

**CITY OF MASON  
COUNCIL MEETING  
JANUARY 23, 2006**

Mayor Pelfrey called the meeting to order at 7:05 p.m. Those in attendance recited the pledge of allegiance.

**ATTENDANCE**

The following members of Council were present: Victor Kidd, Tony Bradburn, Matt Kline, Todd Wurzbacher, Tom Grossmann and Charlene Pelfrey. Steve Osborne was absent.

**APPROVAL OF MINUTES**

A motion to approve the minutes of the January 9, 2006 Council meeting was made by Councilmember Kidd, seconded by Councilmember Kline. VOTE: ALL YEAS

**SWEAR IN MASON POLICE OFFICER AARON SHAFFER**

Chief Ferrell addressed Council and introduced Aaron Shaffer and provided background information on his education and experience. Mayor Pelfrey presented the oath of office to Officer Shaffer.

**RECOGNITION OF VISITORS**

Frank Miller of 422 Walnut Lane addressed Council and asked how the calculations were reached to get the projections for 2006 on the Community Center. He stated it is his opinion it will not be possible to break even on this project anytime soon. He suggested the City sell the Community Center to Deerfield Township and eliminate a drain on the City's General Fund. Mayor Pelfrey noted this is his third visit on this matter and while his comments are welcomed, the recently established Ad Hoc Committee is reviewing the matter and will report back to Council when the review is complete. Councilmember Kidd stated it was always the City 's intention to subsidize the center to a certain degree as an amenity to the residents. He sited Heritage Park as another venture that does not break even but is an amenity the City provides to the residents. Vice Mayor Grossmann stated while it is the intent to minimize the deficit; the center was built as a response to a survey given to Mason residents. Scot Lahrmer stated the survey determined what the people wanted and the center was built in an attempt to accommodate the most requested items.

Melissa Glass addressed Council and explained how great the need is for Big Brothers and Big Sisters in the Mason area and she asked anyone interested to contact her at 513-932-3966.

**ORDINANCE 2006-01 APPROVING AND AUTHORIZING THE EXECUTION OF A CONTRACT CREATING THE LIBERTY TOWNSHIP JOINT ECONOMIC DEVELOPMENT DISTRICT AND DECLARING AN EMERGENCY**

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

Michelle Blair addressed Council and provided background information regarding the lengthy negotiations with Liberty Township regarding the formation of a JEDD. She introduced John Fonner, Butler County TID Executive Director who provided information on the benefits of a JEDD. John West, Director of Planning and Zoning discussed the proposed zoning for the area. Dina Minneci, Liberty Township Administrator, addressed Council and explained the benefits of the JEDD included additional revenues over 40 years, as well as the regional cooperation will provide jobs for the area. She projected the income tax would not begin until June or July. Mayor Pelfrey opened the public hearing at 8:07 p.m. Donna Supple of 6491 Rosewood Lane addressed Council and stated she objected to Bethany Road being widened to five lanes and she felt this JEDD would force that to happen. She provided background information on what has occurred in the past with the residents in the area meeting with the representatives of the Southwest Warren County Transportation Task Force. Mayor Pelfrey stated the road improvement is shown on our thoroughfare plan and the development in Butler County may result in a large volume of traffic being dumped onto Bethany Road, which would increase the time frame for improvements. She stated a road improvement is not something that will be slipped through without public notice. Donna Supple stated she could have packed the room if they had more notice to this meeting. She said the Southwest Warren County Transportation Task Force agreed to widen the road to three lanes only and the residents were told they had the ultimate authority. Mayor Pelfrey asked Michelle Blair to give Donna Supple a copy of the JEDD agreement. Vice Mayor Grossmann asked if there is any requirements on the expenditure of the funds received from the JEDD. Scot Lahrmer stated the areas adjacent to the Butler County road improvements will be addressed first as they will be the ones impacted the most. He added Mason Road, Bethany Road and Butler Warren Roads are the ones we are committed to improving. Scot also stated the JEDD does not affect Mason tax payers in Mason because our taxes will remain the same. Councilmember Bradburn clarified if a resident works in the JEDD area, they will see an increase in their taxes. Councilmember Kidd asked what was the down side of the JEDD. Scot Lahrmer stated we are agreeing not to annex for the period of the agreement and we will see an increase on our roads but we would see that regardless. Mayor Pelfrey closed the public hearing at 8:20 p.m.

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 Ordinance 2006-01 was made by Councilmember Wurzbacher, seconded by Councilmember Kidd. VOTE: ALL YEAS

**ORDINANCE 2006-02 AUTHORIZING PAYMENT OF \$50,000.00 TO FESTIVALS OF MASON, INC. IN SUPPORT OF THE 2006 HERITAGE FESTIVAL AND CHRISTMAS IN MASON**

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

Scot Lahrmer stated in 2004, 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 the same amount City paid in 2005. He noted the City is the primary financial backer of the event and provides other resources and hundreds of man-hours to make the event successful.

