

**CITY OF MASON  
COUNCIL MEETING  
March 17, 2008**

Vice Mayor Peter Beck called the meeting to order at 7:02 p.m. Father Harry Meyer opened the meeting with a prayer and those in attendance followed this by reciting the pledge of allegiance.

**ATTENDANCE**

The following members of Council were present: Victor Kidd, Christine Shimrock, Tony Bradburn, Todd Wurzbacher and Peter Beck. Tom Grossmann joined the meeting at 7:07 p.m. Don Prince was absent.

**APPROVAL OF MINUTES**

A motion to approve the minutes of the February 25, 2008 Council meeting was made by Councilmember Kidd, seconded by Councilmember Bradburn. VOTE: ALL YEAS

**INTRODUCTION OF CHAPLAIN EDINSON DEARCO**

Pastor Perkins introduced the newest member to the Chaplain program, Edinson DeArco.

Mayor Grossmann joined the meeting at this time.

**SWEARING IN OF PARK BOARD MEMBERS MIKE MUMMA**

Mayor Grossmann presented the oath of service to Mike Mumma, the newest member to the Park Board.

**RECOGNITION OF DARE ESSAY WINNERS**

Officer Ryan Tanner introduced the winners of the DARE Essay contest and thanked Council for their support. Sydney Carr, Camille Borders and Haley Hopkins read their winning essays for Council.

**RECOGNITION OF VISITORS** None

**RESOLUTION 2008-02 REQUESTING INFORMATION FROM COUNTY AUDITOR FOR PURPOSES OF EVALUATING AND LEVYING A TAX EXCEEDING THE 10-MILL LIMITATION AND DECLARING AN EMERGENCY**

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

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

Eric Hansen explained to Council the next three pieces of legislation all deal with the Fire Department. He said Resolution 2008-02 is a housing keeping matter required with the County Auditor. He said the next two ordinances 2008-26 and 2008-27 deal with a fire levy. Councilmember Bradburn stated on April 7, 2008 at 7:00 p.m. a special meeting will be held with the Safety Committee. He said the meeting will be held in the Community Room and the purpose is to gather input from the public on this matter.

A motion to adopt Resolution 2008-02 was made by Councilmember Kidd, seconded by Councilmember Shimrock. VOTE: ALL YEAS

**ORDINANCE 2008-26 PROPOSING A RENEWAL LEVY FOR FIRE AND EMERGENCY SERVICES AS SET OUT IN OHIO REVISED CODE SECTION 5705.19(I) TO BE SUBMITTED TO THE ELECTORS**

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

**ORDINANCE 2008-27 PROPOSING AN ADDITIONAL LEVY FOR FIRE AND EMERGENCY SERVICES AS SET OUT IN OHIO REVISED CODE SECTION 5705.19(I) TO BE SUBMITTED TO THE ELECTORS**

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

Councilmember Bradburn requested Ordinances 2008-43 and 44 be moved to next on the agenda.

**ORDINANCE 2008-43 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH KERRY FORD FOR THE PURCHASE OF TWO FORD ESCAPES FOR THE FIRE DEPARTMENT IN THE TOTAL AMOUNT OF \$38,316**

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

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

Jennifer Heft explained to Council, both Ordinance 2008-43 and 44 are both related to the fire department. She stated in 2004, the position of Deputy Fire Chief was removed as part of reorganization. Since that time Fire and EMS professionals have consistently recommended that the City move to the NFPA standard of six minute response time –

four minute road time, an organizational structure, which includes increasing full time supervision, and an intense training program with national accreditations.

Jennifer stated with the Safety Committee's recommendation, Council approved several pieces of legislation that positions the department to meet these goals. The previous operating practice of relying heavily on part-time fire fighters was no longer practical. With the approval of Council, the number of full-time professional fire fighters increased from eight in 1998 to thirty-two in 2007. In 2006, Council authorized a contract with Conestoga-Rovers to provide Incident Command Training to over sixty firefighters. The training was completed in 2007. The additional emphasis on training and the continued improvement in personnel development requires the oversight at a command level within the Fire Department. A second deputy chief position will have responsibilities in administration, training and quality improvement and quality assurance; and other areas identified by independent reviews as being needed within the department.

