

**CITY OF MASON
COUNCIL MEETING
JANUARY 14, 2008**

Mayor Grossmann called the meeting to order at 6:30 p.m. The Mason Police Color Guard presented the flags and those present recited the pledge of allegiance.

Pastor Jim Toy gave an invocation.

ATTENDANCE

The following members of Council were present: Victor Kidd, Christine Shimrock, Tony Bradburn, Don Prince, Todd Wurzbacher, Pete Beck and Tom Grossmann.

Mayor Grossmann reported to those in attendance that while Don Prince had been sworn in by Law Director, Ken Schneider, on December 20, 2007, it was not a regularly scheduled meeting. Therefore, to allow Mr. Prince, an opportunity to invite family and friends to this occasion, it will be repeated tonight.

SWEARING IN OF COUNCILMEMBER DON PRINCE

Judge Andrew Batsche presented the oath of office to Don Prince. Mayor Grossmann adjourned the meeting for a brief reception.

RECONVENE MEETING

Mayor Grossmann reconvened the meeting at 7:05 p.m. He asked for a moment of silence in observance of the members of the Veillette family who were Mason residents and recently killed in a house fire.

APPROVAL OF MINUTES

A motion to approve the minutes of the December 17, 2007 meeting was made by Councilmember Bradburn, seconded by Councilmember Kidd. VOTE: ALL YEAS

A motion to approve the minutes of the December 20, 2007 special council meeting was made by Councilmember Kidd, seconded by Councilmember Shimrock. VOTE: ALL YEAS

RECOGNITION OF VISITORS None

COMMITTEE REPORTS

Councilmember Wurzbacher reported on the Economic Development Committee of Council. He noted the City's bond rating has improved. He also stated local companies

received recognition as being among the region's "Fastest 55" from the *Business Courier*. That included HiFive Development Services, Touchstone Merchandising Group and Intelligrated. He noted Intelligrated won the fastest of the fast in the top revenue growth category over \$100 million.

Councilmember Bradburn provided an update on the Safety Committee. He stated the levy renewal will be coming in the future. He also noted he attended the OKI organizational meeting

Councilmember Shimrock reported on the Festivals of Mason Committee. She said they are in the process of reviewing this year activities to make recommendations for next year. She noted approximately 14,000 cars have viewed the "Christmas in Lights" display in the two years it has been presented. She stated "Christmas in Lights" received international recognition on a web site in the UK and in USA Today it was listed as one of the ten best holiday events get you in the holiday spirit. She thanked those involved for their efforts.

COUNCIL OLD AND NEW BUSINESS None

CITY MANAGER'S REPORT

Eric Hansen reported on the following items:

▶ The city-sponsored Hope for the Holidays program culminated on December 19 with a Supper with Santa for 54 children. This year, the program served 42 needy families and was helped by donations from a toy drive by Western Row School, a donation from the American Legion for \$1,500, and a toy drive sponsored by the Mason Manta Rays swim team. Special thanks go to Kelli Kaskocsak in the Mason Police Department for heading the committee, as well as to Pam Eickenhorst of the Fire Department for their efforts in organizing this year's campaign.

▶ The January 2008 issue of Mason Matters will be delivered in the Pulse-Journal on Thursday, January 17.

▶ The newsletter, called "Mason in Motion," is an additional benefit to members. The goal is to increase communication with patrons by providing motivation and support through helpful tips and suggestions, as well as to increase awareness of new programs and events happening at the Mason Community Center. The members-only newsletter is quarterly and will be distributed in December, March, June, and September to pass holders for whom an e-mail address was provided.

▶ The City of Mason has received the GFOA Certificate of Achievement for Excellence in Financial Reporting for its 2006 Comprehensive Financial Report (CAFR). This is the tenth consecutive year since 1997 that the City of Mason has received this recognition. Everyone in the Finance Department and the CPA firm that assisted the Finance Department has continued to work very hard to achieve excellent financial reporting.

► The Muddy Creek Bike Path Bridge will be delivered during the week of January 14th. The bridge will be stored near the entrance of Pine Hill Park until final preparations are made to set it in place. The design of the abutment on the south side of the bridge had to be redesigned due to constraints encountered in the field. The abutment should be finished and bridge set sometime in early February. However, the project will not be completed until the asphalt plants open in the spring and the final course of asphalt is paved.

