

**CITY OF MASON
COUNCIL MEETING
SEPTEMBER 13, 2010**

Mayor Prince called the meeting to order at 7:05 p.m. Chaplain Rick Huff opened the meeting with prayer. All those present recited the pledge of allegiance.

ATTENDANCE

The following members of Council were present: Michael Gilb, Christine Shimrock, Rich Cox, Tony Bradburn, Char Pelfrey, Don Prince. David Nichols was absent.

APPROVAL OF MINUTES

A motion to approve the minutes of the August 23, 2010 Council Meeting was made by Councilmember Pelfrey, seconded by Councilmember Cox. VOTE: ALL YEAS

RECOGNITION OF CAROL HACKNEY OF MASON SERVES

Carol Hackney, representing the Mason Serves Organization, thanked the City of Mason for their participation in the event last year which completed work projects for over 20 homes with approximately 140 volunteers. She invited the City to join in this year's event on Saturday, October 23 from 9:00 a.m. until noon.

RECOGNITION OF VISITORS

Bill Corbett of 3078 Hickory Lane voiced his concerns regarding the condition of the numerous abandoned properties within the City. In particular, the property in his neighborhood at 3091 Hickory Lane has finally been boarded up but the yard is mowed only on an "occasional" basis. He suggested that the City form a committee to address this situation and perhaps give direction to neighbors who are willing to assist with some of the maintenance.

Rick Inskeep of Butler-Warren Road addressed Council concerning the order of the meetings. He feels that the meetings do not allow for enough citizen participation. He also expressed his frustration with the delivery methods for information prior to the meetings. He would like access to more information in addition to an agenda. Mayor Prince again explained to Mr. Inskeep that the meetings have always followed the current format with opportunities at the beginning and end for visitor input with no time limitations. Councilmember Gilb stated that the major work of this Council is done in committee meetings which are open to the public and may be an appropriate avenue for residents to gather information and participate in.

Sharon Rausch of 5405 Bethany Road had questions regarding Ordinance 2010-99. Her property is adjacent to the property (Reserves of Bethany) to be rezoned from R-1 to R-2.

She would like to know how many homes would be built, the price of the homes, and plans for a buffer.

Perry Schwartz of 6309 Tarton Fields Lane stated that when a home is in foreclosure, the responsibility to maintain the property is that of the lender.

RESOLUTION 2010-11 ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR

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

Eric Hansen explained that on June 28, Council adopted Resolution 2010-09 adopting the 2011 Tax Budget. The Tax Budget is then certified to the County Auditor. Based on the amounts certified in the Tax Budget, the Warren County Budget Commission enacts the tax rates necessary to be levied within and without the ten mill tax limitations. The Warren County Budget Commission certifies the rates to the City of Mason. The City of Mason is then required to accept the rates, by resolution, which is then certified to the County Auditor.

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

A motion to adopt Resolution 2010-11 was made by Councilmember Shimrock, seconded by Councilmember Bradburn. VOTE: ALL YEAS

RESOLUTION 2010-12 COMMENDING THE NORTHEAST FIRE COLLABORATIVE FOR IMPROVING PUBLIC SAFETY THROUGH INTERGOVERNMENTAL COOPERATION AND CONGRATULATING THE COLLABORATIVE FOR ITS RECOGNITION AT THE INTERNATIONAL ASSOCIATION OF FIRE CHIEFS ANNUAL CONFERENCE IN CHICAGO

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

Eric Hansen stated that in 2009 The Northeast Fire Collaborative was formed to increase efficiency, improve emergency scene operations, and in short to provide a better more cost effective service to our citizens. Chief Moore began meeting with the chiefs of the collaborative from the beginning to understand their mission and assess whether the departments had enough similarities to benefit our community. Earlier this year those discussions were reviewed with the Safety Committee of Council, the committee agreed that they believed in the concept and that our membership was beneficial; and our membership to the Collaborative was approved by the member departments.

