

**CITY OF MASON
COUNCIL MEETING
FEBRUARY 13, 2006**

Mayor Pelfrey called the meeting to order at 7:05 p.m. Pastor Rapier opened the meeting with a prayer and those in attendance recited the pledge of allegiance.

ATTENDANCE

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

APPROVAL OF MINUTES

Councilmember Kidd moved to approve the minutes of the January 23, 2006 Council meeting. Vice Mayor Grossmann seconded the motion. VOTE: 6 YEAS, 1 ABSTAIN(Osborne)

Councilmember Kline moved to approve the minutes of the January 30, 2006 Council/Chamber meeting. Councilmember Osborne seconded the motion. VOTE: ALL YEAS

Councilmember Bradburn moved to approve the minutes of the February 6, 2006 Special Council meeting. Councilmember Kline seconded the motion. VOTE: ALL YEAS

APPOINTMENT TO MASON LIBRARY BOARD

Mayor Pelfrey presented the oath to Corwin Smith to begin his term on the Library Board.

RECOGNITION OF MASON ARTS COUNCIL

Meredith Raffle of 5362 Farmridge Way addressed Council representing the Mason Area Arts Council. She asked Council for a response to the budget she submitted. Mayor Pelfrey stated Council has not had an opportunity to discuss it. She said it was slated for discussion at the worksession but other topics took precedence. Meredith gave an overview stating she is requesting \$10,000 for seed money and \$10,000 for programming. She said this is a unique organization as it interfaces with many other organizations in the city. She stated she has not pursued contributions from businesses because she was waiting to be able to state the City of Mason is backing this effort. She said they have collected \$1,000 from donations. A general discussion took place among Council in which concern was shown for the number of organizations requesting donations from the City and a concern over the percentage of the total budget this organization is requesting from the city. Councilmember Kidd stated he shares those concerns but could agree to fund this in its first year. He added the City is spending \$25,000 for fireworks for the July 3 celebration. Rick Kleitner of 6907 Gentry Lane addressed Council and said they are working on getting their not for profit status. He stated this year the costs are higher due to the creation of a database and promotion expenses. He said their goal is to wean themselves off of City funds. Vice Mayor Grossmann asked for an itemized report on their expenses such as the \$20,000 budgeted for the Mason Arts Festival. Mayor Pelfrey noted the

City is contributing assistance for the Art Festival with manpower from the Parks and Recreation Department. Councilmember Bradburn stated it was premature for them to commit to this if Council has not approved it. He said it is not a huge amount of money but is concerned it will never stop. Councilmember Kline stated he supports this venture. He said his experience in Dover leads him to believe this has a lot of potential. Councilmember Kline moved we donate \$5,000 to assist with the upfront costs and then agree to give them \$2 for every \$1 they get donated with a cap on the total donation of \$20,000. Councilmember Kidd seconded the motion. VOTE: 5 YEAS, 2 NAYS (Bradburn, Grossmann)

RECOGNITION OF VISITORS

Mayor Pelfrey stated she attended the American Legion Oratorical Contest and one of the contestants was in attendance tonight. She introduced Poris Prakash and asked him to give a sample of his presentation.

Don Eberhard of 3988 S US RT 42 addressed Council and asked them to improve the quality of the sound on the televised replays of the Council meetings. He also stated he is tired of subsidizing the Township residents and he requested Council to take care of Mason taxpayers. He stated the Township has purchased land recently and they should now provide more ball fields. Mayor Pelfrey noted last year the township supplied 3 fields and this year it will be 4 or 5 fields. She stated she is concerned over a separation, as it will affect the children. Councilmember Kidd stated there is no excuse for poor quality on the sound for the Council meetings and he moved to fix the problem now. Vice Mayor Grossmann seconded the motion. VOTE: ALL YEAS Councilmember Osborne clarified the problem is not for those in attendance but for the sound on the tape being replayed on ICRC. Eric Hansen stated part of the problem is Councilmembers need to be focused on speaking into the mike and not moving their heads away from it. He also said they have purchased two lapel microphones. He added he has contacted ICRC regarding this problem and is waiting to hear from them. Don Eberhard also said the Mason Area Arts Council might try to get funds from the Township.

Frank Miller of 422 Walnut Lane addressed Council and discussed the Community Center finances. He also stated he did not support the City's efforts to keep the firm Skilled Care in Mason. He then said a skate park is not a necessity and should be built with donations rather than tax dollars.