ORDINANCE 2007-162 APPROVAL OF A CONDITIONAL USE PERMIT TO ALLOW A CHILD DAYCARE FACILITY ON AN O-1 ZONED PROPERTY LOCATED ON THE EAST SIDE OF SNIDER ROAD, APPROXIMATELY 1,000 FEET NORTH OF THE SNIDER ROAD AND READING ROAD INTERSECTION

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

Brian Lazor addressed Council and stated this legislation deals with approving the Conditional Use Permit and landscape plan for a new child day care facility in the Snider Station subdivision. The property is zoned O-1, Office District and is 1.47 acres in size. Brian said this project is similar to other child day care facilities that have been approved in the City. The one story 10,050 square foot building is located near the center of the property. There is a floodplain at the rear of the property. The floodplain separates the project from the Buffalo Wild Wings property.

He stated the building will have a capacity for 165 students ranging in age from 6 months to 12 years. This child day care center is unique in the fact that it requires parents to park their vehicles, walk their children to their classrooms and sign them in and out every day. Because of this, no drop off/pick-up area is designated on the plans. Brian reported the project received a variance to reduce the total number of required parking spaces due to the nature of the development and the ability to share excess parking on neighboring properties. Two other variances were granted for the project including the reduction of required lot area per child and to allow a fence to be placed in front of the building on Snider Road. This proposed decorative cast aluminum fence was required to be completely screened from view of Snider Road. This condition of the Zoning Board of Appeals helps to conceal the variance and creates an attractive landscape for the center.

Brian also reported Planning Commission, at its November 6, 2007 meeting, voted 6 to 0 recommending approval of the Conditional Use permit application contingent on the following items:

Site Plan

1. Move the street trees to the area between the bike path and the curb
2. Modify the dumpster gate so that it is a solid screen.

Mayor Grossmann opened the public hearing at 7:34 p.m. Kristen Burke representing the Four Points Development Company addressed Council and stated she was attending to answer any questions. Receiving no other comments either for or against this legislation, Mayor Grossmann closed the public hearing at 7:35 pm.

A motion to adopt Ordinance 2007-162 was made by Councilmember Bradburn, seconded by Vice Mayor Beck. VOTE: ALL YEAS

ORDINANCE 2007-172 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH WOOLPERT, INC., FOR CONSULTANT SERVICES TO CREATE THE CITY OF MASON COMPREHENSIVE PLAN AND MUNICIPAL LAND STUDY FOR \$245,765.00

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

Eric Hansen stated staff is continuing to gather information from other jurisdictions regarding their community planning activities and continuing to work with Woolpert to refine the project. He asked Council to table this ordinance until the January 28, 2008 meeting.

A motion to table this legislation was made by Councilmember Bradburn, seconded by Councilmember Wurzbacher. VOTE: ALL YEAS

ORDINANCE 2008-01 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR THE ACQUISITION OF PROPERTY AS PART OF THE WESTERN ROW ROAD IMPROVEMENT PROJECT IN AN AMOUNT NOT TO EXCEED \$24,800.00, AND DECLARING AN EMERGENCY (VILLAGE LAKES HOA)

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

Richard Fair explained to Council, the purpose of this legislation is to acquire property and easements for the widening of Western Row Road from Cherokee Drive to Tylersville Road. He stated the Village Lakes Home Owners Association has agreed to the City's offer to sell needed right-of-way at an appraised value of \$24,800. The City has also agreed to pay the Association for landscaping to minimize the impact of loss of green space at an estimated cost of \$14,250. The right-of-way acquisition consists of two parcels of property and a drainage easement (Parcel 1, consists 0.169 acres, parcel 2, consists 0.323 acres, and drainage easement consists of 0.008 acres) along the road frontage. Richard added right-of-way in front of Mason Christian Village is the last piece of property needed for this project. Staff and Wood & Lamping are finalizing this agreement. Mason Christian Village has not determined if they prefer to give a roadway easement or sell the property outright. He said staff does not believe the Mason Christian Village negotiations will postpone the bid date.

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

A motion to adopt Ordinance 2008-01 was made by Councilmember Wurzbacher, seconded by Vice Mayor Beck. VOTE: ALL YEAS

ORDINANCE 2008-02 AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDER #2 TO THE EXISTING AGREEMENT BETWEEN THE CITY OF MASON AND LJB, INC., IN THE AMOUNT OF \$39,000.00, FOR THE DESIGN ENGINEERING AND PROPERTY ACQUISITION SERVICES NECESSARY FOR THE RIGHT TURN ONLY LANES AT MASON-MONTGOMERY ROAD AND WESTERN ROW ROAD.