Jennifer stated Ordinance 2008-44 concerns a vehicle purchase for the Fire Department. She said earlier this year a 1997 Crown Vic, with over 78,000 miles and over \$5,000 in year-to-date repairs, was removed from service due to frame problems. The cost to repair the frame is over \$7,400. Fire inspectors, who inspect businesses and conduct fire investigations, used this vehicle. One of the Ford Escapes being requested will replace this vehicle. With the approval of the second deputy chief position a second Ford Escape that is being requested would be used by this position. The Ford Escape has enough room to carry fire equipment for investigations and ground clearance with the ability to drive on unimproved sites during new construction inspections.

Jennifer concluded by saying the Safety Committee has reviewed these requests and is recommending Ordinance 2008 - 43 and Ordinance 2008 - 44 for adoption.

Councilmember Bradburn provided details on the specific equipment being purchased. Vice Mayor Beck stated the Equipment Committee did not review this but the Finance Committee did approve this proposal as submitted. Councilmember Bradburn stated a power point presentation will be available plus maps etc.

A motion to adopt Ordinance 2008-43 was made by Councilmember Kidd, seconded by Councilmember Shimrock. VOTE: 5 YEAS, 1 ABSTAIN: (Bradburn)

**ORDINANCE 2008-44 CREATING THE POSITION OF DEPUTY FIRE CHIEF IN THE CITY OF MASON FIRE DEPARTMENT AND ESTABLISHING COMPENSATION**

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 Shimrock, seconded by Councilmember Kidd. VOTE: ALL YEAS

A motion to adopt Ordinance 2008-44 was made by Councilmember Kidd, seconded by Councilmember Wurzbacher. VOTE: ALL YEAS

**ORDINANCE. 2008-28 PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$8,070,000 OF BONDS BY THE CITY OF MASON, OHIO, FOR MAKING ROAD IMPROVEMENTS AND DECLARING AN EMERGENCY**

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

Eric Hansen reported the next for ordinances would come before Council at the April 14, 2008 meeting and deal with refinancing debt.

**ORDINANCE 2008-29 PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$4,110,000 OF BONDS BY THE CITY OF MASON, OHIO, FOR THE PURPOSE OF MAKING DOWNTOWN IMPROVEMENTS IN THE CITY, AND DECLARING AN EMERGENCY**

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

**ORDINANCE 2008-30 PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$5,755,000 OF BONDS BY THE CITY OF MASON, OHIO, FOR MAKING PARK AND RECREATION IMPROVEMENTS AND DECLARING AN EMERGENCY**

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

**ORDINANCE 2008-31 PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$17,935,000 OF BONDS BY THE CITY OF MASON, OHIO, FOR VARIOUS PURPOSES IN THE CITY, AND DECLARING AN EMERGENCY**

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

**ORDINANCE 2008-32 AMENDING THE ZONING CODE AND ZONING MAP OF THE CITY OF MASON, OHIO, TO PROVIDE FOR THE REZONING OF APPROXIMATELY 8.31 ACRES LOCATED AT 6175 HI-TEK COURT FROM I-PUD TO I-1 (SKILLED CARE PHARMACY PROPERTY)**

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

Eric Hansen reported the public hearing would be held on the April 14, 2008 meeting.

