

**CITY OF MASON  
COUNCIL MEETING  
June 8, 2009**

Mayor Grossmann called the meeting to order at 7:04 p.m. Pastor Tom Moll opened the meeting with prayer. Those present recited the pledge of allegiance.

**ATTENDANCE**

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

**APPROVAL OF MINUTES**

A motion to approve the minutes of the May 18, 2009 Council meeting was made by Vice Mayor Beck, seconded by Councilmember Gilb. VOTE: ALL YEAS

A motion to approve the minutes of the May 19, 2009 Special Council meeting was made by Councilmember Shimrock, seconded by Councilmember Prince. VOTE: 6 YEAS, 1 ABSTAIN (Gilb)

**RECOGNITION OF RACHEL HUTZEL, WARREN COUNTY PROSECUTOR**

Warren County Prosecutor, Rachel Hutzel addressed Council and distributed her annual report. She and Bruce McGary, the Assistant County Prosecutor, provided statistics and highlights from the year's activities. She stated in the next year she will be working on a Diversion Program for nonviolent criminals as well as continuing to grow the Child Advocacy Center. She also noted she is currently assisting with legislation addressing problems with text messaging.

**RECOGNITION OF MASON PARKS & RECREATION FOUNDATION**

Rachel Kopfler addressed Council and gave an update of the Park Foundations activities. She presented a check for \$2,791 to the City's Scholarship Program for Parks and Recreation programming. The Foundation raised \$1,291 in donations through the City's on-line program registration process. When residents register on-line for a program, they have the opportunity to donate to the scholarship fund.

**SMALL BUSINESS RECOGNITIONS**

John Harris, President of the Northeast Cincinnati Chamber of Commerce, addressed Council and along with Mayor Grossmann announced the following companies in the various categories:

**Family:** Small Business Consultants of Greater Cincinnati (present will be Mark & Nicole Haake, owners)

**Professional/Service:** CMC Office Center (present will be Danny Matteucci, Darcy Williams & LaDonna Althawadi)

**Retail:** Perfect Petals (present will be Sandy & Mark Simpson, owners)

**Emerging Small Business:** Main Street Sweets (present will be Vickie & Ron Larcomb, owners)

**Green Business Practices:** Wildflower Café & Coffeehouse (present will be Todd Hudson, owner)

Business owners were presented with a proclamation recognizing their specific business contributions.

### **PROCLAMATION OF SAFETY AWARD ACHIEVEMENT TO LIQUID CONTAINER**

Mayor Grossmann read the Proclamation and presented it to Liquid Container representative, Kathy Davis, in recognition of their safe practices in manufacturing.

### **RECOGNITION OF VISITORS**

Ray Warrick of 7272 White Oak Court, addressed Council and said he represents the "Mason Tea Party Group" that is interested in smaller government. He recognized several other members of his group that were in attendance and stated they are concerned about government spending at the national level and the government taking over private businesses. He added they were attending the Council meeting to become more educated and aware of the local community. He said their voice is silent most of the time. Mayor Grossmann stated Mason taxes are some of the lowest in the area and Council considers themselves budget conservatives. He said he appreciates their interest in government. Councilmember Gilb also added the government works best at the local level and he welcomed their attendance

Nobel Johnston of 316 S. West Street, addressed Council and said he is bothered by people walking their dogs and not cleaning up after them. He said he reviewed the current ordinances and found nothing that deals with this. Mayor Grossmann referred the matter to the Law Director and said he will respond back to Mr. Johnson.

Tom Muennich of 206 Short Street addressed Council and said they are forgetting about the downtown residents. He said the post office and grocery stores have left the downtown area. He said now Council is planning on relocating the fire station. He also noted he has an accident on April 17, 2008 at 4:10 p.m. in front of the fire station and no one was there to offer assistance. Councilmember Bradburn said he will look into that matter. Mayor Grossmann said the location of the fire station is to benefit the community as a whole. He added the locations are determined to meet national response standards. Councilmember Shimrock stated the Downtown Committee has been meeting with downtown residents and she invited him to meet and discuss the future status of the area.

