

**CITY OF MASON
COUNCIL MEETING
SEPTEMBER 9, 2002**

Mayor McCurley called the meeting to order at 7:10 p.m. Following the Pledge of Allegiance, Chaplain Jeff Perkins opened the meeting with a prayer

ATTENDANCE

The following members of Council were present: Jim Fox, Dick Staten, Victor Kidd, Tom Grossmann, Peter Beck, Charlene Pelfrey and John McCurley.

APPROVAL OF MINUTES

Councilmember Grossmann moved to amend the minutes to state "Councilmember Grossmann said the end result of changing the sewer rates so outside water usage would not be included could mean a marginal increase for everyone if it is determined the City must maintain the same revenue level." The motion was seconded by Vice Mayor Fox. A motion to approve the minutes as amended was made by Councilmember Grossmann, seconded by Vice Mayor Fox. VOTE: 6 YEAS, 1 ABSTAIN (Staten)

SWEARING IN OF POLICE OFFICER NATHAN KETTERER

Mayor McCurley swore in Officer Nathan Ketterer. Chief Ferrell stated Officer Ketterer is pursuing his degree at the University of Cincinnati. Officer Ketterer's family was introduced.

RECOGNITION OF WARREN COUNTY MENTAL HEALTH RECOVERY SERVICES

Brent Lawyer, Assistant Director of the Warren County Mental Health Recovery Services addressed Council and gave a brief overview of the agencies duties and the number of people they serve. He explained the need for the levy that will be before voters this November.

RECOGNITION OF VISITORS

Kathy Korte of 5988 Thornberry Court addressed Council and stated she was representing the concerned parents residing in that neighborhood. She said she researched the details of accidents involving pedestrians in the City of Mason and found the only two in the last two years had occurred on her street. She also stated she discovered the number of tickets reported at the meeting was different than the police records showed. She stated Thornberry is not an average street. She said Sergeant Schultz has not contacted them but she had run into him at the Safety Fair. She stated he suggested the residents run radar to check the speeders. She said they did and found 37 speeders in the morning between 7:30 -9:15 a.m. and 37 in the afternoon between 2:00-

5:30. She said this included school buses. She also stated they received negative comments from their neighbors for running radar. She asked about the status of a stop sign. Ken Schneider reported they cannot be installed to control speed. Mrs. Korte asked about the bubble landscaping idea being used in Butler County. This narrows the street and forces cars to slow down. She said they can be found in the Cobblestone Subdivision off of Tylersville Road. Mayor McCurley directed the Safety Committee to review this option. She asked if the City has any other suggestions. Mayor McCurley stated the City is listening and residents can report license numbers of speeders to the police department and they will be contacted.

Mr. Tim Reisinger of 4629 Raynor Court addressed Council and asked about the status of the water bill issue. He said the high cost of sewer rates penalize those who are watering their lawns. He said they are not receiving a service for which they are being billed. Councilmember Grossmann responded he has received information from Dave Rager at GCWW about water availability due to the concern expressed from some of the other Councilmembers. He stated that the south area of the city is served by GCWW and the north end by the aquifer. Mr. Grossmann stated he has reviewed Mason's water consumption figures from March through August 2002 and found the average daily usage of water for the north service area was 2.36 million gallons and 1.64 million gallons for the south service area. The average daily usage of water in all of Mason is 4 million gallons. The peak usage in the north service area occurred in August and was 5.24 million gallons. The peak usage in the south occurred during July and was 2.8 million gallons. The peak day for both systems together was 8 million gallons. Peak days approaching those amounts occur only 4 or 5 times a year. He then stated the City's total capacity is 10-10.5 million gallons and will soon be 12.5 million gallons per day when repairs to filters are completed. He added 25% of the capacity in the north will shift to the south when the new water tower is functioning at the end of October. He also stated he asked Dave Rager to compare the City's load to a similar suburb to determine if there was a major increase in usage if the sewer rate was changes. He said Mount Washington was selected as a comparison and the result was no difference in the consumption when the rates change. Mayor McCurley stated that area of town does not have the number of new homes we are experiencing. Councilmember Grossmann said that area was selected due to similar demographics. Councilmember Grossmann also stated the conclusion is there is no capacity problem and the consumption will not be affected. Councilmember Staten stated he agrees the sewer rates should not subsidize the water rates however they were set to cover the bond issue. He quoted the New York Times article on running dry. He stated no changes should be made until a complete review has been done on the financial impact to the City. He asked if changing the rates would be in violation of the Ordinance passed for the bond issue. Ken Schneider stated he will check on that. Vice Mayor Fox asked if Scot has received any information from Dave Rager. He asked if the capital improvements schedule is in place. He stated there is a concern over the tower capacity. Councilmember Grossmann said residents have paid \$1000 per month water bills. He has a neighbor who has paid \$750 per month. He said we give people a break if they are filling their swimming pools, why not for watering lawns. Vice Mayor Fox stated the real concern is capacity. He said if Dave Rager can guarantee there will be no capacity problem than he can support reviewing the rates. He added there must be

