

**CITY OF MASON
COUNCIL MEETING
JANUARY 24, 2011**

The meeting was called to order at 7:04 p.m. Chaplain Rick Huff opened the meeting in 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, Charlene Pelfrey, and Don Prince. David Nichols was absent.

APPROVAL OF MINUTES

A motion to approve the December 13, 2010 Council Meeting Minutes was made by Councilmember Cox, seconded by Councilmember Shimrock. VOTE: 5 YEAS, 1 ABSTAIN (Pelfrey).

RECOGNITION OF JOSHUA VONDERHAAR, HONORARY MAYOR FOR A DAY

Mayor Prince introduced Joshua Vonderhaar as the Honorary Mayor for the Day and asked for his family to join him. The Mayor then read a Proclamation highlighting some of Joshua's accomplishments and presented him with the framed Proclamation.

RECOGNITION OF VISITORS

Kevin Shew of 222 Van Buren Drive, expressed interest in organizing a community 4th of July celebration. He is the President of Rusty's Fireworks, a new company based in Mason. Mayor Prince explained that the decision to cancel Red, Rhythm and Boom was a monetary issue and that the City is not opposed to having an event. He suggested that Festivals of Mason (Scott Pierce, president) would be a good resource for planning an event. The City of Mason would also need to be involved. Kevin responded by stating that he is in the early planning stages and has found that initial community response has been positive. He also has tentative support from other community organizations. After further Council discussion, the Mayor thanked Mr. Shew for his interest and stated that Council and the Festivals of Mason will wait to hear back from him.

RESOLUTION 2011-1 REQUESTING THE COUNTY AUDITOR TO MAKE TAX ADVANCES DURING THE YEAR 2011 PURSUANT TO SECTION 321.34 OF THE OHIO REVISED CODE

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

Eric Hansen explained that when taxes are collected by the County, the County Auditor has several months after the due date to distribute the funds owed to local governments. During this

delay, the County will earn interest from funds owed to local governments. State law allows local governments to request payments of the taxes prior to the required settlement. In many cases, it helps improve the cash flow for the local government and allows the local government to earn additional interest for itself rather than the County. This resolution will authorize the Finance Director to request tax payments prior to the settlement date required by state law.

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 Resolution 2011-1 was made by Councilmember Shimrock, seconded by Councilmember Pelfrey. VOTE: ALL YEAS.

ORDINANCE 2011-1 APPROVAL OF THE REPLAT FOR LOTS 25, 26, 29 AND 30 OF CARMELLE SUBDIVISION SECTION 1

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

Richard Fair explained that the owner of four lots in the Carmelle Subdivision is requesting to replat these into three lots. Carmelle is located on the east side of SR-741 south of US-42 with Carmelle Woods Drive as the entrance into the subdivision. The properties are located in section one along Stone Ridge Drive and Woodhaven Court. This replat will consolidate these four existing lots into just three lots. Lot 25 will increase from 0.5619 acres to 0.9404 acres, Lot 26 will increase from 0.4487 acres to 0.8005 acres, Lot 30 will increase from .08157 acres to 0.8987 acres and Lot 29 will be eliminated. Planning Commission recommends approval of Ordinance 2011-1.

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 2011-1 was made by Councilmember Pelfrey, seconded by Councilmember Shimrock. VOTE: ALL YEAS.

ORDINANCE 2011-2 PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$7,500,000 OF RENEWAL NOTES BY THE CITY OF MASON, OHIO, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF ACQUIRING A GOLF COURSE IN THE CITY AND DECLARING AN EMERGENCY

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

Eric Hansen explained that this ordinance allows the City to further reduce the debt associated with the purchase of the Golf Center at Kings Island by reissuing the Bond Anticipation Notes. To date, \$1 million has been paid towards the outstanding principal. With this reissuance, the principal amount will be reduced by \$500,000 which was included as part of the 2011 Budget. This ordinance does include a call provision before their maturity in one year as the City looks at

markets and other short term debt for opportunities to combine it for further savings and a lower interest rate. At this point it is recommended to reissue the notes to continue the funding and pay down the principal.

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.

Councilmember Gilb, Chairman of the Golf Course Committee, stated that this ordinance does not alter the management agreement the City has with RMS.

A motion to adopt Ordinance 2011-2 was made by Councilmember Bradburn, seconded by Councilmember Pelfrey. VOTE: ALL YEAS.

