

**CITY OF MASON
COUNCIL MEETING
MAY 12, 2008**

Mayor Grossmann called the meeting to order at 7:04 p.m. Rabbi Kalmanson opened the meeting with prayer. Those in attendance recited the pledge of allegiance.

ATTENDANCE

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

APPROVAL OF MINUTES

A motion to approve the minutes of the April 21, 2008 meeting was made by Councilmember Kidd, seconded by Councilmember Shimrock. VOTE: ALL YEAS.

SWEARING IN OF FIRE DEPARTMENT DEPUTY CHIEFS

Chief Moore introduced the new Deputy Fire Chiefs, Craig Bryant and Joe Hoying. Mayor Grossmann swore them into service for the City of Mason Fire Department.

COMMENDATION OF MATTHEW NESBIT

Chief Moore introduced Matthew Nesbit and explained his quick actions on April 22, 2008 helped avoid a fire. He said he visited his neighbor and noticed an odor, which was later discovered to be a light ballast burning in the attic. His actions averted what could have been a dangerous fire. Chief Moore presented him with a commendation for his actions.

PRESENTATION BY MASON TREE COMMITTEE

Terry Schulte presented Council with the Tree City USA Award received in April for calendar year 2007. This is the eighth consecutive year the City has received the award. She said the assistance the Mason Tree Committee receives from David Riggs and Michael Hecker was instrumental in achieving this award. She also reported the City received the Growth Award. She noted these are special in that very few are given. Mason has received three over the past 8 years.

PRESENTATION OF POPPY DAYS PROCLAMATION TO VFW POST 9622

Mayor Grossmann read the Proclamation and presented it to Vivian Bates. She announced Poppies will be given away for donations at the Kroger Store on Kings Mills Road this weekend on Friday and Saturday.

RECOGNITION OF VISITORS

Ginny Sundin of 108 E. North Street addressed Council and announced the Mason Community Band will be holding a concert on May 18, 2008 at the Mason Middle School Auditorium at 7:30 p.m. She invited Council and those in the audience to attend.

Sierra Dossenback, a Mason fifth grader, addressed Council and stated she's participating in the People to People student ambassador program. She stated she would be traveling to France and England on June 18, 2008. She asked for contributions to help with the expense of the trip.

Eric Hansen explained Brett Meline is in Boy Scout Troop 43 and is working on his Eagle Scout rank. Brett addressed Council and stated he is going to build a storage shed for the Mason United Methodist Church. He has learned there are permit fees totaling \$294.58 for this project. He requested the fees be waived. The Finance Committee reviewed this request and recommends waiving the fees. Councilmember Prince moved to waive the fees. Councilmember Shimrock seconded the motion. VOTE: ALL YEAS

PRESENTATION FOR VEILLETE MEMORIAL MASON YOUTH FOOTBALL

Karen Harris addressed Council and explained the Mason Youth Football (MYF) organization is working on a memorial for the Veillette family. She said the coaches and parents from the football and cheerleading teams felt motivated to honor the family since Marguerite Veillette (one of the children) was a cheerleader. They often practiced cheering at Corwin Nixon Park, which MYF felt would be a good location for the proposed Veillette Family Memorial. She explained MYF set up a fund for the memorial and recruited local businesses for donations and landscaping. They have received considerable interest and have plans that include a bench, rocks, plaques and extensive landscaping all funded through private donations. They would like to have it completed by the Red Rhythm & Boom event on July 3. It will be located next to the bike path at Corwin Nixon Park on the opposite side of the street from the playground. Volunteers will construct the memorial and then their plan is to keep the memorial maintained with youth from the football and cheerleading teams. MYF has been working with the parks and recreation staff on the memorial plans.

RESOLUTION 2008-05 PROCLAIMING THE WEEK OF MAY 12-18, 2008 AS CLEAN WATER WEEK

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 Prince, seconded by Councilmember Kidd. VOTE: ALL YEAS

Eric Hansen explained to Council Resolutions 2008-5, 6,7 and 8 bring awareness to the public for various functions provided by the City. Resolution 2008-5 recognizes Clean Water Week, Resolution 2008-6 recognizes National Law enforcement Week, Resolution 2008-7 recognizes

Public Works week and Resolution 2008-8 recognizes emergency Medical Services week. A motion to adopt Resolution 2008-05 was made by Councilmember Shimrock, seconded by Councilmember Prince. VOTE: ALL YEAS

RESOLUTION 2008-6 PROCLAIMING MAY 11-17, 2008 AS NATIONAL LAW ENFORCEMENT MEMORIAL WEEK AND MAY 15 AS PEACE OFFICERS' MEMORIAL DAY

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

Eric noted on May 12 a memorial ceremony was held at 9:30 a.m. for fallen law enforcement officers who lost their lives in the line of duty. Ohio Supreme Court Justice Maureen O'Connor attended and was the featured speaker.

