

**CITY OF MASON
COUNCIL MEETING
APRIL 25, 2011**

The meeting was called to order at 7:02 p.m. Chaplain Pelfrey 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 April 11, 2011 Council Meeting Minutes was made by Councilmember Pelfrey, seconded by Councilmember Shimrock. VOTE: ALL YEAS.

RECOGNITION OF HONORARY MAYOR FOR A DAY, JACK CORCORAN OF ST. SUSANNA SCHOOL

Mayor Prince recognized Honorary Mayor Jack Corcoran and read a Proclamation. Honorary Mayor Jack Corcoran thanked Mayor Prince for the award.

RECOGNITION OF VISITORS none.

PRESENTATION: STATE IMPACTS ON FIRE FUNDING – JOE REIGELSPERGER, FINANCE DIRECTOR & FIRE CHIEF MOORE

Joe Reigelsperger explained that the 2008 Tax Renewal Levy saved residents money while preserving state funding. However, this 2008 renewal without the additional millage was not sufficient to cover the full cost of operations and required some cost containment to avoid eroding balances. Fire Chief John Moore divided cost savings into three categories: collaboration, containing cost, and education. He explained several savings initiatives including the Northeast Fire Collaborative membership (NEFC), working with business/developers when replacing Station 51, coordinating with Deerfield Township for 1st responders and in joint training, an EMS billing contract, purchases through the NEFC, the “train the trainer” program with the NEFC, improvement in equipment inventory practices, fuel conservation, a reduction in cell phones and pagers, preventive maintenance of equipment, updating the part-time firefighter program to reduce overtime, and making firefighters part of the solution in improving efficiency and effectiveness. Chief Moore also credited the Engineering and Building Department for completing the Station 51 building project under budget. Joe Reigelsperger stated that the Fire Department has done a good job improving the financial situation by containing costs and that the Fire Fund is in a great position because of Chief Moore’s leadership in this matter. These savings are at risk due to the pending State Budget Proposal. He explained that the State will retain local funding that normally is used to support fire services if this proposal is implemented.

The estimated loss in 2011 is approximately \$600,000 with the total impact of \$1.4 million through the entire levy period, which expires in 2013. He stated that since 2011 the Fire Fund is operating within a deficit with the current cost of services now exceeding revenue. Rising costs, such as fuel, are eroding the Fund Balance and it is important to maintain a reserve in the event of unexpected losses. He stated that the State's budget problem is reducing revenue by shifting the problem to the local level, which is increasing pressure on the Fire Fund. He stated that although we are not in a crisis situation it is important to plan and anticipate what needs to be done by 2013, when the Fire Levy expires. In 2013 most of the funding used for fire service will be gone without some replacement. He explained that securing a funding strategy prior to 2012 will reduce jeopardy to service levels and minimize future financial impact on residents. The City's action plan is to continue Council Safety Committee discussions, pursue additional cost reductions, evaluate possible service reductions, and secure appropriate levels for future fire funding. Councilmember Bradburn clarified that the land "donated" for Station 51 was a result of intense negotiations which resulted in the extension of the road for the developer. He also added that approximately an additional \$300,000 to the General Fund will be lost as a result of this pending State Budget. Joe confirmed that this additional revenue is used to service the debt. Councilmember Gilb stated that he appreciated the presentation and agreed that it is important to be proactive on this matter. Council discussion continued on what the City is doing to reduce expenses in anticipation of State funding losses.

RESOLUTION 2011-6 APPROVING THE SOLID WASTE MANAGEMENT PLAN OF THE WARREN COUNTY SOLID WASTE MANAGEMENT DISTRICT

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

Eric Hansen explained that Solid Waste Districts are mandated by the State to fulfill some EPA requirements to reduce or redirect waste. The Warren County Solid Waste District protects Mason residents and Businesses from more austere EPA mandated plans. He stated that the City's brush-chipping, leaf pick-up and city-wide waste hauling contract with recycling have been key to both keeping waste collection rates low within the City as well as a commitment to the Solid Waste District's plan. Eric introduced Betty Davis, Representative to Warren County Solid Waste Management, and stated that the City's approval is necessary for this County-wide plan to be adopted. Betty Davis stated that she has been involved with the Solid Waste District since 1989. She stated that they are in the process of updating a 10 year plan that will keep the generation fee at \$.50 per ton. The updated plan has one change which monitors Waste Haulers more closely to ensure that non-subscription curbside recycling is provided to all customers. If a trash hauler doesn't comply, the District will implement a contingency plan that establishes drop-off sites throughout the County for a period not to exceed two years. During this time contracts may be set up to establish curbside recycling.

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 Bradburn invited Ms. Davis to speak at a Warren County Municipal League meeting. Councilmember Cox had questions regarding appliance recycling and hazardous waste pick-up. Ms. Davis stated that these types of programs are expensive at approximately \$1 million/year. The County provides residents with a list of resources for recycling these types of items.

