

**CITY OF MASON
COUNCIL MEETING
OCTOBER 10, 2005**

Mayor Beck called the meeting to order at 6:00 p.m. Following a prayer by Chaplain Tom Moll, those present recited the pledge of allegiance.

ATTENDANCE

The following members of Council were present: Steve Osborne, Tony Bradburn, Tom Grossmann, John McCurley, Charlene Pelfrey and Peter Beck. Victor Kidd joined the meeting at 6:55 p.m.

APPROVAL OF MINUTES

A motion to approve the minutes of the September 26, 2005 council meeting was made by Vice Mayor Pelfrey, seconded by Councilmember Osborne. VOTE: ALL YEAS

BECKY OSBORNE—MAKE A DIFFERENCE DAY

Mayor Beck introduced Becky Osborne who presented details of this years "Make a Difference Day". She stated the event will be held on Saturday October 22, 2005. She explained they will concentrate on four projects: Park Beautification, Blanket Making, Collecting for area needy teenagers and joining with the Chamber to collect supplies to the victims of Katrina.

FIRE REPORTS

David Manning and Bill Quinn representing the IAFF addressed Council and presented their report on the Fire Departments actions at the Crooked Tree Subdivision fire. He addressed many of the items that have been mentioned by the independent reports. (See attached IAFF report.) Councilmember Grossmann asked how many responded to the fire. Mr. Manning replied 17 arrived in 16 minutes. He added 12 were from the City department. He also stated there were 7 there within 9 minutes. Mr. Manning also said it could be argued they did have 2 in/ 2out. He said it is hard to fill part time positions with qualified personnel. Mr. Quinn said fire fighters make changes every second when fighting a fire due to circumstances. Mayor Beck stated we have identified problems and he is alarmed by the graphs on response time. He also said staffing is not acceptable. He directed the City Manager to come to the next Council meeting with a full recommendation on how to resolve these issues. Councilmember Kidd stated the recommendations from the Safety Director, Chief Ferrell should be include in the decisions. Councilmember McCurley asked about mutual aid. Mr. Manning stated there is no guarantee the surrounding departments will respond. Mr. Quinn stated you don't want to rely on that when planning your fire protection. Councilmember Osborne clarified that staffing and quickness of response time are factors. Mr. Manning stated

yes, we currently cannot meet the NFPA 1500 Standard. Vice Mayor Pelfrey mentioned the Tri Data Fire is a proactive approach for organization structure and issues.

RECOGNITION OF VISITORS

Michael Clemmons of 936 Essex Drive addressed Council and criticized them for letting information get out to the public. He said his calls to Councilmembers when unreturned. He said the bottom line is this incident will affect the property values. Council collectively stated they were not aware of any messages they had received that had not been returned.

Clyde Shields of 5635 Lakeview Drive addressed Council and stated the Fire Department was responsible for saving his life.

RESOLUTION 2005-15 PROCLAIMING SUPPORT OF STATE ISSUE 1 AMENDING THE OHIO CONSTITUTION TO AUTHORIZE THE ISSUANCE OF GENERAL OBLIGATIONS OF THE STATE TO FINANCE LOCAL GOVERNMENT PUBLIC INFRASTRUCTURE CAPITAL IMPROVEMENTS, RESEARCH AND DEVELOPMENT, AND THE DEVELOPMENT OF CERTAIN SITES AND FACILITIES IN OHIO, AND TO EXPAND STATE AND LOCAL GOVERNMENT AUTHORITY REGARDING ECONOMIC DEVELOPMENT

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

Eric Hansen explained to Council the purpose of this legislation is to generate public attention and support for the *Jobs for Ohio* bond issue, which is Issue 1 on the November 8th ballot. Issue 1 will help create and keep more quality jobs for Ohioans without raising taxes. Eric stated the following:

- Issue 1 will renew the State Capital Improvements Program (SCIP) of the Ohio Public Works Commission at the highest level in 20 years. \$1.35 billion will be generated over 10 years.
- Issue 1 will provide \$500 million in investment for research and development over seven years as part of the Third Frontier Program to promote innovation and create high paying jobs for Ohio.
- Issue 1 will authorize \$150 million over seven years through the Job Ready Sites Program to assist local communities in preparing on-site and off-site infrastructure. This will make sites more attractive for immediate business activity.

He added the SCIP Grant program assists in financing public infrastructure capital improvements of local governments including roads and bridges, waste water treatment systems, water supply systems, solid waste disposal facilities, storm water and sanitary collection, storage and treatment facilities. Ohio voters adopted this program in 1987 with a sunset provision of 10 years. In 1995 voters renewed it and the program was re-

authorized for another 10-year period. If the voters approve Issue 1, it would continue the program. Over the last several years, the City has enjoyed considerable success in pursuing SCIP funds receiving just under five million dollars.

Eric further stated the City submitted a pre-application for \$2,194,749 in SCIP funds for Mason Road Widening in 2006 and 2007 in hopes that the program is extended. The 7,300 feet of road widening is currently under design.