**RESOLUTION 2009-13 PROCLAIMING JULY AS PARKS & RECREATION MONTH**

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

Jennifer Heft, Assistant City Manager, explained that the purpose of this Proclamation is to bring public attention to the value and benefits of Parks & Recreation in the City of Mason. She noted July is the month parks and recreation supporters through the National Recreation and Park Association recognize the importance of our nation's parks and recreation facilities and learn more about how to support the places that bring our communities a higher quality of life, safer places to play and healthy alternatives through recreation programming for everyone.

A motion to adopt Resolution 2009-13 was made by Councilmember Prince, seconded by Councilmember Shimrock. VOTE: ALL YEAS

**RESOLUTION 2009-12 ADOPTING THE BUDGET OF THE CITY OF MASON FOR THE YEAR JANUARY 1, 2010 THROUGH DECEMBER 31, 2010**

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

Eric Hansen reported to Council this budget is a requirement by the State of Ohio to justify receipt of local government monies. He stated this must be done by July 15, 2009. He added this is not the actual budget for the City but a procedural requirement.

Mayor Grossmann opened the public hearing at 8:08 p.m. There were no comments either for or against this legislation. Mayor Grossmann closed the public hearing at 8:09 p.m.

A motion to adopt Resolution 2009-12 was made by Councilmember Bradburn, seconded by Vice Mayor Beck. VOTE: ALL YEAS

**ORDINANCE 2009-44 APPROVAL OF A REVISED CONCEPT PLANNED UNIT DEVELOPMENT PLAN LOCATED BETWEEN STATE ROUTE 741 AND COX-SMITH ROAD (GLIMCHER)**

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

Brian Lazor explained to Council the proposed development, named Creekside Shoppes, is located on approximately 70 acres, between State Route 741 and Cox-Smith Road. This property is currently zoned Business Planned Unit Development. He stated this development, approved in 2004, has changed dramatically since the original 208-acre project that straddled the north and south sides of State Route 741. In 2006, the development was reduced to approximately 70 acres in size, which was subsequently modified in 2007. Since that time, the developer has been working to satisfy State and Federal environmental and historical issues as well as conditions placed upon the project by the City. The plans show three different development areas including: outlots along State Route 741; a shopping center in the middle of the site (both totaling more than 300,000 square feet in size); and 55 residential units adjacent to Cox-Smith Road.

Brian explained some notable differences between the 2007 plan and the current plan are the addition of an access drive onto Cox-Smith with associated improvements to the roadway; accurate greenspace calculations; bike paths/walkways along State Route 741, the creek and residential area; as well as a reshaped footprint for the shopping center. The 2007 plan showed a Target store, which is not included in this revision. He added Glimcher provided a letter regarding the phasing of the development which stated because market conditions can and have varied widely, it is difficult to predict which part of the development will come on-line first. However, it is anticipated that the outlots will develop first, then the shopping center with the residential being independent of both. Road improvements will be coordinated to ensure that roadway capacity meets traffic generated.

Brian reported Planning Commission recommended approval of the revised concept PUD plan as shown by a vote of 5-1. He noted if approved, during the final PUD process, the applicant will need to address the following special items as well as standard PUD items such as signage, landscaping, traffic, and architecture:

1. Perform a traffic volume and speed study on Fairway Drive including traffic projections and recommended traffic calming measures. Also, include traffic volumes and the impact that the extension of Foxfield Drive from Mason-Montgomery Road to Kings Mills Road would have on traffic in the area.
2. All walkways shall be elevated or consist of different colors and textures such as brick pavers or stamped concrete.
3. Restrict the following uses from the development: Restaurants with drive through facilities, Convenience food stores, Garden supply with outdoor display or storage, Adult oriented business, Fraternal and social organizations, Commercial indoor or outdoor recreation, Vehicle sales, Automobile repair and body shops, Vehicle storage, and Gas Stations.
4. Provide documentation for the easements relating to the access drive connecting Cox-Smith Road.
5. Provide detailed plans for the amenities proposed for the floodplain areas. Since these areas are shown as open space, amenities will need to be provided in them.
6. Address outstanding comments relating to the traffic study.

