

**CITY OF MASON
COUNCIL MEETING
MAY 23, 2005**

Mayor Beck called the meeting to order at 7:05 p.m. Those present recited the pledge of allegiance.

ATTENDANCE

The following members of Council were present: Steve Osborne, Tom Grossmann, John McCurley, Charlene Pelfrey and Peter Beck. Victor Kidd joined the meeting at 7:15 p.m. Tony Bradburn was absent.

APPROVAL OF MINUTES

A motion to approve the minutes from the May 9, 2005 Council meeting was made by Vice Mayor Pelfrey, seconded by Councilmember Osborne. VOTE: ALL YEAS

RECOGNITION OF DARE ESSAY CONTEST WINNERS

Officer Jamie Van Wagner introduced essay contest winners Cassie Gerhardstein, Charlie Fiessigner, Audrea Bortolotto and Emily Haynes who read their winning essays.

RECOGNITION OF WILL BECKER OF MASON CITY SCHOOLS

Mayor Beck prevented a Proclamation to retiring school principal Will Becker.

RECOGNITION OF VISITORS

Kathy Sherman of 106 W. Church Street addressed Council and referred to an article that appeared in the local paper 6 years ago. She said it suggested the cost of sidewalk repair be shared with the property owner and the city. Scot Lahrmer stated the city's policy has been that is the responsibility of the property owner. He said some are repaired or installed when bike paths are being installed in an area. He added the program has been discussed in the past but no changes have been implemented. Vice Mayor Pelfrey suggested the matter be referred to Safety Committee. She said she walks Church Street often and is concerned about the safety of pedestrians in this area. Kathy Sherman stated when festivals are in town, that places a lot more pedestrians on the sidewalk. Mayor Beck referred the matter to Safety Committee.

Matt Kline of Chapel Lane addressed Council and thanked them for extending the contract to Scot Lahrmer for City Manager.

**ORDINANCE 2005-59 APPROVAL OF THE REPLAT OF WALL 2 WALL PUD,
LOTS 5,6 AND 7**

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

Richard Fair explained the owner of Wall 2 Wall is requesting approval to replat Lots 5, 6 and 7 in the Wall 2 Wall PUD. This replat will consolidate lots 5, 6 and 7 into one lot, Lot 5A, consisting of 6.403 acres. This lot will be the future site of Megee's Courts 4 Sports recreational facility. Richard stated Planning Commission recommends approval of the replat.

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

A motion to adopt Ordinance 2005-59 was made by Vice Mayor Pelfrey, seconded by Councilmember Osborne. VOTE: ALL YEAS

ORDINANCE 2005-60 APPROVAL OF THE FINAL PLAT FOR LANDING OF OAKWOOD LAKES, SECTION 2, BLOCK A

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

Richard Fair explained to Council, Shawna Rosemond with Grand Communities, Ltd., is requesting the approval of The Landing at Oakwood Lakes, Section 2, Block A record plat. He stated Fischer Homes is completing the remaining area of Oakwood Lakes that was previously owned by Erpenbeck Homes. Section 2, Block A is located south of The Landing of Oakwood Lakes, Section One, and east of the Western Row Golf Course. A multi-family building with 8 units is proposed on 1.5640 acres. Richard added Planning Commission recommends approval of the final plat contingent on the final approval by Greater Cincinnati Water Works (GCWW) and the submission of a performance bond and subdivider's contract

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

A motion to adopt Ordinance 2005-60 was made by Vice Mayor Pelfrey, seconded by Councilmember Grossmann. VOTE: ALL YEAS

ORDINANCE 2005-61 AUTHORIZING THE CITY MANGER TO ENTER INTO A CONTRACT WITH SUTPHEN CORPORATION OF COLUMBUS, OHIO OF THE PURCHASE OF ONE 2005 FIRE RESCUE-PUMPER AND DECLARING AN EMERGENCY

