

**CITY OF MASON  
COUNCIL MEETING  
AUGUST 17, 2009**

Mayor Grossmann called the meeting to order at 7:09 p.m. Father Harry Meyer opened the meeting with prayer. Boy Scout Troop #194 presented the Colors and led the group in reciting the Pledge of Allegiance.

**ATTENDANCE**

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

**APPROVAL OF MINUTES**

A motion to approve the minutes of the July 13, 2009 Council Meeting was made by Councilmember Gilb, seconded by Vice Mayor Beck. VOTE: ALL YEAS

**RECOGNITION OF 2010 CITY OF MASON CALENDAR PHOTO CONTEST WINNERS**

The winners of the photo contest for the city calendar were announced. They are as follows: Jim Simpson, Brian Lazor, Nina Lokar, Kendra Taylor, Mike Greenstone, Peter Yang, Lindsey Sodano, Shannon O'Connor, Corynne Hogan, Justin Sodano, and Fuzzy Berner. Those present were presented with a framed copy of their print.

**RECOGNITION OF TOM MCGILL – DURAMED TOURNAMENT UPDATE**

Tom McGill addressed Council and announced the dates for the 2010 Duramed Tournament are June 15-20. He thanked the golf course personnel and the city personnel for their assistance in making this event a success.

**PROCLAMATION RECOGNIZING THE 5<sup>TH</sup> ANNIVERSARY OF THE AVP VOLLEYBALL TOUR IN MASON PRESENTED TO MARIO CICCHINELLI, REACH EVENT MARKETING DIRECTOR**

Mayor Grossmann read the proclamation recognizing the five-year anniversary of the AVP Pro Beach Volleyball Tour. It was accepted by Mario Cicchinelli, Reach Event Marketing Director who announced it will be held on center court this year and tickets are as low as \$5.00.

**RECOGNITION OF BOY SCOUT TROOPS #194 AND #500**

Angie Gardner from the Parks and Recreation Department, addressed Council and stated Boy Scout Troop 194 and 500 assisted with the clean up after the Red Rhythm & Boom event. She stated their assistance saved the City considerable expense. She said over 100 scouts, parents and leaders worked only 3 hours to accomplish this. Mayor Grossmann presented a check for \$800 to Troop #194 and a

check for \$500 to Troop 500 in appreciation of their efforts. Councilmember Bradburn stated how impressed he was with the job they did and the time in which they completed it. Eric Hansen stated the entire event cost under \$400,000. He said most of the expense was due to a higher cost for the bands. He said the size of the crowd at approximately 60,000 was double from last year's attendance. He also noted this year the time of the event was extended.

**CITY MANAGER – PENDING BUSINESS**

Eric Hansen reported to Council, the Arts Festival of Mason has requested an in-kind donation from the City valued at \$3,584.00. He stated this includes assistance for the Parks Department for trash cans, manpower, inspections, use of P.A. system and other various items totaling \$3,584.00. Vice Mayor Beck moved to approve this donation expense. Councilmember Shimrock seconded the motion. VOTE: ALL YEAS Meredith Raffel thanked the City for their continued support. She said the Arts Council received the 2009 Emerging Organization Award from the Warren County Foundation. She stated they are growing and need space. She said they are looking for help or a donation.

Eric Hansen also stated Steve Waldmann, Manager of Kings Schools Business Affairs has requested the permit fee of \$2,560 be waived for the new facility on Columbia Road. Mr. Waldmann addressed Council and stated this is for a pole barn and the fee represents 20% of the cost of the structure. Eric Hansen said the City has waived fees in the past for Mason Schools. Richard Fair stated this building will have no HVAC and will not require much time from staff for inspection. Vice Mayor Beck requested this matter be referred to the Finance Committee for review. Mayor Grossmann agreed and referred the matter to the Finance Committee.

Eric stated the City has received a request for a waiver for the fee to install a tent for the Mason Athletic Booster Association Pig Roast. Susan Egan addressed Council and said this is a kick off event for the football season and is a fundraiser for the association. The fee is \$103.00 and the event is to be held on Friday August 21, 2009. Mayor Grossmann said rather than waive the fee, he offered to donate the fee along with other Councilmembers for this event.