Eric continued by explaining that since joining the Collaborative, the fire department has trained with the other departments, participated in joint purchasing agreements, which have already saved us thousands of dollars, and continue to improve the interdepartmental communication and procedures to make emergency scenes more efficient and safer for our first responders. This year the Collaborative was nominated for recognition by the International Association of Fire Chiefs (IAFC) in the Fire Service Award of Excellence category. Resolution 2010-12 recognizes that accomplishment, Chief Moore and the City's participation, and encourages the state to promote and support like ventures to improve efficiency and public safety.

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

Fire Chief Moore addressed Council by stating that emergency scene situations depend on the help from other departments and that being a member of the Collaborative helps these situations come to a successful resolution. In addition to this, the Department has saved \$10,000 in purchases over the first six months since joining. The Collaborative is made up of departments from Sharonville, Blue Ash, Loveland/Symmes, Sycamore Township, and Mason.

A motion to adopt Resolution 2010-12 was made by Councilmember Gilb, seconded by Councilmember Bradburn. VOTE: ALL YEAS

ORDINANCE 2010-99 AMENDING THE ZONING CODE AND ZONING MAP OF THE CITY OF MASON, OHIO, TO PROVIDE FOR THE REZONING OF APPROXIMATELY 9.986 ACRES LOCATED ON THE SOUTH SIDE OF BETHANY ROAD, EAST OF THE PARKSIDE SUBDIVISION FROM R-1 TO R-2 (RESERVES OF BETHANY)

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

Richard Fair addressed Council and stated that the developer for the property is requesting approval to rezone approximately 9.986 acres of land located along Reserves Place in the Reserves of Bethany subdivision. This land is located on the south side of Bethany Road, east of the Parkside subdivision. The applicant is requesting to rezone the land from R-1 (Single Family Residential) to R-2 (Single Family Residential). Richard continued to explain that in 2008 the developer bought two properties, demolished 2 houses on that property, built a road down the center of the two properties (Reserves Place) and platted it into 10 lots, with 8 of them buildable. Richard went on to explain the surrounding properties. The R-1 and R-2 zoning districts are identical in uses permitted on the property. The main differences are the size of lots and setback requirements. R-1 requires a minimum of a 40,000 square foot lots while R-2 requires a minimum of a 20,000 square foot lot. Setbacks would be modified from (front) 60 to 50 feet (side) 15/50 to 10/30 and (rear) 40 to 30. In 2007, the subdivision received a variance from the Zoning Board of Appeals to allow for the reduction of front setback from 60 to

50 feet. This change did not affect the rear setback but only created a bigger building envelope, allowing for larger homes to be built on the lot. Richard concluded by stating that rezoning has gone through the Planning Commission and they have recommended approval of the rezoning based on the following findings: the proposed zoning is compatible with the surrounding land uses and is consistent with the Comprehensive Plan.

The Public hearing was opened at 7:40 p.m.

Sharon Rausch addressed Council with her concerns regarding increased traffic, buffers, and home prices.

Bill Corbett felt that there is not enough data at this time to make a decision.

Council pointed out that this action today is for rezoning only and that other details on the property will be considered in future Planning Commission meetings. Ms. Rausch and all interested parties are encouraged to participate in these meetings. Interested residents may call the City to confirm meeting dates.

James Noyes, representing Classic Properties of 6900 Tylersville Road – Suite D, Mason, Ohio, explained that they plan on dividing 2 existing lots to create four ½ acre lots. This would result in a total of 12 lots. Mr. Noyes continued to explain that there are smaller lot sizes in adjacent subdivisions and that mature trees are in place acting as a buffer. To predict homes values is difficult, but he estimates that they will approach the \$500,000 range. He then addressed a question concerning water features on the property and stated that there are three “ponds”: a retention pond, detention pond, and a smaller pond.

The Public hearing was closed at 7:56 p.m.

