorization to purchase a Tennant M-M20 Scrubber-Sweeper Machine from Tennant Sales and Service Company through the Equalis Group Cooperative Purchasing Program at a cost not to exceed \$79,215.67. Funding for this equipment was approved in the 2023 final budget.

Please direct any questions to the Public Works Director.

8.d.4. Resolution No. 2023-24 – Authorizing the purchase of two crew cab pickup trucks for the Service Department

The Service Department is requesting permission to utilize the recently enacted emergency purchasing procedures to purchase two full-size pickup trucks. Today's truck market has hindered the ability of government entities from issuing bids or utilizing cooperative bid programs to purchase vehicles. There are no cooperative bid contracts available due to the unreliability of truck manufacturers to fulfill an order. Recent vehicle contracts on the Ohio Procurement Services were canceled due to the manufacturers' inability to meet the order requirements. Current truck manufacturers have limited the quantity and times a dealer can place orders, which has prevented dealers from bidding on contracts across the public sector. Staff received a quote directly from Fuller Ford and is requesting authorization to place an order for 2 full size pickup trucks for a total cost of \$115,800.

Please direct any questions related to this Resolution to the Public Works Director.

8.d.5. Resolution No. 2023-25 – Authorizing submittal of an application to participate in the Ohio Public Works Commission State Capital Improvement Program and Local Transportation Improvement Program

The Public Works Administration is requesting City Council approval to submit a grant application with the Ohio Public Works Commission (OPWC) to participate in the State Capital Improvement Program and Local Transportation Improvement Program. Eligible projects are for improvements to roads, bridges, culverts, and other public infrastructure projects.

The proposed project is the replacement of a deteriorated bridge deck on Kenwood Road. This bridge is located south of Pfeiffer Road and north of Zig Zag Road and spans a creek which is a tributary of the Little Miami River. Visual and ground penetrating radar inspections were performed on the bridge and it is determined that the bridge deck exhibits significant deterioration and will require replacement within the next 3 years.

While the project was not initially funded by OPWC, additional funding has become available due to a canceled project in the County. OPWC will cover \$302,599 of the cost and the City will contribute \$302,599. The project will require a full road closure and is expected to be reconstructed in 2024.

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

8.d.6. Resolution No. 2023-26 – Awarding a contract (bid award) for the 2023 Sidewalk Repairs Project

The Public Works Administration advertised for bids in the Cincinnati Enquirer and on the Bid Express website for the Blue Ash 2023 Sidewalk Repair Project. At the conclusion of the bid period, the City received four bids, which were publicly opened and read on March 2, 2023. Administration is recommending Council authorize a bid award to the low bidder, Neyra Paving, for the unit prices as shown on the bid summary. Staff recommends the award include the Base Bid, Alternate 1 and Alternate 2.

The Base Bid includes the Cornell Sidewalk with curb and catch basin repair from Reed Hartman Highway to Williamson. It also includes repair of damaged sidewalk and catch basins along the east side of Kenwood Road starting at Catalpa and ending at Pfeiffer. Alternate 1 continues the Kenwood sidewalk repairs all the way to Cornell. Alternate 2 repairs four deteriorating catch basins on Reed Hartman Highway.

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

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a. Finance & Administration Committee, Lee Czerwonka, Chairperson

Councilman Czerwonka asked the Clerk to read Resolution No. 2023-18 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2023-18

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

Councilman Czerwonka moved, Councilwoman Cole seconded to adopt Resolution No. 2023-18.

Councilman Gath thanked Paul Kleier for adding the vacant Envision Cinema property on Cornell Road to this list. The property looks better now that the weeds and high grass have been mowed.

There being no discussion, the Clerk called the roll. Councilpersons Capell, Cole, Czerwonka, Gath, Schneider, Vice Mayor Jhaveri, and Mayor Sirkin voted. Seven yes votes. Resolution No. 2023-18 passed.

b. Parks & Recreation Committee, Katie Schneider, Chairperson

Councilwoman Schneider asked the Clerk to read Resolution No. 2023-19 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2023-19

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF NATURAL RESOURCES FOR THE ADMINISTRATION OF A H.B. 687 GRANT AWARD IN SUPPORT OF THE TOWNE SQUARE REDEVELOPMENT PROJECT

Councilwoman Schneider moved, Councilman Capell seconded to adopt Resolution No. 2023-19.

