

**CITY OF MASON  
COUNCIL MEETING  
December 15, 2008**

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

**ATTENDANCE**

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

**APPROVAL OF MINUTES**

A motion to approve the minutes of the November 24, 2008 Council meeting was made by Councilmember Kidd, seconded by Councilmember Prince. VOTE: ALL YEAS

**PRESENTATION OF CHABAD OF MASON MITZVAH DAY PROCLAMATION**

Mayor Grossmann read the Proclamation and presented it to Rabbi Yosef Kalmanson.

**SWEARING IN OF FIRE LIEUTENANTS: ANDY RIDDIOUGH, DYANA BISHOP, MARK GERANO, DAVID MANNING, CHRIS HEYWOOD AND TOM WENTZEL**

Mayor Grossmann presented the oath of office to the Fire Lieutenants. He provided them with an opportunity to introduce their family members in attendance.

**PROCLAMATION TO FIRE FIGHTER/EMT PHILIP BERNER ON 50 YEARS OF SERVICE**

Mayor Grossmann read the Proclamation to Philip Berner and Chief Moore presented him with an award recognizing his 50 years of service.

**RECOGNITION OF DOWNTOWN WINDOW DECORATING CONTEST WINNERS**

Councilmember Shimrock stated the criteria for choosing the winner of the Downtown Window Decorating contest included lighting, balance and harmony, creativity and use of space. The winners are as follows: Pat Richards and Cathy Harbison of Baysore's Flower Shop; Vickie Larcomb of Main Street Sweets; and Mim and Tim Kelly of Mim's Off Main.

**RECOGNITION OF VISITORS None**

**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 Kidd, seconded by Councilmember Shimrock. VOTE: ALL YEAS

Brian Lazor explained to Council, Loveland Pet Products is requesting to rezone approximately 8.927 acres of land that is located directly east of their 7160 Industrial Row Drive property. The applicant is requesting to rezone the land from HT-1, High Tech Light Industrial to I-1, Light Industrial. He stated this existing business is located within the Mason Industrial Park, which is zoned I-1, Light Industrial. The HT-1 district that the subject property is a part of is split by the railroad and extends the length of Snider Road, south of Western Row Road. Brian said the main differences between the existing and proposed zoning districts is that the I-1 zone allows outdoor storage and it does not have a restriction on the amount of warehouse space within a building. He reported Planning Commission recommends approval of this request. Brian also noted staff received one concern from a neighboring property owner and they were referred to Loveland Pet Products.

Mayor Grossmann opened the public hearing at 7:38 p.m. Kent Hyden with Loveland Pet Products stated the firm is planning to expand their product line to include lawn and garden and equine supplies. He stated the purpose of the rezoning request is to allow storage outside if needed and to allow for the possibility of a warehouse being built in the future. There were no further comments. Mayor Grossmann closed the public hearing at 7:42 p.m.

A motion to adopt Ordinance 2008-118 was made by Councilmember Bradburn, seconded by Vice Mayor Beck. VOTE: ALL YEAS

**ORDINANCE 2008-122 REPEALING SECTION 1301.11 IN ITS ENTIRETY AND ADOPTING A NEW SECTION 1301.11 OF THE MASON CODIFIED ORDINANCES REGARDING BUILDING DEPARTMENT FEES AND DECLARING AN EMERGENCY**

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

Richard Fair explained to Council, earlier this year, the Finance Committee asked staff to evaluate fees assessed by the City. Many fees have not been updated for a number of years and do not accurately reflect the cost to provide City services. He said through most of the late 1990's the bulk of the incoming fees were from new residential construction, with sufficient revenues from the fees to cover the expenses of the Building Department. However, the building permit fees have not been revised since 1999, and

the base single-family residential fees have not changed since 1991, thus Building Department fees were first to be evaluated.