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

Eric Hansen explained the purpose of this legislation is to provide a vehicle that can provide fire suppression, rescue (Jaws of Life) and emergency medical aid to the residents of the City of Mason. Eric stated based on a preliminary Insurance Service Organization (ISO) assessment of the City of Mason Fire Department, a minimum of three pumper trucks, one additional reserve pumper truck and at least one ladder truck are needed in order to meet the minimum ISO standards. Given the ISO requirements, and considering the age and condition of the City's current 1976 Hahn, the need for a replacement pumper has become a priority. Eric said a departmental committee was established in order to provide preliminary specifications for the apparatus. The City has a history of utilizing the State's cooperative purchasing process in an effort to achieve maximum cost savings on equipment and vehicle purchases. Eric added Sutphen Corporation, which is located in Columbus, provided a State bid based price of \$445,673 which was thoroughly reviewed by staff for each specification. The Sutphen pumper will best meet the overall needs of the department and this vehicle is modestly priced at over \$100,000 less than the next lowest bid. Eric concluded the purchase of a new pumper was approved by the Equipment and Finance Committees and included in the 2005 budget. The Safety Committee has reviewed the proposed purchase and recommends adoption.

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

A motion to adopt Ordinance 2005-61 was made by Councilmember Grossmann, seconded by Vice Mayor Pelfrey. VOTE: ALL YEAS

ORDINANCE 2005-62 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH 32 FORD FOR THE PURCHASE OF ONE (1) 2006 FORD EXPEDITION

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

Eric Hansen explained to Council Police Cruiser #12 a 2004 Crown Vic with 16,000 miles, was damaged in a traffic accident several weeks ago. Estimates to repair the damage are in excess of \$20,000, exceeding the value of the vehicle. He stated the City's insurance program, MVRMA, pursued subrogation with the at-fault driver and their insurance company has settled a claim with the City for \$17,317. Staff is recommending that the 2004 Crown Vic be replaced with a four-wheel drive SUV. Eric added the Ohio State Bid program lists a Ford Expedition that meets the needs of the Police Department for this type of vehicle. The regular price for a Ford Crown Vic on the State Bid program is approximately \$21,500. The price for the Ford Expedition, with options, is \$25,541. Council's Safety Committee met to discuss adding a four-wheel drive vehicle to the Police fleet and recommended approval.

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

A motion to adopt Ordinance 2005-62 was made by Councilmember McCurley, seconded by Vice Mayor Pelfrey. VOTE: ALL YEAS

ORDINANCE 2005-63 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH SOUTHEASTERN EQUIPMENT CO., INC. FOR THE PURCHASE OF ONE 2005 BRUSH CHIPPER

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

Eric Hansen explained to Council one of two brush chippers currently used by the Public Works Department is a 1993 Vermeer 1250 model. This chipper has been used for both residential brush pickup services, and for other street and right-of-way maintenance projects throughout the City. This 1993 chipper has provided year-round brush chipping services for the last 12 years. Eric stated staff is recommending replacement of the Vermeer chipper, as the demand for brush chipping services requires a larger brush chipper and the maintenance costs associated with maintaining an older brush chipper have become excessive. He stated Public Works has experienced a 577% increase in demand for brush chipping service in the last ten years. Eric concluded the actual State Bid price for the New Bandit Model 1890 chipper is \$35,243, after subtracting the \$5,000 trade-in allowance for the 1993 Vermeer chipper. As part of the 2005 budget process, both the Equipment Committee and the Finance Committee of Council discussed and recommended the replacement of this chipper.

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

A motion to adopt Ordinance 2005-63 was made by Councilmember Kidd, seconded by Vice Mayor Pelfrey. VOTE: ALL YEAS

ORDINANCE 2005-64 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH INTERNATIONAL TRUCK AND ENGINE CORPORATION FOR THE PURCHASE OF ONE (1) 2005 INTERNATIONAL DUMP TRUCK

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

Eric Hansen explained the Public Works Department fleet currently includes twelve Class 8 General Motors (Chevy and GMC) dump trucks, which are used for street maintenance, snow and ice removal, and other maintenance projects throughout the City. One Chevy 1993 truck has exceeded the City's scheduled vehicle replacement date, and is incurring increasing maintenance costs. Eric explained International has secured the