ORDINANCE 2006-12 AUTHORIZING A CONTRIBUTION OF \$22,016.00 TO THE WARREN COUNTY DRUG TASK FORCE

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

Eric Hansen explained to Council the City has participated in the Warren County Drug Task Force since its inception. In 2000 and 2001, the City of Mason contributed \$21,097 annually based on population figures from 1999. In 2003, the contribution was \$10,000 and in 2004 and 2005 it was \$22,016. Eric stated this year the Task Force is again requesting membership fees

based on population. According to the 2000 Warren County Census, the population of Mason is 22,106, therefore, the funding request is in the amount of \$22,016.

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

A motion to adopt Ordinance 2006-12 was made by Vice Mayor Grossmann, seconded by Councilmember Osborne. VOTE: ALL YEAS

ORDINANCE 2006-13 AUTHORIZING THE CITY MANAGER TO PROVIDE THAT FUNDS BE MADE AVAILABLE TO THE MASON PORT AUTHORITY TO FUND A LOAN FOR THE SKILLED CARE PHARMACY, INC. PROJECT

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

Michele Blair explained to Council the purpose of this legislation is to provide the additional financial support to the company needed to retain one of Mason's top employers and secure this company's long-term investment in the community. She stated on Friday, February 3, Skilled Care Pharmacy, Inc. announced their final decision to locate their corporate headquarters to another site within the City of Mason. This decision came after the Economic Development staff worked with the Economic Development Committee of Council; the developer, Al Neyer; Skilled Care top officials; and Skilled Care's broker. The skillful negotiations resulted in the company's decision to make their approximate \$3.3M corporate headquarters investment in Mason.

Michele explained over the last several weeks, the Economic Development Committee of Council, along with the Mason Port Authority, studied detailed analyses of several options that were developed to maintain Mason's aggressive and competitive position with this recruitment. Of the three proposals, the Port Authority forgivable loan became the most viable to address the financial gap of \$450,000 keeping Mason out of the front runner position. She stated this proposal recommends that Mason City Council, in furtherance of targeted economic development objectives, contribute funds to the Mason Port Authority. The Mason Port Authority would grant a loan for \$400,000 to the company that would qualify for forgiveness if the criteria of a \$3.3M investment, 240 jobs and a payroll of \$8.5M were met. She added in addition, Al Neyer, Inc. will further modify their proposal and apply a \$50,000 credit to the company. Cost recovery for the City's contribution is anticipated to be recouped in five to six years.

Michele reported the Economic Development Committee recommends that Mason City Council approve Ordinance 2006-13, granting a \$400,000 loan to the Mason Port Authority in furtherance of economic development objectives for targeted industry sector business attraction and the recruitment of Skilled Care Pharmacy, Inc.

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

Councilmember Bradburn noted stated this is beneficial to Mason as it retains jobs and adds new ones. Councilmember Osborne asked if the schools will be made whole. Michele replied yes. Vice Mayor Grossmann stated within 3 years they must obtain their payroll projections or they must pay the funds back to the City.

A motion to adopt Ordinance 2006-13 was made by Vice Mayor Grossmann, seconded by Councilmember Kidd. VOTE: ALL YEAS

ORDINANCE 2006-14 AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE STATE OF OHIO, DEPARTMENT OF DEVELOPMENT PROVIDING FOR CONTINUED PARTICIPATION IN THE COMMUNITY DEVELOPMENT BLOCK GRANT REVOLVING LOAN FUND PROGRAM

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

Eric Hansen stated every three years, the State requires grant recipient cities to renew their agreements regarding program oversight for the CDBG grants. Much like other grant programs, this action by Council allows the City to apply and qualify for grant funding that returns state and federal tax dollars to our community. Eric stated these funds have been identified to assist in the capital improvements scheduled for the first phase of the Downtown revitalization efforts. He added once the funds have been exhausted with the first phase of the downtown renovation project, the City will have satisfied our agreement to improve the economic condition of downtown Mason.

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

A motion to adopt Ordinance 2006-14 was made by Vice Mayor Grossmann, seconded by Councilmember Kline. VOTE: ALL YEAS

ORDINANCE 2006-15 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ROZZI'S FAMOUS FIREWORKS TO PROVIDE A FIREWORKS SHOW DURING THE CITY OF MASON'S "RED, RHYTHM & BOOM" FOURTH OF JULY CELEBRATION

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

Scot Lahrmer explained to Council the City has been hosting the annual Red, Rhythm & Boom Independence Day Celebration for the past six years. This event has witnessed such tremendous growth with an estimated 12,000+ in attendance last year. He said we have scheduled this year's celebration for Monday, July 3rd at Nixon Park, with the high profile entertainment band, STYX, approved by City Council through Ordinance 2005- 148. Rozzi's Famous Fireworks has been providing Mason's fireworks since the event's inception in 1999. Scot noted the 2005 show was

a slight upgrade to an electronic synchronized patriotic music show and staff is recommending the same for 2006 at the same contract price of \$25,000.