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

A motion to adopt Ordinance 2006-02 was made by Councilmember Kline, seconded by Councilmember Wurzbacher. VOTE: ALL YEAS

**ORDINANCE 2006-03 AUTHORIZING THE CITY MANAGER TO PROVIDE UP TO \$34,719.00 TO CINCINNATI METRO TO CONTINUE THE METRO 71/72 RUSH HOUR AND REVERSE COMMUTE PUBLIC TRANSPORTATION SERVICE TO AND FROM THE CITIES OF CINCINNATI AND MASON**

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

Rebecca Ryan addressed Council and explained that Metro is facing budget increases due to rising health insurance and fuel costs. As the operating costs have risen, the funding partners' share of overhead is being requested to increase from 15% to 18% as the cost to continue service at its current level has increased. She stated last year, Metro's initial request was \$51,208. As a result of partnership and discussions with the Mason Economic Development Committee and with the other funding partners, it was determined that alternatives to the initial proposal should be developed with Metro. Metro worked with Mason and the other partners to maintain quality service to the public they serve. The reductions in routes last year reduced services as far as they effectively could be reduced, according to Metro. The current proposed service, therefore, is as lean as Metro feels it could be to still justify service. Mike Setzer, CEO and General Manager of Metro, addressed Council and said based on the fare collected, an average of 236 people ride the Metro daily.

Rebecca reported the Economic Development Committee of Council has reviewed this year's proposal and recommends approval of the Metro request for 2006, of \$34,719. They also recommend that the City of Mason work with other funding partners to evaluate the Metro

operation in Mason, Deerfield Township, and Warren County and that a recommendation be made with regard to the future of a Metro partnership by fourth quarter 2006.

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

A motion to adopt Ordinance 2006-03 was made by Councilmember Kidd, seconded by Councilmember Kline. VOTE: ALL YEAS

**ORDINANCE 2006-04 ACCEPTING THE PUBLIC IMPROVEMENTS FOR GREENBRIER PHASE 2B AND RELEASING THE PERFORMANCE BOND**

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

Richard Fair stated Phase 2B of the Greenbrier subdivision is located west of Snider Road and north of Tylersville Road and includes the northern section of Twin Lakes Drive. He reported the Public Utilities, Public Works and Engineering Departments have inspected the public improvements. The utilities and other public improvements will become the City's responsibility upon acceptance. Twins Lake Drive, which is a private street, is the condo association's responsibility to maintain. Richard said staff recommends acceptance of the public improvements, contingent on the submission of a one-year maintenance bond.

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

A motion to adopt Ordinance 2006-04 was made by Councilmember Bradburn, seconded by Councilmember Kline. VOTE: 5 YEAS (Wurzbacher stepped out of the meeting for a brief period at this point.)

**ORDINANCE 2006-05 ACCEPTING THE PUBLIC IMPROVEMENTS FOR FOUNTAINS OFFICE PARK AND RELEASING THE PERFORMANCE BOND**

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

Richard Fair explained to Council the Fountains Office Park is located north of Cedar Village Drive and west of Mason-Montgomery Road. The public improvements for the development involved the installation of a public sanitary sewer line to service the office facilities. Richard stated the Public Utilities, Public Works and the Engineering Department have inspected the improvements for this development. These improvements will become the City's responsibility upon acceptance. He added staff recommends acceptance of the public improvements.

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

A motion to adopt Ordinance 2006-05 was made by Vice Mayor Grossmann, seconded by Councilmember Kidd. VOTE: ALL YEAS

**ORDINANCE 2006-06 ACCEPTING THE PUBLIC IMPROVEMENTS FOR TYLERSVILLE CROSSING PUD AND RELEASING THE PERFORMANCE BOND**

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

Richard Fair explained to Council the Tylersville Crossing PUD is located on the northwest corner of the intersection of Tylersville Road and Reading Road. This subdivision includes Gateway Boulevard and Tower Drive. The Public Utilities, Public Works, Engineering Department and Greater Cincinnati Water Works have inspected the public improvements. The utilities and other public improvements will become the City's responsibility upon acceptance. He noted staff recommends accepting the public improvements, contingent on the submission of a one-year maintenance bond.

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

A motion to adopt Ordinance 2006-06 was made by Councilmember Bradburn, seconded by Councilmember Wurzbacher.