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

A motion to adopt Resolution 2008-06 was made by Councilmember Kidd, seconded by Vice Mayor Beck. VOTE: ALL YEAS

RESOLUTION 2008-7 PROCLAIMING MAY 18-24, 2008 AS NATIONAL PUBLIC WORKS WEEK

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 Prince, seconded by Councilmember Kidd. VOTE: ALL YEAS

A motion to adopt Resolution 2008-7 was made by Councilmember Shimrock, seconded by Vice Mayor Beck. VOTE: ALL YEAS

RESOLUTION 2008-8 PROCLAIMING THE WEEK OF MAY 18-24, 2008 AS EMERGENCY MEDICAL SERVICES WEEK

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 Resolution 2008-8 was made by Vice Mayor Beck, seconded by Councilmember Kidd. VOTE: ALL YEAS

ORDINANCE 2008-47 AUTHORIZING THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE MASON PARKS & RECREATION FOUNDATION, INC.

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

Eric Hansen stated this legislation was before council at the last meeting and referred to Finance Committee. Vice Mayor Beck stated the Finance Committee has reviewed this document. He moved to amend the document by removing sections 4 and 5 dealing with bond and insurance and accountability and stewardship. Councilmember Prince seconded the motion. VOTE: ALL YEAS

A motion to adopt Ordinance 2008-47 as amended was made by Vice Mayor Beck, seconded by Councilmember Kidd. VOTE: ALL YEAS

ORDINANCE 2008-48 APPROVAL OF CONDITIONAL USE PERMIT TO ALLOW A CHILD DAYCARE FACILITY ON AN R-1 ZONED PROPERTY LOCATED AT 5188 COX-SMITH ROAD (ENDEAVOR LEARNING CENTER)

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

Richard Fair explained to Council, Penny McGaughey of the Endeavor Learning Center is requesting review of a Conditional Use Permit and Landscape Plan for a new child daycare facility to be located at 5188 Cox-Smith Road. The property is currently zoned R-1, single Family residential, it is 5.8 acres in size, and a daycare facility is listed as a conditional use in the district. Kingsway Community Church formerly occupied the property. He stated the facility is proposed to provide care for approximately 50 children. The ages of the children range from 6 weeks to 5 years old. These are not school-aged kids so bus drop offs and picks ups are not provided. The facility is proposing to be open during the hours of 6:30am and 6:00pm. Use of outdoor play areas will be limited to the hours between 9:00am and 6:00pm.

Richard said because this is an existing facility, changes are proposed to be limited on the property. Fencing for the play areas will be installed. An adequate parking lot exists and is surrounded by mounding and plantings. Landscape materials exist on the property and will be supplemented with new mounding and landscaping to bring it into more compliance with current standards. He noted Planning Commission recommends approval contingent on four minor items. He said their approval is based on the child day care facility is suitable for the proposed location and the use should cause no harm to surrounding property.

Mayor Grossmann opened the public hearing at 7:47 p.m. Receiving no comments either for or against this legislation, he closed the public hearing at 7:48 p.m.

A motion to adopt Ordinance 2008-48 was made by Councilmember Shimrock, seconded by Vice Mayor Beck. VOTE: ALL YEAS

ORDINANCE 2008-55 VACATING A 16.5 FOOT ALLEY LOCATED ON 316 S. WEST STREET TO NOBLE AND MARILYN JOHNSTON

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

Richard Fair explained to Council, Noble and Marilyn Johnston are requesting approval of the vacation plat for an alley, located at 316 S. West Street. The 16.5' wide, 540 feet long right of way easement is located southeast of West Street, across from Dr. Frank Batsche Way and runs across the Muddy Creek to the Rose Hill Cemetery property. He stated the City of Mason has determined that while the real estate is no longer needed for municipal purposes, the City does have a need to access the existing sanitary main, which runs along the Muddy Creek. The applicant has agreed to provide an easement to access the sanitary main.