**ORDINANCE 2009-87 AUTHORIZING THE CITY MANAGER TO PROVIDE THAT FUNDS BE MADE AVAILABLE TO THE MASON PORT AUTHORITY TO FUND A LOAN FOR THE SPEAR, INC. PROJECT**

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

Beth Gottfried from the Economic Development Office explained that this ordinance would authorize the City to grant the Mason Port Authority up to \$50,000 for an incentive package to retain Spear, Inc. and provide a development opportunity for their headquarters expansion in Mason. She stated Spear's corporate headquarters located to Mason in 1994. Over the past 15 years the company has expanded business across the globe and is currently planning an expansion at their Ohio facility. This

specialized labeling company fits into Mason's economic development focus of attracting and growing niche companies. Todd Walker, Controller of Spear, addressed Council and stated they are consolidating two plants bringing one from New Hampshire. He said assistance from the State and the City helped make the decision on the location. Beth stated the Mason Port Authority would grant a forgivable loan of \$50,000 to the company if certain objectives were achieved. Those objectives include: a \$7 million machinery and equipment investment, 108 retained jobs, 30 new jobs and a payroll of \$2.15 million. It is estimated the City's contribution will be recouped in a little over one year. She reported the Economic Development Committee has reviewed this proposal and is recommending adoption. A motion to adopt Ordinance 2009-87 was made by Vice Mayor Beck, seconded by Councilmember Prince. VOTE: ALL YEAS

### **RECOGNITION OF VISITORS**

Richard Cox of Reading Road addressed Council and stated a new restaurant will be locating downtown. He said it is "Quatman's Café" and are know for the best cheeseburgers with family friendly prices.

Renee Toms of Concord Crossing stated she resides next to the nature trail and would like to see the ordinance passed regarding cleaning up after your pet. She requested if passed, signs be posted stating the fines. She also said a problem exists when people don't cleanup in their own yards, creating a bad odor especially in the summer.

Noble Johnston also addressed Council and requested the ordinance be passed.

### **ORDINANCE 2009-88 AUTHORIZING THE ACCEPTANCE OF CERTAIN DONATED EASEMENTS AND THE ACQUISITION OF OTHER CERTAIN EASEMENTS AS PART OF THE MASON ROAD WIDENING PROJECT PHASES 1 AND 2, AND DECLARING AN EMERGENCY**

A motion to read by title only was made by Vice Mayor Beck, 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 stated construction of the Mason Road Project requires permanent easements from 26 parcels and temporary easements from an additional 41 parcels. Staff has been working with Wood & Lamping to acquire the permanent easements using the auditor's appraised values. This approach has worked well and saved costs because many of the easement areas needed on this project are small and often the price of a full appraisal (\$400-\$500) would have been more expensive than the easement itself. He said almost all of the permanent easements and temporary easements have been acquired- only a few remain. This ordinance will accept the easements making them the City's responsibility and allowing for construction of the project. Utility work on the project has already begun and will continue into next year. The bulk of the roadway construction will occur next year with the project being complete at the end of 2010.

A motion to adopt Ordinance 2009-88 was made by Vice Mayor Beck, seconded by Councilmember Nichols. VOTE: ALL YEAS

**ORDINANCE 2009-89 AUTHORIZING THE CITY MANAGER TO ENTER INTO AN ANNEXATION AGREEMENT WITH DEERFIELD TOWNSHIP AND THE PROPERTY OWNER, BOXWOOD FARMS, LLC, FOR THE ANNEXATION OF 9.7337 ACRES TO THE CITY OF MASON (MASON ROAD PROPERTY)**

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 Nichols. VOTE: ALL YEAS

Councilmember Prince explained that when the special ‘expedited’ proceedings are used, annexed territory must remain in the Township unless the township formally agrees to detach the territory in the special proceeding known as an ‘Expedited Type 1’ proceeding.