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

RESOLUTION 2011-7 PROCLAIMING MAY 15 – 21, 2011 AS NATIONAL LAW ENFORCEMENT MEMORIAL WEEK AND MAY 15 AS PEACE OFFICERS' MEMORIAL DAY

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

Jennifer Heft stated that at this time of year the City recognizes public employees working for the City of Mason. The next three resolutions allow us the opportunity to recognize employees working in the Police, Fire, and Building Departments. Resolution 2011-7 recognizes the week of May 15th as National Law Enforcement Week and the day of May 15, as Peace Officers Memorial Day. She explained that the City of Mason Police Department, an internationally accredited law enforcement agency, provides many services that protect and keep our community safe. In addition, the department offers numerous programs that reflect the philosophy of community-oriented policing including the D.A.R.E. Program, Safety Camp, Citizen's Police Academy, and School Resource Officers. Jennifer stated that each year an average of 145 police officers are killed in the line of duty in the United States, and an average of over 58,000 officers are assaulted in the performance of their duties. During the week of May 15-21, all Mason Police Officers will wear a black band across their badges and on May 16 at 9:30 a.m. there will be a brief memorial ceremony in the atrium of the Municipal Building to honor those officers who have given their lives in the line of duty. Ohio State Treasurer Josh Mandel will be the featured speaker. She announced that the public is invited to attend.

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 2011-7 was made by Councilmember Pelfrey, seconded by Councilmember Cox. VOTE: ALL YEAS.

RESOLUTION 2011-8 PROCLAIMING THE WEEK OF MAY 15 - 21, 2011 AS EMERGENCY MEDICAL SERVICES WEEK

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

Jennifer Heft stated that Resolution 2011-8 recognizes the week of May 15-21, 2011 as National Medical Services Week. She stated that since 1998 the City of Mason Fire Department has

provided emergency medical services to the residents of Mason. Last year, the City's emergency medical staff responded to over 2000 emergency medical calls. In addition to protecting the life, health, and safety of the community, the department provides screening, training, and educational opportunities promoting community safety.

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.

Mayor Prince said that today while touring Station 51 with Honorary Mayor Corcoran, they witnessed the impressive skills of a squad preparing for an emergency run.

A motion to adopt Resolution 2011-8 was made by Councilmember Gilb, seconded by Councilmember Cox. VOTE: ALL YEAS.

RESOLUTION 2011-9 DECLARING MAY 2011 AS BUILDING SAFETY MONTH

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

Jennifer Heft stated that Resolution 2011-9 declares May 2011 as Building Safety Month in Mason. She explained that Building Safety Month is the annual event to recognize the efforts made by building officials nationally to maintain a safe, healthy, and accessible environment by administering the building codes and standards. This year the theme is "An International Celebration of Safe and Sensible Structures", drawing attention to the need for worldwide increased uniformity in codes and standards. She explained that in conjunction with Building Safety Month, the Southwest Ohio Building Officials Association (SWOBOA) is releasing weekly flyers that contain safety tips corresponding to the four weekly sub-themes: Energy and Green Buildings, Disaster Safety and Mitigation, Fire Safety, and Backyard Safety. These flyers will be distributed on Fountain Square in Cincinnati on Thursday, May 26 from 11:00 a.m. – 2:00 p.m. She reminded all residents that the Building Department offers, at no cost, valuable informational sheets to assist residents during the planning process when adding improvements to their home such as decks, basement finishes, and pools.

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

A motion to adopt Resolution 2011-9 was made by Councilmember Gilb, seconded by Councilmember Shimrock. VOTE: ALL YEAS.

ORDINANCE 2011-42 REJECTING ALL BIDS OPENED ON MARCH 15, 2011, FOR THE MASON-MONTGOMERY ROAD SANITARY SEWER CROSSING PROJECT

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

Richard Fair addressed Council and explained the next two ordinances. He stated that Ordinance 2011 - 42 rejects all bids received on March 15, 2011 for the Mason-Montgomery Road Sanitary Sewer Crossing Project and Ordinance 2011 - 43 authorizes the City Manager to enter into a contract with Brunk Excavating for construction of the Mason-Montgomery Road Sanitary Sewer Crossing Project. He also asked that Ordinance 2011-43 be amended to add an emergency clause so that the homeowner would be able to move into his home sooner. Richard explained that last November, Council approved an agreement with Jeffrey Spatz for partial reimbursement to construct sanitary sewer that would provide sewer availability to his new home on the west side of Mason-Montgomery Road, south of Bethany Road. Mr. Spatz agreed to pay \$20,000 of the cost to extend the sewer. He said that the project was initially designed as a jack-and-bore under Mason-Montgomery Road. Two bids for the project were received and opened on March 15, 2011. Both of the bids were substantially higher than the engineer's estimate and therefore rebidding the project was recommended. Prior to re-bidding, staff discussed modifying the scope of the project with the Warren County Engineer's Office. Warren County agreed that open cutting of the road would be allowable if the road closure was limited to three days and backfilling was done entirely with controlled density fill (CDF) under pavement areas. The project was rebid with these modifications. Richard said that four bids were opened on April 12th with the lowest bid received by Brunk Excavating, a local Mason contractor. By re-bidding this project the City saved over \$30,000 in construction costs, and with Mr. Spatz's contribution the City's net cost is \$27,360. He stated that this project was included in the 2010 Budget for a net City expense of \$30,000.