**ORDINANCE 2008-33 ACCEPTING DEDICATION OF RIGHT-OF-WAY AND EASEMENT FOR THE WESTERN ROW ROAD IMPROVEMENT PROJECT (VILLAGE LAKES)**

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

Kurt Seiler explained to Council, the next two ordinances are necessary for the future widening of Western Row Road. He said Ordinance 2008-33 involves the Village Lakes Subdivision. This property is located on the north side of Western Row Road between Hope Church and Mason Fields Subdivision. This plat will dedicate 0.169 acres from Lot 106 (renamed to Lot 160A) and 0.323 acres from Lot 19 (renamed to Lot 19A) along Western Row Road and will also establish drainage easements for future storm connections. He added Ordinance 2008-34 deals with the Mason Fields Subdivision. He said this site is located on the north side of Western Row Road between Village Lakes Subdivision and Lenscrafters Lane. This plat will dedicate 0.054 acres from Open Area 1 (renamed to 1A), 0.004 acres from Open Area 4 (renamed to 4A) and 0.164 acres from Open Area 3 (renamed to 3A) along Western Row Road and will also establish drainage easements for future storm connections. He noted Planning Commission recommends approval of both dedication plats.

A motion to adopt Ordinance 2008-33 was made by Councilmember Wurzbacher, seconded by Councilmember Bradburn. VOTE: ALL YEAS

**ORDINANCE 2008-34 ACCEPTING DEDICATION OF RIGHT-OF-WAY AND EASEMENT FOR THE WESTERN ROW ROAD IMPROVEMENT PROJECT (MASON FIELDS)**

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 Kidd, seconded by Vice Mayor Beck. VOTE: ALL YEAS

A motion to adopt Ordinance 2008-34 was made by Councilmember Wurzbacher, seconded by Councilmember Kidd. VOTE: ALL YEAS

**ORDINANCE 2008-35 ACCEPTING THE PUBLIC IMPROVEMENTS FOR STRESS ENGINEERING WAY AND RELEASING THE PERFORMANCE BOND**

A motion to read by title only was made by Councilmember Shimrock, seconded by Councilmember Kidd. 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

Kurt Seiler explained to Council, Stress Engineering Way is a cul-de-sac street off of Western Row Road, across from Cintas Boulevard. The Public Utilities, Public Works, Engineering Department and Greater Cincinnati Water Works have inspected the public improvements. The utilities and other improvements will become the City's responsibility upon acceptance. Kurt stated staff recommends accepting the public improvements, contingent on the submission of a one-year maintenance bond.

A motion to adopt Ordinance 2008-35 was made by Councilmember Shimrock, seconded by Vice Mayor Beck. VOTE: ALL YEAS

**ORDINANCE 2008-36 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ENVIRONMENTAL ENGINEERING SERVICE, IN THE AMOUNT OF \$17,600 FOR DESIGN OF REPLACEMENT SANITARY SEWERS IN OLYMPIA DRIVE, WESTERN ROW ROAD, TRADEWIND DRIVE, AND QUINN PARK**

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

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

Eric Hansen explained to Council, during routine TV inspection of sanitary sewers in 2007, it was discovered that sewers in the areas described above had seriously deteriorated sections of pipe, causing obstruction of flow, which could ultimately lead to complete failure. Staff requested proposals from LJB, Stantec, and Environmental Engineering Service for professional services to design replacement sewers and to prepare plans and specifications so that the City could obtain bids for the necessary construction. Eric said proposals were received from all three firms, all of which were considered technically qualified to do the work. The best fee proposal was received from Environmental Engineering Service (EES), in the amount of \$17,600.

He further reported this project could not be anticipated at the time the 2008 budget was being prepared. Due to concerns of imminent failure, it is necessary to move forward with this project so that replacement of the affected sewers can be done on an emergency basis. Eric stated funds are available in the Sewer Expansion Fund for this project. The Utility Committee has reviewed this project and is recommending Ordinance 2008 - 36 for adoption.

Vice Mayor Beck stated this was not in the budget and was not anticipated. He clarified it was coming out of the Utility Fund.

A motion to adopt Ordinance 2008-36 was made by Councilmember Shimrock, seconded by Councilmember Kidd. VOTE: ALL YEAS

**ORDINANCE 2008-37 AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION FOR AN OHIO SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT FOR REMOVAL AND REPLACEMENT OF HANDICAP ACCESSIBLE CURB RAMPS IN THE OLYMPIA FIELDS SUBDIVISION**

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 Bradburn, seconded by Councilmember Kidd. VOTE: ALL YEAS

Jennifer Heft explained to Council, each year the City is entitled to apply for grant monies for areas of Mason which will benefit low to moderate income (LMI) persons or eliminate immediate threats. The State of Ohio, in 2005, made policy changes to the CDBG formula allocation program, which eliminated Mason's status as an "acquired" city. This means that Mason is not eligible for a guaranteed allocation as in the past, but is still able to apply to the county for CDBG monies each year.