Eric Hansen explained Ordinance 2009-89 authorizes the City Manager to enter into an agreement that the property owner (Boxwood Farms, LLC) has reached with Deerfield Township and the City of Mason. He stated the property is located on the north side of Mason Road, just west of the Hickory Woods subdivision. It is completely surrounded by the City of Mason and is about 10 acres in size. Eric stated this agreement requires the property owner to make payments to the City in conjunction with its development to help defray the City’s cost and expenses of annexation and the conformity of the boundary including the City’s obligation to compensate Deerfield Township over a 12-year period as provided in the annexation law. He said the agreement also allows the territory to be annexed and then detached from Deerfield Township and placed in Mason Township. Detaching the territory will ensure that future Mason residents will avoid double taxation by not being subject to the township’s property taxes. The City will provide all services, including police, fire and emergency medical services to the property upon acceptance of the annexation, which could be by the end of the year.

He further explained this agreement will allow the City to file its second Expedited Type 1 annexation petition. This type of annexation process is simplified since both the township and City agree to the petition. Once the agreement is executed the next steps are:

1. The petition, agreement, map and legal description are filed with Warren County.
2. The Warren County Commissioners then approve the annexation at the next regularly scheduled meeting.
3. The Clerk of the Warren County Commissioners sends the annexation papers to the Clerk of City Council.
4. The resolution of the county commissioners granting the annexation comes before Council for consideration at the next regularly scheduled Council meeting 60 days after it is received from the County. Council may consider an ordinance accepting annexation at that meeting, adopt and begin providing services immediately upon the effective date.
5. At the same meeting as the annexation acceptance City Council will likely consider an ordinance rezoning the property and an ordinance authorizing the City manager to file a petition with the county commissioners to detach the territory from Deerfield Township and place it into Mason Township.

In conclusion Eric stated the City has been working cooperatively with the property owner to find a creative, but workable solution that allows residential properties to access City services and develop under City zoning; the Developer participates in the overall costs of the annexation and development; and ensures future residents are not subject to double taxation.

A motion to adopt Ordinance 2009-89 was made by Vice Mayor Beck, seconded by Councilmember Bradburn. VOTE: ALL YEAS

**ORDINANCE 2009-90 AUTHORIZING THE CITY MANAGER TO ESTABLISH A SECOND ASSISTANT CHIEF POSITION IN THE CITY OF MASON POLICE DEPARTMENT AND ESTABLISHING COMPENSATION**

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

Eric Hansen explained to Council, over the last few years, the City identified two key issues that inhibit the long-term success of the Police Department. The first issue is an overdependence on an Officer-In-Charge (OIC) system of management. The second is a lack of positions available in the current structure to effectively develop future management leaders. The OIC position was initially implemented as a temporary solution to the rapid growth of the Police department. The OIC position is not an effective way, over the long term, to supervise operations as the position is rotated among officers-creating inconsistency and other management issues. Also, the department is a very young and less experienced agency at the officer level. Often an officer with two or three years of experience is the OIC supervising a shift. The relative youth of the department highlights the need for a consistent and well-trained supervisory staff to maintain control and lend experience to law enforcement situations. The second key issue identified was the department's current organizational structure. Currently there are nine officers in command positions; the Chief, the Assistant Chief, and seven Sergeants. Of the nine officers; six are eligible to retire within a year. This level of loss is nearly impossible to absorb and would be a tremendous detriment to the department. The need for a reorganization of the existing management structure is critical to ensuring continued effective organizational leadership and to best position the Department for long-term growth.

The proposed reorganization structure reduces the risks identified above by developing an additional Assistant Chief position and a second level of supervision. The goal of the proposed structure is to eliminate the issues related to the OIC position, provide a succession plan without adding any additional staff to the department, and avoid increased costs or collective bargaining issues.

Eric stated at the February 23 meeting, with Resolution 2009 - 4, Council adopted the 2009 Police Department Staff Reorganization Plan. The Plan will increase accountability across the department, provide better leadership development, necessitate less reliance on officers in charge (OIC) and better recognize the role the current position of Sergeants are playing in the department today.

Ordinance 2009 – 90 is the first step in implementing the full reorganization plan. The ordinance authorizes the City Manager to establish a second Assistant Chief position once administrative matters are finalized. Reclassification of the Sergeant position to Lieutenant, is the likely next step in the reorganization plan. The plan does not increase the number of sworn officers within the department and the initial costs to implement the plan are minimal. A Sergeant position will be eliminated with the filling of the new second Assistant Chief position.