Mayor Grossmann opened the public hearing at 8:15 p.m. Ken Cannon, Senior Vice President for Glimcher addressed Council and spoke in favor of this development. John

Taylor of Laurel Wood Court addressed Council and asked if this development addressed the expansion of the roads to I-71. Mr. Doyle with Glimcher stated they are updating the traffic study. He said it will include left turn lanes. He stated this development will not have an adverse impact on the traffic in the area. Mark Ashman of 3336 Palomino Trail asked if the speed limit will change. He said it should be limited to 40 mph. He noted the Kroger access off of ST RT 741 north of Kings Mills Road causes many accidents. Tom Muennich asked about installing a roundabout at the intersection to allow a continuous flow of traffic. Vice Mayor Beck asked what the current rating for this intersection is today. Mr. Doyle responded it is rated an "E" and after the improvements they have planned it will improve to a "D" rating. Vice Mayor Beck stated he is opposed to this development due to traffic issues. Councilmember Prince asked about a roundabout design. Mr. Doyle responded it can work in certain circumstances but not all. He noted one has recently been built in Columbus and has failed as accidents have increased. Mayor Grossmann closed the public hearing at 8:22 p.m. Councilmember Bradburn asked what type of tenants they were hoping to attract. Ken Cannon responded there are three categories: entertainment, traditional department store and high end department stores. He said it will be two out of three of these. Mayor Grossmann asked if the developer is in agreement with the staff comments. Ken Cannon replied they do not disagree.

A motion to adopt Ordinance 2009-44 contingent on compliance with the staff review comments was made by Councilmember Shimrock, seconded by Councilmember Gilb. VOTE: 6 YEAS, 1 NAY (Beck)

**ORDINANCE 2009-53 AMENDING THE ZONING CODE AND ZONING MAP TO PROVIDE FOR THE REZONING OF APPROXIMATELY 5.5 ACRES FROM R-4 SINGLE FAMILY RESIDENTIAL TO RESIDENTIAL PLANNED UNIT DEVELOPMENT WITH APPROVAL OF THE CONCEPT PLANNED UNIT DEVELOPMENT PLAN LOCATED AT 228 MASON-MONTGOMERY ROAD (GREENLAND PARK)**

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

A Public Hearing was set for July 13, 2009.

**ORDINANCE 2009-54 APPROVAL OF THE REPLAT FOR LOTS 1 AND 2 IN LAKEWOOD COMMERCE CENTER**

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

Brian Lazor explained the developer is requesting approval of the replat for lots 1 (Fire Station 51 site) and 2 of the industrial development known as Lakewood Commerce Center. This replat will dedicate an additional 0.0215 acres of right of way necessary for the construction of Alliance Drive. The plat will also relocate the sanitary sewer easement across lot 1 to the area where the sanitary was recently installed.

A motion to adopt Ordinance 2009-54 was made by Vice Mayor Beck, seconded by Councilmember Prince. VOTE: ALL YEAS

**ORDINANCE 55 APPROVAL OF THE REPLAT FOR LOT 6 IN BETHANY TRAILS SUBDIVISION**

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

Brian Lazor explained that Vickie Eifert is requesting the approval of the replat of Lot 6 in the Bethany Trail Subdivision, zoned R-1, Single-Family Residential. The property is located on the west side of Mason-Montgomery Road, across from the Mitsubishi facility. This replat will split Lot 6, a 3.15-acre lot, into two lots, Lot 6A consisting of 1.4325 acres and Lot 6B consisting of 1.7181 acres. He reported the applicant received a variance from the Zoning Board of Appeals for the reduced frontage for Lot 6B. Both lots will share a single access drive.