Richard explained under the current fee structure all commercial building types have the same fee rate; that is, a new warehouse of 20,000 square feet pays the same fee as a medical office building or school of 20,000 square feet. The more complex the project, the more plan review and inspection time is associated with the approval process. Modifying the current fee structure for different types of projects will provide a more fair structure with minimal additional administrative work. Also, under the current system reviews are done in the order received, with no mechanism option for builders to receive priority consideration when needed. The fee structure also represented the desire to hold accessory permit fees down so that they did not become significant deterrents for homeowners to get permits for fences, sheds, pools or decks.

The fee comparison study surveyed seven cities (Blue Ash, Dublin, Fairfield, Kettering, Springdale and Worthington) and confirmed that Mason building permit fees are less than the average in these communities and provides a higher level of customer service than many other communities. The study serves to show that an increase in fees is overdue and well warranted. The proposed fees will move the City closer to the average of the seven cities surveyed.

Richard stated the fee proposal includes changes to increase fairness for phased construction and also seeks to provide a deterrent to the recurring problem of incomplete site work and landscaping of commercial projects after occupancy by raising fees for Temporary Certificate of Occupancies. In addition, the fees will annually adjust through annual cost-of-living determinations. While State Building Code requires plans be reviewed in the order received, a provision has been included to allow for an additional fee for expediting permit reviews when possible, providing increased customer service.

Richard reported Greg Nicholls, Chief Building Official, met with representatives of the Greater Cincinnati Home Builders Association on November 14, 2008, and the Home Builders Association (HBA) to present them with the proposed fee ordinance. Their comments included:

1. They would prefer that the fee schedule be revisited every 3-5 years, and not automatically updated.
2. They feel that the multiplier in Part A of the schedule would be more appropriate as 4.0 instead of 6.0 for multi-family buildings.
3. They would like the additional Temporary Certificate of Occupancy fee to be discretionary for Single-Family buildings, and the base fee reduced from \$500 to \$250.

Richard reported staff has modified the fee ordinance to accommodate items 2 and 3 above. However, based on previous comments from the Finance Committee, language in the ordinance remains to allow for automatic fee increases. The Home Builders

Association of Greater Cincinnati met again on December 3, 2008 and added additional items to modify in the new fee schedule. They requested the following:

1. That the Certificate of Occupancy fees for single-family buildings be reduced, as they do not have site utility and landscaping reviews or inspections, as do the multi-family and commercial projects.
2. That the fees for “standardized plans”, those for repeat plans used multiple times, be reduced.
3. That the cost for multi-family buildings be further reduced from the proposed schedule.

Richard explained staff is not recommending that the Exhibit A proposed fee schedule be modified to lower the multiplier for the multi-family buildings (Request #3). Experience shows that the additional review (and re-review) time and inspection time for checking for the Fair Housing Act compliance portion in the Ohio Building Code must be factored into the fees. They cannot be compared to past years, as the multi-family was not broken out from other types of occupancies in the fee schedule.

He added staff is not recommending a change to Exhibit A proposed fee schedule for the standardized plans (Request #2). The incentive was to give the plans the expedited services in Part N of the proposed fee schedule at no additional cost (usually doubled) since the plans had been reviewed once before.

He reported staff is recommending a minor revision to Exhibit A as shown in the Exhibit “A” REVISED attached. The revision lowers the Certificate of Occupancy fees for single-family buildings. In Part C of Exhibit A, the Permanent Single Family CO is reduced from \$150 to \$100, and the Temporary Single Family CO from \$250 to “\$100 for alterations. The HBA is correct in noting that landscaping and detailed site utility plans and inspections are not required for single-family projects, as they are for any multi-family or commercial projects. The Building Department has not experienced the same degree of difficulty in achieving compliance for the single-family projects as for commercial because of this difference. He concluded by stating the Finance Committee has reviewed these fees and is recommending adoption.

Mayor Grossmann declared the public hearing open at 7:48 p.m. Seeing no comments either for or against this ordinance, he closed the public hearing at 7:49 p.m.