Jennifer further stated the FY 2008 grant application is for replacement of handicap accessible curb ramps in the Olympia Fields subdivision. The existing curb ramps in this subdivision do not meet the current ADA standards. This new standard requires an area of brick dimensional pavers with a truncated dome pattern for the first two feet of the curb ramp. Truncated domes alert visually impaired persons of the ramp's end so they do not accidentally walk into traffic. If approved, future CDBG applications will likely include additional curb ramp replacements throughout the city. This type of work meets program requirements and there are approximately 400 eligible curb ramps currently in the City. She concluded by stating if the grant is successful, the project will be bid in January 2008 with construction completed by December 2008.

Councilmember Wurzbacher asked how many curb ramps we have installed in the City and how many are there to do. Kurt Seiler said he estimated we have done approximately 100. Vice Mayor Beck asked if the County does not approve our request for the funds, does the money go back to the State. Eric said he believes the County can redistribute the funds elsewhere. Councilmember Wurzbacher asked who, at the County makes that decision. Eric said they have grant staff but ultimately the County Commissioners approve the requests.

A motion to adopt Ordinance 2008-37 was made by, seconded by Councilmember Shimrock. VOTE: ALL YEAS

**ORDINANCE 2008-38 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH HADCO OUTDOOR LIGHTING FOR THE PURCHASE OF SIX HADCO STREET LIGHTS AT \$28,000**

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 Kidd, seconded by Vice Mayor Beck. VOTE: ALL YEAS

Jennifer Heft explained to Council, this ordinance is for the purchase of street lights for installation along Parkside Drive. She said new streetlights will match existing decorative streetlights along Tylersville Road, Mason-Montgomery Road, and the Municipal Center parking area. She stated there are a total of six streetlights scheduled to be replaced this year. The material cost of replacing the streetlights will be \$28,000, which includes the street light poles, arms, heads, bulbs, fuses and fuse holders. Purchasing the material for this project separately will reduce the overall cost of the project as the City can obtain the material cheaper than the contractor by avoiding the possible contractor markup for material. Jennifer added replacement of the streetlights along Parkside Drive represents the third phase of the streetlight replacement program that began in 2006. The City will contract separately for the installation and underground conduit work, which should begin this spring. The remainder of this work should not require further Council action and will remain under budgeted amounts. The Finance Committee recommended including \$49,000 in the 2008 Budget for this project.

A motion to adopt Ordinance 2008-38 was made by Councilmember Wurzbacher, seconded by Councilmember Kidd. VOTE: ALL YEAS

**ORDINANCE 2008-39 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH JACKSON CONSTRUCTION, INC. IN THE AMOUNT OF \$82,581 FOR THE 2008 SIDEWALK REPLACEMENT PROGRAM**

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

Kurt Seiler explained to Council, this project for sidewalk repair and replacement will include areas along Dawson Street, Cox Street, Hanover Drive, Mason Hills Court, Overlook Drive and Carter Court. In addition to sidewalk, all curb ramps in the project area will be updated to meet current ADA specifications. He reported bids were opened on March 11<sup>th</sup> with eleven (11) bids received. Based on sidewalk prices in recent years, most of the bids received were well below expectations. Sidewalk replacement costs in this year's project are approximately 5% less than in the 2007 project. Based on feedback from the contractors, bidding the contract early in the year and grouping the streets closely together resulted in a lower than expected bid. The best and lowest bidder was Jackson Construction, Inc. with a bid of \$82,581.



