

**CITY OF MASON
COUNCIL MEETING
JUNE 28, 2010**

Vice Mayor Nichols called the meeting to order at 7:02 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: Michael Gilb, Christine Shimrock, Rich Cox, Tony Bradburn, Charlene Pelfrey, and David Nichols. Don Prince was absent.

APPROVAL OF MINUTES

A motion to approve the minutes of the May 24, 2010 Council Meeting was made by Councilmember Bradburn, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

A motion to approve the minutes of the June 21, 2010 Work Session was made by Councilmember Pelfrey, seconded by Councilmember Bradburn. VOTE: ALL YEAS

RECOGNITION OF VISITORS

John Harris, president of the Northeast Chamber of Commerce, asked the Council to finalize the Chamber's request for the City's participation in the Power of Partnership Program. This program benefits both the City and businesses within the area with a financial contribution of \$6000, which includes membership dues. Vice Mayor Nichols recommended that this matter be included at the next Finance Committee meeting agenda. Councilmember Bradburn asked Mr. Harris to provide the NECC financials at the next Finance Committee meeting.

Ray Warrick of 7272 White Oak Court addressed Council and expressed his concerns regarding the City's revenue to debt ratio. He presented comparisons of other municipalities. Councilmember Bradburn offered to sit down with Mr. Warrick and Joe Reigelsperger, the City's Finance Director, and review these numbers. Councilmember Pelfrey added that as a member of Council in 2000-2001, the young City of Mason was in an aggressive growth pattern and at that time, decisions were made to take on these debts. As a result, Mason enjoys a prosperous business district and increased property values. She also pointed out that it is unfair to compare Mason with the cities on his chart, as most of them are older and have been "built out" before Mason.

Rick Inskeep of Butler Warren Road stated that he has read in the newspaper that the City is considering a potential earnings tax to pay for the Fire Department. He encouraged the Council to get their priorities in line by paying for the essentials such as fire, police, water, and sewer service before spending more money on the Community Center.

Kathy Kennedy of 5705 Running Fox Lane expressed to Council that she is disillusioned and disappointed with the recent Library Operating Levy of 1.5 mill. Ms. Kennedy presented the 12/31/2009 Library financial statements and pointed out that the restricted and unrestricted funds total over \$1.5 mill. She questioned why not use these funds before going to the taxpayers? She is requesting that the Mayor look into this and consider appointing new board members. Councilmember Bradburn stated it is his understanding that if the state provides library funds, then the millage will be reduced. Councilmember Cox said that as co-chair of the Library Levy, he went over the books and was satisfied. He also said that building funds cannot be used for operations, they can only be used to build or extend existing buildings. Councilmember Bradburn referred her to the board of Elections or the Clerk of Council for a copy of the exact levy language.

RESOLUTION 2010-08 PROCLAIMING JULY AS PARKS & RECREATION MONTH

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

Jennifer Heft stated that annually the City takes the opportunity to recognize July as Parks and Recreation month. She stated the Parks and Recreation Department, through its facilities and programming, provide our community with a higher quality of life, safer places to play and healthy alternatives through recreation programming for everyone. Recognizing Parks and Recreation month is especially significant this year. The City in partnership with TriHealth, Group Health Associates, and Bethesda Rehab this fall will open an expansion to the Community Center that will create a unique health and wellness brand that builds upon community assets and enhances the overall wellness of our community. Beyond the Community Center the Parks & Recreation Department provides many activities for citizens of all ages including camps, special events, nature programs, volunteer opportunities, aquatic programs, adult and senior programming and many others.

The Red, Rhythm & Boom event, celebrating our country's Independence Day, this July 3rd is free and an opportunity for our citizens to demonstrate their patriotism. This event will have a strong patriotic theme this year ending with an impressive fireworks display. Residents are encouraged to participate in this event held at Corwin M. Nixon Park. The Parks and Recreation Department has an impressive track record of providing quality programming and facilities that improve health, increased property tax values, and preserve open space.

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

A motion to adopt Resolution 2010-08 was made by Councilmember Pelfrey, seconded by Councilmember Bradburn. VOTE: ALL YEAS

RESOLUTION 2010-09 ADOPTING THE BUDGET FOR THE CITY OF MASON FOR THE YEAR JANUARY 1, 2011 THROUGH DECEMBER 31, 2011

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

Vice Mayor Nichols announced and opened the public hearing at 7:48 p.m.