ORDINANCE 2011-3 AUTHORIZING PAYMENT IN THE NOT-TO-EXCEED AMOUNT OF \$4000 TO THE WARREN COUNTY HUMANE ASSOCIATION A PRIVATE NON-PROFIT ORGANIZATION

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

Jennifer Heft explained the next three ordinances. Annually the City gets several requests from non-profit organizations to help support their operations by contributing financially. In 2006, the Finance Committee developed a policy to guide contributions to such groups. The policy recommended limiting City contributions to \$8,000 and no more than a third of a group's budget. This is accomplished through a matching program where the City contributes one dollar for every two dollars raised from other sources by the non-profit group. The maximum contribution was \$8,000. Jennifer said that during the 2011 budget process, due to economic conditions of the City, the Finance Committee modified the policy to adjust the maximum contribution for 2011 at \$4,000 for all groups. All other criteria for receiving these matching funds remain as established. The three groups were notified of the changes to the program and all three have modified their requests. Ordinance 2011-3 authorizes a payment of up to \$4000 to the Warren County Humane Association, Ordinance 2011-4 authorizes a payment of up to \$4000 to the Mason Historical Society, and Ordinance 2011-5 authorizes a payment of up to \$4000 to the Mason Area Arts Council. Jennifer said in addition, the City has typically contributed in-kind services to support the Mason Arts Festival. These services total roughly \$3800, outlined in a council packet memo, and the Mason Area Arts Council is again requesting this contribution in the same amount as last year. If Council agrees to provide this in-kind services contribution, a motion by council would be in order tonight as well.

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 2011-3 was made by Councilmember Bradburn, seconded by Councilmember Pelfrey. VOTE: ALL YEAS.

ORDINANCE 2011-4 AUTHORIZING PAYMENT OF \$4000 TO THE MASON HISTORICAL SOCIETY, A PRIVATE NON-PROFIT ORGANIZATION

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

A motion to adopt Ordinance 2011-4 was made by Councilmember Bradburn, seconded by Councilmember Pelfrey. VOTE: 5 YEAS, 1 ABSTAIN (Cox).

ORDINANCE 2011-5 AUTHORIZING PAYMENT OF \$4000 TO THE MASON AREA ARTS COUNCIL, A PRIVATE NON-PROFIT ORGANIZATION

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 2011-5 was made by Councilmember Cox, seconded by Councilmember Shimrock. VOTE: ALL YEAS.

A motion to provide in-kind services valued at \$3800 to the Mason Arts Festival 2011 was made by Councilmember Bradburn, seconded by Councilmember Pelfrey. VOTE: ALL YEAS.

ORDINANCE 2011-6 AUTHORIZING PAYMENT OF \$25,000 TO FESTIVALS OF MASON, INC., IN SUPPORT OF THE 2011 HERITAGE FESTIVAL AND CHRISTMAS IN MASON

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

Eric Hansen explained that since 2004, the City has entered into a formal agreement with the Festivals of Mason (FOM) to provide funding for community festivals held in Mason. FOM has organized the Heritage Festival in August and Christmas in Mason in December each year. The City has been the primary financial backer of these events in addition to providing other resources and significant labor hours to make the events successful. Public Works, Police, Engineering and Building, Fire and Parks & Recreation all contribute staff support to FOM events. FOM also relies on sponsorship, sales, vendor fees and other revenues to offset the expenses of these events. Eric continued by stating that the City also provides ongoing administrative support for FOM by designating a city staff member to act as a year-round contact point for the events throughout the year. Festivals of Mason had an opportunity to meet and present their request to the Finance Committee as part of the 2011 budget process. Due to concerns over the current and projected economic climate and the City's finances the Finance

Committee recommended a reduced funding amount of \$25,000. Festivals of Mason has also indicated interest in working with the City to limit the costs associated with City staff support.

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.

Council discussed the possibility that one festival would be eliminated. This will be decided by the Festivals of Mason Board, but the consensus seems to be reduced spending for two events. Also the use of volunteers to assist with the in-kind type of services that the City provides at these events was discussed.

A motion to adopt Ordinance 2011-6 was made by Councilmember Bradburn, seconded by Councilmember Cox. VOTE: ALL YEAS.

ORDINANCE 2011-7 AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENT #23879 WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE PURPOSE OF CONSTRUCTING THE U.S. 42 IMPROVEMENT PROJECT AND DECLARING AN EMERGENCY

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

Eric Hansen credits Richard Fair and the Engineering and Building Department for getting ODOT's approval allowing city staff to perform Construction Management services on this project. ODOT determined the City has qualified staff to perform inspection of such a large project and has agreed with the City's request – which will save the City about \$700,000.

Richard Fair discussed the detailed process for obtaining this approval and credits his engineers, inspectors and Jeff Forbes for their efforts in this approval process. He explained that ODOT decided that the City has experienced staff to manage and inspect the US-42 project and has agreed to enter into a Local Public Authority (LPA) agreement with the City. The LPA agreement allows ODOT to hand over the responsibilities to the City for the management of bids, construction deadlines, budget, and inspections. Richard concluded by updating the status of the parcel easement acquisitions. Of the 72 parcels, only three parcels remain to be acquired before the February 7th deadline.

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.

Mayor Prince thanked Richard and his staff for lining up so many parcels in such a short time. He also commented on city staff's qualifications to receive ODOT's approval to inspect this project and thanked them for saving the taxpayers \$700,000.

A motion to adopt Ordinance 2011-7 was made by Councilmember Pelfrey, seconded by Councilmember Cox. VOTE: ALL YEAS.