A motion to adopt Ordinance 2010-99 was made by Councilmember Bradburn, seconded by Councilmember Shimrock. VOTE: ALL YEAS

ORDINANCE 2010-103 APPROVAL OF THE FINAL PLAT FOR DAVID A. EVES BUSINESS PARK PUD

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

Richard Fair addressed the Council and stated that Mr. Jeff Benson with Union Commercial Group is requesting approval of the David A. Eves Business Park PUD final plat for a proposed 17 acre Business PUD development located on State Route 741 between Carmelle Woods Drive and the Muddy Creek. PUD zoning was approved for the site by City Council at the March 26, 2010 meeting. This plat establishes two lots and dedicates the necessary easements for the first proposed building, a Kemba Credit Union. The second lot is open space. The concept plans show a full access point at the main entry drive across from Spyglass Hill Drive and a restricted access point further south in

the development. Until the main entry drive is constructed, the southern access point, near the Kemba Credit Union, will act as a full access point.

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

A motion to adopt Ordinance 2010-103 was made by Councilmember Cox, seconded by Councilmember Shimrock. VOTE: ALL YEAS

ORDINANCE 2010-104 AMENDING SECTIONS 205.01 AND 967.01 OF THE CODIFIED ORDINANCES OF THE CITY OF MASON REGARDING MEMBERSHIP RATES FOR THE MASON COMMUNITY CENTER

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

Eric Hansen explained both Ordinance 2010-104 and 2010-105. When the Community Center opened in 2003, pass rates were intentionally set low to encourage community participation. Initial shortfalls in revenues were offset by the partnership with Mason City schools and the contractual dedication of inside millage by both entities. In November 2005, with exerted pressure to increase rates and in order to avoid subsidy of the Center, Council approved Ordinance 2005-155 amending rates at the Community Center. No further rate adjustments have been made in five years. During that time, Council and the Community Center Committee have put forth continued efforts to reduce costs, maintain current market share, and partnering. Eric stated that in 2007, in order to better secure the financial future and continue to provide a recreational amenity for residents, the City entered into a partnership with TriHealth, which includes Group Health Associates and Bethesda Physical Therapy. Mason's partnership with GHA, TriHealth and Bethesda Rehab is without peer in the region for a public-private sector partnership where a community center is integrated with a medical component to bring a comprehensive approach to wellness for Mason's residential and corporate community. It creates additional opportunities to spur local job creation, enhance membership/revenue growth, share operating expenses, and set the groundwork for additional community amenities and partnerships.

Some of the direct physical changes to the Community Center that will result include:

- Approximately 27,000 square feet of medical office space
- 4,000 square feet of Rehabilitation and Therapy space
- A new fitness floor nearly three times the current size
- A warm water therapy pool
- New multi-purpose/gymnastics room
- New flexible open programming space
- "Main Street" entrance to enhance traffic flow and provide additional cross-marketing opportunities for local businesses and community groups
- Expansion space for the possibility of additional complementary tenants
- Expanded Kids Korner area

Eric further explained that for over five years Council's Community Center Committee has been focused on improving the financial position of the Center. This has included focusing attention on expenses and cost recovery for programs and services. Many months of research and market analysis as well as consultation with industry experts and consultants have informed their discussions and the need for rates to better reflect the value the Community Center provides to members and guests. As the Center prepares to re-open after a 15-month renovation and expansion, the Community Center Committee is recommending a modest membership rate increase to ensure costs are commensurate with market rates for the value of the new services and amenities provided. This will be the first increase in nearly five years. The new rate structure will:

- Provide for two membership types (Premier and Basic)
- Improve the long-term viability of the Center
- Consolidate a three-tiered rate structure into one rate for all members
- Provide current members who have been with the Center through construction the opportunity to lock in lower rates for up to two years depending on their loyalty points
- Provide flexibility to customize special promotional programs as well as corporate packages to encourage membership growth and utilization or provide benefits to Mason residents
- Offers unmatched value for the community. For example, a Premier family membership is only \$.96 cents per day per member and offers an estimated value of almost \$400 per month.