Eric Hansen explained that this is not, in fact, the budget for the calendar year 2011. This is part of a process that the City goes through with Warren County and ultimately the State of Ohio, to justify receipt of local government funds. The intent of this Resolution is to begin the process of reviewing expenses by outlining some very preliminary estimates with the Finance Committee, departments, administration, and finally Council to create a balanced budget. This document allows the City to initiate that process with the State to receive local government funds. Failure to adopt tax budget prior to July 15 would mean an estimated \$1,000,000 in lost revenue. The tax budget must show the City's need for funding of next year's projects.

Vice Mayor Nichols closed the public hearing at 7:50 p.m.

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

A motion to adopt Resolution 2010-09 was made by Councilmember Shimrock, seconded by Councilmember Cox. VOTE: ALL YEAS

ORDINANCE 2010-46 2nd READING AMENDING THE STORMWATER DESIGN MANUAL TO MODIFY AND UPDATE THE STORMWATER STANDARDS TO COMPLY WITH NEW OHIO EPA MS4 REGULATIONS

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

Richard Fair addressed the Council to explain the proposed changes to the City of Mason's Stormwater Manual. These changes focus on requirements from the US EPA and Ohio EPA. Federal regulations require that construction projects obtain coverage under a NPDES permit whenever the larger common plan of development or sale is one or more acres of land disturbance. As a result, construction sites must obtain Ohio EPA's Construction Stormwater general permit (CGP) applicable for that area which contains sediment and erosion requirements and also post construction requirements. With the City's permit renewal, as of January 30, 2009, Ohio EPA requires the City of Mason to develop ordinances or other regulatory mechanisms to require similar elements of the CGP at the local level by the end of 2010. The new regulations were generated from guidance documents provided by Ohio EPA and build upon the updates to the retention basin requirements and changes to the Stormwater Manual completed in 2007. These revisions to the stormwater regulations also include best management practices that promote water quality and requirements for a maintenance document to be developed and

given to the owner of the basin. Water quality includes retention basins that filter nutrients from the storm water before it is sent to a receiving stream. Staff has met with a representative of the Ohio Valley Development Council of the Home Builders Association to discuss their comments with the regulations. Staff has resolved all of the comments and incorporated any changes into the attached document. Planning Commission has reviewed the changes and is recommending approval of the attached amendments to the manual.

Vice Mayor Nichols announced and opened the public hearing at 7:55 p.m.

Vice Mayor Nichols closed the public hearing at 7:55 p.m.

Councilmember Cox asked Mr. Fair if residents with property of over an acre would be required to comply with these new regulations. Richard Fair responded that yes, residential property of over an acre that is disturbed would need to comply.

A motion to adopt Ordinance 2010-46 was made by Councilmember Pelfrey, seconded by Councilmember Gilb. VOTE: ALL YEAS

**ORDINANCE 2010-61 2nd READING ACCEPTING THE PUBLIC
IMPROVEMENTS FOR THE LANDING AT OAKWOOD LAKES SECTION 2A,
2B AND 2C AND RELEASING THE PERFORMANCE BOND**

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

Richard Fair addressed Council and explained that the purpose of this ordinance is to release the performance bond and accept the public improvements of The Landing at Oakwood Lakes. The subdivision is actually a condominium and private development located south of Oakwood Lakes Subdivision and east of the Western Row Golf Course. The streets, which are private, include parts of White Oak Court, English Oak Court and Red Oak Court. The Public Utilities, Public Works, Engineering Department and Greater Cincinnati Water Works have inspected the public improvements. The utilities and other improvements will become the City's responsibility upon acceptance. Staff recommends accepting the public improvements, contingent on the submission of a one-year maintenance bond.

Councilmember Gilb asked if the issues with the developer brought forward in May by some of the residents had been resolved. Mr. Fair responded that the issues that pertain to the City have been resolved. However, Scott Burkhardt, our subdivision engineer did receive an email last week reporting a water issue along the west property line in the existing tree line. This could be an old problem which the Engineering Department is in the process of investigating. The roadway and utilities are all in order. The landscaping will be completed by the developer. Councilmember Bradburn clarified the City will not be responsible for the streets as they remain private.