Council discussion followed with Councilmember Kidd asking what was the catalyst for this review of fees. Vice Mayor Beck responded the City’s costs have increased and fees have not been adjusted for years. The purpose was to try to match revenue with expenses for these services. Councilmember Kidd questioned raising fees at this time with the economy being down. He said he could not support this at this time unless driven by actual figures that justify it. He also stated other cities should be looking at Mason to adjust their fees down. Eric Hansen stated if revenues are not matching expenses, taxpayers pay for providing these inspections. He also said some of the inspections should be done for safety reasons. Greg Nichols explained how the rates are calculated

using square footage. He also stated the builders and developers contacted were not concerned about the rate of increase because it is such an insignificant part of the total project. He said they were more concerned about fairness of the application. Greg also said the cities Mason chose for a comparison were selected based on comparable size and level of activity. Mayor Grossmann stated he has concerns about this and noted in comparison with other cities in the area even with the increases, Mason will still be competitive. A motion to amend the ordinance to accept the revised Exhibit "A" was made by Councilmember Kidd, seconded by Vice Mayor Beck. VOTE: ALL YEAS

A motion to adopt as amended Ordinance 2008-122 was made by Councilmember Bradburn, seconded by Councilmember Kidd. VOTE: 6 YEAS, 1 NAY (Kidd)

**ORDINANCE 2008-132 APPROVAL OF THE FINAL PLAT FOR ESTATES AT CHESTNUT HILL SECTION 3A**

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 Vice Mayor Beck. VOTE: ALL YEAS

Richard Fair explained to Council, Great Traditions is requesting approval of The Estates at Chestnut Hill – Section 3A final plat. The Estates at Chestnut Hill development is located north of Chestnut Hills Subdivision (in Deerfield Township) and west of Windemere Subdivision. The final plat of The Estates of Chestnut Hill Section 3A consists of 10 buildable lots and will dedicate the utilities, storm, and sewer easements as well as right of way necessary for this section of the development. He noted this is the site for the 2009 home a rama.

A motion to adopt Ordinance 2008-132 was made by Councilmember Bradburn, seconded by Councilmember Kidd. VOTE: ALL YEAS

**ORDINANCE 2008-133 ACCEPTING THE PUBLIC IMPROVEMENTS FOR CARMELLE SUBDIVISION SECTION 2 AND RELEASING THE PERFORMANCE BOND**

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

Richard Fair explained to Council, the purpose of this legislation is to release the performance bond and accept the public improvements as recommended by staff. He stated Section 2 of the Carmelle Subdivision is located along SR 741 just north of Trailside Acres and across from Weatherstone Subdivision. Streets, to be accepted,

include Stonebrooke Court, Brookshire Court, and parts of Stone Ridge Drive, Riverbrooke Way and Riverstone Way. The Public Utilities, Public Works, Engineering Department and Greater Cincinnati Water Works have inspected the public improvements. Richard noted the utilities and other improvements will become the City's responsibility upon acceptance. He said staff recommends accepting the public improvements, contingent on the submission of a one-year maintenance bond for \$30,000 and a performance bond at \$45,000 for the remaining sidewalks and street trees.

A motion to adopt Ordinance 2008-133 was made by Councilmember Kidd, seconded by Councilmember Prince. VOTE: 6 YEAS, 1 ABSTAIN (Beck)

**ORDINANCE 2008-134 AMENDING THE CODIFIED ORDINANCES OF THE CITY OF MASON TO ENACT SECTION 1301.121 REGARDING SECURING OF VACANT BUILDINGS**

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

Eric Hansen stated the public hearing on this legislation will be held at the January 12, 2009 meeting.

**ORDINANCE 2008-135 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH TEC ENGINEERING, INC. IN THE AMOUNT OF \$28,000 FOR THE PRELIMINARY DESIGN OF MUDDY CREEK BIKE TRAIL, PHASE 2**

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 Vice Mayor Beck, seconded by Councilmember Nichols. VOTE: ALL YEAS

Richard Fair explained to Council, construction has been completed on the first phase of the Muddy Creek Bike path from Mason-Montgomery Road to Pine Hill Lakes Park, an approximately 3,750 foot long multi-use trail along the Muddy Creek. The City was successful in obtaining a federal grant through ODOT Transportation Enhancement Program to design and construct phase two of the Muddy Creek Bikeway from Pine Hill Park to Heritage Oak Park, continuing along the Muddy Creek approximately 3,950 feet.