A motion to adopt Ordinance 2009-55 was made by Vice Mayor Beck, seconded by Councilmember Prince. VOTE: ALL YEAS

**ORDINANCE 2009-56 AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDER #2 TO THE EXISTING CONTRACT BETWEEN THE CITY OF MASON AND MT. PLEASANT BLACKTOPPING, IN THE AMOUNT OF \$35,000.00 FOR THE CITY OF MASON SITE WORK AND THE CITY OF MASON/DEERFIELD TOWNSHIP 2009 JOINT STREET RESURFACING PROGRAM**

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 Councilmember Prince. VOTE: ALL YEAS

Richard Fair said that several businesses and property owners have expressed concerns regarding the available parking in the area of East Main Street and Kings Mills Road. There are several popular businesses located in this area with only a limited amount of parking available. He reported the Downtown Committee of Council and staff evaluated

the option of adding a public parking facility to address the issue. In 2006 and 2007, the City of Mason purchased several properties along Mason-Montgomery Road including the former Glass property, which sits directly behind the Koob property (Mason Grill/Comets Pizza). The proposal is for a public parking lot to be located on this property just behind the Mason Grill, Comets Pizza and Little Rascals Studio facilities. An existing easement from US 42 through the Chris Koob property will provide access to the parking area. "Public Parking" signage provided along US 42 will direct patrons to the lot. He stated the proposed parking lot will contain 19 parking spaces and cost \$35,000. This cost includes grading, asphalt, curbing, pavement markings and minimal landscaping but no lighting. The pricing is available through a change order to the City's paving program.

Councilmember Prince stated the Downtown Committee of Council has reviewed the proposal and recommending adoption. He said by going with the current paving program, the City is saving money.

A motion to adopt Ordinance 2009-56 was made by Councilmember Shimrock, seconded by Councilmember Gilb. VOTE: ALL YEAS

**ORDINANCE 2009-57 TEMPORARILY AMENDING MEMBERSHIP RATES FOR THE MASON COMMUNITY CENTER AND AUTHORIZING THE CITY MANAGER TO ESTABLISH TEMPORARY REDUCED RATES**

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 Prince, seconded by Councilmember Shimrock. VOTE: ALL YEAS

Eric Hansen explained that in April, Council approved Ordinance 2009-15 for the site work related to the TriHealth expansion to the Community Center. That site work included moving Lakeside Drive to the west and relocating two detention basins as the parking lot is expanded to accommodate TriHealth and the expanded Community Center. The construction displaced the majority of the parking for Community Center patrons. Employee parking was relocated to accommodate parking for patrons of the Community Center and Municipal Center. As site work continues more of the parking closest to the Center will be eliminated and parking at the northwest end of the new parking lot will open.

He stated when construction of the facility begins patrons will walk through a plywood entrance to the facility, programs will be relocated and some may be need to be eliminated, fitness equipment will be reduced and relocated and members can anticipate temporary closures of the facility throughout the construction process. He said understanding that residents have other fitness options and that construction will have an impact on members, the Community Center Committee of Council and staff have been evaluating concepts that would retain current membership during construction, promote

the expanded Center upon completion of the expansion and provide flexibility to compete for new memberships in the future.

Eric explained Ordinance 2009 - 57 provides for a 25% reduction of membership rates at the Community Center during construction, the development of a Loyalty Program and allows for occasional and temporary reduced membership rates in order for the expanded facility to compete with the growing market of health and wellness facilities in the surrounding area. The Loyalty Program allows current members and those who join the Center during the construction period and remain members through the completion of the construction and opening of the new Center, to earn dollars for every dollar spent on memberships during the construction period.

The Community Center Committee of Council has reviewed and is recommending Ordinance 2009 - 57 for adoption. Councilmember Shimrock asked if the residents first have to check into the Community Center and then come to the municipal building. Eric replied they anticipate a representative will be at the municipal center to check in residents.

A motion to adopt Ordinance 2009-57 was made by Councilmember Nichols, seconded by Vice Mayor Beck. VOTE: ALL YEAS

**ORDINANCE 2009-58 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH STEPHEN GROSS & SONS, INC., IN THE AMOUNT NOT TO EXCEED \$5,955,000.00, FOR THE GENERAL TRADES FOR THE MASON COMMUNITY CENTER ADDITION AND ALTERATIONS PROJECT AND DECLARING AN EMERGENCY**

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

Eric Hansen explained to Council, Ordinances 2009 – 58 to 2009 - 65 will award contracts to the lowest and best bidders for various construction packages for the Mason Community Center expansion and TriHealth addition. These include: General Trades, masonry, millwork, glass and glazing, plumbing, fire protection, mechanical and electrical trades.