A motion to adopt Ordinance 2010-61 was made by Councilmember Bradburn, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

ORDINANCE 2010-65 AUTHORIZING THE ACCEPTANCE OF CERTAIN DONATED EASEMENTS AND THE ACQUISITION OF OTHER CERTAIN EASEMENTS AS PART OF THE MASON ROAD ROUNDABOUT PROJECT

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

Richard Fair explained to Council that the construction of the Mason Road Roundabout Project requires easements from five parcels and includes drainage easements, temporary easements and right-of-way. Staff has negotiated the right-of-way easements using the auditor's appraised values along with cost estimates for landscaping. This approach has worked well and saved the additional cost of full appraisals. All of the easements have been acquired and construction has begun. The majority of the cost of the easements is compensation for the loss of landscaping, large pine trees and bushes. This ordinance will accept the easements making them the City's responsibility. The roundabout construction is expected to be complete by the end of 2010 along with the Mason Road Project.

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

A motion to adopt Ordinance 2010-65 was made by Councilmember Shimrock, seconded by Councilmember Cox. VOTE: 5 YEAS, 1 ABSTAIN (Councilmember Pelfrey)

ORDINANCE 2010-66 AUTHORIZING THE CITY MANAGER TO GRANT A UTILITY EASEMENT FOR THE UNDERGROUND TRANSMISSION AND DISTRIBUTION OF ELECTRICAL ENERGY TO DUKE ENERGY FOR THE NEW CITY OF MASON FIRE STATION 51 FACILITY.

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

Richard Fair explained to Council that this ordinance would grant an electric and telecommunications easement to Duke Energy. As part of the construction of the Fire Station 51 at the corner of Mason-Montgomery Road and Alliance Drive, Duke Energy will be extending underground electric to service the facility. Duke Energy is requesting a utility easement to be located in the northwest corner of the site. This easement will allow for underground power and communication lines to be extended across the City of Mason property to the transformer located adjacent to the Fire Station's access drive on Mason-Montgomery Road.

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

A motion to adopt Ordinance 2010-66 was made by Councilmember Shimrock, seconded by Councilmember Cox. VOTE: ALL YEAS

ORDINANCE 2010-67 AUTHORIZING THE CITY MANAGER TO SUBMIT APPLICATIONS FOR OHIO PUBLIC WORKS COMMISSION, DISTRICT 10 STATE ISSUE 1 GRANTS FOR PROGRAM YEAR 27 (2013)

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

Eric Hansen explained that the next two ordinances deal with grant applications for the State Issue 1 Grant Program. The intent of the Issue 1 (formerly Issue 2) grant program is to assist in financing public infrastructure capital improvements of local governments including roads, bridges, as well as utility systems.

He stated the first ordinance, 2010-67, authorizes pre-applications for the normal three-year pre-application funding process. These would be for Program Year 27, which is actually for the year 2013. Three of the four applications are for utility projects that the City will be pursuing in the next several years. The first is to rehabilitate sewer lines in the Olympia Fields and Manhasset Village areas, then sewer lines in the Meadows and downtown area, and finally rehabilitating the Castle Park and Brookstone lift stations. These three projects are for necessary maintenance and upgrading of utility infrastructure within the City. This is an opportunity to potentially get significant grant dollars to help offset that expense for the Mason taxpayers. The fourth pre-application is for Bethany Road improvements between SR 741 and the Mason Sports Park.

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

During Council discussion, Vice Mayor Nichols requested information with regards to lighting issues with the US 42 road widening project. Eric Hansen explained that Ordinance 2010-67 authorizes pre-application then there is a separate ordinance, 2010-68, which makes final application for one project during Program Year 25 (2011). This application is for the improvement of US 42 between Tylersville and Butler-Warren Road. This long-planned project will improve US 42 from the south corporation line to Tylersville Road from two to three and five lanes with curb and gutter, sidewalk and bikepath, and lighting. One landscaped and one concrete median are also in the design. The estimated \$11,104,174 (including design engineering, R/W acquisition, utility relocation, ODOT inspection and construction) project has secured grant funding from several resources including a \$3,850,000 STP grant in 2004 and an additional \$1,736,995 STP grant this year. The OPWC grant will add \$1,000,000 in grant funding for a total of \$6,586,995 in grants for the project. The project cost was further reduced by over \$500,000 as staff revisited original designs to modify alignments and right-of way needs

