

**CITY OF MASON  
JANUARY 28, 2008  
COUNCIL MEETING**

Mayor Grossmann 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, Christine Shimrock, Tony Bradburn, Don Prince, Todd Wurzbacher, Pete Beck and Tom Grossmann.

**APPROVAL OF MINUTES**

A motion to approve the minutes of the January 14, 2008 Council meeting was made by Vice Mayor Beck, seconded by Councilmember Wurzbacher. VOTE: ALL YEAS

**RECOGNITION OF VISITORS**

Chet Mastalerz of 5078 Carter Court addressed Council and requested the Mayor meet with the Board of the Downtown Mason Association to discuss the Downtown Mason project. Mayor Grossmann replied he would be happy to meet with the Board but a committee has been established from Council, which included Councilmembers Shimrock, Kidd and Prince to work on this project. Chet stated he appreciated that information but the board has specifically asked to meet with the Mayor. Mayor Grossmann said he would be happy to schedule a meeting with them.

**COMMITTEE REPORTS**

Vice Mayor Beck reported the Finance Committee has met and has been reviewing the School's request to waive permit fees for their construction project. He stated more information is needed and a report to Council will be coming in the near future.

Councilmember Prince provided an update on the Utility Committee meeting. He stated the new water reclamation plant has experienced no EPA violations.

**COUNCIL OLD AND NEW BUSINESS**

Eric Hansen reported a fund has been established for the mother and children of the Veillette family at Fifth Third Bank. Those wishing to contribute can do so directly at the bank. Councilmember Wurzbacher stated some neighbors have asked if the house will be torn down.

Vice Mayor Beck noted the City of Mason has been in the forefront of using new techniques or products. He said our road crews have used beet juice on the roads for treatment of ice. He noted

the City of Cincinnati is looking into that product as well. Eric Hansen added this product is more economically friendly, may offer a possible cost savings and has a different color, brown.

Vice Mayor Beck reported he attended Government Day at St. Margaret of York.

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

Eric Hansen reported on the following items:

► The Warren County Convention and Visitors Bureau is hosting their first Partners in Tourism Awards Luncheon on Thursday, January 31 beginning at 11:00 a.m. at the Great Wolf Lodge. Marketing plans for 2008 will be announced and the guest speaker will be David Hart from Start Skydiving.

► The Mason Area Arts Council is featuring its first public exhibition in the atrium of the Mason Municipal Center from February 3 – 29. The exhibit will feature a display of sepia photographs by artist/photographer Sarah Nix. There will be an opening reception on Sunday, February 3 from 2 to 4 p.m. in the atrium. The reception and exhibition is free and open to the public.

### **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 \$168,945.00**

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

Eric Hansen explained at the December 17 meeting, Council had questions related to the property study that centered on cost and the need for a Comprehensive Plan update. He reported staff met with Woolpert to review the Comprehensive Plan and Municipal Property Study.

Richard Fair stated the original Municipal Property Study fee of \$135,765 provided a thorough analysis of all current City property. The analysis included background investigations, property valuations, and site investigations. Specifically, the study included property appraisals, property absorption rate analysis, environmental screenings, geotechnical analysis, and courthouse research. He said the goal of the study was to show not only the highest and best use of the property, but also to indicate what the City should do with the property, whether it should be kept or sold for development. Also, included in the Study was a new Public Works and Parks Maintenance Facility Space Needs Analysis. After much discussion, it was decided that the Study could be refined to limit the scope of work performed by the Consultant. Richard explained the refined plan eliminates much of the technical and environmental analysis contained in the original proposal as well as the detailed market analysis. The refined scope reduces the proposed cost from \$135,765 to \$58,945. This new Study will simply inventory City owned land, detail whether it should be kept or sold and provide a roadmap for potential acquisitions. The Study continues to include a new Public Works and Parks Maintenance Facility Space Needs Analysis. Either version of the Study can be completed or both can be removed from this ordinance if it is not desired. Richard also reported staff performed a survey of twenty-four jurisdictions. The jurisdictions included cities, villages and

townships in and around the Cincinnati area and Columbus. Because of the stages of development and variations between jurisdictions, it was difficult to draw a comparative relationship. Consultant prices for Comprehensive Plans ranged from \$15,000 to \$1.12 Million. Timeframes to update plans ranged from five years to over twenty years.