Ohio State Bid for a Class 8 Cab and Chassis trucks for the past twenty-three years and GM dealers are no longer able to compete with the State Bid price. Virtually all local jurisdictions, including ODOT and the City of Cincinnati, utilize International trucks for their Class 8 trucking fleets. Given the quality of equipment and the consistency of International's history with the State Bid programs, staff is recommending that new and replacement Class 8 trucks be International brand vehicles. Eric added the 2005 Budget included \$85,000 for the replacement of this 1993 truck. The actual state bid purchase price for the new truck from *International Truck and Engine Corporation* is \$83,524, which includes a stainless steel bed, the calcium-chloride storage tanks, and liquid distribution system. He stated the City will purchase a snowplow, a stainless steel "V" box, and the salt spreader from a separate vendor after the truck has been ordered. The existing 1993 truck will then be declared surplus and auctioned. Both the Equipment Committee and the Finance Committees of Council have discussed this matter and recommended the replacement of this vehicle.

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

A motion to adopt Ordinance 2005-64 was made by Councilmember Osborne, seconded by Councilmember Osborne. VOTE: ALL YEAS

ORDINANCE 2005-65 AUTHORIZING ACQUISITION OF AN EASEMENT FOR THE STORM SEWER ON THE JAMES D. AND CHERYL A. WESLEY PROPERTY AT 110 S. WEST STREET

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

Richard Fair explained to Council over the past year, the Engineering and Building Department has been working to finalize the design and acquire the right-of-way needed to construct a new storm sewer. The new storm sewer system begins at the intersection of First Avenue and South Forest, continues across the Library property to South East Street and discharges into the Muddy Creek. Richard stated the proposed agreement provides for acquisition of the necessary twenty (20) foot permanent easement and landscape damages in return for payment to Mr. and Mrs. Wesley of \$11,200.

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

A motion to adopt Ordinance 2005-65 was made by Vice Mayor Pelfrey, seconded by Councilmember Osborne. VOTE: ALL YEAS

ORDINANCE 2005-66 AUTHORIZING PAYMENT OF \$50,000.00 TO FESTIVALS OF MASON, INC. IN SUPPORT OF THE 2005 HERITAGE FESTIVAL AND CHRISTMAS IN MASON

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

Scot Lahrmer explained to Council last year, the City entered into an agreement to provide funding and organization to the festivals held in Mason. This year, Festivals of Mason has requested funding in the amount of \$50,000 to support the Heritage Festival and Christmas in Mason. This is an increase of \$5,000 over what the City paid in 2004. Scot said the City is the primary financial backer of the event and provides other resources and hundreds of man-hours to make the event successful.

Vice Mayor Pelfrey introduced Tom Kaper who is the director of the Festivals of Mason. She also distributed an operating budget for this year's festivals.

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

A motion to adopt Ordinance 2005-66 was made by Councilmember Grossmann, seconded by Vice Mayor Pelfrey. VOTE: ALL YEAS

ORDINANCE 2005-67 ADOPTION AND IMPLEMENTATION OF NATIONAL INCIDENT MANAGEMENT SYSTEM INTO CITY OF MASON EMERGENCY SERVICES OPERATIONS

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

Eric Hansen explained to Council in his Homeland Security Presidential Directive (HSPD-5), President Bush directed the development and administration of the National Incident Management System. The NIMS provides a consistent nationwide approach for federal, state, local and tribal governments to work together to prepare, prevent, respond, and recover from domestic incidents, regardless of cause, size or complexity. He stated all federal departments and agencies are required to adopt the NIMS and use it in their individual domestic incident management and emergency prevention, preparedness, response, recovery, and mitigation activities, as well as support of all actions taken to assist state or local entities. Beginning in federal fiscal year 2005 (October 1, 2004 – September 30, 2005), adoption of the NIMS by state, local, and tribal governments is a prerequisite for those agencies receiving federal preparedness assistance through grants, contracts and other activities. Eligibility for the award of federal funds will be predicated on the political subdivision first adopting, and then fully complying with the NIMS system, within their jurisdiction.