within the grant parameters. Research was also done with ODOT into removing street lighting (approx. \$1 million cost) from the project. However this would require other costs and delay that may jeopardize grant funding as additional lighting would have to be added to existing Duke Energy poles to accommodate the bike path and sidewalk areas – likely outweighing possible savings and adding additional Duke Energy lights and maintenance expense. Staff has also requested ODOT allow City staff to perform the construction engineering - saving an additional \$700,000. This leaves approximately \$3.8-million (34%) of the \$11.1-million of construction cost from City sources. The City has already spent \$1.2 million in engineering design, environmental services and right-of-way acquisition leaving about \$2.6 million in City costs for the project. The Finance Committee has reviewed this project several times in context of the City's financial position. The Committee recommended the project and grant applications move forward, understanding that remaining City financing will be secured by using annual State Highway Fund revenues which are restricted for use on US42 and SR 741. The outstanding cost for this project will therefore not draw from City earnings tax or capital fund balances. Also considered were the benefits of turn lanes reducing traffic hazards, the expense needed for resurfacing the existing roadway in the next three to five years, and the benefits of replacing the aging storm sewers in the area. This project will be a major safety, traffic, and aesthetic improvement to the City's southern entrance and will require considerable coordination and communication with residents, businesses and ODOT. Right-of-way efforts will continue and I expect construction will begin next summer with project completion by the summer of 2013.

Councilmember Gilb asked if Ordinance 2010-68 is passed, will the decorative street lighting be included or will there will be an opportunity at a later date to finalize a decision concerning the lighting options? Eric Hansen explained that the decorative street lighting is included in this ordinance, however it does not take away the Council's ability to make changes at a later date. He went on to further explain that since utilities are the first part of a project, this decision needs to be made soon. If the project is delayed too long, we may lose some deadlines on some of the grants. He encouraged Council to make a decision tonight or at the next council meeting. Delaying this decision much longer could jeopardize the entire project.

Councilmember Pelfrey inquired as to expiration dates on any of the grants. Eric answered that yes, we are in danger of losing some of the grant money lined up for this project and asked Kurt Seiler to explain. Kurt Seiler stated that the right-of-ways need to be secured by the end of the year with the let-it date for June 2011. Duke Energy is also interested because they need to acquire easements along with the relocation of the poles along this two mile stretch. Kurt answered additional questions from Councilmembers by explaining the history of this project from the initial traffic studies through the grant application process. He stated that at this point the City's share would be about 34% of the project and would be a nice improvement to the last corridor into the City that needs to be improved. Councilmember Cox suggested that the decorative lighting may be a cost savings over the long haul, when you take into account the expense of paying Duke Energy. He also felt that it would be right to match the lighting to the other decorative lights in the City.

A motion to adopt Ordinance 2010-67 was made by Councilmember Bradburn, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

ORDINANCE 2010-68 AUTHORIZING THE CITY MANAGER TO SUBMIT A FINAL APPLICATION FOR OHIO PUBLIC WORKS COMMISSION, DISTRICT 10 STATE ISSUE 1 GRANT FOR PROGRAM YEAR 25 (2011)

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

A motion to adopt Ordinance 2010-68 was made by Councilmember Cox, seconded by Councilmember Bradburn. VOTE: ALL YEAS

ORDINANCE 2010-69 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH CARGILL, INC., FOR THE PURCHASE OF APPROXIMATELY 5,500 TONS OF ICE AND SNOW REMOVAL SALT AT \$62.99 PER TON

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

Eric Hansen stated that historically, the City has participated in the SWOP4G (South West Ohio Purchaser for Government) purchasing program because it has successfully obtained bulk rock salt cheaper than through the State Procurement Program. Over the last few years, the Cincinnati area has been 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. Mason purchases about 5,500 tons of rock salt each year to provide snow and ice control for City streets.

He stated the SWOP4G bids included 4 suppliers that bid on our proposal. The low bid was \$62.99 per ton. While this is a decrease from the last two years it continues to remain significantly higher than 2007 and earlier pricing. Price fluctuations for salt are primarily related to transportation costs and supply. Several years ago the City put in a salt barn to allow the City to stockpile salt and then purchased a salt thrower to help reduce costs. The City was paying approximately \$3 per ton to stack the salt. By purchasing the salt thrower the City has saved \$15,000-\$20,000 annually. The City continues to search for less expensive supplies as well as conservation measures that may improve the effectiveness of snow removal this year. For several years the City has experimented with beet juice for the treatment of snow and ice covered streets. Beet juice is a "green" product that is less corrosive than salt or salt/calcium chloride and tends to stick to the street longer than rock salt alone. Most significantly, the City has implemented an

Incident Command structure for snow and ice removal services which has improved the operation efficiency and reduced snow removal costs.