Several communities near Mason are either currently working on or have recently completed Comprehensive Plans including Deerfield Township, City of Lebanon, City of Monroe and City of Middletown. These communities range in size from 12,000 to 51,848 residents. Lebanon and Monroe have large areas of undeveloped land while Deerfield and Middletown are considered closer to build out. The budgets and update intervals for these plans are as follows: Lebanon – \$77,000, plan to update every 5-7 years; Monroe -- \$70,000, 10 years between major updates with a minor update 4 years ago; Middletown -- \$137,880 – 8 years since last update; Deerfield -- \$125,000, 11 years since last update. The Ohio Kentucky Indiana Regional Council of Governments recommends that a Comprehensive Plan be evaluated and updated every 5 years, or more frequently as conditions warrant.

Richard concluded by stating staff is recommending amending Ordinance 2007-172 to reflect a \$76,820 reduction in the cost of the Municipal Land Study and adoption of the ordinance authorizing a contract with Woolpert, Inc. for services rendered for a Comprehensive Plan and Municipal Land Study in the amount of \$168,945.

A motion to amend the ordinance to reflect the new total of \$168,945.00 was made by Councilmember Shimrock, seconded by Councilmember Prince. VOTE: ALL YEAS

A motion to adopt Ordinance 2007-172 as amended was made by Councilmember Wurzbacher, seconded by Vice Mayor Beck. VOTE: ALL YEAS

**ORDINANCE 2008-04 AMENDING THE ZONING CODE AND ZONING MAP OF THE CITY OF MASON, OHIO, TO PROVIDE FOR THE REZONING OF APPROXIMATELY 7.75 ACRES FROM R-2 SINGLE FAMILY RESIDENTIAL TO INDUSTRIAL PUD WITH APPROVAL OF THE CONCEPT PLANNED UNIT DEVELOPMENT PLAN LOCATED AROUND 7392 MASON MONTGOMERY ROAD EAST OF THE MANOR HOUSE (MANOR HOUSE)**

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

Eric Hansen stated a public hearing will be held on this legislation on February 25, 2008.

**ORDINANCE 2008-05 AMENDING THE ZONING CODE AND ZONING MAP OF THE CITY OF MASON, OHIO, TO PROVIDE FOR THE REZONING OF APPROXIMATELY 1.25 ACRES FROM R-4 AND B-1 TO R-4 DO (DOWNTOWN OVERLAY) AND B-1 DO (DOWNTOWN OVERLAY) LOCATED AT: 104 AND 106 NORTH FOREST AVENUE; 305, 309, AND 311 CHURCH STREET; AND A PROPERTY ON THE NORTH SIDE OF CHURCH STREET BETWEEN THE RAILROAD TRACKS AND 304 CHURCH STREET AND TO AMEND THE DESIGN GUIDELINES HANDBOOK TO ADD THESE PROPERTIES TO THE DOWNTOWN OVERLAY DISTRICT (DOWNTOWN PROPERTY)**

A motion to read by title only was made by Councilmember Wurzbacher, seconded by

Councilmember Prince. VOTE: ALL YEAS

Eric Hansen stated a public hearing will be held on this legislation on February 25, 2008.

**ORDINANCE 2008-06 AUTHORIZING PAYMENT OF \$8,000 TO THE MASON AREA ARTS COUNCIL, A PRIVATE NON-PROFIT ORGANIZATION**

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

Eric Hansen explained to Council, the City began partnering with the Mason Area Arts Council at their inception in 2006. The City contributed a \$5,000 initial donation and then an additional \$20,000 through a 2 for 1 matching program for a total 2006 City contribution of \$25,000. He stated the Arts Council also approached the Finance Committee during the 2007 Budget process to request further funding in 2007 and the Committee recommended a policy to limit City contributions to \$8,000 and no more than a third of a group's budget through a matching program where the City would contribute one dollar for every two dollars raised from other sources by the non-profit group. The maximum contribution would remain \$8,000. This policy was adopted by Council in Resolution 2007-4, which is attached and applied to the Historical Society and Mason Area Arts Council.

He reported for 2008, the Mason Area Arts Council is asking for a total contribution of \$10,000, or an additional consideration of \$2,000 through the matching program.

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

Meredith Raffel addressed Council and provided an update of the Mason Area Arts Council activities. Those included the following: Cedar Village Art Exhibition; Annual Meeting on February 21, the public is invited; Requests for performing arts including a competition in March for ages 9-18; Poster contest; Art in the Garden; Mason Arts Festival scheduled for September 21, 2008.