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

Richard Fair explained to Council, at the meeting on November 26, Council requested that the option of adding right turn only lanes on Western Row Road at Mason-Montgomery and Tylersville Road be evaluated. LJB, Inc. was asked to prepare a cost estimate to design and construct three right turn only lanes on Western Row Road at Mason-Montgomery Road. A right turn only lane on Western Row Road at Tylersville Road is already included as part of the project.

Richard stated the addition of right turn only lanes will require redesign of the intersection including relocation of traffic signal poles, gas and electric utilities, and additional right-of-way from three property owners. Duke Energy has just completed relocation of utilities as a part of the original scope of work at their cost. The addition of right turn lanes will again require the relocation of gas and electric utilities, this time at a cost to the City. Cost of redesigning the intersection, relocation of utilities, right-of-way and additional construction cost is summarized as follows:

Redesign and property acquisition by LJB	\$ 39,000
Utility relocation cost	\$ 45,000
Right-of-way cost	\$ 10,000
Additional construction cost	<u>\$ 162,000</u>
Total estimated additional cost	\$ 256,000

Richard noted this legislation is only for the design portion totaling \$39,000.

He added two of the property owners have previously donated right-of-way, as part of the original scope of the project. The cost of right-of-way indicated above has been included in case the additional needed property is not donated.

Richard reported after considering City Council's request, staff is recommending some modifications to this plan. It appears from existing traffic counts that right turn lanes are

needed in the eastbound and northbound directions. However, right turn lanes in the westbound direction are not justified at this time because of lack of sufficient right turn movement. To save costs the City could move forward with building the eastbound right turn lane, defer the northbound right turn lane until the Western Row Golf Course is developed, and defer the westbound right turn lane until traffic dictates it is needed. This would save approximately \$100,000 in construction costs.

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

A motion to adopt Ordinance 2008-02 was made by Councilmember Bradburn, seconded by Councilmember Wurzbacher. VOTE: ALL YEAS

ORDINANCE 2008-03 CREATING TWO(2) ADDITIONAL POLICE OFFICER POSITIONS IN THE CITY OF MASON POLICE DEPARTMENT

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

Jennifer Heft explained to Council, last year, the Safety Committee of Council suggested that the Police Department establish a minimum staffing level of four officers and expressed a desire to reach a ratio of 1.5 officers per 1000 residents. The average officers per thousand for cities with similar population as Mason's are 1.54. Currently, day shift and afternoon shifts have a four officer minimum staffing. The creation of two additional officers will enable the department to establish a four-officer minimum around the clock and raise the officer per thousand ratio to 1.43.

Jennifer stated another objective is to add a fifth policing district during the daylight summer hours to improve police services in the 741/Kings Island corridor. While these two officers will not satisfy the 1.5 officers per thousand residents or the fifth Kings Island district in the summer months, it will result in significant progress toward these objectives. Jennifer also stated in 2006, the department had 21,502 calls for service. There were 23,294 calls for service in 2007, indicating an 8% increase. She said with Finance Committee's recommendation the 2008 budget adopted by Council included funding for these positions.

Approval at the January 14th meeting will allow the City to enroll an officer in the February 2008 Ohio Highway Patrol Academy and have at least one of the positions on patrol by this Fall.

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

Councilmember Kidd voiced support for this legislation recognizing the professional in the Mason Police Department. He asked about the possibility of an officer becoming an ICE agent to deal with illegal immigrants. Eric Hansen stated that is usually done at the

county level. He added if Mason designated one of their officers for that purpose, the City would not control the officer. Mayor Grossmann asked the Safety Committee to review the matter and report back to Council.

A motion to adopt Ordinance 2008-03 was made by Councilmember Kidd, seconded by Councilmember Shimrock. VOTE: ALL YEAS

RECOGNITION OF VISITORS

Ben Miller, a student at Mason High School, addressed Council and thanked them for their comments regarding the tragic loss of life the city experienced with the Veillette family. Councilmember Kidd also noted the teachers are to be remembered at this time as they help our youth deal with the grief.

EXECUTIVE SESSION

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

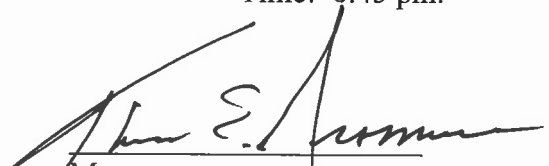
A motion to reconvene into regular session was made by Councilmember Bradburn, seconded by Vice Mayor Beck. VOTE: ALL YEAS

ADJOURN

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

Time: 8:45 pm.


Clerk of Council


Mayor