Ordinance 2010 – 69 authorizes a contract to purchase up to 5,500 tons of rock salt at a per ton price of \$62.99. Approximately 5,500 tons of salt was purchased last season. If 5,500 tons of salt are needed this season the total cost will be \$346,445. This ordinance allows the City to purchase salt as needed.

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

A motion to adopt Ordinance 2010-69 was made by Councilmember Gilb, seconded by Councilmember Shimrock. VOTE: ALL YEAS

ORDINANCE 2010-70 REJECTING ALL BIDS OPENED ON MAY 4, 2010, FOR COMMUNITY CENTER SPECIALTY ENVIRONMENTAL GRAPHICS SIGNAGE

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

A motion to adopt Ordinance 2010-70 was made by Councilmember Cox, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

ORDINANCE 2010-71 REJECTING ALL BIDS OPENED ON MAY 4, 2010, FOR COMMUNITY CENTER WAYFINDING PANEL SIGNAGE

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

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

A motion to adopt Ordinance 2010-71 was made by Councilmember Gilb, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

ORDINANCE 2010-72 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH HIGHTECH SIGNS FOR ENVIRONMENTAL GRAPHICS SIGNAGE IN THE AMOUNT OF \$54,975.00 FOR THE CITY OF MASON COMMUNITY CENTER ADDITION AND ALTERATIONS.

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 Bradburn, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

Councilmember Bradburn asked the City Manager to explain what signs the money is purchasing. Richard Fair explained that it pays for various signs and banners within the Community Center. Signage outside the building includes a sign at the entrance that identifies the tenants and a sign that wraps around the canopy entrance. Further Council discussion followed and concluded with Eric Hansen explaining that the City chose to take many items out of the larger contracts as a way to save costs. This approach has saved money on the contracts with City Staff and committees doing more work on site. Eric also added that the financing on this project has already been approved, that at this point the dollars are now being assigned to the contracts. They all came in under budget. The financing for this project was predicated on a revenue stream, mainly rent that is being generated from TriHealth, GHA, and Bethesda Rehab.

A motion to adopt Ordinance 2010-72 was made by Councilmember Bradburn, seconded by Councilmember Gilb. VOTE: ALL YEAS

ORDINANCE 2010-73 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH PLASTIGRAPHICS INC. FOR SPECIALTY ENVIRONMENTAL GRAPHICS SIGNAGE IN THE AMOUNT OF \$26,470.00 FOR THE CITY OF MASON COMMUNITY CENTER ADDITION AND ALTERATIONS.

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 Shimrock, seconded by Councilmember Cox. VOTE: ALL YEAS

A motion to adopt Ordinance 2010-73 was made by Councilmember Pelfrey, seconded by Councilmember Shimrock. VOTE: ALL YEAS

ORDINANCE 2010-74 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH PLASTIGRAPHICS INC. FOR WAYFINDING PANEL SIGNAGE IN THE AMOUNT OF \$33,750.00 FOR THE CITY OF MASON COMMUNITY CENTER ADDITION AND ALTERATIONS.

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 Cox, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

A motion to adopt Ordinance 2010-74 was made by Councilmember Cox, seconded by Councilmember Shimrock. VOTE: ALL YEAS

ORDINANCE 2010-75 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH RJE BUSINESS INTERIORS FOR INTERIOR FURNITURE PACKAGE IN THE AMOUNT OF \$127,100.00 FOR THE CITY OF MASON COMMUNITY CENTER ADDITION AND ALTERATIONS.