adequate pressure in the water towers to fight fires. If it is a marginal issue he will not support it. Mayor McCurley asked for Dave Ragar to address the Utility Committee. Councilmember Grossmann stated he will request a comparison to Montgomery. He also stated this information was requested in May and never received. Councilmember Staten asked if we are mixing sewer funds and water funds. Scot Lahrmer stated no. Councilmember Pelfrey stated she is concerned about capacity and what a raise in rates could mean for lower income families.

Mr. Dennis Martin of 4220 Maxwell Drive addressed Council and asked what numbers the Public Utilities Department uses when comparing usage. He stated the number will be inflated if they use the amount appearing on the bills over the summer. Vice Mayor Fox stated there are meters in the sewer plants to regulate the amount being treated so they are true numbers.

RESOLUTION 2002-10 PROCLAIMING SEPTEMBER 11, 2002 AS "ALWAYS REMEMBER 9-11 DAY"

The resolution was read by Eric Hansen.

A motion to suspend the rule and allow for adoption after the first reading was made by Vice Mayor Fox, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

A motion to adopt Resolution 2002-10 was made by Councilmember Grossmann, seconded by Vice Mayor Fox. VOTE: ALL YEAS

ORDINANCE 2002-114 AMENDING ORDINANCE NO. 2002-94 ESTABLISHING THE POSITIONS AND RATES OF COMPENSATION FOR EMPLOYEES OF THE MASON MUNICIPAL COURT AND DECLARNG AN EMERGENCY

A motion to read by title only was made by Councilmember Staten, seconded by Vice Mayor Fox. VOTE: ALL YEAS

Councilmember Staten suggested this legislation be tabled until details on the amendments can be supplied. He stated they have no information on the changes for this legislation. Councilmember Pelfrey stated she and Councilmember Grossmann had reached an agreement with Clerk of Court, Neal Huffman and he was to see administration received the changes. She said apparently that did not happen. Vice Mayor Fox said he would still like to see a financial projection as to what revenue the court will bring in and what their expenses will total. Judge Parker stated the Court should not be held responsible for items in the budget for which they cannot legally pay. He said the \$130,000 for the prosecutor should not be included in his budget. He stated he received two different sets of figures from the City within a five-day period. Councilmember Staten requested the Judge and Clerk of Courts receive a copy of the new ordinance once it becomes available.