The project is estimated at \$937,500 and ODOT will reimburse 80% of eligible costs up to a maximum of \$750,000. The City will be responsible for 100% of the engineering and right-of-way costs and 20% of the project estimate.

Richard reported the original plan was for the bike path to follow along the Muddy Creek. However, in order to save costs, staff developed several alternatives. The Public Works Committee reviewed the alternatives and is recommending pursuing a route along Lakeview Drive. This route reduces the number of property owners affected, reduces the

number of creek crossings from three to one, provides a bike path in an area without sidewalks, and will correct several storm sewer problems. The disadvantage to this alternative it is longer than the Muddy Creek route. He said OKI is in favor of the alternative route.

Richard further explained this ordinance approves a contract for Part A of the design and includes the surveying, development of the base map, utility identification and location, preliminary design and providing exhibits for the public hearings that are required for the project. A public hearing will be held, early next year, after the completion of the preliminary design. After public input on the preliminary design the project will move into Part B which is expected to cost approximately \$175,000 and includes environmental, geotechnical, bridge design, final design and engineering work. He explained the design work is being broken into two parts to save costs by eliminating the uncertainties in the final alignment and reducing the geotechnical and environmental work required by ODOT. Richard concluded by stating the design of Muddy Creek Bikeway, Phase II was included in the 2008 budget.

A motion to adopt Ordinance 2008-135 was made by Councilmember Kidd, seconded by Councilmember Prince. VOTE: ALL YEAS

**ORDINANCE 2008-136 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH BROSHEAR CONTRACTORS, INC. IN THE AMOUNT OF \$174,545.50, FOR THE PINE HILL BASIN MODIFICATION PROJECT**

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

Richard Fair explained to Council, as part of the City's partnership with TriHealth for a Community Center expansion, site improvements are necessary. These site improvements include the relocation of a detention basin to provide for roadway improvements and parking. Staff developed a plan that would modify the existing small pond located in Pine Hill Park to replace the relocation of the existing detention basin. Richard reported this plan will save over \$250,000, eliminate the removal of trees, reduce disruption in the park and provide for maintenance dredging that is needed in this pond. By doing the dredging now, in conjunction with the modifications to the pond that would reduce the need to construct another detention pond somewhere else in the park, is reduced and saves the City additional cost. He said the Pine Hill Park Small Basin Modification was bid on December 9 with seven bids received. The best and lowest bid has been received from Broshear Contractors, Inc. for \$174,545.50

Richard further stated modifications to the lake will consist of raising the existing top of dike, adding an outlet structure, dredging the existing lake, re-grading the lake to include a fore bay and removal and replacement of an existing bike path. There is an additional

cost saving measure if the contractor is permitted to spread the dredged material across the City owned property that is located on the west side of State Route 741 just north of Binion Way. He reported this summer staff will hire a contractor to disk the dredged material into the soil and plant some fast growing seeds over the area. He added Broshear Contractors, Inc. has indicated that the work should begin the third week of February and is expected to last six weeks.

A motion to adopt Ordinance 2008-136 was made by Councilmember Nichols, seconded by Councilmember Kidd. VOTE: ALL YEAS

**ORDINANCE 2008-137 AUTHORIZING THE RE-APPROPRIATION AND TRANSFER OF MONIES AND TRANSFERRING OTHER FUNDS AND APPROPRIATIONS FOR THE CURRENT EXPENSES OF THE CITY OF MASON: THEREFORE AMENDNG THE ANNUAL APPROPRIATION ORDINANCE NO. 2007-184 OF THE CITY OF MASON, OHIO, PASSED BY THE COUNCIL OF THE CITY OF MASON, OHIO ON DECEMBER 17, 2007 FOR THE YEAR 2008**

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 Prince. VOTE: ALL YEAS

Jennifer Heft explained to Council, as the City's priorities change or are modified the appropriation plans are altered. This is an annual housekeeping item. She added both Ordinance 2008-137 and 138 address this subject.