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

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

A motion to adopt Ordinance 2010-75 was made by Councilmember Cox, seconded by Councilmember Gilb. VOTE: ALL YEAS

ORDINANCE 2010-76 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH COMMERCIAL FITNESS SOLUTION, INC. IN AN AMOUNT NOT TO EXCEED \$156,571.00 FOR THE MASON COMMUNITY CENTER RENOVATION PROJECT

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 Cox, seconded by Councilmember Shimrock. VOTE: ALL YEAS

A motion to adopt Ordinance 2010-76 was made by Councilmember Gilb, seconded by Councilmember Shimrock. VOTE: ALL YEAS

ORDINANCE 2010-77 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE FITNESS STORE IN AN AMOUNT NOT TO EXCEED \$83,694.00 FOR THE MASON COMMUNITY CENTER RENOVATION PROJECT

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

A motion to adopt Ordinance 2010-77 was made by Councilmember Cox, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

ORDINANCE 2010-78 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH DESIGN FITNESS IN AN AMOUNT NOT TO EXCEED \$65,625.00 FOR THE MASON COMMUNITY CENTER RENOVATION PROJECT

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

A motion to adopt Ordinance 2010-78 was made by Councilmember Gilb, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

ORDINANCE 2010-79 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH S. A. SPORTS FOR GYMNASTICS EQUIPMENT IN THE AMOUNT OF \$98,032.00 FOR THE CITY OF MASON COMMUNITY CENTER ADDITION AND ALTERATIONS.

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

A motion to adopt Ordinance 2010-79 was made by Councilmember Bradburn, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

ORDINANCE 2010-80 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH POWER SYSTEMS IN AN AMOUNT NOT TO EXCEED \$23,500 FOR THE MASON COMMUNITY CENTER RENOVATION PROJECT

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

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

A motion to adopt Ordinance 2010-80 was made by Councilmember Shimrock, seconded by Councilmember Cox. VOTE: ALL YEAS

ORDINANCE 2010-81 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH SERVICE SUPPLY LIMITED FOR SITE FURNITURE PACKAGE IN THE AMOUNT OF \$11,194.00 FOR THE CITY OF MASON COMMUNITY CENTER ADDITION AND ALTERATIONS.

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

A motion to adopt Ordinance 2010-81 was made by Councilmember Bradburn, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

ORDINANCE 2010-82 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH SUPREME AUDIO IN AN AMOUNT NOT TO EXCEED \$16,500.00 FOR THE MASON COMMUNITY CENTER RENOVATION PROJECT

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

A motion to adopt Ordinance 2010-82 was made by Councilmember Shimrock, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

ORDINANCE 2010-83 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH COMMERCIAL FITNESS SOLUTIONS FOR THE FITNESS PACKAGE IN THE AMOUNT OF \$55,360.00 FOR THE CITY OF MASON COMMUNITY CENTER ADDITION AND ALTERATIONS.

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

A motion to adopt Ordinance 2010-83 was made by Councilmember Bradburn, seconded by Councilmember Gilb. VOTE: ALL YEAS

ORDINANCE 2010-84 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH MOTION FITNESS/EXERGAME FITNESS IN AN AMOUNT NOT TO EXCEED \$98,310 FOR THE MASON COMMUNITY CENTER RENOVATION PROJECT

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

Councilmember Cox inquired about the exergame being one of three in the country. Eric Hansen confirmed that it is one of three test sites which allowed the City to enjoy special pricing.

A motion to adopt Ordinance 2010-84 was made by Councilmember Cox, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

ORDINANCE 2010-85 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH FITLINXX IN AN AMOUNT NOT TO EXCEED \$70,820.00 FOR THE MASON COMMUNITY CENTER RENOVATION PROJECT

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

A motion to adopt Ordinance 2010-85 was made by Councilmember Shimrock, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

ORDINANCE 2010-86 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH REACH SPORTS GROUP IN AN AMOUNT NOT TO EXCEED \$22,500 FOR THE MASON COMMUNITY CENTER RENOVATION PROJECT

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 Shimrock, seconded by Councilmember Bradburn. VOTE: ALL YEAS

A motion to adopt Ordinance 2010-86 was made by Councilmember Cox, seconded by Councilmember Gilb. VOTE: ALL YEAS

ORDINANCE 2010-87 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE MAGAZINE DIVISION OF THE "CINCINNATI ENQUIRER" FOR ADVERTISING "FUNFORMASON" AND "MASON MATTERS"

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

Jennifer Heft explained that last May, Council approved Ordinance 2009-48, which continued the contract with the Magazine Division of the *Cincinnati Enquirer* (*Our Town* magazine) for designing, printing, and distributing *Funformason* for an additional year. For the past two years, the city has contracted with the *Cincinnati Enquirer's* Magazine Division to produce *Funformason* as a 16-page section of *OurTown* magazine.