For new members the rate will be effective November 1, 2010 and best reflect the value of membership. The construction discount members have received will end in September and there will be no charge for the month of October. However, current members will be able to use loyalty points to lock in discounts, up to 50% and there will be special discounts for new and returning members through next Spring to enjoy membership at below value rates. For example, new members that join in October-November of this year will enjoy a 20% discount thru December 2011.

Eric continued by explaining the next ordinance which concerns the Senior Center. The Community Center Committee is recommending that the City provide funding for the Senior Center for the remainder of this year in the amount of \$20,000 from the City's General Fund. Future appropriation of funds for this program will be considered as part of the City's annual budget process. It is anticipated that in future years the Senior Center Budget will be a separate division within the General Fund, it would no longer be a component of the Community Center Fund. In the interim, the recommendation is to allocate \$20,000 from the City's General Fund for the remainder of 2010. These funds can be used for programs, activities, social events and Community Center access, whatever is deemed most beneficial to the members of the Senior Center.

Eric concluded by stating that these two ordinances help to provide the continued success, innovation, and focus on driving the financial performance of the Mason

Community Center. One of the keys to Mason's success is the City's ability to build partnerships that leverage financial, promotional and economic opportunities. They provide cost savings, revenue generating opportunities, and improve services to the residents and businesses in Mason. The Community Center Committee is recommending Ordinances 2010-104 and 2010-105 for adoption.

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

During Council discussion it was explained that the name change for the BRIDGE Program was a request by its members. Also, it was clarified that the Free Rates in October are for current members only. Other comments included thanks to Richard Fair for all his hard work and affirmation of the new rates.

A motion to adopt Ordinance 2010-104 was made by Councilmember Pelfrey, seconded by Councilmember Cox. VOTE: ALL YEAS

ORDINANCE 2010-105 CREATING A NEW DEPARTMENT WITHIN THE GENERAL FUND FOR THE CITY'S SENIOR CENTER PROGRAM AND AUTHORIZING AN INITIAL APPROPRIATION OF \$20,000.00

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 Cox, seconded by Councilmember Bradburn. VOTE: ALL YEAS

A motion to adopt Ordinance 2010-105 was made by Councilmember Shimrock, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

ORDINANCE 2010-106 AUTHORIZING THE REFUNDING OF A LEASE, THE LEASE-PURCHASE REFINANCING OF A CITY ADMINISTRATION BUILDING, INCLUDING A GROUND LEASE AGREEMENT AND A LEASE AGREEMENT, AND MATTERS RELATED THERETO AND DECLARING AN EMERGENCY

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

Eric Hansen explained that this ordinance will authorize the advance refunding of the 2001 Mason Municipal Center debt by issuing debt not to exceed \$19.57 million. The City has an opportunity to refinance the outstanding debt on the Municipal Center and Ordinance 2010-106 authorizes the lease-purchase refinancing of that debt. The average rate for the existing debt is 5% whereas the average rate of the refinance debt is estimated to be 3%. This will allow the City to save \$100,000 per year for the next 16 years. The Finance Committee has reviewed and recommends Ordinance 2010-106 for adoption.

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

Ken Schneider pointed out a change in Section 6 of the Ordinance which includes a limitation on the authority as provided in the City Charter.

A motion to adopt Ordinance 2010-106 was made by Councilmember Gilb, seconded by Councilmember Cox. VOTE: ALL YEAS

CITY MANAGER'S REPORT

Eric Hansen reported on the following items:

▶ The fifth annual Mason Arts Festival is on Sunday, September 19 from 11:00 a.m. until 5:00 p.m. at the Municipal Center and features 120 artists.