He stated this is the fourth contract package related to the project. This project consists of approximately 77,000 square feet of new additions plus renovations to the existing community center as a partnering project with TriHealth to expand services for the community at the center. TriHealth will occupy about 31,000 square feet of new space, enabling TriHealth and the City of Mason to share a location that can provide expanded exposure and membership opportunities for both, including wellness and rehabilitation



programs. Funding for this project was arranged in April when Council passed ordinances to work with the Mason Port Authority for pooled financing.

Richard Fair stated thirty bids were received for the eight contracts, reflecting a buyer's market for construction. The successful bids (including the steel bid from Art Iron) were \$5.2 million, or 30% below Turner Construction's early (design development drawings) construction estimates. Value engineering by City staff and Turner, a reduction in alterations in the existing building, detailed reviews of the construction documents, a broader advertising circle and the competitive bidding environment can all be attributed to the significant savings.

He reported included in the nine prime contracts, is a small allowance for using additional work force or overtime forces at strategic points in the process to attempt to reduce the construction schedule even further. The funds can only be used, with City approval, for reducing the schedule and not for a contractor's failure to meet contract milestones. Any unused funds will be returned to the City.

Early considerations for separately pricing the multi-purpose area, the Bridge relocation, the future expansion area and the hydrotherapy pool were received with all bids

Ordinance 2009 – 66 will award a contract to Turner Construction Company for construction management services for the project, including supervision of all nine prime contractors. Turner will also be responsible for maintaining the Guaranteed Maximum Price (GMP), (\$15,167,071.84), on the project, which includes:

- Turner's fees, general conditions (staff and site costs).
- Allowances for items which were not able to be fully described and priced when the construction documents were bid, and for items supplied or bid separately by the City of Mason but supervised by Turner (such as the climbing wall).
- A construction contingency (\$657,196.70 – 5% of the total bid amount plus allowances), for small items pertaining to adjustments during construction, with unspent funds to be split 75/25 at the end of the project (75% to the City) as an incentive to Turner to curtail its expenditure.
- An Owner's contingency for inevitable minor change orders, document errors, and clarifications.

Ordinance 2009 - 67 will revise the contract for Michael Schuster Associates (MSA) based on the following changes outside the original scope of the contract:

- The final new square footage is approximately 77,000 square feet, which is 7,000 square feet greater than the original proposal.
- A new entrance canopy and plaza design, including sign/screen accessory structures
- Revised design for the gymnastics area to a multi-purpose area with a higher roof and a squared footprint.
- Integrating the hydrotherapy pool into the existing glass meeting room area.
- Creating construction documents for allowing a two-phase project along with multiple (deduct) alternates. Based on the savings in time and money, the project

is now a one-phase project with the additions and renovations occurring simultaneously.

Ordinances 2009 – 58 to 2009 – 67, which authorize eight construction contracts, a contract establishing a Guaranteed Maximum Price (GMP), a contract for construction management services, and a change order to the contract with Michael Schuster and Associates (MSA) are recommended for adoption.

Eric concluded the above actions represent the bulk of legislation associated with this project and it remains within the total project estimates that were part of the financial analysis Council pursued when considering moving forward. However, there remain several other items that will be purchased separately and the Community Center Committee, Council and staff still have considerable work to see this project successfully integrated into the City of Mason's services. He also stated change orders are anticipated but they are built into the system and don't mean the project is over budget.

Councilmember Bradburn asked what was the expected completion date. Richard Fair said the time line is approximately one year with TriHealth moving in July 2010 and the Community Center being done by August or September 2010. Vice Mayor Beck noted a correction needed in Ordinance 2009-65 to reflect \$1,392,000. He responded to the Mayor's request to the Committee to present the "why" the City is doing this. He said the reason we are doing this is to stay competitive and offer residents a quality facility. He stated the partnership with TriHealth has made it possible to bring these services to our residents. Mayor Grossmann stated this partnership resolves a deficit for the City and turns it into a profitable situation. Steve Mombach with TriHealth stated this partnership focuses on a new model for the public. He said it concentrates on wellness and education. It is unique to bundle all practices together.