Because of the lower than expected bid, more sidewalks than anticipated could be done within the original budget amount. This would be a good way to take advantage of the low bid and repair additional sidewalk. Ordinance 2008 – 39 authorizes a contract with Jackson Construction, Inc. for the bid amount of \$82,581. If Council would like staff to pursue expanding the program, an amendment adding a section authorizing a change order of up to \$17,419 for additional sidewalk work would be appropriate and remain within the original budget amount for this program.

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 amend the ordinance to add a section allowing for the total expenditure to be \$100,000, which results in a change order for up to \$17,419, was made by Councilmember Wurzbacher, seconded by Councilmember Bradburn. VOTE: ALL YEAS

A motion to adopt Ordinance 2008-39 as amended was made by Councilmember Shimrock, seconded by Councilmember Kidd. VOTE: ALL YEAS

**ORDINANCE 2008-40 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH CHAMPLIN/HAUPT IN AN AMOUNT NOT TO EXCEED \$42,000 FOR CONSULTANT SERVICES TO CREATE CONCEPTUAL DESIGN DRAWINGS FOR THE TRIHEALTH AND COMMUNITY CENTER EXPANSION**

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

Eric Hansen explained to Council, in November 2007 City Council designated TriHealth as the preferred provider for long-term space lease and health services operations at the Community Center. City Council also authorized the City Manager to negotiate a lease agreement with TriHealth. While this process is moving forward on several fronts, staff sought and received proposals for conceptual architectural design services for the TriHealth addition and subsequent Community Center Expansion.

Eric said this ordinance will authorize the City Manager to enter into a contract with Champlin/Haupt to provide these conceptual design services. This is a two-part project, with both parts working simultaneously towards completion. First, the architect will prepare conceptual drawings for the approximate 30,000 square foot addition to the Community Center for exclusive TriHealth use with a 2,000 square foot warm water pool to be shared with the City. The second part of the project is a conceptual design of the expanded services to the current Community Center that compliments the TriHealth

addition and meets the Center's expansion needs. Integration of these components and cost-estimating will help this partnership rapidly move forward.

Eric further explained the City, in partnership with TriHealth, is planning to construct an approximate 30,000 square foot addition adjacent to the Mason Community Center for the exclusive use of Tri-Health for their health service operations. The TriHealth facility will include these core services:

- Relocation and expansion of Group Health Associates Mason office to create convenient access to primary care physicians and specialists, diagnostic testing services and in-house pharmacy, and to support medical wellness programming.
- Inclusion of Rehabilitation and physical Therapy Services as well as post-rehabilitation program available for anyone following acute therapy.
- Addition of a Warm-Water Pool designed and built in conjunction with the Mason Community Center to allow open usage for residents, specialized aquatic fitness classes and treatment for those patients in acute physical therapy and post-rehab programs.

Since TriHealth's goal is to break ground this year; staff has placed Champlin/Haupt on a very tight time frame. The schedule for a conceptual plan submittal is May 15 in order to be placed on the June 3<sup>rd</sup> Planning Commission agenda with final PUD drawings. Included within the conceptual drawings are landscaping, parking, building footprint and elevation details. Within the next two months, Champlin/Haupt will need to meet with TriHealth and staff to develop programming needs for each entity. Using the core services offered in the RFP, the consultant must develop a site plan and building footprint that will meet the needs of TriHealth and the Community Center. Additionally, the consultant should use their marketing expertise in recreational facilities to determine what uses the Community Center must expand, alter or include in the addition. This places Champlin/Haupt on a very aggressive time schedule, which they have agreed to, and for which they have the available staff.

He reported the Community Center Committee has discussed this project and the need to move rapidly. The expectation is that at the June 23<sup>rd</sup> meeting, City Council will be asked to approve legislation for architectural services for final design drawings and construction management services.