During last year's discussions about the contract to publish *Funformason* inside of *OurTown* magazine, Council requested that the city conduct a survey to learn how to best communicate with residents. The completed survey, which was previously provided to Council, indicated that currently residents prefer some form of printed publication, for both *Funformason* and *Mason Matters*, delivered to them through the mail or newspaper. Both the contracts with the *Cincinnati Enquirer* and *Pulse Journal* have expired which is optimal timing as the City moves forward with the Community Center Project.

We have been working with the *Pulse-Journal*, *OurTown*, the printer that currently prints *Mason Matters*, and *Cincy Magazine* to obtain quotes and review the best options for the city for future city publications. Incorporating a marketing program for the Community Center and Golf Center at Kings Island and collaboration opportunities have been an important consideration during the evaluation.

The cost to produce both *Mason Matters* and *FunforMason* publications within *OurTown* magazine is consistent with this past year's total cost to produce these two publications. However, a 32-page insert in *OurTown* magazine that covers all of *Mason* and *Deerfield Township*, provides a wider distribution and a reduction in the total cost per page of \$243.

The Community Center Committee has reviewed and based on cost, value-added opportunities such as advertisements and web presence, marketing and promotional opportunities, customer service, flexibility, distribution, and savings to the city, and is recommending for adoption.

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

A motion to adopt Ordinance 2010-87 was made by Councilmember Cox, seconded by Councilmember Shimrock. VOTE: ALL YEAS

ORDINANCE 2010-88 AUTHORIZING THE CITY MANAGER TO ENTER INTO AN EXCLUSIVE LEASING LISTING AGREEMENT WITH CAPITAL REAL ESTATE PARTNERS, LLC

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

Councilmember Cox. VOTE: ALL YEAS

Jennifer Heft stated that Ordinance 2010 – 88 authorizes a contract with the Capital Real Estate Partners for developer and broker services related to the expansion space at the Community Center and vacant space at the Municipal Center. As part of the TriHealth expansion there is approximately 11,000 square feet of additional tenant space. By providing expanded services and access to unique Mason business venues the overall quality and diversity of Community Center memberships will increase. Revenue growth, local advocacy, and community outreach should strengthen the market position of everyone involved in the partnership with the Community Center. The sustainability of the Center is reinforced by multi-tenanting opportunities in this 11,000 square foot additional space and along the Main Street corridor.

Early in 2009, staff began meeting with several representatives from real estate brokerage firms that culminated in a Request for Proposal (RFP) for Executive Leasing Services. The City received no response to the proposal due to current economic conditions. Capital Real Estate Partners, LLC ultimately agreed to assist the City with these services for competitive compensation. This leasing agreement grants Capital Real Estate Partners exclusive rights to negotiate a lease with potential tenants that are consistent, non-competitive and complimentary with other services in the facility. The lease agreement also includes space in the Municipal Center that is currently occupied by Fire Administration and will be vacated with the completion of the new Station 51 on Mason-Montgomery Road. Commissions are earned based upon execution of a lease by the owner and the tenant. The agreement also authorizes approximately \$3000 for marketing and miscellaneous materials. Finally the agreement includes \$100 per hour professional service rate for any additional consultation services that the City may have relative to other City owned property.

The Community Center Committee of Council has met with Craig Roberts, President of Capital Real Estate Partners, has reviewed this lease agreement and is recommending for adoption.

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

A motion to adopt Ordinance 2010-88 was made by Councilmember Pelfrey, seconded by Councilmember Gilb. VOTE: ALL YEAS

CITY MANAGER'S REPORT

Eric Hansen reported on the following items:

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

▶ Staff has been working hard preparing for Red, Rhythm, and Boom. With the exception of Police and Fire, we will work the event with no added overtime costs thanks to the cooperation of staff across all the departments, including the Teamsters Union. Effectively they are volunteering to serve shifts there at a regular rate and then the City is allowing them to flex that time for other days.

▶ The Red, Rhythm & Boom celebration is on Saturday, July 3 from 2:30 to 10:30 p.m. at Corwin Nixon Park. Local musical acts on the main stage begin at 2:30 p.m. "Off the Hook" is the featured act beginning at 8:30 p.m. The Rozzi's fireworks display is scheduled for 10:30 p.m. There will be free shuttle service, Kids Zone, food booths and parachute jumps.