Councilmember Wurzbacher thanked Meredith for all her work and the value it brings to the community. He stated he believes the policy set in place in 2007 should be adhered to and therefore the ordinance should be amended to reflect an \$8,000 cap.

A motion to amend the ordinance to reflect a cap of \$8,000 was made by Councilmember Wurzbacher, seconded by Councilmember Bradburn.

A motion to adopt Ordinance 2008-06 as amended was made by Vice Mayor Beck, seconded by Councilmember Shimrock. VOTE: ALL YEAS

**ORDINANCE 2008-07 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH STANTEC, INC., IN AN AMOUNT NOT TO EXCEED \$53,500.00, FOR CONSTRUCTION PHASE SERVICES FOR PARTIAL DEMOLITION OF THE OLD WATER RECLAMATION PLANT**

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

Eric Hansen explained to Council, in May 2006, the City's new Water Reclamation Plant (WRP) on Mason-Morrow-Millgrove Road was placed in operation. All City sanitary sewage flow was diverted from the old WRP on US 42 North to the new WRP. The various tanks and other process units at the old WRP were taken off line and cleaned. It was determined that health and safety considerations, and the future beneficial use of the site required partial demolition of the plant, including removal of preliminary treatment facilities, digesters, oxidation ditches, screw pumps, clarifiers, and miscellaneous structures and concrete pads. R.D. Zande was retained by the City to prepare bidding documents for the partial demolition of the plant. Bids for demolition were opened on November 30, 2007, and in December, Council approved legislation awarding the contract to Burns Construction.

Eric stated Stantec, Inc., formerly known as R.D. Zande, was asked for a proposal to provide engineering services in connection with the demolition of the plant. Services to be provided include on-site observation, plus review of submittals, payment requests, and certified payrolls. Stantec proposed three possible levels of service, depending on the City's ability to provide personnel available for on-site observation and contract administration. The most favorable proposal was in the amount of \$53,500. Under this proposal Stantec will provide on-site services twenty-five hours per week for 120 days, which is when the projected is anticipated to be completed. The Utility Committee has reviewed and is recommending Ordinance 2008 - 7 for adoption.

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

A motion to adopt Ordinance 2008-07 was made by Councilmember Wurzbacher, seconded by Councilmember Prince. VOTE: ALL YEAS

**ORDINANCE 2008-08 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH HAZEN AND SAWYER, P.C., IN THE AMOUNT OF \$119,000.00, TO PROVIDE OPERATION AND MAINTENANCE SUPPORT SERVICES FOR THE CITY'S WATER RECLAMATION PLANT**

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

Eric Hansen explained to Council, the new plant incorporates a number of innovative processes and individual pieces of equipment. A volume of information relative to the operation and maintenance of this new facility has been accumulated. Consolidating this information into a concise, readily available document coupled with the development of standard operating procedures is essential to ensure the proper operation of some very highly complex equipment and technology. He reported staff met with a number of engineering firms and found that the personnel and previous experience of Hazen and Sawyer provides them with unique qualifications to perform the necessary work. In addition, the proposed contract with Hazen and Sawyer includes working with the City to develop a Computerized Maintenance Management System (CMMS). Components of the CMMS will include

a uniform identification/numbering system, preventative maintenance schedules, work order generation system, spare parts inventory, and maintenance reporting. This initiative will both help to protect the large investment made in the Water Reclamation Plant and ensure efficient long-term operation. He added Hazen and Sawyer submitted a cost proposal of \$119,000 to perform the professional services. The Utility Committee has reviewed this project and is recommending the adoption of Ordinance 2008 - 8.

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

A general discussion took place among Councilmembers in which clarifications were requested of Keith Collins, Public Utilities Superintendent, regarding no additional hardware requirements, three firms were reviewed, and the funding source is the sewer fund and not the general revenue fund. Keith also stated \$80,000 was budgeted for this work but that did not include the Computerized Maintenance Management System. Councilmember Prince stated the Utility Committee reviewed this and is recommending adoption as this will serve as a training manual.