A motion to adopt Ordinance 2009-58 was made by Vice Mayor Beck, seconded by Councilmember Prince. VOTE: ALL YEAS

**ORDINANCE 2009-59 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH COMPLETE MASONRY SERVICES, INC., IN THE AMOUNT NOT TO EXCEED \$1,033,900.00, FOR THE MASONRY FOR THE MASON COMMUNITY CENTER ADDITION AND ALTERATIONS PROJECT 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 Prince, seconded by Vice Mayor Beck. VOTE: ALL YEAS

A motion to adopt Ordinance 2009-59 was made by Councilmember Shimrock, seconded by Councilmember Nichols. VOTE: ALL YEAS

**ORDINANCE 2009-60 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH WITTRICK WOODWORKING & MANUFACTURING CO, INC., IN THE AMOUNT NOT TO EXCEED \$576,447.00, FOR THE MILLWORK FOR THE MASON COMMUNITY CENTER ADDITION AND ALTERATIONS PROJECT AND DECLARING AN EMERGENCY**

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

A motion to adopt Ordinance 2009-60 was made by Councilmember Shimrock, seconded by Councilmember Nichols. VOTE: ALL YEAS

**ORDINANCE 2009-61 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH PIONEER CLADDING AND GLAZING SYSTEMS, LLC, IN THE AMOUNT NOT TO EXCEED \$567,400.00, FOR THE WINDOWS, AND GLASS AND GLAZING FOR THE MASON COMMUNITY CENTER ADDITION AND ALTERATIONS PROJECT AND DECLARING AN EMERGENCY**

A motion to read by title only was made by Councilmember Prince, seconded by Councilmember Gilb. 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

A motion to adopt Ordinance 2009-61 was made by Councilmember Bradburn, seconded by Councilmember Nichols. VOTE: ALL YEAS

**ORDINANCE 2009-62 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH TRITON SERVICES, INC., IN THE AMOUNT NOT TO EXCEED \$673,400.00, FOR THE PLUMBING TRADES FOR THE MASON COMMUNITY CENTER ADDITION AND ALTERATIONS PROJECT AND DECLARING AN EMERGENCY**

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

A motion to adopt Ordinance 2009-62 was made by Councilmember Bradburn, seconded by Councilmember Shimrock. VOTE: ALL YEAS

**ORDINANCE 2009-63 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH DALMATIAN FIRE, INC., IN THE AMOUNT NOT TO EXCEED \$206,787.00, FOR THE FIRE PROTECTION FOR THE MASON COMMUNITY CENTER ADDITION AND ALTERATIONS PROJECT AND DECLARING AN EMERGENCY**

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

A motion to adopt Ordinance 2009-63 was made by Councilmember Prince, seconded by Councilmember Shimrock. VOTE: ALL YEAS

**ORDINANCE 2009-64 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH TRITON SERVICES, INC., IN THE AMOUNT NOT TO EXCEED \$1,107,000.00, FOR THE MECHANICAL TRADES FOR THE MASON COMMUNITY CENTER ADDITION AND ALTERATIONS PROJECT AND DECLARING AN EMERGENCY**

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

A motion to adopt Ordinance 2009-64 was made by Councilmember Nichols, seconded by Councilmember Prince. VOTE: ALL YEAS

**ORDINANCE 2009-65 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH DEBRA-KUEMPEL MECHANICAL-ELECTRICAL, IN THE AMOUNT NOT TO EXCEED \$1,392,000.00, FOR THE ELECTRICAL FOR THE MASON COMMUNITY CENTER ADDITION AND ALTERATIONS PROJECT AND DECLARING AN EMERGENCY**

A motion to read by title only was made by Councilmember Gilb, 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 2009-65 was made by Councilmember Prince, seconded by Councilmember Gilb. VOTE: ALL YEAS