▶ Again this year, the City is working with Operation Thank You to sponsor a collection for military personnel. Donation barrels will be located at each shuttle site and at the Operation Thank you booth in the park on July 3. Anyone wishing to donate items before the Red, Rhythm & Boom celebration can take their items to either Mason fire station from June 28 to July 12.

▶ Active military personnel and veterans are invited to enjoy the Mason Community Center for free the week of June 28. From June 28 through July 3, active military personnel and veterans can receive a free family admission card to the Mason Community Center that is good for the entire week. The Mason Community Center will waive the first month's fee for any new Classic or VIP membership purchased from June 28 through July 3 by active military personnel or veterans and their immediate families. An active pass holders who is active military or veterans may receive 10 free guest passes to show appreciation for their service and patronage. To receive your passes visit the customer service desk at the Community Center.

▶ With Council's summer schedule, the next regularly scheduled Council meeting is Monday, July 26, 2010. Several Council sub-committees have been on an aggressive meeting schedule and additional Council work sessions may also be scheduled in coming weeks.

▶ The Police, in cooperation with the court, have created a program that allows the court to sentence misdemeanor offenders to a work program. In lieu of going to prison, the offender exchanges each prison day for eight hours of service to the City of Mason. The Time Server Program benefits the City in a couple of ways. It saves the City the expense of prisoner housing and benefits the City by providing work product at no cost to the City.

▶ In celebration of National Parks and Recreation Month, Residents are invited to the first Annual Family Field Day event at Corwin Nixon Park from 4-6pm on Sunday, July 18. The Live Well Committee in partnership with TriHealth, City of Mason Parks and Recreation Foundation and Conquer Obesity - Foundation for a Healthier America (COFHA) are inviting families to come and participate in old fashion outdoor games.

► Over 10 activities have been organized to provide families an opportunity to play together in some outdoor fun. Immediately following the Family Field Day Event families can relax and enjoy the music of Parrots of the Caribbean (Jimmy Buffett Tribute) band as part of the Sunshine Concert Series at Corwin Nixon Park from 6-8pm.

COMMITTEE REPORTS

Councilmember Pelfrey, of the Downtown Committee, reported that they discussed continuing the improvements to the plaza by installing a covering that would alleviate exposure to the sun, installing an information kiosk on the plaza, identifying existing public parking, and increasing parking in the downtown area. Also, the committee discussed the desire to improve on signage in the downtown.

Councilmember Gilb reported that the Utility Committee decided to not endorse either Duke or Dominion's energy programs, but rather encourage the energy companies to market their programs to the residents of Mason. The Duke program offers two options, a fixed rate of 6.39 cents per kilowatt hour or an 18% guaranteed discount off the generation portion of their energy bill. The Dominion program offers just a fixed rate option of 5.89 cents per kilowatt hour. These offers are good through December 2011.

Councilmember Bradburn reported that the Finance Committee has met to discuss the roundabout projects and the Mason-Morrow-Millgrove Road extension. He also reported that the Safety Committee met to discuss the existing fund balances and revenues concerning the fire levy.

Vice Mayor Nichols reported that the Economic Development Committee main focus has been to meet with businesses as they relocate or expand and continue to monitor the economic situation.

OLD AND NEW BUSINESS None

RECOGNITION OF VISITORS None

EXECUTIVE SESSION

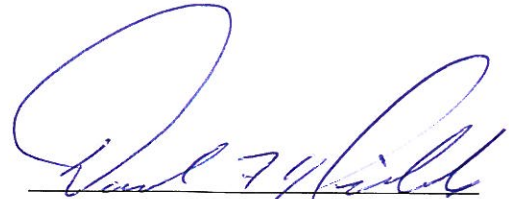
A motion to adjourn into executive session for the purpose of discussing personnel, pending litigation, and land acquisition was made by Councilmember Bradburn, seconded by Councilmember Gilb. VOTE: ALL YEAS

Motion to reconvene into regular session was made by Councilmember Shimrock, seconded by Councilmember Cox. VOTE: ALL YEAS

ADJOURN

A motion to adjourn was made by Councilmember Cox, seconded by Councilmember
Bradburn. VOTE: ALL YEAS
TIME: 10:59 p.m.


Clerk of Council


Vice Mayor