Councilwoman Schneider provided a brief explanation of the legislation. Mayor Sirkin added that he appreciates staff's efforts involved in the grant application process.

There being no discussion, the Clerk called the roll. Vice Mayor Jhaveri, Councilpersons Cole, Gath, Capell, Czerwonka, Schneider, and Mayor Sirkin voted. Seven yes votes. Resolution No. 2023-19 passed.

Councilwoman Schneider asked the Clerk to read Resolution No. 2023-20 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2023-20

AUTHORIZING THE CITY MANAGER TO PURCHASE GOLF COURSE MOWING AND OUTDOOR MAINTENANCE EQUIPMENT UTILIZING THE STATE OF OHIO'S COOPERATIVE PURCHASING PROGRAM

Councilwoman Schneider moved, Councilwoman Cole seconded to adopt Resolution No. 2023-20.

Councilman Capell inquired about the projected lifespan of the equipment. Mr. Kruse stated that the equipment that is being replaced is approximately 12-15 years old.

There being no additional discussion, the Clerk called the roll. Councilpersons Cole, Gath, Capell, Vice Mayor Jhaveri, Councilpersons Czerwonka, Schneider, and Mayor Sirkin voted. Seven yes votes. Resolution No. 2023-20 passed.

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c. Planning & Zoning Committee, Pramod Jhaveri, Chairperson

Vice Mayor Jhaveri moved, Councilwoman Cole seconded to set a Public Hearing for Thursday, April 13, 2023 at 7:05 p.m. for consideration of a zoning text amendment and a zoning map amendment. Councilman Gath requested staff to provide a map of the area being considered for the amendments.

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

d. Public Works Committee, Jill Cole, Chairperson

Councilwoman Cole asked the Clerk to read Resolution No. 2023-21 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2023-21

AMENDING RESOLUTION NO. 2022-32 ACCEPTING RIGHTS-OF-WAY
FOR PUBLIC MAINTENANCE IN THE RETREAT AT SUMMIT PARK
SUBDIVISION

Councilwoman Cole moved, Councilman Czerwonka seconded to adopt Resolution No. 2023-21.

Councilwoman Cole provided a brief explanation of the legislation.

There being no discussion, the Clerk called the roll. Councilpersons Schneider, Capell, Cole, Czerwonka, Gath, Vice Mayor Jhaveri, and Mayor Sirkin voted. Seven yes votes. Resolution No. 2023-21 passed.

Councilwoman Cole asked the Clerk to read Resolution No. 2023-22 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2023-22

AMENDING RESOLUTION NO. 2022-33 ACCEPTING RIGHTS-OF-WAY
FOR PUBLIC MAINTENANCE IN COOPER SPRINGS LANE

Councilwoman Cole moved, Vice Mayor Jhaveri seconded to adopt Resolution No. 2023-22.

Councilwoman Cole provided a brief explanation of the legislation.

There being no discussion, the Clerk called the roll. Councilpersons Gath, Schneider, Capell, Cole, Czerwonka, Vice Mayor Jhaveri, and Mayor Sirkin voted. Seven yes votes. Resolution No. 2023-22 passed.

Councilwoman Cole asked the Clerk to read Resolution No. 2023-23 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2023-23

AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT
FOR THE PURCHASE OF A COMMERCIAL OUTDOOR SCRUBBER-
SWEEPER MACHINE

Councilwoman Cole moved, Councilman Czerwonka seconded to adopt Resolution No. 2023-23.

Councilwoman Cole stated this equipment was included in the 2023 budget as part of the plan for equipment replacement. Councilman Gath added that in talking with a couple of residents prior to the meeting, they commented that the street sweeping services that Blue Ash provides are great. It keeps the streets clean and debris out of the waterways, and it is another reason why everyone should be proud to live in Blue Ash.

