

**CITY OF MASON
COUNCIL MEETING
November 10, 2008**

Mayor Grossmann called the meeting to order at 7:10 p.m.

Pastor Jerry Pelfrey opened the meeting with prayer. Those in attendance recited the pledge of allegiance.

ATTENDANCE

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

Mayor Grossmann presented a plaque to John Prout, President of TriHealth and Tim Gramann, COO of Group Health Associates, in recognition of the partnership the City and Trihealth have recently entered into for the Community Center expansion.

APPROVAL OF MINUTES

A motion to approve the minutes of the October 27, 2008 Worksession was made by Councilmember Bradburn, seconded by Councilmember Shimrock. VOTE: ALL YEAS

PRESENTATION OF PROCLAMATION TO MASON HIGH SCHOOL CROSS COUNTRY TEAM

Mayor Grossmann read a proclamation to the team and coach of the Mason High School Men's Cross Country Team, recognizing them for winning their first OHSAA Cross Country Championship in Columbus, Ohio.

RECOGNITION OF VISITORS None

RESOLUTION 2008-21 ACCEPTING A QUITCLAIM DEED FROM ELEANOR M. GOULD FOR THE PROPERTY COMMONLY KNOWN AS 5475 MASON ROAD

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 Shimrock, seconded by Councilmember Prince. VOTE: ALL YEAS

Eric Hansen explained to Council, in 2003 the City entered into a contract to purchase approximately 50.74 acres from Mrs. Gould. At that time, a five acre tract was set up as

a life estate giving her the right to reside there for her lifetime. She has recently notified the City of her desire to move from that address and on October 29, 2008 signed a quitclaim deed acknowledging the forfeiture of her life estate. Eric stated this ordinance accepts this quitclaim deed and allows the City to become the responsible party for the maintenance and utility costs.

A motion to adopt Resolution 2008-21 was made by Councilmember Bradburn, seconded by Vice Mayor Beck. VOTE: ALL YEAS

RESOLUTION 2008-21 DESIGNATING DAVID RIGGS AS THE APPLICANT'S AGENT FOR THE CITY OF MASON FOR THE PURPOSE OF EXECUTING AND FILING APPLICATIONS FOR PUBLIC ASSISTANCE GRANTS

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

Eric Hansen explained to Council, on Friday, October 24, Ohio received a notification that a Presidential declaration for Public Assistance Grants for disaster recovery, related to the recent windstorms, was passed. In order to be eligible for any grant reimbursements as part of this Presidential declaration, the City must comply with two requirements.

1. Attend a FEMA briefing. On November 5th, several City officials attended the FEMA briefing.
2. Appoint, via resolution an "Applicants Agent" to represent the City.

Eric said the City is submitting the total \$545,170 for Federal assistance, which is up to 75%. However, it is anticipated that only some of the expense will be deemed eligible for reimbursement, likely around \$350,000. The State recently announced that due to financial concerns, they would not reimburse the State's 25% of assistance.

He further explained after the snowstorm event in 2005, David Riggs, Public Works Director coordinated the City's activities to successfully obtain over \$66,000 of costs incurred (approximately 75% of the total cost) through the Federal Emergency Management Agency's (FEMA) Public Assistance Program. He said David's experience with the process, procedures and paperwork required in order to receive Federal assistance makes him an ideal candidate as the "Applicants Agent". In addition, David has been cross training, Mary Mueller, Assistant Finance Director, as a backup agent in his absence.

A motion to adopt Resolution 2008-22 was made by Councilmember Prince, seconded by Vice Mayor Beck. VOTE: ALL YEAS

ORDINANCE 2008-118 AMENDING THE ZONING CODE AND ZONING MAP OF THE CITY OF MASON, OHIO, TO PROVIDE FOR THE REZONING OF APPROXIMATELY 8.927 ACRES LOCATED ON THE EAST SIDE OF 7160 INDUSTRIAL ROW DRIVE FROM HT-1 TO I-1 (LOVELAND PET PRODUCTS PROPERTY)

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

Eric Hansen stated a public hearing will be held on December 15, 2008

ORDINANCE 2008-119 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ISS FACILITY SERVICES FOR THE MUNICIPAL CENTER AND THE WATER RECLAMATION PLANT'S ADMINISTRATIVE BUILDING JANITORIAL CLEANING SERVICES

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

Richard Fair explained to Council, the purpose of this legislation is to award the contract for the Janitorial Cleaning Service for the Municipal Center and the administration building at the Water Reclamation Plant. He said six companies attended the pre-bid meeting with four companies submitting a bid for a one-year contract beginning January 1, 2009 through December 31, 2009. An option was included for an additional two years with mutual consent from both parties. Richard reported ISS Facility Services was the low bidder at \$104,922, representing an approximate \$10,000 first-year savings over the existing contract price.

A motion to adopt Ordinance 2008-119 was made by Councilmember Shimrock, seconded by Vice Mayor Beck. VOTE: ALL YEAS

ORDINANCE 2008-120 AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH WARREN COUNTY COMMISSIONERS REGARDING MASON MUNICIPAL COURT PUBLIC DEFENDER

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

Jennifer Heft explained to Council, both Warren County and the City of Mason are obligated by State statute to provide legal counsel to indigent persons charged with serious offenses in Mason Municipal Court violating either state or local ordinances. A Public Defender is appointed to represent such people and receives compensation from either the County or City according to state statutes. She stated in the past, a single named Public Defender was utilized and maintained on City payroll, Municipal Court has for a number of years maintained a list of eligible attorneys and rotated Public Defender assignments among them. The City, as requested by Municipal Court, then processes payment through the purchase order process to the assigned public defenders. The County follows a similar process.