She stated reappropriation Ordinance 2008-137, is for those appropriation transfers, which fall outside the department head's legal level of control. She said in a fast paced, high growth environment it is important that the budget provide enough discretion and flexibility that it can accommodate new and shifting priorities. A continued effort was made this year to identify expenses that could be scaled back with minimal service impact and department expenses were measured against this goal. Throughout 2008, Department Heads monitor spending levels and identify areas to better manage expenses. Jennifer reported out of over 1,000 line items, only 47 of the original appropriation require Council's reappropriation approval. And, 32 of the reappropriations being requested are still within the total appropriated amounts for the individual departments. The remaining 15 eliminate or reduce the need for a supplemental appropriation. The largest re-appropriations were to reduce the supplemental appropriation needed for Police and Public Works from rising fuel, snow expense, repairs and other rising operating cost. There are eight fund transfers being requested as part of the Reappropriation Ordinance. The most significant transfer, \$7 million, is from the General Fund to the Capital Improvement Fund for current and future capital projects.



Jennifer also stated Ordinance 2008-138 is a housekeeping item to adjust and correct various line items within the City's funds. Of the twenty-two (22) supplemental appropriations, twenty (20) are increases needed to ensure budgetary compliance for financial reporting purposes and two (2) are decreases.

A motion to adopt Ordinance 2008-137 was made by Councilmember Kidd, seconded by Vice Mayor Beck. VOTE: ALL YEAS

**ORDINANCE 2008-138 AUTHORIZING THE SUPPLEMENTAL APPROPRIATIONS OF MONIES: THEREFORE AMENDING THE ANNUAL APPROPRIATION ORDINANCE NO 2007-184 OF THE CITY OF MASON, OHIO, PASSED BY THE COUNCIL OF THE CITY OF MASON, OHIO ON DECEMBER 17, 2007 FOR THE YEAR 2008**

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 Prince. VOTE: ALL YEAS

A motion to adopt Ordinance 2008-138 was made by Councilmember Nichols, seconded by Vice Mayor Beck. VOTE: ALL YEAS

**ORDINANCE 2008-139 ANNUAL APPROPRIATION ORDINANCE**

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 Vice Mayor Beck. VOTE: ALL YEAS

Jennifer Heft reported to Council, the Finance Committee, chaired by Vice-Mayor Beck, has met several times to review the 2009 budget document. Prior to the Finance Committee meetings, the Equipment Committee met to review vehicle requests while Employee Relations met to review compensation. Departments were provided an opportunity to present their requests to the Finance and Equipment Committees.

She explained the budget continues to be based on very conservative practices, which has helped prepare the City for the long-term financial health, even during economic downturns. From a revenue standpoint, some of the City's strategies include: earnings tax revenues were budgeted to remain at 2007's estimate, keeping with the past practice of conservatively estimating revenues, and carryover balances are not included in annual revenue estimates. From an expense perspective, department heads and other City staff closely monitor expenses and continue to develop ideas for ways to save costs. For 2008, some examples of staff's cost savings efforts that will continue in 2009 include: partnering with Deerfield Township on the annual street maintenance program, contracting for mowing services, partnering with Henkle Schueler on the fire station

relocation and securing available grant opportunities. Several additional initiatives currently underway or being contemplated for 2009 include: restructuring department staffing, analyze the mixture of in-house and outsourced work for maximum efficiency, encourage revenue growth, cross-train staffing, consider appropriate service level expectations, create replacement schedules to maximize current equipment without sacrificing long-term maintenance costs, and explore innovations that better utilize taxpayer dollars and define service levels.