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

1. Add the required statements to the record including the Planning Commission, City Engineer and City Council approval statements.
2. Include the acreage of area to be vacated and include bearings and distances for all lot lines.
3. Add an easement granted to the City for access to the existing sanitary sewer at a location and width acceptable to the Public Utilities Department.

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

A motion to amend the ordinance to include all contingencies was made by Vice Mayor Beck, seconded by Councilmember Prince. VOTE: ALL YEAS

A motion to adopt Ordinance 2008-55 as amended was made by Councilmember Shimrock, seconded by Councilmember Kidd. VOTE: ALL YEAS

ORDINANCE 2008-56 ACCEPTING THE PUBLIC IMPROVEMENTS FOR SNIDER ROAD BETWEEN US 42 AND TYLERSVILLE ROAD AND RELEASING THE PERFORMANCE BOND

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

Richard Fair explained to Council, this section of Snider Road, located between U.S. 42 and Tylersville Road, was a joint project between Everybody's Farm and the City of Mason. The road is approximately 2000 feet in length and includes a Con-span bridge (installed by the City) over the Muddy Creek. He stated the Public Utilities, Public Works, Engineering Department and Greater Cincinnati Water Works have inspected the public improvements. The utilities and other public improvements will become the city's responsibility upon acceptance. Richard said

staff recommends accepting the public improvements, contingent on the submission of a one-year maintenance bond.

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

A motion to adopt Ordinance 2008-56 was made by Councilmember Bradburn, seconded by Councilmember Prince. VOTE: ALL YEAS

ORDINANCE 2008-57 AUTHORIZING A PAYMENT TO DUKE ENERGY IN AN AMOUNT NOT TO EXCEED \$60,553 FOR UTILITY RELOCATION RELATED TO THE WESTERN ROW ROAD AND MASON-MONTGOMERY ROAD INTERSECTION

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

Richard Fair explained to Council, the purpose of this legislation is to authorize reimbursement payments to Duke Energy for the relocation of electric poles for right turn only lanes at the Mason-Montgomery Road and Western Row Road intersection. He stated Duke Energy previously completed relocation of utilities as a part of the original scope of work at no cost to the City. To relocate these poles again, Duke has estimated the cost to be approximately \$60,553. The cost is higher than originally estimated by Duke due to the required height of the electric poles after final design was completed. Richard said another reason for the higher cost is that one pole has to be relocated in the same place with a taller pole while all utilities on the existing pole are supported. This work is necessary to allow construction of the right turn only lane to be constructed from eastbound Western Row Road to southbound Mason-Montgomery Road.

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

A motion to adopt Ordinance 2008-57 was made by Vice Mayor Beck, seconded by Councilmember Shimrock. VOTE: ALL YEAS

ORDINANCE 2008-58 AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT, NOT TO EXCEED \$25,000, WITH WARREN COUNTY SOIL AND WATER CONSERVATION DISTRICT FOR THE INSPECTION SERVICES NECESSARY TO MEET THE NATIONAL POLLUTANT DISCHARGE ELIMINATION (NPDES) PHASE II REQUIREMENTS

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

Eric Hansen explained to Council, in October 2006, City Council passed Ordinance 2006-136 authorizing an agreement with Warren County Soil and Water Conservation District for services that included active construction site and post-construction site inspections to ensure proper operation and maintenance of stormwater facilities during construction and after construction is

complete. The agreement was developed in response to the National Pollutant Discharge Elimination System (NPDES) general permit that requires the City to develop, implement and enforce BMPs for all existing and proposed development in the Storm Water Management Program. He stated partnering with Warren County Soil and Water Conservation District has given the City an opportunity to meet EPA Best Management Practice regulations at the lowest possible cost to residents, facilitated assistance to residents with questions on maintenance and operation of their stormwater facilities, improved the working relationship between the City and our corporate residents and allowed City staff to focus time and resources on capital improvement projects. Eric stated the cost for inspection services was included in the 2008 budget. This ordinance is recommended for funding inspection services by Warren County Soil and Water Conservation District in a not to exceed amount of \$25,000.