The third step in the reorganization plan will be to update the Sergeants position to more accurately reflect job responsibilities. Staff anticipates completing the reorganization plan by the end of November. The end result will better position the Department to continue delivering world-class professional police service well into the future. The Safety Committee has reviewed this initial step and is recommending Ordinance 2009 – 90 for adoption.

A motion to adopt Ordinance 2009-90 was made by Councilmember Prince, seconded by Councilmember Nichols. VOTE: ALL YEAS

**ORDINANCE 2009-91 ADOPTING SECTION 505.19 OF THE CITY OF MASON CODIFIED ORDINANCES REGARDING ANIMAL WASTE REMOVAL**

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 Vice Mayor Beck. VOTE: ALL YEAS

Eric Hansen explained to Council the issue of requiring dog owners to remove dog waste from public or private property was referred to the Safety Committee for evaluation. Wood & Lamping, the City's legal counsel researched the matter and provided the Safety Committee an ordinance for consideration, which they are recommending for adoption. Eric stated the proposed ordinance requires a dog owner to remove dog waste from any public or private property not owned or possessed by the dog owner. Under the proposed ordinance a Police officer that observes a violation can issue a minor misdemeanor citation.

A motion to adopt Ordinance 2009-91 was made by Vice Mayor Beck, seconded by Councilmember Nichols. VOTE: ALL YEAS

**ORDINANCE 2009-92 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH CINCINNATI UNITED CONTRACTORS, INC. FOR THE CONSTRUCTION OF THE GENERAL TRADES PORTION OF FIRE STATION 51 WITH HEADQUARTERS**

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

Eric Hansen explained Ordinances 92-97 all address authorizing the City Manager to enter into contracts with five prime contractors for the construction of Fire Station #51 plus a contract with Michael Schuster and Associates (MSA) for additional design and construction administrative services. He reported that the property for new Fire Station 51 is located at the southeast corner of Alliance Drive and Mason-Montgomery Road. This facility will replace existing James Knott Station 51 in Downtown. The Downtown station is roughly 50 years old and served as the only station in Mason until Station 52 was built on Cedar Village Drive.

Richard Fair, Engineering Service Director, said that the project was designed as a lump sum bid project with a base bid and two alternates. The base bid is the 11,500 square foot prototype fire station, which includes office space, sleeping quarters, kitchen/dayroom, fitness room, conference room, ancillary space, and a three bay apparatus room. Bids were taken for Alternate 1 for an approximate 5,700 square foot headquarters addition to the fire station facility. This space will include a community room with restroom facilities, AV storage and an IT server room. The walls and ceiling for the community room are reinforced to provide a shelter area during foul weather. There will also be office space for the Fire Department Headquarters personnel including the chief, deputy chiefs, inspectors and clerical staff. The second Alternate at a bid price of \$16,500 provides public improvement to the entryway of Lakewood Commerce Park in the form of landscaping along Mason-Montgomery Road and Alliance Drive for the Noritake Lot, which was part of the incentive agreement with Noritake.

Eric explained base bids for the five prime contractors, including alternates, are well below the architect's estimate. Besides being in a prime bidding environment, fire and engineering staff worked with the architect along with the Safety Committee to design the most cost effective and energy efficient building possible to help reduce construction and future operating costs. The prototype fire station was designed as close as possible to a rectangle shape for building economy and easier expansion to a community room and headquarters area. The building was also designed around its intended purpose based on manpower and equipment instead of fitting manpower and equipment into a pre-designed building. Efficiencies included downsized apparatus bays, 20 to 25% smaller than those at Station 52,

Practical green measures were used-including adding geothermal heat (at a cost of approximate \$70,000, with a 5 to 7 year payback) and low maintenance grass and landscaping. A mezzanine to reduce the building footprint was also added for storage and training opportunities.

The total for the base bid is \$1,934,672. The total with the headquarters addition is \$2,599,879. The Safety Committee has reviewed the bids and is recommending that all alternates be authorized at the above amounts.

It is recommended that the Finance Director be authorized to pay Cincinnati United Contractors, Inc. \$1,768,500.00 for said construction services.