There being no discussion, the Clerk called the roll. Vice Mayor Jhaveri, Councilpersons Capell, Czerwonka, Gath, Cole, Schneider, and Mayor Sirkin voted. Seven yes votes. Resolution No. 2023-23 passed.

Councilwoman Cole asked the Clerk to read Resolution No. 2023-24 by title only.

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THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2023-24

AUTHORIZING THE PURCHASE OF TWO REPLACEMENT PICK UP TRUCKS FOR THE SERVICE DEPARTMENT

Councilwoman Cole moved, Councilman Czerwonka seconded to adopt Resolution No. 2023-24.

Councilwoman Cole stated these vehicles were included in the 2023 budget. Mr. Perry added that these trucks are for the crews to use regularly, and this legislation is necessary due to the lack of availability of trucks.

There being no additional discussion, the Clerk called the roll. Councilpersons Czerwonka, Gath, Capell, Schneider, Cole, Vice Mayor Jhaveri, and Mayor Sirkin voted. Seven yes votes. Resolution No. 2023-24 passed.

Councilwoman Cole asked the Clerk to read Resolution No. 2023-25 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2023-25

RESOLUTION AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION (OPWC) STATE CAPITAL IMPROVEMENT PROGRAM AND LOCAL TRANSPORTATION IMPROVEMENT PROGRAM AND TO EXECUTE CONTRACTS AS REQUIRED

Councilwoman Cole moved, Councilman Gath seconded to adopt Resolution No. 2023-25.

Councilwoman Cole provided a brief explanation for this legislation. Mr. Perry added that this grant fund award is for replacement of the bridge deck on Kenwood Road, located north of Zig Zag Road and south of Pfeiffer Road. In response to Councilman Gath and Councilwoman Schneider's questions, Mr. Perry stated that the preference is for the construction to be scheduled when schools are not in session. It is expected to be a full road closure for approximately two months, but that is tentative until a contractor is determined for the project.

There being no further discussion, the Clerk called the roll. Councilpersons Schneider, Cole, Czerwonka, Gath, Capell, Vice Mayor Jhaveri, and Mayor Sirkin voted. Seven yes votes. Resolution No. 2023-25 passed.

Councilwoman Cole asked the Clerk to read Resolution No. 2023-26 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2023-26

AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR THE BLUE ASH 2023 SIDEWALK REPAIR PROGRAM FOR THE UNIT PRICES AS SHOWN ON THE ATTACHED BID SUMMARY

Councilwoman Cole moved, Councilman Czerwonka seconded to adopt Resolution No. 2023-26.

Councilwoman Cole provided a brief explanation of the legislation. In response to Councilwoman Schneider's question, Mr. Perry explained that the project is bid all together as a package. The base bid is the minimum amount for the project, and then there are design alternates, so if the bids come in where staff expects them to be, it gives staff the ability to add the alternates and get more done with the budget for the project.

There being no additional discussion, the Clerk called the roll. Councilpersons Gath, Capell, Cole, Schneider, Czerwonka, Vice Mayor Jhaveri, and Mayor Sirkin voted. Seven yes votes. Resolution No. 2023-26 passed.

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9. MISCELLANEOUS BUSINESS

Mayor Sirkin recognized former Councilwoman Steph Stoller who was in attendance this evening, and noted that she gave over 40 years of service to the City.

Ms. Harrington stated that Council received a memo in their packets about proposed modifications to the Summit Park Tower including some concept design renderings, and staff is requesting direction from Council via formal motion on whether or not to proceed with the design/build project.

Councilman Capell asked for clarification on if this was an approval to proceed with a bid process, which would come back to Council, or if this is approving a “blank check” to complete the project. Ms. Harrington stated that it was not approving a blank check, and asked Mr. Perry to further explain the project and the design-build process.

Mr. Perry stated that staff provided the renderings to show the design concept of the project, and explained that the project was previously bid out earlier and the bid came in way over budget by a very large amount. Staff decided to redesign and build it in a different way through the design-build process, where the design concept will be put out to the contractors through a request for qualifications (RFQ) package with a targeted budget, and it will be the contractors’ responsibility to design and construct the project. This process streamlines the project, since typically the contractors that submit the RFQs are the experts in the field, especially with this project being very unique and challenging due to the height of the tower.