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

A motion to adopt Ordinance 2008-58 was made by Councilmember Kidd, seconded by Councilmember Bradburn. VOTE: ALL YEAS

ORDINANCE 2008-59 REJECTING ALL BIDS OPENED ON DECEMBER 5, 2007, FOR THE MUDDY CREEK RESTORATION PHASE 2/US 42 TRUNK SEWER NORTH PHASE 2B PROJECT

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

Richard Fair explained to Council both Ordinances 2008-59 and 60 address the Muddy Creek Restoration Phase 2/US 42 trunk sewer project. The City has previously restored portions of Muddy Creek and reconstructed major portions of the existing US 42 Trunk Sewer, which provides sanitary sewer service for a large part of the City. The remaining portions of the US 42 Trunk Sewer to be reconstructed include the section from 3rd Avenue to the west side of Mason-Montgomery Road, and the section from Kings Mills Road to US 42 on the easterly side of the Four Seasons apartment complex. These two sections have been designated Phase 2B of the trunk sewer reconstruction program and completes the Sanitary Sewer replacement started in 2001 from Quinn Park to Four Seasons Apartments on US 42.

Richard stated in addition to the sanitary sewer upgrade, Stantec (formerly FMSM) had designed restoration of Muddy Creek in the Overlook Drive area. The improvements were originally scheduled for construction with the Muddy Creek restoration from Mason-Montgomery Road to Kings Mills Road. But, because the sanitary sewer in the area of Overlook was scheduled for construction and would damage the restoration in this section, the work was postponed and included with US 42 Trunk Sewer- Phase 2B. In addition to combining the construction of these two projects, the Engineering and Building Department along with Public Utilities staff were able to work together with Four Seasons Apartments to combine all easements needed for both projects, as well as, some needed right-of-way for a future Muddy Creek bike path to Heritage Oak Park.

Richard reported bids for the combined Muddy Creek Restoration Phase 2/US 42 Trunk Sewer Phase 2B project were previously received and opened on December 5, 2007. A total of six bids were opened at that time. Although the bids were competitive, the restoration work was 28% over the engineer's estimate. In addition to the high cost to complete the restoration work, the actual low bidder wrote a release of liability condition into his bid. Consequently, it was determined to be in the best interests of the City to re-bid the project. He also reported prior to re-bidding, various modifications were made in the overall scope of the work. Two small restoration areas were removed from the overall work to be bid and the Muddy Creek Restoration work was included as an alternate. Replacement of a storm sewer from Kings Mills Road to Fox Drive was added. The storm sewer in this area is in very poor condition, showing signs of stress and the potential for collapse. Because this section of street is scheduled for paving as part of ODOT's Urban Paving Program in early 2009 replacing it now will be cost effective.

Six bids were received and opened on May 6, 2008 with the lowest and best bid being received from Charles H. Hamilton Company for \$2,331,827.20. Richard said this project was included in the 2007 Budget and the Utility Committee of Council had the opportunity to review and recommended moving forward with re-bidding.

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 2008-59 was made by Councilmember Kidd, seconded by Councilmember Prince. VOTE: ALL YEAS

ORDINANCE 2008-60 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH CHARLES H. HAMILTON COMPANY FOR CONSTRUCTION OF THE MUDDY CREEK RESTORATION PHASE 2/US 42 TRUNK SEWER NORTH PHASE 2B PROJECT

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

A motion to adopt Ordinance 2008-60 was made by Councilmember Shimrock, seconded by Councilmember Prince. VOTE: ALL YEAS

ORDINANCE 2008-61 PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$4,200,000 OF RENEWAL NOTES BY THE CITY OF MASON, OHIO, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF ACQUIRING REAL ESTATE IN THE CITY AND DECLARING AN EMERGENCY

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

Eric Hansen reported to Council, On June 11, 2006, Council approved Ordinances 2006-70 and 2006-71, which authorized the purchase of 142 acres and the issuance of \$4.5 million bond anticipation notes to provide funding for acquisition of the property. In addition, the seller gifted 13.3 acres to the City. This action allowed the City to preserve the property for future industrial development. In 2007, the City reissued Notes and paid \$150,000 towards the principal. It is anticipated the land will be available when additional industrial development requires land in the northeast area of the City.

Eric further explained it is anticipated that the eventual sale of the land for industrial purposes will be a positive return on the City's current investment acquiring the site. The original notes were issued for \$4.5 million. The City's 2008 Budget includes \$150,000 towards the principal balance on these notes.

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 2008-61 was made by Councilmember Kidd, seconded by Councilmember Prince. VOTE: ALL YEAS

ORDINANCE 2008-62 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH CDW GOVERNMENT, INC. FOR THE PURCHASE OF SIX (6) PANASONIC CF-30 TOUGHBOOK MOBILE DATA COMPUTERS IN AN AMOUNT NOT TO EXCEED \$28,287.