A motion to adopt Ordinance 2008-40 was made by Councilmember Wurzbacher, seconded by Councilmember Kidd. VOTE: ALL YEAS

**ORDINANCE 2008-41 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH MANAGEMENT PARTNERS INCORPORATED FOR PROFESSIONAL MANAGEMENT CONSULTING SERVICES IN AN AMOUNT NOT TO EXCEED \$50,000**

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

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

Eric Hansen explained to Council, departments and staff spend a considerable amount of time researching service demands, cost-effective solutions and priorities that effectively meet the needs of the department. Mason is a fast paced, high growth environment and finding resources that can provide the flexibility needed to accommodate new and shifting priorities can be difficult. A cost effective alternative to adding additional staff to the City's current organizational structure is to outsource some of the work to a credible, professional consulting firm.

Eric stated Management Partners, which was founded in 1994, provides expertise of professionals with extensive experience in all aspects of local government management to help government organizations increase effectiveness by assisting with special projects, performing in-depth analysis, and identifying issues and problems and recommending ways to improve operations. Management Partners' client base includes many small and large cities and counties throughout the United States. Their eastern headquarters is in Cincinnati, which makes them an attractive and cost effective option. They are acknowledged in the region for expertise in intergovernmental cooperation and benchmarking best practices - their client list includes many area communities.

He said after discussing with the Employee Relations Committee and with their recommendation, the Finance Committee reviewed this request and recommended \$50,000 for inclusion in the 2008 Budget for these services. This Ordinance does not obligate the City to expend these dollars or set a time frame for use. It allows the City pre-authorized access to a pool of talent to provide assistance on an as-needed and as-requested basis

A motion to adopt Ordinance 2008-41 was made by Councilmember Shimrock, seconded by Vice Mayor Beck. VOTE: ALL YEAS

**ORDINANCE 2008-42 AMENDING THE CODIFIED ORDINANCES OF THE CITY TO ENACT SECTION 373.12 PROVIDING RULES FOR SKATEBOARDING**

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

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

Eric Hansen explained to Council, the City has responded to multiple complaints related to skateboards and the damage caused from operating them in public areas. The most recent has been at the newly constructed Downtown plaza and the replacement bridge

leading from Rose Hill Cemetery to Downtown. He said the City's current Codified Ordinances Section 373, regulates bicycles and motorcycles operating in the City. This section currently does not provide for the operation of skateboards. Ordinance 2008 – 42 amends this section to include the establishment of boundaries for the operation of skateboards. Specifically, the ordinance prohibits the operation of the skateboard upon any public street, road, off-street parking facility or No Skate Zone Area, except for special events approved by the City Manager. The following areas have been designated as No Skate Zones: Mason Veteran's Memorial plaza, Downtown plaza, all park playground structures, Corwin Nixon Park and Mason Sports Park ball fields and adjacent spectator areas, Mason Community Center entranceways and bridges located within the City. The ordinance is intended to both protect skateboarders from harm in hazardous areas as well as protect specialized public areas from harm.

He noted areas such as bike paths and public sidewalks remain available for skateboarding. Staff continues to explore cost-effective alternatives for skateboarders that are safe and do not damage public venues.

He reported Safety Committee has had an opportunity to review this section, as has legal counsel. The Safety Committee is recommending the adoption of Ordinance 2008 – 42.

A general discussion took place among Council with a concern being expressed by several members that this ordinance may be creating criminals out of children on skateboards. Councilmember Kidd suggested we spend our energy on educating the residents and placing signs where appropriate. A consensus was reached to refer the matter back to the Safety Committee where the Ohio Revised Code can be researched.

A motion to table this legislation and refer it to the Safety Committee was made by Councilmember Wurzbacher, seconded by Vice Mayor Beck. VOTE: ALL YEAS

**ORDINANCE 2008-45 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH MUSTARD'S LAST STAND FOR CONCESSIONS SERVICES**

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

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

Eric Hansen explained to Council, in 2006, the Parks and Recreation Department successfully negotiated its first concessions contract for operations of the existing concessions at Corwin Nixon ball fields and Lou Eves Municipal Pool. The agreements have been successful in saving the City money in staffing costs while still providing excellent service and selection in these full-service concession areas. For the first time since its inception the Lou Eves Municipal Pool was profitable, due in large part to the cost savings related to concessions.