A motion to amend the ordinance to include a one-year maintenance bond was made by Councilmember Bradburn, seconded by Councilmember Kidd. VOTE: ALL YEAS

A motion to approve the ordinance as amended was made by Councilmember Kline, seconded by Councilmember Wurzbacher. VOTE: ALL YEAS

**ORDINANCE 2006-07 CREATING THE POSITION OF PROJECT MANAGER IN THE ENGINEERING & BUILDING DEPARTMENT**

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

Eric Hansen explained to Council the City Engineer and Assistant City Engineer are overwhelmed with keeping a large number of capital projects coordinated while also managing the operations of the department. Many projects require significant oversight and coordination as well as generating considerable amounts of information, data and files that must be carefully organized and tracked. Consequently, a Project Manager position, devoted to coordinating capital projects, was identified as a staffing priority in the 2006 Budget. Eric further explained the primary responsibility of a Project Manager

will be to coordinate with engineers, residents, all City departments, contractors, and inspectors, on City construction projects. Two Project Manager positions were proposed in the 2006 budget to meet present and anticipated future capital needs as contained in the City's draft Capital Improvement Plan. The Finance Committee recommended moving forward with a single Project Manager position at this time and it was included in the 2006 Budget that was reviewed by the Finance Committee and adopted by Council.

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

A motion to adopt Ordinance 2006-07 was made by Councilmember Wurzbacher, seconded by Councilmember Kline. VOTE: ALL YEAS

**ORDINANCE 2006-08 CREATING THE POSITION OF PLANS EXAMINER IN THE ENGINEERING & BUILDING DEPARTMENT**

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

Eric Hansen explained to Council with the increasing responsibilities of the City's Chief Building Official, such as downtown revitalization, commercial growth, residential needs for Building Department information, small business desire for more access to the Building Department, code development, hiring a full time plans examiner has become a priority. The quantity of work, the complexity of new projects, the inconsistency and expense of private contract assistance, and the need to provide more personal assistance make hiring additional in-house expertise a necessity.

Eric stated Plan Review services are intended to be paid for primarily through permit fees and not tax dollars. In 2005, total building permit fees exceeded total expenses by nearly \$25,000. Based on 2005 activity, the City would need over \$60,000 in contract assistance this year to maintain plan review. Eric clarified the Plans Examiner's main focus will be on reviewing building permit plans, with a possible minor focus on performing building inspections. The Finance Committee recommended moving forward with a plans examiner and it was included in the 2006 Budget that was adopted by Council.

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

A motion to adopt Ordinance 2006-08 was made by Councilmember Bradburn, seconded by Councilmember Kline. VOTE: ALL YEAS

**ORDINANCE 2006-09 ELIMINATING A POSTION OF POLICE CLERK AND CREATING THE POSTION OF POLICE RECORDS & CLERICAL SUPERVISOR IN THE CITY OF MASON POLICE DEPARTMENT AND ESTABLISHING COMPENSATION**

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

Eric Hansen explained to Council requests for reports, record keeping, fingerprinting and background checks continue to grow, in addition to the clerical and support work required for a Department of nearly 40 uniformed officers. He stated the clerical staff are responsible for maintaining police files for traffic citations, private property accidents, crime reports, vehicle accidents, and statistics and reporting for federal, state and local agencies. He said during the Budget process, and in lieu of creating additional positions, staff recommended that a current hourly Police Clerk position be reclassified to a salaried position of Records and Clerical Supervisor. The total salary differential will be negligible while the Department's ability to meet workloads, maintain the success of the volunteer program, minimize overtime expenses, and delay future staff additions will be enhanced. Eric concluded by stating as part of the 2006 Budget process, the Finance Committee of Council discussed and recommended this reclassification and it was included in the 2006 Budget adopted by Council.

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

A motion to adopt Ordinance 2006-09 was made by Councilmember Kline, seconded by Councilmember Wurzbacher. VOTE: ALL YEAS

**ORDINANCE 2006-10 AMENDING THE ZONING CODE AND ZONING MAP OF THE CITY OF MASON, OHIO, TO PROVIDE FOR THE REZONING OF APPROXIMATELY 2.16 ACRES LOCATED AT 7607 EASY STREET (LOT 6) IN THE CASTLE PARK INDUSTRIAL SUBDIVISION FROM HT-1 TO I-1 (LSW #2 PROPERTY)**

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

Scot Lahrmer stated a public hearing will be held on this legislation on February 27, 2006 at approximately 7:05 p.m.