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

Councilmember Grossmann stated he still had some reservations on this matter and wanted more clarification on what items the funds allocated for research would be used.

A motion to adopt Resolution 2005-15 was made by Councilmember Kidd, seconded by Vice Mayor Pelfrey. VOTE: 5 YEAS, 1 NAY (Grossmann), 1 ABSTAIN (Pelfrey)

RESOLUTION 2005-16 CONSENTING TO APPOINTMENTS OF MEMBERS OF THE BOARD OF DIRECTORS OF MASON PORT AUTHORITY

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

Scot Lahrmer explained to Council the following community representatives have agreed to serve on the board of the Mason Port Authority:

Craig Ross November 1, 2005 – October 31, 2006
Jim Ashworth November 1, 2005 – October 31, 2006
Gordon Hullar November 1, 2005 – October 31, 2007
David Smith November 1, 2005 – October 31, 2008
Betty Davis November 1, 2005 – October 31, 2009

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

A motion to adopt Resolution 2005-16 was made by Councilmember Bradburn, seconded by Councilmember Kidd. VOTE: ALL YEAS

ORDINANCE 2005-120 APPROVAL OF THE FINAL PLAT FOR THE LANDING OF OAKWOOD LAKES, SECTION 2, BLOCK B

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

Richard Fair explained to Council the developer is requesting the approval of the Landing at Oakwood Lakes, Section 2, Block B record plat. He stated as you may recall, Fischer

Homes is completing the remaining area of Oakwood Lakes that was previously owned by Erpenbeck Homes. Section 2, Block B is located south of The Landing of Oakwood Lakes, Section One, and east of the Western Row Golf Course. Nine (9) multi-family buildings with are proposed on approximately 16 acres. Richard also said Planning Commission recommends approval of the final plat contingent on the following:

1. Submit 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 Osborne, seconded by Councilmember McCurley. VOTE: ALL YEAS

A motion to adopt Ordinance 2005-120 was made by Councilmember Osborne, seconded by Councilmember Kidd. VOTE: ALL YEAS

ORDINANCE 2005-121 CREATING ONE ADDITIONAL SERGEANT POSITION IN THE MASON POLICE DEPARTMENT, ELIMINATING THE VACANT COURT SERVICES LIAISON POSITION AND DECLARING AN EMERGENCY

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

Eric Hansen explained to Council Ordinance 2005-114, adopted by Council at the September 9th meeting, acknowledged the Police Department's responsibility for security of Mason Municipal Court and authorized agreements with Municipal Court to fulfill this obligation. He said it is now appropriate to authorize staffing within the Police Department to provide the resources necessary to meet the Department's new obligation. There is currently a vacant position in the Police Department of Court Services Liaison filled by a Police Sergeant and vacated earlier this year with his retirement. The position had originally been intended to spend approximately half their time providing security services for Court and the other half on Police specific assignments. As Municipal Court made separate security arrangements, the security role for the Liaison position diminished. Ordinance 2005-121 replaces the vacant position with an additional Police Sergeant role intended to provide supervisory responsibility for Court security.

Eric further explained Ordinance 2005-122 creates two full-time, non-officer security positions within the Mason Police Department. Once filled, these positions will provide non-sworn police employees to staff the security and prisoner transport functions for Municipal Court. There may also arise the need for additional part-time or temporary security assistance as Court activity or hours may vary on occasion. Recruiting for these positions will be open, and follow a similarly thorough process as for sworn police officers (background, polygraph, psychological, etc.) Recruiting will begin soon after approval and I anticipate the City positions being filled in early 2006. Municipal Court's current staffing schedule has two positions dedicated to security and compensated out of the Court's Special Project Fund. The Police Department has met with these individuals and begun basic background checks and training on Police policies with them. The intention is that to the extent they meet the basic background and training expectations of

the Police Department, they will be utilized under Police direction on an interim basis while remaining as employees of Mason Municipal Court. These individuals may apply for the City approved positions. But once the full-time City positions are filled, the Police Department will assume full responsibility for Municipal Court security as outlined by the Ohio Supreme Court.

Eric concluded at the last meeting, Judge Parker indicated that he was willing to consider transferring as much funds as the law would allow from Court's Special Projects Fund to the General Fund to help cover the expense of these personnel, but this issue will likely need to be revisited annually and remains at Court's discretion.

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

Councilmember Kidd asked for clarification on the amount of security required. He questioned if it was necessary to hire a full time sergeant to supervise two court personnel. Eric stated it is recommended it be covered at all times. Mayor Beck asked if these positions will be filled within the department. Eric stated there is an eligibility process that will be followed.