Mr. Waltz stated that the design-build process is not unusual, and with the nature of the project and the specialized work, the designers can control the design and help articulate the cost in terms of implementation up front and sometimes it can result in a better bid, but as Mr. Perry stated there is a targeted budget on this project. Mr. Pacheco added that his predecessor won a case in 1995 on the design-build process with respect to Phase Three of the Rec Center project, so this type of process has been blessed under the City Charter as far back as 1995.

Mayor Sirkin stated that he thinks the design concept looks fantastic and it is so much nicer than what he had imagined. It looks like it belongs on the building. Councilman Czerwonka agreed and stated that it is very unobtrusive, and if viewed from a distance, it would be hard to tell it was there. Councilwoman Cole agreed that it looks great and stated that it doesn’t seem that it is going to create any additional maintenance. Councilman Gath asked for clarification on the description of the design. Mr. Perry explained that the stairwell on the tower would be secured by a stainless steel webbing or netting, which has been used in a lot of different projects, like on long bridges. The top observation deck concept would include a framework of vertical and horizontal steel cables that go up and back to connect to the tower and surround the area so it would be enclosed.

In response to Councilwoman Schneider’s question, Mr. Perry stated that the aesthetics and quality of the design concept that the City is expecting is the target that the contractors are aiming to achieve and what they will be basing their bid on.

Councilman Capell inquired about the expected cost of the project. Mr. Perry stated that the total cost of the project is projected to be \$1.5M. Councilman Capell commented that he is not sure what problem will be solved for the cost of \$1.5M, or in looking at it in a different way, if the City received a grant for \$1.5M to save as many lives as possible, is this what Council would decide to do with it.

Mayor Sirkin commented that there have been some unfortunate situations, and he feels that this project is something that Council and the City can do to make things better and try and solve the problem.

Vice Mayor Jhaveri agreed with Mayor Sirkin’s comments and stated that we are trying to protect people, so doing this project is the most inexpensive and best way to protect our citizens and the City.

Councilman Czerwonka stated that he thinks Council has a responsibility to all the park patrons to make sure they’re as safe as possible, and he doesn’t think you can put a price on that either.

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Councilwoman Cole agreed and stated that Council has heard pretty loudly and clearly that action needs to be taken.

Councilwoman Schneider agreed that it is Council's responsibility and stated that although this is a hard topic to discuss, she feels that Council can do the right thing to help protect people that may want to make an unfortunate decision, and also protect the people below if a situation like that were to happen.

Councilman Gath stated that he is in favor of this project. He commented that Council has a responsibility and that the City is in a position to do this project. This is an opportunity and he doesn't think it's going to make a difference in where the City is financially five years from now, but it may make a difference in somebody's life, and restated that he is in favor of doing the project. He added that he understands Councilman Capell's point about spending \$1.5M to save more lives by doing something else, but this is a problem that we have and need to address. He stated that he would also be supportive of making investments to save more lives and address mental health in the community.

After the discussion concluded, Councilman Czerwonka moved, Councilwoman Cole seconded to proceed with the Summit Park Tower design/build project. A voice vote was taken. Six members voted in favor, Councilman Capell stated that he is opposed to the motion as stated. Motion carried.

Mr. Waltz reported that staff recently participated in an emergency preparedness and disaster planning exercise in collaboration with the Hamilton County Emergency Management Agency.

Mr. Perry updated Council on ongoing projects. He stated that the Plainfield-Hunt roundabout project will be starting up again now that the weather is improving. Crews will start working tomorrow on the area on the west side of Plainfield and Peppermill. Southbound Plainfield at Reed Hartman will be reduced to a single lane as crews work to complete that side of the project. Following completion, crews will begin the landscaping and cleanup of that area. He stated that the City has been working with overhead utility companies along Hunt Road for several months to relocate some utilities in order to do the landslide repair on Hunt Road near the Fox Run apartments. The closure is still tentative, the exact date is unknown and is totally reliant on the utility companies, so the City is coordinating with them to get that project moving forward. It will be a full closure coming up sometime later this month.