ORDINANCE 2011-8 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH SOUTHEASTERN EQUIPMENT CO., INC. FOR THE PURCHASE OF ONE (1) 2011 CASE LOADER IN THE AMOUNT OF \$138,519.

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

Jennifer Heft explained that the current Case 721XBR Loader was purchased in 1997 for \$91,749. This loader will be 15-years old at the time of replacement. The vehicle currently has over 5,500 hours of rough duty and has accrued \$38,000 of repair work and the metal cab is not securely attached to the frame due to rust and corrosion. She stated that this vehicle was reviewed by both the Finance and Equipment Committees as part of the 2011 Budget. Due to the critical and varied need for a loader, \$155,000 was included in the 2011 Budget for replacement of this equipment. The 2011 Case Loader will be purchased as part of the State Purchasing Program at a cost of \$138,519. Staff has received notice of a projected price increase which will likely occur this spring for this equipment. By acquiring this unit now the City can obtain a 2011 model year loader and avoid an anticipated \$13,000 increase in the State Purchasing Program cost. Ordinance 2011-8 is recommended for adoption by both the Finance and Equipment Committees.

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 2011-8 was made by Councilmember Bradburn, seconded by Councilmember Shimrock. VOTE: ALL YEAS.

CITY MANAGER'S REPORT

► The City of Mason's Comprehensive Annual Financial Report (CAFR) for the period ending December 31, 2009 received two certificates for financial reporting: a Certificate of Achievement for Excellence in Financial Reporting from GFOA, and a Certificate of Recognition from the Auditor of State.

► The City's Hope for the Holidays program culminated with a Supper with Santa on December 21 for over 60 children and served 39 needy families. Donations from local civic groups as well as Mason City employees and residents helped to make this year's event a success by providing food and gifts to the families.

► The first annual Taste of Mason is planned to take place along Main Street at the Mason Community Center on Wednesday, February 16 from 11:30 a.m. – 1:00 p.m. and 5:00 p.m. – 6:30 p.m. This event will promote local food establishments by allowing patrons to the Center an opportunity to sample some of the local food cuisine.

► On February 14, Valentines Day, Main Street Sweets will be featured in Symbiosis having items for resale to those who need a last minute gift for someone special.

► On January 24, Symbiosis will begin offering running merchandise and apparel available for resale as part of a partnership with Mojo Running. Premier members will receive a 10% discount off of any items purchased.

► The Community Center has set records in membership revenue for the month of December. The revenue has been higher than any month in the last 4 years and double any other month in 2010. Preliminary data shows that the Center is meeting targets as set out by the Business Plan and setting attendance records in the Kids Korner. The Edge rock climbing wall has had more than 2000 climbers over the first two months. The postal unit has also set sales records. Additional revenue is generated through partnerships which include the High School Gymnastics Team, Cheer Team, training sessions for area fitness professionals, MoJo Running, Taste of Mason, St. Susanna, the Leukemia Society of Cincinnati, Cincinnati Ballet, the Golf Center, and local youth sports organizations.

► Jeff Forbes, Assistant Law Director, has been recognized as one of the area's top attorneys in the January edition of Cincinnati Magazine.

COMMITTEE REPORTS

Chairman of the Golf Course Committee, Councilmember Gilb, reported that residents from Eagle View Village were invited to and attended the last Golf Course Committee meeting. The residents' concerns regarding the operation of the south driving range were heard and addressed. He felt that the residents now realize how the installation of the south range will assist in getting the north driving range up and operational. Councilmember Gilb also reported that the committee continues to review the management agreement of the golf course.

OLD AND NEW BUSINESS

Councilmember Bradburn complimented the Public Works crew for doing an outstanding job of clearing the roads of snow. He also commented on the opportunity that Mason road crew had to assist the State of Ohio in salting I-71 from Kings Mill to Western Row.

RECOGNITION OF VISITORS none

EXECUTIVE SESSION: PERSONNEL

A motion to adjourn into Executive Session for the purpose of discussing personnel was made by Councilmember Bradburn, seconded by Councilmember Shimrock. VOTE: ALL YEAS. TIME: 8:00 p.m.

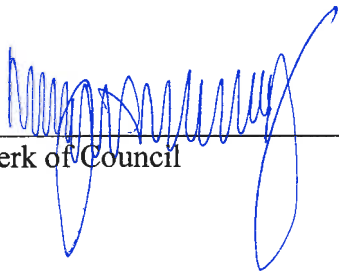
A motion to reconvene into regular session was made by Councilmember Bradburn, seconded by Councilmember Cox. VOTE: ALL YEAS. TIME: 8:35 p.m.

Eric Hansen referenced a memorandum from Neil Tunison regarding Transportation Improvement Districts (TID) in Warren County. This information can be found in the Council Packet. A general discussion ensued.

Council also discussed the need to update from the old to new Mason logo in Council Chambers and on ICRC.

ADJOURN

A motion to adjourn was made by Councilmember Cox, seconded by Councilmember Gilb.
VOTE: ALL YEAS
TIME: 8:47 p.m.



Clerk of Council



Mayor