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

Eric Hansen explained to Council, during the last quarter of 2007, fourteen MDC's were received and made available for use in patrol vehicles. These new MDC's provided officers direct access to the Warren County Public Safety Network. Compatibility with the County has a number of significant benefits including Computer Aided Dispatches (CAD) directly to the patrol vehicles and direct access to LEADS, which is the statewide computer data base that provides information related to individuals' driving records and registration information. In addition, other applications such as messaging to other law enforcement agencies, immediate access to real time weather conditions, along with access to law enforcement related websites are now possible. The system will also provide remote access to the city's internal network, including the department's records management system (RMS), allowing field based reporting.

Eric stated the project that allows CAD data to transfer to the City's Records Management System was recently completed. This gives officers the ability to create CAD incidents via the Mobile Data Computer, which then create incidents in the RMS. In many cases this has eliminated the need for officers to return to the station for incident entry. The next phase of this project will provide the ability to access parts of the city's network via the MDC's. This will allow officers the ability to work from the field, just as if they were in the office.

Eric reported six additional MDC's will provide the Department the ability to have an MDC installed in each marked cruiser (reducing wear and tear and prolonging the life expectancy of the equipment), making MDCs available to the Detective division, allowing them to work from the field, and finally making MDC's available for use at special events such as the tennis tournaments or critical incidents-eliminating the need to remove them from vehicles being used by patrol. The MDCs being recommended are identical to the current model and will contain the same software and setup. Warren County Public Safety Network provides the specifications for the units. CDW provided a state purchasing program quote of \$4,671 per unit, including the additional memory. This is actually \$259 per unit less than was paid for the units purchased last year. Including shipping, this amounts to \$28,287 for six units. If approved, the units should be delivered by the end of June. Warren County has indicated that it may take up to one week to image each MDC once they arrive. It may take several months before the units are installed and available for operation. Eric noted funds were included as part of the 2008 Budget for this purchase. The Safety Committee has reviewed and is recommending adoption.

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

A motion to adopt Ordinance 2008-62 was made by Councilmember Shimrock, seconded by Councilmember Kidd. VOTE: ALL YEAS

ORDINANCE 2008-63 DECLARING CERTAIN CITY EQUIPMENT AND CERTAIN MISCELLANEOUS CONFISCATED PROPERTY AND EQUIPMENT AS SURPLUS PROPERTY AND AUTHORIZING THE CITY MANAGER TO DISPOSE OF SAID EQUIPMENT AND PROPERTY

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

Eric Hansen explained to Council, the City periodically disposes of surplus City property through auction. This surplus is generally made up of vehicles and equipment that no longer serves a useful purpose in delivering public services. However, surplus may also include unclaimed or forfeited property acquired through Police related activity. Eric reported the City has received several requests for the donation of surplus items. These include: The Fire Auxiliary is requesting that Squad 54 be donated to them for back-up purposes. The Joint Fire District donated the squad they currently are using to them; the Village of Maineville is asking for one of the cruisers and the Mason Historical Society is requesting the obsolete radio and siren alarm equipment. The Mason Fire department will use items with little or no salvage value for rescue training purposes.

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

A motion to adopt Ordinance 2008-63 was made by Councilmember Beck, seconded by Councilmember Prince. VOTE: ALL YEAS

Mayor Grossmann stated two ordinances will be added to the agenda .

ORDINANCE 2008-64 REPEALING ORDINANCE 2008-27 AND 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 Kidd, seconded by Councilmember Prince. VOTE: ALL YEAS.

Law Director, Ken Schneider, explained to Council, the Board of Elections has communicated to the City the wording in the ordinance should be altered to state “hundred” instead of “thousand” in the text. He stated it does not alter the meaning or amount the City will receive but, to comply with this request, Ordinances 2008-64 and 65 are being submitted for Council’s approval. Councilmember Bradburn noted there was a typographical error in the Whereas clause that need to be corrected.

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 2008-64 was made by Councilmember Prince, seconded by Councilmember Bradburn. VOTE: ALL YEAS

ORDINANCE 2008-65 REPEALING ORDINANCE 2008-26 AND 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 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 Shimrock. VOTE: ALL YEAS

A motion to adopt Ordinance 2008-65 was made by Councilmember Bradburn, seconded by Councilmember Prince. VOTE: ALL YEAS

CITY MANAGER’S REPORT

Eric Hansen reported on the following items:

► Due to the Memorial Day Holiday, this is the only regular meeting scheduled during May. A summer schedule had been anticipated with regular full Council meetings only on the second Monday of June, July and August; while leaving the third Monday open for possible work sessions or committee meetings. Seeing no objections with this proposal, the summer schedule will be followed.