▶ Fire Station 51 Dedication and Open House is on Saturday October 9 from 10:00 a.m.-1:00 p.m. with tours of the new station from 11:00 a.m. until 1:00. This event coincides with the conclusion of National Fire Prevention Week (October 3-9) with the theme of "Smoke Alarms, a Sound You Can Live With". The Open House will have activities, information, and demonstrations.

▶ Northeast Cincinnati Chamber (NECC) Annual Awards Dinner is on Tuesday, October 5th at 5:30 p.m. at the Manor House. In past years, Council has passed a motion to allow Council members and staff to attend this meeting. A motion is in order if Council would like to approve attendance by City Council and City staff.

A motion to approve attendance to the NECC Annual Awards Dinner by City staff and City Council was made by Councilmember Bradburn, seconded by Councilmember Cox. VOTE: ALL YEAS

▶ Live Well in Mason, partnership with TriHealth, is conducting a three-part series which is free and open to the public. Additional information is available by visiting the City website or by calling the Community Center to participate in these activities.

October 6: Free Fasting Cholesterol and Glucose screenings

October 20: Free Nutrition Consultations with a registered dietician

November 3: "The Prevention and Care of Diabetes" presentation

▶ Sura Korean Cuisine, LLC, 7876 Mason Montgomery Road: D1, D2 liquor permit application. City Council has the option to request a public hearing or not request a hearing.

A motion to not request a hearing was made by Councilmember Bradburn, seconded by Councilmember Gilb. VOTE: ALL YEAS

COMMITTEE REPORTS

Councilmember Gilb reported that the Golf Course Committee has authorized the location of a driving range site that would be driving from East to West. This configuration requires some alterations to Hole One on the Academy Course, the removal of 3 trees, and some minor landscape changes. Eric Hansen added that this plan will cost much less than the \$30,000 that Council authorized last month.

Councilmember Cox, of the Park Board Committee, reported that the outdoor pool is 16 years old and will require some major improvements in the near future. He also reported that the stocking of the lake will be reduced so that the expenses will break even with fee income.

OLD AND NEW BUSINESS

Council discussed the *Snow Days* and *School's Out Fun Days* programs at the Community Center regarding pre-registration fees and program fees. They also discussed the roundabout. Councilmember Pelfrey has observed some driver confusion when approaching and within the roundabout and wondered if additional signage may help educate drivers. She also stated that it has reduced traffic backups at the intersection. With regards to the roundabout, other Councilmembers stated that in general, resident feedback has been positive. Councilmember Cox read a letter from the Fairways of Pine Run HOA thanking the City for the positive changes in 2010 that has improved the traffic issues in their community.

RECOGNITION OF VISITORS

Perry Schwartz inquired as to any substantial fees required to get out of our present lease agreement or into the new one. Eric Hansen stated that no, the City will realize the savings (of \$100,000 per year) after all the closing costs and reissuance costs, which are all incorporated into the debt. Perry also commented that he is happy to see the changes to Fairway Drive (stripe painting) but has noticed that the battery in the speed sensor needs to be replaced. Mr. Schwartz then stated that he had received an email with information stating that all HOAs within the State of Ohio were required to register with the County Registrar. If this is accurate, he wonders if the City might publish this information. Eric Hansen and Ken Schneider both requested that he forward the email to them.

EXECUTIVE SESSION: PERSONNEL

A motion to adjourn into Executive Session for the purpose of discussing Personnel and Land Acquisition was made by Councilmember Bradburn, seconded by Councilmember Gilb. VOTE: ALL YEAS
TIME: 8:50 P.M.

A motion to reconvene into Regular Session was made by Councilmember Bradburn, seconded by Councilmember Pelfrey. VOTE: ALL YEAS
TIME: 9:15 P.M.

ADJOURN

A motion to adjourn was made by Councilmember Pelfrey, seconded by Councilmember
Cox. VOTE: ALL YEAS

TIME: 9:15 P.M.


Clerk of Council


Mayor