**ORDINANCE 2009-66 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH TURNER CONSTRUCTION CO, INC. IN THE AMOUNT OF \$965,941.14 FOR CONSTRUCTION MANAGEMENT SERVICES FOR ADDITIONS AND ALTERATIONS TO THE MASON COMMUNITY CENTER, AS PART OF THE PARTNERSHIP WITH TRI HEALTH, AND TO ESTABLISH A GUARANTEED MAXIMUM PRICE, AND DECLARING AN EMERGENCY**

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

A motion to adopt Ordinance 2009-66 was made by Councilmember Bradburn, seconded by Councilmember Prince. VOTE: ALL YEAS

**ORDINANCE 2009-67 AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDER #1 TO THE EXISTING CONTRACT BETWEEN THE CITY OF MASON AND MICHAEL SCHUSTER ASSOCIATES, ARCHITECTS, INC. IN THE AMOUNT OF \$128,000.00, FOR THE CITY OF MASON COMMUNITY CENTER ADDITION AND ALTERATIONS**

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 Prince, seconded by Councilmember Nichols. VOTE: ALL YEAS

A motion to adopt Ordinance 2009-67 was made by Councilmember Shimrock, seconded by Vice Mayor Beck. VOTE: ALL YEAS

**ORDINANCE 2009-68 AUTHORIZING THE CITY MANAGER TO SUBMIT FINAL APPLICATIONS FOR AN OHIO PUBLIC WORKS COMMISSION, DISTRICT 10 STATE ISSUE 1 GRANT FOR PROGRAM YEAR 23 (2009)**

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

Eric Hansen explained to Council, legislation was passed at the State level that increased the allocation of Local Transportation Improvement Projects (LTIP) funds. These funds will be available to award construction projects in late summer/early fall of this year. The District 10 Integrating Committee decided at the May 20<sup>th</sup> meeting to take any application, including those that do not have prior pre-applications. This requires a quick

turn around of final applications due on June 15<sup>th</sup> to Warren County Regional Planning Commission.

Eric reported at the June 4<sup>th</sup> Council Public Works Committee meeting staff recommended three projects to be submitted for these funds:

- *Resurfacing Columbia Road and Western Row Road from Columbia to King Island Drive*
- *Mason Road/Hickory Woods Drive Roundabout*
- *Mason-Montgomery Road/Bethany Road Roundabout*

He said this ordinance authorizes the City Manager to submit final applications for Issue 1 grant and is recommended for adoption.

A motion to adopt Ordinance 2009-68 was made by Councilmember Bradburn, seconded by Vice Mayor Beck. VOTE: ALL YEAS

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

Eric Hansen reported on the following items:

▶ On Monday, June 15, City Council will meet at 7:00 p.m. to discuss plans for the Community Center expansion and other projects.

▶ Activities related to The Duramed Futures Tour begin on Tuesday, June 16, when the City will host Putt with the Pros' Night at the Community Center from 5:00 p.m. – 6:30 p.m. The "Meet the Pros" party is scheduled for Wednesday, June 17 from 6 to 9 p.m. at The Golf Center. VIP members of the Community Center receive free tickets to the Tour held at the Golf Center at Kings Island on June 19-21. On Friday, June 19 residents and employees working at businesses located in Mason can attend the tournament for free.

▶ The Western & Southern Financial Group Masters & Women's Open will be held in Mason on August 8-23. This year marks the Tournaments 30<sup>th</sup> year in Mason. To show its appreciation to the residents of Mason the tournament is offering 30% off the regular price of tickets for the day and night sessions on Wednesday, August 12 and Wednesday, August 19. The offer is not valid on previous purchases and cannot be combined with other offers. Seats are in the terrace-level. Offer expires July 23.

▶ The Mason Historical Society will hold their annual Ice Cream Social on Tuesday, June 16 beginning at 6:30 p.m. at 207 W. Church Street. Ice cream is being donated by Culver's and there will be an auction of homemade baked goods. A men's chorus will be the entertainment for this annual fundraiser.