A motion to table this legislation until the first meeting in October was made by Councilmember Staten, seconded by Councilmember Beck. VOTE: 4 YEAS, 3 NAYS (Grossmann, Pelfrey, Kidd)

ORDINANCE 2002-115 AUTHORIZING THE EXPENDITURE OF FUNDS BY THE MASON MUNICIPAL COURT FOR THE PURCHASE OF COMPUTER HARDWARE, SOFTWARE, AND SERVICE FOR THE NEW MASON MUNICIPAL COURT FACILITY, AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER AND DECLARING AN EMERGENCY

A motion to read by title only was made by Councilmember Kidd, seconded by Vice Mayor Fox. VOTE: ALL YEAS

A general discussion took place between Council and Judge Parker regarding this request. Judge Parker stated they have reviewed the request and feel this is what they require to function in an efficient manner. He said they have equipped the workstations as drawn by the City in the design of the building. Councilmember Staten asked who the consultant was and Judge Parker replied James Hall with Buckeye Computer. Councilmember Staten asked if this is whom they were buying the equipment from. Judge Parker said yes. Councilmember Staten said the first rule is never buying from your consultant as it presents a conflict of interest. Councilmember Kidd stated the Court has examined other court systems to arrive at the decision of what they need. He stated the funds for this equipment are coming out of the Court Computer Fund not the City's General Fund. Councilmember Grossmann suggested purchasing three printers now and if needed, add more in the future. Judge Parker stated why should they do it half way now when they have the funds to do it the complete way.

A motion to amend the ordinance to remove the phrase "according to specifications set forth by the City" was made by Councilmember Staten. The motion was seconded by Councilmember Grossmann. VOTE: ALL YEAS

A motion to adopt Ordinance 2002-115 was made by Councilmember Pelfrey, seconded by Councilmember Kidd. VOTE: 4 YEAS, 3 NAYS (Fox, Staten, Beck)

Legislation is adopted but because there were not five affirmative votes, the emergency clause does not go into effect. The effective date of Ordinance 2002-115 is thirty days from passage.

ORDINANCE 2002-127 AMENDING THE CODE OF ORDINANCES OF THE CITY OF MASON, OHIO, TO ADD SECTION 133.05 REGARDING CITY MANAGER PURCHASING AUTHORITY

A motion to read by title only was made by Vice Mayor Fox, seconded by Councilmember Staten. VOTE: ALL YEAS

Ken Schneider stated this legislation was requested by Council at the last meeting. He said this brings the City Manager's purchasing authority up to the level approved by the State of Ohio.

A motion to suspend the rule and allow for adoption after the first reading was made by Councilmember Grossmann, seconded by Councilmember Kidd. VOTE: ALL YEAS

A motion to adopt Ordinance 2002-127 was made by Councilmember Staten, seconded by Councilmember Grossmann. VOTE: 5 YEAS, 2 NAYS (Beck, Staten)

ORDINANCE 2002-128 CREATING THE DIVISION OF FACILITIES MAINTENANCE AND CREATING THE POSITION OF FACILITY MANAGER IN THE DIVISION OF FACILITY MAINTENANCE AND ESTABLISHING COMPENSATION

A motion to read by title only was made by Councilmember Kidd, seconded by Councilmember Staten. VOTE: ALLYEAS

Eric Hansen explained to Council the staff and the Council Building Committee have researched how best to maintain the City's investment in the new Municipal Center. After looking at several options, it became apparent an in-house facility manager position would be necessary to provide the coordination/supervision as well as facility maintenance expertise to most cost effectively and appropriately care for the facility. Scot Lahrmer stated most communities hire a facility manager when they have a building that contains 50,000 square feet of space. The new municipal center will be over 120,000 square feet.

Councilmember Beck and Grossmann expressed concern over adding new staff. Councilmember Beck asked if the position would be posted or would it go to the temporary person the City has recently hired. Eric Hansen stated it would be posted. Councilmember Grossmann asked how we do it today. Scot Lahrmer stated we contract out the cleaning duties, which are minimal, and the Public Works Department handles the minor things that arise. Any major problem is contracted out. Eric Hansen stated the problem with contracting out is you do not always get an objective opinion; it's inconvenient because they are not on site and it is costly. He added, a facility manager could perform preventative maintenance and make sure the warranties are enforced. Richard Fair stated the current person in this position has already helped the City because he had knowledge of the chillers and the level of hardness in the water they would tolerate. He said adjustments had to be made with the GCWW to correct the problem before any damage was done to the equipment. Councilmember Staten said the systems in this building are of a technical nature and require trained personnel. He also pointed out this position can maintain the City's other locations. Mayor McCurley requested a full job description. Councilmember Grossmann asked to see the research on hiring consultants. Eric Hansen stated the Community Center will be maintained by the School.