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

A motion to adopt Ordinance 2005-67 was made by Councilmember McCurley, seconded by Vice Mayor Pelfrey. VOTE: ALL YEAS

ORDINANCE 2005-68 APPROVAL OF A CONDITIONAL USE PERMIT TO CONSTRUCT AN ANIMAL HOSPITAL ON A 2.29 ACRE PARCEL LOCATED NORTH OF SNIDER ROAD ON THE WEST SIDE OF READING ROAD IN A B-3 ROAD SERVICE DISTRICT

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

Scot Lahrmer stated the public hearing on this legislation would take place on June 27, 2005 at approximately 7:05 p.m.

ORDINANCE 2005-69 AMENDING THE ZONING CODE AND ZONING MAP OF THE CITY OF MASON, OHIO, TO PROVIDE FOR THE REZONING OF APPROXIMATELY 1.577 ACRES FROM R-1 RESIDENTIAL TO BUSINESS PUD, 1.544 ACRES FROM HT-1 TO BUSINESS PUD WITH APPROVAL OF THE CONCEPT PLANNED UNIT DEVELOPMENT PLAN FOR WHITE BLOSSOM PUD EXPANSION (WALGREENS); AND TO PROVIDE FOR THE REZONING OF APPROXIMATELY 1.688 ACRES FROM R-1 RESIDENTIAL TO HT-1

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

Scot Lahrmer stated the public hearing on this legislation would take place on June 27, 2005 at approximately 7:10 p.m.

CITY MANAGER'S REPORT

Scot Lahrmer reported on the following:

City offices will be closed on Monday, May 30 in observance of Memorial Day. The annual Memorial Day parade will begin at 10:00 a.m. in downtown and Council members are invited to participate in the parade.

City Council and the Chamber Board will meet on Tuesday, May 31 at 5:00 p.m. at Basco. Dinner will be provided.

The Lou Eves Municipal Pool will open for its 10th season on Saturday, June 4 at noon and will continue daily operation until August 22 from noon to 9:00 p.m. The pool will also be open on August 27-28 and Labor Day weekend, September 3, 4, and 5.

Groundmasters have been contacted regarding their hiring practices.

COMMITTEE REPORTS

Vice Mayor Pelfrey requested a meeting be scheduled to continue the City Manager review and to finalize a survey. She asked Scot to schedule the meeting.

COUNCIL OLD AND NEW BUSINESS

Vice Mayor Pelfrey stated the Lexington Square apartments are in need of repair. She stated the roof needs work and there is mold present in the structure. She asked if the City wants to repair this building or is it time to demolish it. She added it was planned for parking. Mayor Beck agreed it was planned for parking. Scot Lahrmer stated they are getting an estimate on the work that would be required. He said he will report back to the Downtown Committee of Council. Vice Mayor Pelfrey thanked Council for allowing her to attend the Leadership Warren County program. She stated graduation is June 8, 2005 and all are invited. Vice Mayor Pelfrey also noted Officer Matt Hayes was recognized at the Officer of the Year at the Police Awards Banquet. She also mentioned the art work is being planned for the completion of the lobby at the Municipal Center and she will have more information on that in the near future. Details of Council's participation in the Memorial Day Parade were discussed.

Mayor Beck stated the parade is at 10:00 on Memorial Day and begins at the American Legion. He also mentioned the Library Reading Program with the Mayor and the Kings Island premiere of the new ride the Italian Job.

RECOGNITION OF VISITORS NONE

EXECUTIVE SESSION

A motion to adjourn into executive session for the purpose of discussing land acquisition was made by Councilmember Osborne, seconded by Councilmember Kidd. VOTE: ALL YEAS

A motion to reconvene into regular session was made by Councilmember Grossmann, seconded by Councilmember Osborne. VOTE: ALL YEAS

ADJOURN

A motion to adjourn was made by Councilmember Grossmann, seconded by Vice Mayor Pelfrey. VOTE: ALL YEAS

TIME: 9:30 p.m.


Clerk of Council


Mayor