Jennifer further explained the City's history of aggressive capital investment, inflationary costs, aging fleet and demand for commodities (i.e. salt, fuel) have increased and will continue to place pressure on operating expenses. New parks and roadways are important to the quality of life and development of Mason, but they are relatively inexpensive compared to the continuing annual operating expense obligation they represent. Much of the budget discussions were driven by these concerns and much of the increase in operating expenses reflects the maintenance needs for the expansion of City capital in 2008. The current economic conditions were undoubtedly a factor in the preparation of the 2009 Budget and the Finance Committee was careful to ensure the Budget allowed the City to adjust to new information as well as best select timing and type of infrastructure investments. The Finance Committee cautiously included approximately \$10 million for infrastructure improvements, a majority related to the design only of future infrastructure. The City will continue to monitor general economic conditions and the City's financial condition before considering funding the construction. If funding is available, these projects could move towards construction; otherwise delay is likely. Moving forward with design, positions the City to pursue opportunities that could become available next year for cost-effective construction of the infrastructure.

Some key points included in the 2009 Budget:

- No increase in staffing levels
- Limited equipment replacement requests
- Limited increase in operating expenses
- Focus on design for capital projects, positioning the City for potential future opportunities related to construction

A number of cost control and service adjustment items were discussed with Departments throughout the Budget process and with the Finance Committee. These included the reduction of the scope of the Mason Road Improvement – removing landscaped medians, decorative lighting and approximately \$2 million in expense. Adjusting the Brush chipping schedule to a monthly pick-up may inconvenience some residents, but will reduce fuel expenses and contain the growth of personnel costs. A re-evaluation of mowing activities and outsourcing should result in additional efficiencies and cost containment. Continued analysis of service levels and efficiencies will continue in 2009. Improving Departmental coordination, cross training, and opportunities for out-sourcing remain priorities to deal with limited financial resources. I expect careful analysis, professional advice, and implementation of these strategies will be critical to contain the

operating expense pressures the City is under. The City remains committed to the highest level of customer service despite financial limitations.

Jennifer stated the 2009 Budget represents significant time and effort from each Department, City staff, and the Finance, Equipment, and Employee Relations Committees of Council to identify and ensure that City priorities are funded appropriately. The result is a process that ensures City revenues are carefully used to enhance the quality of life for Mason residents, while providing the discretion and flexibility that a fast paced, high growth environment with new and shifting priorities such as Mason requires.

A motion to adopt Ordinance 2008-139 was made by Vice Mayor Beck, seconded by Councilmember Prince. VOTE: ALL YEAS

**ORDINANCE 2008-140 ESTABLISHING A FEE SCHEDULE AND POLICY FOR EMS AND FIRE DEPARTMENT BILLING FOR THE CITY OF MASON**

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 Bradburn, seconded by Councilmember Kidd. VOTE: ALL YEAS

Eric Hansen explained to Council, in 1998, Council approved Ordinance 98-209 authorizing an agreement with Medicount Management, Inc. for professional services to be rendered in conjunction with billing emergency medical services. Medicount Management, Inc. performs billing services for over 40 entities. Since a majority of users of emergency services have some form of insurance, these are funds, which should be collected from insurance companies to pay for the expense of ambulance transports. Billing for emergency medical services is standard procedure for most communities. Annually, billing for these services generates over \$350,000.

Eric stated this ordinance updates the fire and EMS billing rates to be comparable with surrounding jurisdictions and establishes a fee structure for providing Fire Services, and EMS standby rates for those who request such service. He further stated since the last update of these fees, industry standards and practices have changed. Two major changes include not billing residents at the time insurance companies are billed for these services and allowing municipalities to charge for mileage related to transports to the hospital. Both of these new policies are included within this fee schedule and policy. This policy also establishes a fee for Emergency Medical Unit standby requested for special events within the City of Mason. Finally, the policy allows for an additional fee for expediting plan reviews and for businesses and individuals requesting after hours services, providing increased customer service, this is similar to the practice proposed for Building Inspections. The Safety Committee discussed and Finance Committee reviewed these fees and recommend adoption.

Council discussion followed with two points being clarified: cost charged per mile, and the charges would be sent to insurance companies not residents.

