

**CITY OF MASON
COUNCIL MEETING
FEBRUARY 11, 2008**

Mayor Grossmann called the meeting to order at 7:03 p.m. Rabbi Kalmanson opened the meeting with a prayer. Those present recited the pledge of allegiance.

ROLL CALL

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

APPROVAL OF MINUTES

A motion to approve the minutes of the January 28, 2008 council meeting was made by Councilmember Kidd, seconded by Councilmember Shimrock. VOTE: ALL YEAS

PRESENTATION BY WARREN COUNTY PROSECUTOR RACHEL HUTZEL

Warren County Prosecutor, Rachel Hutzel addressed Council and gave a brief update on the activities of her office for 2007. She distributed copies of her annual report to Councilmembers.

RECOGNITION OF VISITORS None

COMMITTEE REPORTS

Vice Mayor Beck commented on the handout Council received in their packets regarding fees charged by the City of Mason. He stated the Finance Committee will be reviewing this matter and will report back to Council in the near future.

Councilmember Shimrock reported the Downtown Committee met and due to the newness of some of the members, a brief history of the project was discussed. She stated a general conversation took place on future projects. She also noted the members of DMA were present.

Councilmember Bradburn reported the Safety Committee met and reviewed the need for a renewal on the City's current fire levy. He stated it may be a 5 mil replacement levy with the possibility of an additional 2 mil for upgrades in the Fire Department to meet the level recommended by the consultants. He stated he will have a full report at the next council meeting. He said the participation of a Mason officer becoming an ICE Officer was discussed. He said Butler County has trained some of their officers and is willing to assist Mason in this area. He stated at this time Chief Ferrell did not see the need to enroll our officers in the formal training program.

Mayor Grossmann reported he met with Connie Yingling, President of the Mason School Board, to discuss a proposed future meeting with the Mason City Council and the Board of Education. He stated payment of fees was discussed but no decisions were made.

COUNCIL OLD AND NEW BUISNESS None

CITY MANAGER'S REPORT

City Manager, Eric Hansen reported on the following items:

▶ A reception was held at 6:30 p.m. tonight in honor of the City's relationship with TriHealth, a partnership of Bethesda Hospital, Inc. and Good Samaritan Hospital that includes Group Health Associates. Council members met TriHealth officials and learned more about the partnership that will bring a facility expansion and new programming to the Community Center. He said it will also bring an adjacent medical care facility, including physical therapy and post-rehabilitation care integrated into the fitness center

▶ There will be a membership meeting of the Warren County Municipal League on Wednesday, February 20, at the Shaker Run Golf Course on Greentree Road. Social hour begins at 6:00 p.m., followed by dinner and meeting beginning at 7:30 p.m. Warren County Commissioners South, Kilburn and Young will be the featured guests. Reservations are required by February 14 through Terry Schulte.

▶ The next DARE graduation is on Tuesday, February 19, at 7 p.m. at the Mason High School Auditorium. Mayor Grossmann will speak at the meeting and all Council Members are invited to attend.

▶ City offices will be closed on Monday, February 18, in observance of President's Day.

▶ The National League of Cities conference conflicts with the regularly scheduled March 10 Council meeting and I do not expect that a quorum of Council will be available. Staff is preparing to have any necessary legislation prepared for either the February 25th or March 24th meetings so that the March 10th meeting may be cancelled if Council wishes.

▶ Grand Funk Railroad and Creedence Clearwater Revisited will be the featured performers at this year's July 3rd Red, Rhythm & Boom celebration.

▶ The City has received a request for a liquor permit for the Holy Grail Tavern & Grille located at Tylersville Road & Western Row Road. Councilmember Wurzbacher moved to not require a hearing. Councilmember Bradburn seconded the motion. VOTE: ALL YEAS

▶ The City has received a request for a liquor permit for Speedway Super America LLC located at 711 Reading Road. Councilmember Wurzbacher moved to not require a hearing. Councilmember Bradburn seconded the motion. 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 Kidd, seconded by Councilmember Wurzbacher. VOTE: ALL YEAS

Eric Hansen explained to Council, this is a second reading for this legislation. He said the purpose of this study is to complete an analysis of the City's sewer system to identify the areas requiring attention. In order to estimate total infiltration/inflow, staff has analyzed daily flow data from 2006 and 2007. He reported during the drought period of late Spring and Summer of 2007, base sanitary flows reached a historic low of about 4.25 MGD. Using this figure, it was calculated that extraneous flow to the WRP for 2007 was about 20% of total incoming flow. Inspection of daily flow data from 2006 confirmed this level of I/I. Very preliminary cost estimates that exclude items such as personnel, capital depreciation and opportunity costs from lost capacity indicate this represented an over \$200,000 expense for 2007. Eric stated this number will vary dependent on weather conditions and, if unattended, infiltration/inflow will grow over time. A more detailed cost analysis will require additional time to better identify all the costs and link them to the rate of I/I.

Councilmember Wurzbacher stated with this information, it is clear this cost is justified and he appreciated staff working so quickly to clarify that issue.

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

ORDINANCE 2008-14 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 Councilmember Bradburn. VOTE: ALL YEAS

Jennifer Heft explained to Council, the new 54-acre Mason Sports Park is a premier park facility expected to open on April 19, 2008. The addition of this new park is an increase of 18% total acreage into the Mason park system. The new park facilities will involve the highest level of maintenance required with its features, visibility and expected high usage. This premier facility offers residents a number of recreational amenities and has already received a lot of interest from various groups and leagues.