**ORDINANCE 2006-11 AUTHORIZING THE ACCEPTANCE OF TEMPORARY CONSTRUCTION AND PERMANENT SANITARY SEWER EASEMENTS FOR THE EAST TRUNK SEWER IMPROVEMENTS PROJECT BY THE CITY MANAGER, AND GRANTING SEWER TAPS AS COMPENSATION FOR THE EASEMENTS**

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

By motion, adopt Ordinance 2006 – 11 authorizing the acceptance of approximately 0.584 acres of temporary construction easement and approximately 0.395 acres of permanent sanitary sewer easement required for the performance of work necessary in the construction of the East Trunk Sewer Improvements and authorizing the City Manager to provide three (3) 5/8-inch water meter size commercial sewer taps to Al Neyer, Inc. as compensation for the grant of these easements.

Construction of the East Trunk Sewer Improvements, consisting of a 16-inch diameter relief force main from the northerly end of the Cintas property to an existing manhole south of Kings Mills Road, is underway by G.M. Pipeline, Inc. The work has now progressed from Cintas to the northerly side of Courseview Drive.

Public Utilities staff has been working with Al Neyer, Inc. to obtain necessary temporary construction easements and additional permanent sanitary sewer easements across property of Al Neyer, Inc. that lies north of Courseview Drive. These easements were found to be necessary to connect to the existing manhole south of Kings Mills Road. The City presently holds approximately 0.65 acres of permanent easement for the existing gravity sewer across the Al Neyer property. The total area of temporary construction easements for this project is 0.584 acres and the total additional permanent easement is 0.395 acres. Based on an appraisal of the proposed easements which indicated a value of \$16,950, tentative agreement has been reached to provide Al Neyer, Inc. with three free 5/8-diameter water meter size commercial sanitary sewer taps as compensation for the easements. The present listed cost of a 5/8-inch commercial sewer tap is \$5,560.

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

A motion to adopt Ordinance 2006-11 was made by Councilmember Wurzbacher, seconded by Councilmember Kidd. VOTE: ALL YEAS

### **CITY MANAGER'S REPORT**

◆ A request for a Liquor Permit has been received from *Aponte on the Avenue* located at 1079 Reading Road. Councilmember Kidd moved to not require a hearing. Councilmember Wurzbacher seconded the motion. VOTE: ALL YEAS

◆ The City will host a meeting between The Chamber of Northeast Cincinnati Board of Directors and Mason City Council on Monday, January 30 at 5:00 p.m. in the Community Room. Dinner is included.

◆ The 13<sup>th</sup> session of the Citizens Police Academy will begin on Thursday, February 23 from 7:00 to 10:00 p.m. and continue each Wednesday until May 11. This free course is



open to adults who are residents of Mason. For an application, call the Mason Police Department at 229-8560 or visit the website at [www.imagemason.org](http://www.imagemason.org).

### **COMMITTEE REPORTS**

Vice Mayor Grossmann reported on the meeting with the Court Liaison Committee. He stated they have a request for two additional positions. It is his understanding the funds will come out of the Special Court Fund. He said the legislation would be forthcoming.

Councilmember Bradburn reported on the Safety Committee meeting. He said the RFP that is prepared is being further reviewed and will probably come before Council at the first meeting in February. He also stated he is reviewing the specification on the request for a new ambulance. He said he has been made aware of Union meetings taking place where Fire Trucks are sitting outside the meeting leaving one station without adequate coverage. He asked staff to review this procedure and see it is not repeated.

Councilmember Bradburn also stated he attended an organizational meeting with the board of the Warren County Municipal League.

### **COUNCIL OLD AND NEW BUSINESS**

Mayor Pelfrey thanked Council for their participation in the retreat. She said Downtown Mason is a top priority for 2006 and while we may not all agree we will work cohesively together to move forward. Councilmember Kidd stated Council has no plans to "take" any property. Vice Mayor Grossmann stated the grant the City received dictates we may not utilize eminent domain on any property. He gave a brief overview of the items discussed regarding the downtown revitalization during the retreat. This included mentioning new sidewalks, burying utilities and installing round-about to calm traffic in the area. On street parking was also mentioned and a figure of \$5.2 million was estimated to be the approximate cost. Councilmember Kidd stated the round-about will probably not happen as the property owner is not agreeable to selling his property. Mayor Pelfrey stated the intent on improving that intersection was to improve efficiency and create a better flow. She stated we are proceeding but realize each step will bring with it its own glitches.

Mayor Pelfrey stated Meredith Raffel from the Mason Area Arts Council will be at the next Council meeting.

### **RECOGNITION OF VISITORS** None

### **EXECUTIVE SESSION: LAND ACQUISITION**


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

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

**ADJOURN**

A motion to adjourn was made by Councilmember Kline, seconded by Councilmember Wurzbacher. VOTE: ALL YEAS  
TIME: 10:45 p.m.

  
Clerk of Council

  
Mayor