A motion to adopt Ordinance 2008-140 was made by Councilmember Bradburn, seconded by Councilmember Prince. VOTE: ALL YEAS

**ORDINANCE 2008-141 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 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 Prince. 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 said at the meeting on November 10, Council approved Ordinance 2008 – 120, which authorized an agreement for 2008, to assist the County in seeking reimbursement. Ordinance 2008 – 141 authorizes the City Manager to enter into the same agreement with Warren County for 2009.

A motion to adopt Ordinance 2008-141 was made by Councilmember Kidd, seconded by Councilmember Prince. VOTE: ALL YEAS

**CITY MANAGER'S REPORT**

Eric Hansen reported on the following items:

► Mason city offices and the Mason Community Center will be closed on Thursday, December 25 and Thursday, January 1.

There will be no trash collection on Christmas Day and New Year's Day. Thursday trash collection will be picked up on Friday and all customers will have a one-day delay in their normal pick up times.

► The City's 2008 Hope for the Holidays program is in full swing as City departments and the community participate in a gift collection for needy families in Mason. There are donation boxes in each department for non-perishable food items, new and unwrapped toys, and gift certificates. Donations should be made by December 17 in order for volunteers to wrap and deliver the gifts in time for Christmas. Again this year, the City is

also participating in the Warren County Food Drive. All food collected that will not be used for the Hope for the Holidays program will be donated to the county.

▶ Christmas trees can be chipped for recycling in the City's parks as part of the City's regular brush pickup program. All ornaments and tinsel should be removed from the tree before placing it at the curb for pickup.

▶ After Christmas tree collection, the brush schedule will be altered for the remainder of the winter. Collection for all neighborhoods will be during the second full week of the month only. Residents should keep in mind that collection may be delayed by weather (especially if it snows), equipment breakdowns, and other factors. This change will improve efficiency and reduce the city's annual fuel usage and equipment maintenance costs. The brush collection schedule will be reevaluated in the spring.

▶ Over the last two years, the Cincinnati area is experiencing a rock salt shortage. Area demand for rock salt has been greater than the national suppliers can maintain and stockpiled reserves are almost completely depleted. If you recall, the City's price of salt this year increased 47% from last year. Many cities did not even get a bid for salt. The City will pursue alternatives to both reduce the budgetary impact of salt prices as well as to ensure available quantities are on hand. This will include continuing to look for less expensive supplies as well as conservation measures that may reduce the effectiveness of snow removal this year.

### **COMMITTEE REPORTS**

Vice Mayor Beck reported the Economic Development Committee will be holding two meetings this week.

Councilmember Shimrock stated the Festivals of Mason Committee is to be congratulated for the successful event held December 5, 2008. She reported they requested to the Downtown Committee ongoing partnership for the purpose of promoting the use of the plaza.

### **OLD AND NEW BUSINESS**

Vice Mayor Beck noted the anniversary of Pearl Harbor and thanked the veterans for their service. He requested an update on the Western Row Road improvement. Richard Fair stated the bike path will be completed in the spring, the landscaping will be done in the winter and the final asphalt will be done next summer.

Mayor Grossmann reported Jill Hawkins will officially be representing Mason on the Family and Children's First Council. She was present and introduced to Council.

Christine Shimrock reported for the Employee Relations Committee that a review has been completed for the City Manager. She moved to award him a 4% wage increase

effective March 2008 and a bonus of \$5,000. Councilmember Kidd seconded the motion.  
VOTE: ALL YEAS

Mayor Grossmann stated Councilmember Bradburn will serve again as Mason's representative for OKI.

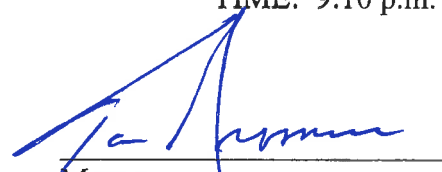
**RECOGNITION OF VISITORS** None

**ADJOURN**

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

TIME: 9:10 p.m.

  
Clerk of Council

  
Mayor