She stated based on the amenities offered at the park, preliminary estimates indicate that over 133 hours per week, during peak season, for maintenance and support will be needed. As such, staff is recommending Ordinance 2008-14, creating an additional full time parks maintenance position. The Finance Committee discussed and recommended this position for inclusion in the 2008 budget. Seasonal and part time staff will be used to

subsidize the additional labor hours. After the 2008 season, operations will be reviewed and, if needed, as part of the 2009 budget process, additional full time staff may be recommended.

As part of the 2008 budget process, four new pieces of equipment were proposed and recommended by the Equipment and Finance Committee for inclusion in the 2008 Budget. These refer to Ordinances 2008-15-18. Jennifer stated this includes the purchase of a Toro Groundsmaster 4000-D Mower, a John Deere 4320 Tractor, a Deweze ATM-72LC Hillside Mower and the Ford F-350 Truck crew cab diesel with snow plow.

Mayor Grossmann stated the Finance Committee and Utility Committee have reviewed these purchases and position and recommend adoption.

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 2008-14 was made by Councilmember Kidd, seconded by Councilmember Prince. VOTE: ALL YEAS

ORDINANCE 2008-15 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH CENTURY EQUIPMENT FOR THE PURCHASE OF ONE TORO GROUNDSMASTER 4000-D MOWER IN THE AMOUNT OF \$43,767.00

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

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

A motion to adopt Ordinance 2008-15 was made by Councilmember Kidd, seconded by Councilmember Prince. VOTE: ALL YEAS

ORDINANCE 2008-16 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH JOHN DEERE 4320 TRACTOR IN THE AMOUNT OF \$22,400.00

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

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 2008-16 was made by Councilmember Wurzbacher, seconded by Councilmember Kidd. VOTE: ALL YEAS

ORDINANCE 2008-17 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH GLENN'S SALES & SERVICE FOR THE PURCHASE OF ONE DEWEZE ATM-72LC HILLSIDE MOWER IN THE AMOUNT OF \$34,832.00

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

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

A motion to adopt Ordinance 2008-17 was made by Councilmember Shimrock, seconded by Councilmember Wurzbacher. VOTE: ALL YEAS

ORDINANCE 2008-18 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH 32 FORD FOR THE PURCHASE OF ONE F-350 PICKUP TRUCK IN THE AMOUNT OF \$40,913.00

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

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

A motion to adopt Ordinance 2008-18 was made by Councilmember Wurzbacher, seconded by Councilmember Kidd. VOTE: ALL YEAS

ORDINANCE 2008-19 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT TO PURCHASE WITH JANNELLE K. SCHOONOVER AND BYRON D. SWAB FOR THE ACQUISITION OF PROPERTY LOCATED AT 115 SOUTH EAST STREET, MASON, OHIO 45040, FOR \$134,000.00, AND DECLARING AN EMERGENCY (SWAB)

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

Kurt Seiler explained to Council, as a result of the July 17th, 2001 rainfall event, which is estimated to have exceeded a 100-year event, many businesses and residents experienced varying degrees of flood damage throughout the City. At that time, the Engineering Department assessed the problems and compiled a list of priority projects where storm sewer improvements were required. One of these sites was the area of downtown from Forest Avenue to the Muddy Creek. During the initial design of this project, City staff and M.E. Companies evaluated several alignments through this area of the City. Because of the natural grade of the land, the proposed alignment was the most cost effective and allowed the largest surface area to be collected into the new storm sewer system. He

reported the Engineering and Building Department staff has been working with the residents in this area to acquire the necessary easements to install the new storm sewer. The property owners at 115 S. East Street were approached for a 20-foot storm sewer easement. This property is located on the west side of S. West Street and west of the Lexington Square Apartments. Although the property owners would not grant a permanent easement to the City, they did express an interest to sell the whole parcel. Purchasing this parcel allows the City to move forward with the design and construction of the storm sewer improvements and will help reduce flooding in the downtown area. He said 115 S. West Street is the last parcel needed to finish the design and construction of the new storm sewer that will be incorporated into the future Mason Road Improvements. The City will lease the building and anticipate selling it in the future after the storm sewer is built.

Kurt reported the purchase price for this parcel has been reduced to \$134,000 from the \$147,000 original asking price. The current owners would like to close on the property on or before February 22nd, 2008 and remain at the property for at least two months after the closing. The above property represents a timely investment for the City to acquire needed utility easements.

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

Councilmember Prince asked for clarification on the lease arrangement on this property if the current residents remain on the premises. Eric Hansen explained they are given two months to remain after closing and any longer than that and they would enter into a lease agreement.

A motion to adopt Ordinance 2008-19 was made by Vice Mayor Beck, seconded by Councilmember Prince. VOTE: ALL YEAS

Mayor Grossmann asked if Council objected to holding only one meeting in March due to the conflict with the NLC Conference resulting in Council not having a quorum present. Councilmember Wurzbacher moved to cancel the first meeting in March. Councilmember Kidd seconded the motion. VOTE: ALL YEAS

RECOGNITION OF VISITORS None

EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING EMPLOYMENT OF A PUBLIC EMPLOYEE AND LAND ACQUISITION

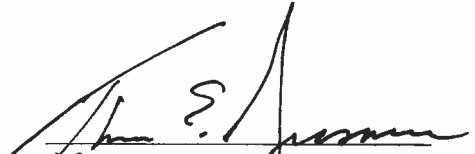
A motion to adjourn into executive session for the purpose of discussing employment of a public employee and land acquisition was made by Councilmember Kidd, seconded by Councilmember Bradburn. VOTE: ALL YEAS

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

ADJOURN

A motion to adjourn was made by Councilmember Bradburn, seconded by Councilmember Shimrock. VOTE: ALL YEAS TIME: 8:30 p.m.


Clerk of Council


Mayor