A motion to adopt Ordinance 2008-08 was made by Councilmember Prince, seconded by Councilmember Wurzbacher. VOTE: ALL YEAS

**ORDINANCE 2008-09 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH LJB, INC., IN THE AMOUNT OF \$150,000.00, FOR AN INFILTRATION/INFLOW ANALYSIS**

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

Eric Hansen explained to Council, the City of Mason sanitary sewer system comprises approximately 150 miles of street and trunk sewers, ranging in size from 8-inch diameter to 42-inch diameter. Some of the sewer lines in the system date back to the early 1960s. Many of the older pipes have deteriorated over time, which leads to excessive flow of groundwater, known as infiltration/inflow (I/I) into the sewer system. In some cases, the deterioration has led to partial sewer collapses, requiring emergency repairs. Eric stated the City has undertaken several projects to reconstruct sewers that were major contributors of I/I, including the U.S. 42 Trunk Sewer and the South Central Trunk Sewer. These projects have accomplished significant reductions in wet weather flow, however observation of total flow to the new Water Reclamation Plant (WRP) indicates that sources of I/I remain elsewhere in the sewer system. The proposed I/I Analysis represents an organized systematic way to work from the WRP back through the sewers to isolate areas of excessive I/I and thereby identify sewers for detailed inspection and possible reconstruction.

Eric reported the I/I Analysis is also an important preliminary step in updating the City's Sewer Master Plan. The Sewer Master Plan, which was last updated in 1999, identifies the sewers and sub-drainage areas that constitute the framework of the sanitary sewer system. Since 1999, there have been a number of extensions of the sewer system to serve new developments, as well as modifications to the existing system. An example of these modifications is the elimination of several lift stations by the reconstruction of the U.S. 42 South Sewer in 2003. He said several firms were contacted to discuss approaches to the I/I Analysis. The most responsive of these firms was

LJB, who proposed to install flow meters at a total of 25 strategic locations in the sewer system for a 90-day period. Information from these flow meters will be correlated with rainfall data and WRP flows to establish I/I amounts in each sub-drainage area.

Eric concluded by stating the proposed fee for the outlined services is \$150,000, which was included in the City's 2007 Budget. This analysis and report will provide for an organized approach to eliminate remaining infiltration and inflow in the City's sanitary sewer system. The Utility Committee has reviewed this project and is recommending the adoption of Ordinance 2008 - 9.

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

Councilmember Wurzbacher asked if there had been any study to determine the current cost of infiltration. Keith Collins replied that has not been done to date but it could be reviewed further. Eric Hansen said this is a preliminary step to creating a Storm Sewer Master Plan. He said it will have to be done either this year or next year. Mayor Grossmann confirmed the cost of this is coming out of the sewer fund. Councilmember Wurzbacher stated he would like to have a study done on the current cost before he approves this expense.

A motion to table Ordinance 2008-09 until the February 11, 2008 meeting was made by Councilmember Wurzbacher, seconded by Councilmember Prince. VOTE: ALL YEAS

**ORDINANCE 2008-10 PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$8,820,000 OF RENEWAL NOTES BY THE CITY OF MASON, OHIO, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF ACQUIRING A GOLF COURSE IN THE CITY AND DECLARING AN EMERGENCY.**

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

Jennifer Heft explained to Council, on June 12, 2006, Council approved Ordinance 2006-72, which authorized the purchase of the Golf Center at Kings Island for \$9 million. After a due diligence period and the authorization of a management agreement with Recreation Management Services, Inc. (RMS) for the operations of the Golf Center at Kings Island, the property was purchased March 15, 2007. Council approved Ordinance 2006-152, which provided for the issuance of \$10 million, Golf Course Acquisition bond anticipation notes. The actual Bond Anticipation Notes (BANs) were issued on March 14, 2007 for \$9 million. She stated the new issue represents a principal payment in the amount of \$180,000, which was included in the 2008 Budget.

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

A motion to adopt Ordinance 2008-10 was made by Councilmember Bradburn, seconded by Councilmember Shimrock. VOTE: ALL YEAS

**ORDINANCE 2008-11 CREATING THE POSITION OF TAX TECHNICIAN IN THE CITY OF MASON FINANCE DEPARTMENT AND ESTABLISHING COMPENSATION**

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

Jennifer Heft explained to Council, turnover within the Finance department has stabilized and staff is becoming more experienced and better trained. However, there remain areas, such as complicated tax returns for major corporations and individual taxpayers with complex tax situations, which require additional technical skills and training. Many of the jobs currently being performed by account clerks in Mason are typically completed by paraprofessional in other cities. A Tax Technician position would require more advanced technical skills, which is needed within the Tax Office. She stated this action does not create a position; it reclassifies an existing position to a higher skill level to meet the needs of the Tax Office and taxpayers. The additional cost is expected to be minimal, approximately \$7,500, compared to the additional tax revenue that may be collected and improvements in customer service. Jennifer said the Finance Committee did recommend this position for inclusion in the 2008 Budget that was adopted by Council.