Mr. Kruse reported on the start of the Towne Square renovation project and encouraged people to continue to visit the businesses even though there is a lot of construction going on, especially those businesses on the west side of the project area. The businesses have been really good to work with in figuring out temporary parking solutions during the construction. There is a parking map, as well as project updates available on the City's website, and Rachel Murray has been a great help with getting communications and information out to the community. He also thanked Gordon Perry and Ryan Noland, for their work on this project and many others over the years, and it is exciting for everybody to see the Towne Square project moving forward.

Councilwoman Cole mentioned that Council was provided information at their desks this evening about someone talking about the Earth Day Festival at Summit Park during Hearings from Citizens, but they did not make it to the meeting on time. She stated that the information provided had last year's date, but this year's event will be held on Saturday, April 23, 2023.

Councilman Capell stated he was glad to be back after missing the last Council meeting due to his Covid illness. He reported that he had a constituent contact him recently about water issues on their property, and he appreciates the assistance from Paul Kleier in Community Development and the Public Works Department in responding to that issue. He added that water issues are difficult because local governments often have to factor in whether it is a federal, state, or local organization's jurisdiction, or if it may be on the property owner to resolve, but the City's departments do a great job in working through these and trying to provide the best resolution possible.

Councilman Czerwonka noted that Mr. Perry stated he will be following up with Mr. Martin about his stormwater issues.

Councilwoman Schneider concurred with Mr. Kruse's comments and that she is excited about the Towne Square Project moving forward and being opened next spring.

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Councilman Gath stated that he was excited to see the extra parking installed and the use of the City-owned property at Kenwood and Cooper Road during the Towne Square construction. He noted that cars are utilizing the parking there and he thinks it is a great solution if employees can park there and leave the spaces close to the businesses open for their customers. He thanked Brian Kruse for a very in depth tour of the golf maintenance building. It was great to see the work that goes on in such a small area. The building is in the plans to be replaced, and he is excited to see the ways that City staff and the architects' design team are considering the neighboring residences and the employees that work at the building by figuring out ways to best utilize the space. He is also excited that the team is looking at ways to use solar panels, skylights and other means to make the building more efficient. He commented that a constituent informed him of a flag that was in disrepair at the park. He contacted Mr. Kruse on behalf of the constituent, and stated that in less than a day, the flag was replaced. He thanked Brian Kruse, Gordon Perry and Josh DeHart for their quick response and stated that this is an example of the kind of City we live in and the care that the staff gives to customer service.

Vice Mayor Jhaveri commented that his constituents and neighbors in Peppermill Farms are anxious for the roundabout project to be finished, and they are excited about the Towne Square project getting started.

Mayor Sirkin stated that he has spoken to some of the participants of the Citizens of Blue Ash Academy and they are absolutely amazed at the complexity of the City, how it works, the employees' skill level and dedication. He thanked the City Administration and Department Directors for setting the tone for the departments, providing training and the mentorship that fosters this kind of commitment from City employees. He is excited about Towne Square and thanked Brian Kruse and Scott Kincaid on the golf maintenance rehabilitation in their consideration of the residents to try and solve any problem they can by redesigning that property. He thinks the neighboring residents are going to be very happy living next to the new building with how much quieter and prettier it will be.

10. EXECUTIVE SESSION

After all items on the agenda were acted upon, Councilman Czerwonka moved, Councilman Gath seconded to convene an Executive Session for the purpose of discussing matters pertaining to 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 Gath, Capell, Cole, Schneider, Czerwonka, Vice Mayor Jhaveri, and Mayor Sirkin voted. Seven yes votes. Motion carried.

After matters pertaining to property acquisition were discussed, Councilman Gath moved, Councilwoman Schneider 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, Councilwoman Cole moved, Councilman Gath seconded to adjourn the meeting. A voice vote was taken. All members voted yes. The Council meeting was adjourned at approximately 8:15 p.m.

Marc Sirkin, Mayor

Jamie K. Eifert, Clerk of Council

MINUTES RECORDED AND WRITTEN BY:

Julie Kipper, Executive Assistant