A motion to adopt Ordinance 2005-121 was made by Councilmember Osborne, seconded by Councilmember Kidd. VOTE: ALL YEAS

ORDINANCE 2005-122 CREATING TWO FULL-TIME COURT SECURITY POSITIONS IN THE MASON POLICE DEPARTMENT AND DECLARING AN EMERGENCY

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

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

A motion to adopt Ordinance 2005-122 was made by Councilmember Osborne, seconded by Councilmember Kidd. VOTE: ALL YEAS

ORDINANCE 2005-123 AUTHORIZING THE CITY MANAGER TO EXECUTE A CHANGE ORDER TO THE EXISTING AGREEMENT BETWEEN THE CITY OF MASON AND LJB, INC. FOR THE DESIGN ENGINEERING AND PROPERTY ACQUISITION SERVICES NECESSARY FOR THE WIDENING OF WESTERN ROW ROAD FROM 2,100 FEET WEST OF MASON-MONTGOMERY ROAD TO THE TYLERSVILLE ROAD

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

Richard Fair stated the Engineering Department sent out requests for proposals in 2003 for engineering services for Western Row Road widening. City Council awarded the project to LJB for \$285,084 and consisted of 7,500 feet of widening from Tylersville Road to 2,100 feet west of Mason-Montgomery Road. The west project limit was the widened pavement in front of Mason Christian Village. Richard explained through the course of project meetings and discussions with LJB, the profile and drainage in front of Mason Christian Village was analyzed. The existing profile is very flat and does not allow for proper drainage, which will accelerate deterioration of the roadway. He said staff recommends that the west project limits be extended about 1,800 feet west, to the eastern project limit of the Western Row Road and Snider Road Improvement Project. Extending the project will allow for the construction a new profile to improve the drainage condition, the addition of curb and gutter and storm sewer and the connection of the sidewalk along the north side of Western Row Road. Extending the existing bike path on the south side is part of the original contract.

Richard added the engineering services outlined in LJB's proposal for the additional 1,800 feet includes roadway design, field surveying, right-of-way design and acquisition, maintenance of traffic and utility coordination for a fee of \$63,447.

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

A motion to adopt Ordinance 2005-120 was made by Councilmember Osborne, seconded by Councilmember Kidd. VOTE: ALL YEAS

ORDINANCE 2005-124 ESTABLISHING AND NAMING RUTH CHESNEY WAY

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

Scot Lahrmer explained to Council there currently exists an un-named 16' alley adjacent to the north property line of the People's Building Loan & Savings. This 16' wide by 330' long alley runs between South Forest Avenue and Reading Road and is opposite Walter E. Chesney Way named after Ruth's husband. He said Ruth is a long time resident of Mason being the former president of the People's Building Loan & Savings. At the September 26 council meeting, Council requested an ordinance effecting this change.

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

Councilmember McCurley and Don Williams spoke in favor of this legislation stating it was well deserved.

A motion to adopt Ordinance 2005-120 was made by Councilmember Osborne, seconded by Councilmember Kidd. VOTE: ALL YEAS

ORDINANCE 2005-125 AMENDING SECTION 1187.07 OF THE 2003 REVISED SIGN CODE OF THE CITY OF MASON, OHIO

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

Scot Lahrmer stated the public hearing for this legislation will be held on November 14, 2005 at approximately 7:05 p.m.

CITY MANAGER'S REPORT

Scot Lahrmer reported on the following items:

◆Public Works employees Curt Clouse and Travis Siders participated in the annual Snow Plow Rodeo on Thursday, October 6 and both drivers placed in the top 25 of the contestants.

◆There will be a ribbon cutting on Monday, October 17 at 4:30 p.m. for “one restaurant and lounge” at 202 West Main Street, hosted by the owners, Sean, Jennifer and Seth Kagy. All Council members are invited to attend.

◆The James Horning family bought a park bench and a tree as a memorial to their son, who was killed in a car accident on October 18, 2004. The bench and tree will be dedicated on Saturday, October 15 at 4:00 p.m. at Hosea Woods Park. James was a student at Mason High School. City Council members are invited to attend.

COMMITTEE REPORTS

Vice Mayor Pelfrey stated there has been a break down of communication between the Fire Department, Administration and Council. She requested to view the submitted budget from the Fire Department prior to review and changes done by Administration. She said she would like the Safety Committee to review the original budget request.

Councilmember Osborne stated he as received several calls and emails regarding changes at the Community Center. He reported the Employee Relations Committee is reviewing the situation.

COUNCIL OLD AND NEW BUSINESS

Vice Mayor Pelfrey asked about the status of the Snider Road extension. Richard Fair stated he would check on the status.

Mayor Beck reported on his participation on the Southwest Ohio Regional Governing Board and the Reading with the Mayor program at the Mason library. He also noted the American Legion is collecting old and damaged flags for proper destruction. He also said the annual Chamber dinner will be held on October 12, 2005.

Councilmember Osborn noted the "Make a Difference Day" is scheduled for October 22, 2005.

RECOGNITION OF VISITORS None

ADJOURN

A motion to adjourn was made by Councilmember Bradburn, seconded by Councilmember Kidd. VOTE: ALL YEAS TIME: 8:50 p.m.



Clerk of Council



Mayor