Jennifer stated the County is eligible for partial reimbursement of their public defender expenses from the Ohio Public Defender's Office if a cooperative agreement exists between the City and County regarding public defender expenditures. Since 2004, the County has requested that the City authorize an agreement that would formalize the practice and allow the County to pursue reimbursement from the State. The County is now requesting annual renewal of this agreement to meet State of Ohio requirements.

A motion to adopt Ordinance 2008-120 was made by Vice Mayor Beck, seconded by Councilmember Prince. VOTE: ALL YEAS

CITY MANAGER'S REPORT

Eric Hansen discussed the following items:

▶ A Wellness Fair will be held on November 13, 2008 at the Community Center. The day begins with an open house from 5:30 a.m. to 10:00 p.m. Free fitness screenings, nutrition tips, swim testing, kid friendly activities, health and wellness information will be offered from 9-11:00 a.m. and from 5-8:00 p.m. That day non-members can enjoy the center at no charge, and those who want to become members or upgrade their pass can take advantage of special enrollment options.

▶ The City's 2008 Hope for the Holidays program has begun. City departments and the community participate in a gift collection for needy families in Mason. There are many ways residents can help someone in need this season:

- Select an item from the giving tree at the Mason Municipal Center or the wreath at the Mason Community Center.
- Donate non-perishable food items either to the Hope for the Holidays program or the Warren County food drive. Food is always a welcome donation.
- Visit the Hope for the Holidays booth at Christmas in Mason on December 5 in downtown Mason.
- Adopt a family. Families, neighborhoods, and businesses can adopt a family to provide for.
- Donate new and unwrapped toys, non-perishable food items, household items, and gift certificates.

Donations from employees and the community can be dropped off at the Municipal Center, Community Center, Fire Stations, Public Works Facility or the Water Reclamation Plant through Tuesday, December 16.

▶ Veterans Day is Tuesday, November 11 and services will be held indoors at the Mason Municipal Center beginning at 6:00 p.m. Mayor Tom Grossmann will open the event, members of the American Legion and VFW will post colors, and Pastor Jerry Pelfrey will lead the invocation. The Mason Community Band will provide music.

▶ The Warren County Economic Outlook Breakfast will be held on Tuesday, November 25 from 7:00 to 9:00 a.m. at the Kings Island Resort and Conference Center on Kings Island Drive. Presenters are Richard Stock of the Business Research Group at the University of Dayton, Marianne McCarthy Collins, Sr. V.P. of Mortgage Lending at Insight Bank, and Representative Shannon Jones of the 67th Ohio District.

▶ The regularly scheduled meeting in December falls on December 8th. Typically, staff and the Finance Committee work to conclude remaining business for the year including the annual Appropriation Ordinance by the first December meeting. All business can be ready for Council action if this meeting was rescheduled to December 15th and no additional meetings needed until January. A motion to move the December meeting to December 15, 2008 was made by Councilmember Bradburn, seconded by Councilmember Nichols. VOTE: ALL YEAS

▶ This time of year City Council authorizes the purchase of a gift certificate for a ham or turkey for City employees. If Council would like to offer this gift to all City employees a motion to this effect needs to be passed. Vice Mayor Beck moved to continue the purchase of gift certificates for employees again this year. Councilmember Shimrock seconded the motion. VOTE: ALL YEAS

▶ The Finance Committee has discussed additional fee waivers sought by Mason City Schools. Of the original \$116,000 request, \$68,000 has previously been approved for waiver. The Finance Committee reviewed the remaining \$48,000 and recommends waiving approximately \$15,340. The remaining portion attributable to Atrium Hospital occupied space and the Park Drive improvements is not recommended for waiver. Councilmember Shimrock moved to allow the waiver of \$15,340, seconded by Vice Mayor Beck. VOTE: 5 YEAS, 1 ABSTAIN (Grossmann)

COMMITTEE REPORTS

Councilmember Shimrock announced the Mason Parks and Recreation Department has received two awards from the Ohio Park & Recreation Association for the Red Rhythm & Boom Family Event and Mason Sports Park. She also noted the Festivals of Mason Board is working on Christmas in Mason which will be held on December 5, 2008. She said it will be downtown with no construction and the plaza will be the focus for the event.

Vice Mayor Beck said there will be an Economic Development Committee meeting in the near future. He said the Finance Committee met to discuss the budget process. He noted that will require approximately 3 to 4 meetings. He said the City has always taken a conservative approach and will continue to do so this year. He stated the City will have a projected surplus of approximately \$3.2 million.

Mayor Grossmann suggested Councilmember Nichols replace him on the Finance Committee. Council unanimously voted to approve this appointment.

Councilmember Prince announced the Public Works Committee has received some good news regarding the traffic signal at Second Street. He said it will be coordinated with the signal at the plaza and should please the interested residents.

OLD AND NEW BUSINESS

Vice Mayor Beck announced the activities planned for Veteran's Day.

Councilmember Nichols noted he had received several letters from the students who attended the DARE graduation thanking Council for their support of this program.

Mayor Grossmann discussed the failure of the fire levy. He said the matter will be reviewed by the Finance Committee. He noted one option is to establish a third EMS unit and determine if that will help achieve the goal of a four minute response time. He also stated he has attended several second grade classes at the Mason Schools and talked about local government.

RECOGNITION OF VISITORS None

EXECUTIVE SESSION

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

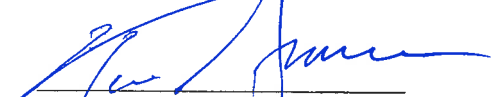
A motion to reconvene into regular session was made by Councilmember Bradburn, seconded by Councilmember Prince. VOTE: ALL YEAS

ADJOURN

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

TIME: 8:50 p.m.


Clerk of Council


Mayor