► It is likely that a worksession will be appropriate before the June 9th meeting. Please let Joan or me know your availability for evenings the week of June 2nd. Once a date is confirmed, notifications will be made.

► American Legion Post #194 is hosting the Memorial Day Parade on Monday, May 26. The parade will form at Post #194 on Reading Road at 9:00 a.m. The parade will begin at 10:00 a.m. and go north on Reading Road to Main Street, east on Main to Mason-Montgomery Road, and then south to the Rose Hill Cemetery. The parade should last about one hour. Post Adjutant Tom Britton has invited Mason City Council to participate in the parade.

► City offices will be closed on Monday, May 26 for Memorial Day. The Mason Community Center will be open from 8 a.m. to 6 p.m.

► The Lou Eves Municipal Pool will open for its 13th season on Memorial Day weekend, Saturday, May 24 through Monday, May 26. Daily operation of the pool begins on Monday, June 4 through August 17. The pool will be closed on July 3. Hours are noon to 9 p.m.

► The annual Sunshine Concert Series begins in Corwin M. Nixon Park on Sunday, June 1 with Roger Drawdy & the Firestarters. The concerts will be held every Sunday until August 3, starting at 6 p.m. and ending at 8 p.m. There will be no concert on Sunday, July 6.

► A liquor permit request has been received for the property located at 6176 Tylersville Road. Another request came before Council at the last meeting for this address, but did not include the permit for the sale of beer. A motion to not require a hearing was made by Vice Mayor Beck, seconded by Councilmember Shimrock. VOTE: ALL YEAS

COMMITTEE REPORTS

Vice Mayor Beck reported on the Planning Commission meeting. He also reported on the Finance Committee meeting held to discuss several items but, demanding most of the time, was the topic of a potential admissions tax. He said as a result of that meeting, a committee is being formed which will include the stakeholders. Mayor Grossmann stated he may also individually meet with the various stakeholders to hear their concerns.

Councilmember Shimrock thanked those residents that attended the lighting of the downtown area noting it was a milestone for that project.

OLD AND NEW BUSINESS

Mayor Grossmann commented on the Economic Development Conference by the National League of Cities. He noted Councilmember Wurzbacher and Vice Mayor Beck were also in attendance. He said the programs were very informative and it became evident that Mason is doing a very good job with economic development. He noted many of the tactics discussed, Mason is already doing.

Councilmember Kidd reported on a new business in town called the Wildflower Café. It will open in approximately two weeks.

Vice Mayor Beck reported the Finance Committee would be reviewing pricing for a skate park based on various designs. Councilmember Shimrock stated the Park Board members have also been discussing this with some members visiting area parks. Mayor Grossmann asked Councilmember Shimrock to attempt to keep Deerfield Township informed. He clarified that the City's recent ordinance regarding damages due to skateboarding on public property did not make it a criminal offence but a civil offense. Councilmember Bradburn suggested Butler County Parks and West Chester should also be contacted along with Deerfield Township to see if there is interest in participating with the City. Councilmember Kidd noted the City has already spent approximately \$50,000 on design so maybe another entity can financially contribute for the next phase. Councilmember Shimrock agreed the Park Board does not want to repeat any of that expense.

RECOGNITION OF VISITORS None

Mayor Grossmann noted there is a chance legislation may be addressed following the executive session.

EXECUTIVE SESSION

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

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

ORDINANCE 2008-66 APPROVING THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF MASON AND MASON PROFESSIONAL FIRE FIGHTERS, IAFF, LOCAL 4049, AUTHORIZING THE CITY TO EXECUTE THE AGREEMENT, AND DECLARING AN EMERGENCY

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

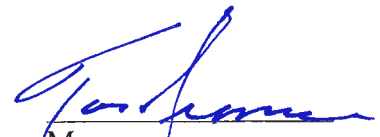
A motion to suspend the rule and allow for adoption after the first reading was made by Councilmember Kidd, seconded by Councilmember Shimrock. VOTE: ALL YEAS

A motion to adopt Ordinance 2008 66 was made by Councilmember Prince, seconded by Councilmember Kidd. VOTE: ALL YEAS

ADJOURN

A motion to adjourn was made by Councilmember Shimrock, seconded by Councilmember Bradburn. VOTE: ALL YEAS
TIME: 9:20 p.m.


Clerk of Council


Mayor