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

A motion to adopt Ordinance 2008-11 was made by Councilmember Wurzbacher, seconded by Councilmember Prince. VOTE: ALL YEAS

**ORDINANCE 2008-12 REJECTING ALL BIDS OPENED ON NOVEMBER 21, 2007, FOR THE LED REPLACEMENT PROJECT**

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

Richard Fair explained to Council Ordinances 2008-12 and 2008-13 concern the same project. To award a contract to the lowest and best bidder for the LED Replacement Project. This project includes replacement and/or retrofitting all existing signal heads, pedestrian signal heads, school flasher signs and railroad flasher signals with LED lenses. In addition, a battery backup system will be installed at the following five major intersections: Mason-Montgomery Road/Tylersville Road, Tylersville Road/US Rt. 42, Kings Mills Road/SR 741, Mason-Montgomery Road/Main Street, US Rt. 42/SR 741. Richard said with the help of the Police Department, these intersections were chosen because they are extremely difficult and dangerous for officers to flag traffic when power failures occur.

He reported the City received Federal safety funds from a grant administered by OKI for this project. The grant will reimburse the City 80% of all eligible construction costs. The LED Replacement Project was included as part of the 2007 Budget and was originally bid on November 21, 2007. Prior to bidding, the City was granted permission by ODOT to specify LED manufacturers as acceptable or unacceptable. Richard explained shortly after bids were opened, ODOT notified the City that a manufacturer, which the City had previously noted as an unacceptable manufacturer due to quality concerns, was added to the ODOT approved supplier list. Therefore, ODOT required the City to re-bid the project allowing all ODOT approved manufacturers an opportunity to bid. When the project was rebid a section was added for an



additional warrantee to eliminate any quality concerns. The LED units come with a 5-year warranty and staff is also requiring the contractor to replace any outages for the first 2-years at no cost to the City.

Richard stated the project was re-bid and bids were opened on January 8<sup>th</sup>, with five (5) bids received. The best and lowest bidder was Tri-Master, Inc. for the amount of \$134,902.00. Even with the additional 2-year warrantee, Tri-Master's bid is \$627.60 lower than the original low bid received on November 21. Tri-Master, Inc. has never worked in the City of Mason, however they are an ODOT approved contractor and have recently completed several similar projects for ODOT and other cities. ODOT is recommending awarding the contract to Tri-Master, Inc. He concluded adoption of Ordinance 2008 – 12 rejecting all bids received on November 21, 2007, for construction of the LED Replacement Project and Ordinance 2008 - 13 awarding a contract for construction of the LED Replacement Project to Tri-Master, Inc in an amount not to exceed \$134,902 are recommended. If approved, construction is anticipated to begin in March and to be completed by April 30.

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

A motion to adopt Ordinance 2008-12 was made by Councilmember Prince, seconded by Councilmember Bradburn. VOTE: ALL YEAS

**ORDINANCE 2008-13 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH TRI-MASTER, INC., FOR THE LED REPLACEMENT PROJECT**

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

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

A motion to adopt Ordinance 2008-13 was made by Councilmember Wurzbacher, seconded by Councilmember Shimrock. VOTE: ALL YEAS

**RECOGNITION OF VISITORS** None

**EXECUTIVE SESSION**

A motion to adjourn into executive session for the purpose of discussing the employment of public employees and land acquisition was made by Councilmember Bradburn, seconded by Vice Mayor Beck. VOTE: ALL YEAS

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

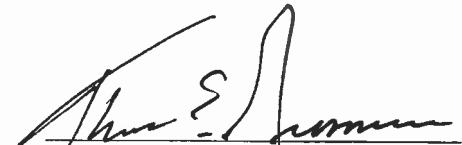
**ADJOURN**

A motion to adjourn was made by Councilmember Shimrock, seconded by Councilmember Prince.  
VOTE: ALL YEAS

TIME: 9:12 p.m.



Clerk of Council



Mayor