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

A motion to adopt Ordinance 2006-15 was made by Councilmember Kidd, seconded by Councilmember Osborne. VOTE: ALL YEAS

ORDINANCE 2006-16 CREATING THE POSITION OF MAINTENANCE WORKER IN THE PUBLIC WORKS DEPARTMENT AND ESTABLISHING COMPENSATION

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

Eric Hansen explained to Council since the early 1990s, the City of Mason has seen significant growth in population and geography, becoming the largest city in Warren County and one of the fastest growing cities in Ohio. The Public Works Department provides many of the critical services to maintaining the safety and quality of life that Mason residents enjoy. Eric stated in the 1980s, the Department maintained less than 100 lane miles of City streets with eight maintenance workers. Today, the Department has thirteen maintenance workers to maintain over 400 lane miles of streets, or a ratio of nearly thirty-one miles of streets per employee. Neighboring jurisdictions have an average of nearly eleven lane miles per maintenance worker. An increase in staffing is overdue to avoid reduced service levels or excessive overtime costs. As part of the 2006 Budget process, the Finance Committee reviewed and recommended the addition of this position and it was consequently 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 Vice Mayor Grossmann, seconded by Councilmember Kidd. VOTE: ALL YEAS

A motion to adopt Ordinance 2006-16 was made by Councilmember Bradburn, seconded by Councilmember Kline. VOTE: ALL YEAS

ORDINANCE 2006-17 CREATING THE POSITION OF MAINTENANCE WORKER IN THE PARKS AND RECREATION DEPARTMENT AND ESTABLISHING COMPENSATION

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

Eric Hansen explained to Council the City's Parks Maintenance responsibilities have been growing rapidly over the past several years. In four years, the Department has assumed responsibility for maintaining 77 additional acres, two new baseball fields at Heritage Oak park, a new restroom facility, a new shelter, two new large play structures, new bike paths at Pine Hill Lakes Park as well as the new one acre home site on Kings Mills Road. Additionally,

responsibilities at large community events, such as Christmas in Mason, Heritage Festival and Haunted Hayrides continue to increase each year. In addition, numerous City events such as the Red, Rhythm and Boom celebration continue to grow. Maintenance staff provide critical assistance in all City functions or special events with set up, cleaning, and support. As the size and number of these events and programs continues to grow, the Parks maintenance workload increases. Despite the growth in responsibilities, the department's maintenance staff has not grown since 2002.

The Finance Committee reviewed and recommended the addition of this position and it was included in the 2006 Budget adopted by Council.

Adoption of Ordinance 2006-17 is recommended. If you need any additional information, please contact me.

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

A motion to adopt Ordinance 2006-17 was made by Vice Mayor Grossmann, seconded by Councilmember Wurzbacher. VOTE: ALL YEAS

ORDINANCE 2006-18 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH INTERNATIONAL TRUCK & ENGINE CORP. FOR THE PURCHASE OF ONE (1) 2006 INTERNATIONAL CLASS 8 DUMP TRUCK

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

Eric Hansen stated the critical need for an additional Class 8 vehicle in the Public Works Department is primarily driven by the increased demand for seasonal snow and ice control. The City's ratio of street miles per truck (27) compared to other local communities surveyed (average of 17 lane miles per truck) suggests that the department should add trucks to its fleet in order to provide the same level of service. The ability to quickly mobilize a number of snow plow vehicles during a snow emergency is crucial to successfully keeping major thoroughfares clear and returning side streets to a clear condition. Eric said the addition of a Class 8 vehicle to the fleet will improve the City's ability to provide safe streets to residents during ice and snow emergencies. He noted the 2006 Budget included \$95,000 for the purchase of this truck. The actual state bid purchase price for the new truck from International Truck and Engine Corporation is \$95,094, which includes a stainless steel bed, a stainless steel "V" box, the calcium-chloride storage tanks, and liquid distribution system. The City will purchase a snowplow and the salt spreader from a separate vendor after the truck has been ordered. As part of the budget process, both the Equipment Committee and the Finance Committees of Council discussed 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 Bradburn, seconded by Councilmember Osborne. VOTE: ALL YEAS

A motion to adopt Ordinance 2006-18 was made by Councilmember Osborne, seconded by Councilmember Kidd. VOTE: ALL YEAS

ORDINANCE 2006-19 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT TO PURCHASE WITH EDWARD WAYNE GREENE FOR THE ACQUISITION OF PROPERTY AND EASEMENTS LOCATED AT 4703 SOCIALVILLE-FOSTERS ROAD, MASON, OHIO

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

Richard Fair explained to Council as part of the Socialville-Fosters Road Improvement Project, it is necessary to acquire a portion of the Socialville-Fosters Road frontage owned on the south side by Edward Wayne Greene located at 4703 Socialville-Fosters Road for right-of-way.