The new Mason Sports Park provides an additional opportunity to continue the effort at cost savings and increase the level of service for the residents. Staff prepared and advertised an RFP for full-service concession operations at the new Mason Sports Park and Heritage Oak Park. Three proposals were received and reviewed by staff. Homemade Dreams, the concessionaire at Corwin Nixon, Lou Eves Municipal Pool and the soon to be opening Café at the Community Center did not submit a proposal as they are focusing their efforts on the opening of the Café. The proposal by Mustards Last Stand provided a proven track record of several years at City special events, working knowledge of concession operations as a Boy Scout volunteer concessions operation in the past at Heritage Oak Park, and a set rate of commission of 10% on sales at the park to the City. Because of these items Mustards Last Stand is recommended to be the concession provider at these two parks.

A motion to adopt Ordinance 2008-45 was made by Councilmember Shimrock, seconded by Councilmember Kidd. VOTE: ALL YEAS

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

- ▶ City offices will be closed on Friday, March 21 in observance of Good Friday.
- ▶ The next scheduled Council meeting will be held on April 14, 2008.
- ▶ The Mason Grange will celebrate its 100<sup>th</sup> anniversary this year and will hold a dinner on Friday, April 4 beginning at 5:30 p.m. at the Mason Grange Hall, 209 N. Mason-Montgomery Road. Reservations are required.
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- ▶ The annual State of the City address will be held on Tuesday, April 8 at 7:00 p.m. at the CourseView Pavilion at the Golf Center. Council members and residents are encouraged to attend.
- ▶ April 2008 issue of *Mason Matters* will be delivered in the Pulse Journal on April 17.
- ▶ A liquor permit request has been received from Kunta J1 Corporation for 5948 Snider Road. This is for a Pony Keg owned by Hitesh Patel. A motion to not request a hearing was made by Councilmember Wurzbacher, seconded by Councilmember Kidd. VOTE: ALL YEAS

### **COMMITTEE REPORTS**

Councilmember Kidd reported the Utility Committee met to discuss the proposed rate increase by Duke Energy. They recommend the Committee send a letter noting their concerns. He said the organizations that represent residents such as the Ohio consumers Counsel have been actively working with the PUCO. Vice Mayor Beck stated he is still opposed to the rate increase.

Vice Mayor Beck provided an update on the Finance Committee. They reviewed the services the City provides and the fees associated with those services. He reported the fee schedule is being reviewed and a report will be forthcoming.

**OLD AND NEW BUSINESS**

Vice Mayor Beck noted the Northeast Cincinnati Chamber of Commerce has received accreditation.

Councilmember Kidd stated there is a new café open at Snider and Tylersville Road. He also noted at the National League of Cities conference it was discussed that in February 2009 the analog television signal will no longer be available. He said it will all be digital. He said certificates are available at 2 per household for the converter. He suggested the City be proactive in education of the residents on this change as it could be confusing especially for senior citizens.

Councilmember Shimrock remarked on the experience and value of attending the National League of Cities conference.

Councilmember Bradburn remarked on legislation at the federal level regarding taxing mobile workers. He also commented on the value of the conference.

Mayor Grossmann noted there will only be one meeting in April on the 14<sup>th</sup>.

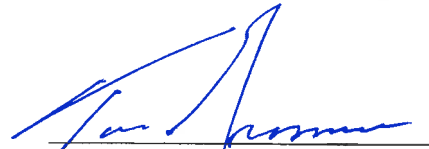
Terry Schulte asked Council to continue, as they have in years past, by donating an item to be auctioned off at the Northeast Chamber of Commerce Spring Wine Gala/Auction. A motion to donate an item to be auctioned off from the City was made by Councilmember Wurzbacher, seconded by Councilmember Kidd. VOTE: ALL YEAS

**RECOGNITION OF VISITORS** None

**ADJOURN**

A motion to adjourn was made by Councilmember Shimrock, seconded by Councilmember Kidd. VOTE: ALL YEAS TIME: 9:56p.m.

  
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Clerk of Council

  
\_\_\_\_\_  
Mayor