A motion to adopt Ordinance 2009-92 was made by Councilmember Shimrock, seconded by Councilmember Prince. VOTE: ALL YEAS

**ORDINANCE 2009-93 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH CINCINNATI UNITED CONTRACTORS, INC. FOR THE CONSTRUCTION OF THE PLUMBING PORTION OF FIRE STATION 51 WITH HEADQUARTERS**

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

Eric stated it is recommended that the City accept the bid of Cincinnati United Contractors, Inc., in the amount of \$123,000.00 as the lowest and best bid for the plumbing portion.

A motion to adopt Ordinance 2009-93 was made by Councilmember Bradburn, seconded by Councilmember Prince. VOTE: ALL YEAS

**ORDINANCE 2009-94 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH DEBRA-KUEMPEL FOR THE CONSTRUCTION OF THE ELECTRICAL AND COMMUNICATIONS PORTION OF FIRE STATION 51 WITH HEADQUARTERS**

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 Prince, seconded by Councilmember Shimrock. VOTE: ALL YEAS

Eric stated it is recommended that the bid of DeBra-Kuempel, in the amount of \$363,000.00, be accepted as the lowest and best bid for the electrical portion of the project.

A motion to adopt Ordinance 2009-94 was made by Councilmember Nichols, seconded by Councilmember Gilb. VOTE: ALL YEAS

**ORDINANCE 2009-95 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH DEBRA-KUEMPEL FOR THE CONSTRUCTION OF THE HVAC PORTION OF FIRE STATION 51 WITH HEADQUARTERS**

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 Prince, seconded by Councilmember Bradburn. VOTE: ALL YEAS



Eric stated it is recommended that the bid of DeBra-Kuempel, in the amount of \$298,494.00, be accepted as the lowest and best bid for the heating, ventilating and air conditioning portion of the project.

A motion to adopt Ordinance 2009-95 was made by Councilmember Shimrock, seconded by Councilmember Gilb. VOTE: ALL YEAS

**ORDINANCE 2009-96 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH S.A. COMUNALE COMPANY, LLC FOR THE CONSTRUCTION OF THE FIRE SUPPRESSION PORTION OF FIRE STATION 51 WITH HEADQUARTERS**

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

Eric stated it is recommended that the bid of S.A. Comunale Company, LLC, in the amount of \$46,885.00, be accepted as the lowest and best bid for the construction of fire suppression portion of the project.

A motion to adopt Ordinance 2009-96 was made by Councilmember Bradburn, seconded by Councilmember Gilb. VOTE: ALL YEAS

**ORDINANCE 2009-97 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH MICHAEL SCHUSTER ASSOCIATES, ARCHITECTS, INC. IN THE AMOUNT OF \$62,500, FOR DESIGN CHANGES AND CONSTRUCTION ADMINISTRATION FOR FIRE STATION 51.**

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

Eric reported it is recommended that the Finance Director be authorized to pay Michael Schuster Associates, Architects under the contract an amount not to exceed \$62,500.00 for design changes and construction administration for the project.

A motion to adopt Ordinance 2009-97 was made by Councilmember Nichols, seconded by Vice Mayor Beck. VOTE: ALL YEAS

Vice Mayor Beck moved to add Ordinance 2009-98 to the agenda. Councilmember Gilb seconded the motion. VOTE: ALL YEAS

**ORDINANCE 2009-98 AUTHORIZING THE CITY MANAGER TO ENTER INTO ANY NECESSARY AGREEMENTS WITH AND PURCHASE CERTAIN PROPERTY FROM HOMEMADE DREAMS COFFEE LLC AND DECLARING AN EMERGENCY**

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

Eric Hansen explained to Council the Community Center Committee met tonight prior to the Council meeting to discuss the Homemade Dreams matter. He said they have provided food service at the Community Center and all agree it has been an asset. The partnership with TriHealth and the resulting expansion have placed a hardship on them. The Committee recommends the City purchase the capital investment for \$102,705.66 in which we would receive the deed and discuss with further details of the agreement in the near future.

A motion to amend Section 4 of the ordinance to state the final terms of the agreement will be submitted to Council for approval was made by Councilmember Bradburn, seconded by Councilmember Prince. VOTE: ALL YEAS.