A motion to suspend the rule and allow for adoption after the first reading was made by Councilmember Staten, seconded by Vice Mayor Fox. VOTE: ALL YEAS

A motion to adopt Ordinance 2002-128 was made by Councilmember Pelfrey, seconded by Vice Mayor Fox. VOTE: 5 YEAS, 2 NAYS (Beck, Grossmann)

CITY MANAGER'S REPORT

A Council Walk-About will take place on September 23, 2002 at the new Community Center. It will begin at 5:30 p.m.

The Sunshine Concert Series has been rescheduled for September 14, 2002. The group Hot Wax will perform at 7:00 p.m.

The 2001 Risk Management Innovation Award has been received by the City's Public Utilities Department. This award is presented by the Miami Valley Risk Management Association.

COMMITTEE REPORTS

Councilmember Staten gave a review of the items the Planning Commission addressed at the September 2, 2002.

Councilmember Beck reported on the Veteran's Memorial Committee. He gave the schedule of their future meetings and stated they are working on assisting the Rotary with a golf outing, as 30% of the proceeds will be donated to the memorial. He also reported on the OKI organization.

COUNCIL OLD AND NEW BUSINESS

Vice Mayor Fox suggested the area where Rebers use to be located be transformed into a small park.

Councilmember Kidd stated he was made aware by a resident the stickers for grass clippings are not used in other communities. He asked why we go through this procedure. Eric Hansen replied it is part of the contract with Rumpke. He said they are not allowed to pick it up and mix it with other rubble per the EPA so the City has negotiated the option for the residents to have this service if a sticker is applied. He stated it is a financial loss for Rumpke.

Councilmember Kidd also stated the residents of Trailside Acres are concerned about the possibility of a mall being built behind Krogers. He asked how much money has been collected from the onset of the Stormwater Utility.

Councilmember Beck asked for a report on the agreement with Four Bridges for use of the City's affluent. He would like to know the financial status. He also stated the area of

St. Rt. 42 in front of the Indoor Soccer business is a problem. He asked when are they correcting this. Richard Fair will review the matter.

Councilmember Pelfrey asked for the status of the Snider Road extension. Scot Lahrmer stated it will be discussed at the next work session.

Vice Mayor Fox asked if Rumpkle is restricted by the language in their contract at which time they can begin to collect trash. He said it has been at 4:00 a.m. for the last two weeks at his home. He stated it was the recycle truck.

Councilmember Pelfrey asked about marketing for the Community Center. She stated Deerfield Township is concerned they may not receive all the information if it is just sent through the school backpack. Eric Hansen stated the School newsletter will be used and it is sent to every resident in the school district. Scot Lahrmer stated passes will be available soon.

Mayor McCurley asked for a motion to add an executive session for the purpose of discussing land acquisition. Councilmember Kidd moved to add an executive session for the purpose of discussing land acquisition. The motion was seconded by Councilmember Pelfrey. VOTE: ALL YEAS

RECOGNITION OF VISITORS--None

EXECUTIVE SESSION

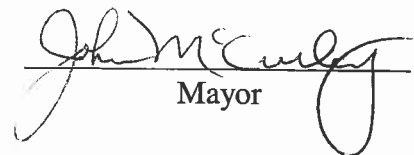
Vice Mayor Fox moved Council go into executive session, seconded by Councilmember Staten. VOTE: ALL YEAS

Councilmember Staten moved to reconvene into regular session, seconded by Vice Mayor Fox. VOTE: ALL YEAS

ADJOURN

A motion to adjourn was made by Councilmember Staten, seconded by Councilmember Kidd. VOTE: ALL YEAS
TIME: 10:29 p.m.


Clerk of Council


Mayor