The right-of-way acquisition consists of a 5' wide strip of property (0.028 acres) along the road frontage, a 6.5' wide strip of temporary easement (0.065 acres) and a (0.019 acres) storm sewer easement. Mr. Greene has agreed to the appraised value in the amount of \$3,000 for the right-of-way and easements.

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

A motion to adopt Ordinance 2006-19 was made by Vice Mayor Grossmann, seconded by Councilmember Wurzbacher. VOTE: ALL YEAS

ORDINANCE 2006-20 AMENDING ORDINANCE 2005-177 ESTABLISHING THE POSITIONS AND RATES OF COMPENSATION FOR MASON MUNICIPAL COURT EMPLOYEES

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

Eric Hansen stated the Court Liaison Committee met with Mason Municipal Court on January 23rd to review a request by Municipal Court to add two additional positions to the Court staffing ordinance adopted on January 9, 2006. An additional position of Magistrate with an annual salary of up to \$18,000 is the first addition. The second is to add a position of Staff Attorney at an annual compensation of up to \$8,000. Last year, Council had authorized the retention of separate legal counsel by Municipal Court and Municipal Court would now like to transition that to a staff position. Court's requests indicated the positions would be paid out of the Court Special Projects Fund and both would be retroactive to January 1 2006. Consequently, the legislation contains an emergency clause and effective date of January 1, and General Fund dollars would not fund either of the requested positions.

Vice Mayor Grossmann stated the Court Liaison Committee recommended moving forward with the above changes.

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

A motion to adopt Ordinance 2006-20 was made by Vice Mayor Grossmann, seconded by Councilmember Wurzbacher. VOTE: ALL YEAS

ORDINANCE 2006-21 APPROVAL OF FINAL PLAT FOR HERITAGE CLUB SECTION 11

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

Richard Fair explained to Council Steven Pennington, representing Robert C. Rhein Interests, Inc. is requesting approval of the final plat for Heritage Club Subdivision Section 11. This site, zoned R-2, is located along the north side of Mason Road, east of Heritage Club Section 3 and west of the City of Mason School property. Richard stated this subdivision is a continuation of Heritage Club Development and will include a total of 38 buildable lots on 31 acres. This plat will dedicate the right-of-way, landscaping, utility, sanitary and storm sewer easements needed for this subdivision.

Richard said Planning Commission recommends approval of the final plat contingent on the following:

1. Please note that final plat must be approval by Greater Cincinnati Waterworks prior to recording.
2. Please submit subdivider's contract and performance bond.

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

A motion to adopt Ordinance 2006-21 was made by Vice Mayor Grossmann, seconded by Councilmember Wurzbacher. VOTE: ALL YEAS

CITY MANAGER'S REPORT

◆The fifth annual State of the City address will be held on Monday, March 6 at the former Mason Municipal Building located at 202 West Main Street at 7:30 p.m. A building open house with refreshments by One Restaurant will occur from 6:30 till 7:30 p.m. Residents and businesses are invited, along with other stake holders in our community.

◆Property valuations for Warren County have been received and Mason's 2005 valuation represents 40% of all the Warren County cities and 20% of the entire County's valuation. This years total for 2005 is \$987,933,647. This represents an increase over 2004 of .94%

◆Councilmember Kline moved to appoint Eric Hansen as acting City Manager while Scot Lahrmer is out of the office between April 7 through April 17. Councilmember Kidd seconded the motion. VOTE: ALL YEAS

COMMITTEE REPORTS

Councilmember Osborne reported the Ad Hoc Committee reviewing the Community Center met and is now in the process of identifying areas of improvement and details of expenses. He said they are focusing on reducing expenses and increasing revenues.

Councilmember Osborne noted the review of the City Manger is underway.

COUNCIL OLD AND NEW BUSINESS None

RECOGNITION OF VISITORS None

EXECUTIVE SESSION:

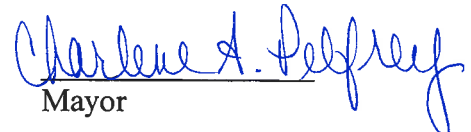
A motion to go into executive session for the purpose of discussing personnel and land acquisition was made by Vice Mayor Grossmann, seconded by Councilmember Osborne. VOTE: ALL YEAS

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

ADJOURN

A motion to adjourn was made by Councilmember Wurzbacher, seconded by Councilmember Osborne. VOTE: ALL YEAS
TIME: 9:50 p.m.


Clerk of Council


Mayor