A motion to adopt Ordinance 2009-98 as amended was made by Councilmember Shimrock, seconded by Vice Mayor Beck. VOTE: ALL YEAS

Councilmember Gilb moved to add Ordinance 2009-99 to the agenda dealing with term limits. Councilmember Prince seconded the motion. VOTE: ALL YEAS

**ORDINANCE 2009-99 DIRECTING THE WARREN COUNTY BOARD OF ELECTIONS TO SUBMIT TO THE ELECTORS OF THE CITY OF MASON, OHIO, AT THE NOVEMBER 3, 2009, GENERAL ELECTION, A CHARTER AMENDMENT TO SECTION 3.02(A) REGARDING TERM LIMITS**

Mayor Grossmann explained the current City Charter allows for two four year terms with an appointment for an unexpired term counting as one of the approved terms. He said there are two options with this matter. The first is to allow two elected full terms not including any time served to fill an unexpired open seat. The second alternative is to allow for three full terms. He asked Council which one they could support. He noted Council must address this tonight to allow it to be placed on the November ballot. He suggested the first option be placed on the ballot as it would be less confusing and it would bring the Council terms in alignment with what is done at the state level. Councilmember Bradburn stated he is in favor with both options. Councilmember Gilb moved to place the first option on the ballot at the November 2009 election. Councilmember Bradburn seconded the motion. VOTE: ALL YEAS

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 Bradburn, seconded by Councilmember Nichols. VOTE: ALL YEAS

A motion to adopt Ordinance 2009-99 was made by Councilmember Bradburn, seconded by Councilmember Nichols. VOTE: ALL YEAS

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

Eric Hansen reported on the following items:

▶ The City of Mason once again hosts the Western & Southern Financial Group Masters Men's Tennis Series from August 15-23 at the Lindner Family Tennis Center. The City of Mason is proud to partner with Tennis for Charity in hosting this prestigious sporting event.

▶ The 2009 Heritage Festival will be held in downtown Mason, on Saturday, August 22. The booth will feature many of Mason's partnership sporting venues and activities including Western & Southern Tennis Masters Series, AVP Pro Beach Volleyball, Duramed, and the Golf Center at Kings Island. Visitors to the booth can obtain a 2010 City of Mason Calendar. Council will be participating in an outhouse challenge as part of the festivities.

▶ The AVP Cincinnati Open will be held at the Lindner Family Tennis Center beginning Friday, September 4 through Sunday, September 6. The AVP Pro Beach Volleyball Tour, which was organized in 1983, features more than 150 of the most prominent American men and women competitors in the sport.

▶ The annual St. Susanna Festival will be held the weekend of Friday, September 11 through Sunday, September 13.

▶ The City of Mason will host the 2009 Homearama exhibition in the Carmelle Subdivision from Saturday, September 12 through Sunday, September 27. Community Center VIP members, who are interested in attending Homearama can pickup two free tickets per household at the Community Center until September 10.

▶ The City has received a Liquor permit request from 4200 Aero Drive Suite B for DBA Food Mart. Vice Mayor Beck moved to not require a hearing, seconded by Councilmember Shimrock. VOTE: ALL YEAS

### **COMMITTEE REPORTS**

Councilmember Shimrock reminded everyone about the Heritage Festival and the outhouse race.

Vice Mayor Beck reported the Finance Committee has met and are continuing to track expenses.

Councilmember Bradburn reported there will be a Warren County Municipal League meeting on Wednesday August 19 at the Houston Inn.

**OLD AND NEW BUSINESS**

Vice Mayor Beck asked about the timing of the traffic signal at Luxottica. He asked Richard Fair to look into it.

**RECOGNITION OF VISITORS** None

**EXECUTIVE SESSION: LAND ACQUISITION**

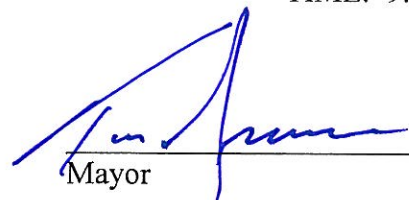
A motion to adjourn into executive session was made by Councilmember Bradburn, seconded by Councilmember Nichols. VOTE: ALL YEAS

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

**ADJOURN**

A motion to adjourn was made by Councilmember Gilb, seconded by Councilmember Prince. VOTE: ALL YEAS  
TIME: 9:55 p.m.

  
Clerk of Council

  
Mayor