▶ The next meeting of the Warren County Municipal League will be held on Wednesday, June 17 at 6:00 p.m. at the Der Dutchman Restaurant in Waynesville. Warren County Law Directors will be on the program. R.S.V.P. to Terry Schulte by June 13.

▶ The Red, Rhythm & Boom celebration is on Friday, July 3 from 2:30 to 10:30 p.m. at Corwin Nixon Park. The two featured musical acts are In Pulse on the main stage at 7:00 p.m. and Huey Lewis and the News at 9:00 p.m. Rozzi's fireworks are scheduled for 10:30 p.m. There will be free shuttle service, Kids Zone, food booths and a fireworks jump.

▶ The City is partnering with Operation Thank You to collect donated items that will be shipped overseas to our troops. Residents are asked to bring items for donation to the Red Rhythm & Boom event on July 3. At the event there will be drop off locations at the shuttle drop-off areas and in Kids Zone. Residents may also drop off items before the July 3 event at both of Mason's Fire Stations. Additional information is also available on the City's website.

▶ City offices will be open on Friday, July 3 and closed on Monday, July 6 in observance of the Fourth of July holiday. Mason Community Center hours are 5:30 a.m. to 6:00 p.m. on both Friday, July 3 and Saturday, July 4 and noon to 6 p.m. on Sunday, July 5. There will not be a Sunshine Concert on Sunday, July 5.

▶ Live Well in Mason Activities:

June – Men's Health Month

Individuals interested in more information can log onto the City's website and click on Partners for Wellness monthly programming information.

## **COMMITTEE REPORTS**

Councilmember Bradburn reported the Safety Committee met and will be going out for bids for the Fire Station in July. He also stated they are reviewing the noise ordinance.

Councilmember Shimrock reported the Downtown Committee met and discussed parking and the redistribution of planters. She said next year residents can expect them to be placed in new locations.

Councilmember Prince reported the Public Works Committee met and discussed Mason Road improvements with the residents.

Councilmember Prince reported the Festivals of Mason met and will again be holding an out house race. He suggested issuing a challenge to Deerfield Township.

## **OLD AND NEW BUSINESS**

Mayor Grossmann reported Bill Simmons has been appointed to the Planning Commission at the Special Council Meeting on May 19, 2009. He said to formally make this appointment at a regularly scheduled meeting he asked for a motion to confirm the appointment. Councilmember Shimrock moved to approve this appointment, seconded by

Councilmember Nichols. Vote: All Yeas His term will be from January 1, 2008 until January 1, 2011.

Mayor Grossmann asked for a motion to appoint Rick Doesburg to Planning Commission for a three-year term beginning January 1, 2009 until January 1, 2012. Councilmember Prince moved to approve this appointment, seconded by Vice Mayor Beck. Vote: All Yeas

Mayor Grossmann asked for a motion to appoint Dick Staten to Planning Commission for a three-year term beginning January 1, 2009 until January 1, 2012. Councilmember Bradburn moved to approve this appointment, seconded by Vice Mayor Beck. Vote: All Yeas

Councilmember Shimrock reported she has recently visited two Mason restaurants and said they were both very good. She said the Courseview Restaurant and the Mason Grill are ones the residents should try. Vice Mayor Beck thanked the American Legion for posting the colors at tonight's meeting. He reminded everyone of the anniversary of "D" Day.

Mayor Grossmann stated the Duramed Futures Tournament is occurring next week. He said residents can still volunteer. He reminded residents of the Red Rhythm and Boom event and he reported he has eaten at Café Bella and was very pleased.

### **RECOGNITION OF VISITORS**

Perry Schwartz of 6309 Tartan Fields Lane addressed Council and asked them to take a look at the arboretum. He said it need attention. He also asked about the financial statements for the Community Center. Eric Hansen replied he has those available for Mr. Schwartz tonight.

### **EXECUTIVE SESSION: PROPERTY ACQUISITION**

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


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

### **ADJOURN**

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

TIME: 10: 55 p.m.

  
Clerk of Council

  
Mayor