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.

Councilmember Bradburn asked Richard if the road closure is expected to be a complete road closure for the full three days. Richard stated that this has not been determined at this time, but that he expects a full road closure for at least one of the days. Councilmember Cox asked about the extension of the sewer along the west side of Mason-Montgomery Road. Richard stated that there are fourteen homes on that side that do not have sewer. At this time there are not plans to extend the sewer, but eventually when the pipe is extended north and south, those 14 residents may tie in.

A motion to adopt Ordinance 2011-42 was made by Councilmember Cox, seconded by Councilmember Shimrock. VOTE: ALL YEAS.

ORDINANCE 2011-43 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH BRUNK EXCAVATING FOR CONSTRUCTION OF THE MASON-MONTGOMERY ROAD SANITARY SEWER CROSSING PROJECT IN THE AMOUNT OF \$47,360 AND DECLARING AN EMERGENCY.

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 Bradburn, seconded by Councilmember Shimrock. VOTE: ALL YEAS.

A motion to adopt Ordinance 2011-43 was made by Councilmember Gilb, seconded by Councilmember Cox. VOTE: ALL YEAS.

CITY MANAGER'S REPORT

► Warren County's 15th annual National Day of Prayer Breakfast will be held on Thursday, May 5, 2011 at the Heritage Baptist Church in Lebanon. The event starts at 7:00 a.m. and ends at 8:30 a.m. Cost is \$10 per person and reservations can be made by calling Countryside YMCA. Keynote speaker is Rev. Tom Moll, Senior Pastor of Christ's Church at Mason.

► RASKALS is an acronym for "Random Acts of Simple Kindness Affecting Local Seniors." Once a year, volunteers from around the area gather to assist local seniors with outdoor projects they cannot do themselves, such as raking leaves, clearing gutters, cleaning windows, planting flowers, and mulching. This year's event will begin at 8:30 a.m. on Saturday, May 7. Volunteers and/or volunteer groups will meet at the Mason Senior Center located inside Mason Community Center. Prospective volunteers or older residents needing assistance should obtain an application at www.imaginemason.org or by calling the Community Center 513-229-8555.

► The Cincinnati Recreation Commission is holding their Senior Olympic Championship in the competition pool at the Mason Community Center on Sunday, May 1 from 6 a.m. to 11 a.m.

COMMITTEE REPORTS

Councilmember Pelfrey reported that the Downtown Committee is working on signs and parking in the downtown district.

OLD AND NEW BUSINESS

Councilmember Gilb clarified that the May 23rd Work Session is open to the public. It is a public meeting, not a public hearing.

Councilmember Bradburn stated that he will be unable to attend the June 13th Council Meeting and wondered if the decision on the Bethany Green ordinance could be tabled to an alternate date. Mayor Prince stated that he hesitates to move it to another date out of deference to the residents.

RECOGNITION OF VISITORS

Perry Schwartz of 6309 Tarton Fields Lane stated that he has studied the Greater Cincinnati Water Works Quality Water Report. He said that although our water is not as hard as it was before GCWW, it is still hard at 8-9 grains per gallon.

EXECUTIVE SESSION: PERSONNEL/LAND ACQUISITION/LITIGATION

A motion to adjourn into Executive Session for the purpose of discussing personnel, land acquisition, and litigation was made by Councilmember Gilb, seconded by Councilmember Shimrock. VOTE: ALL YEAS. TIME: 8:10 p.m.

A motion to reconvene into Regular Session was made by Councilmember Gilb, seconded by Councilmember Cox. VOTE: ALL YEAS. TIME: 9:34 p.m.

ORDINANCE 2011-44 CREATING THE POSITION OF EXECUTIVE LEGAL COUNSEL FOR THE CITY OF MASON

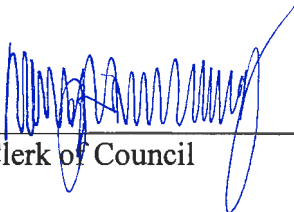
A motion to read by title only was made by Councilmember Shimrock, seconded by Councilmember Gilb. VOTE: ALL YEAS.

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

A motion to adopt Ordinance 2011-44 was made by Councilmember Pelfrey, seconded by Councilmember Gilb. VOTE: ALL YEAS

ADJOURN

A motion to adjourn was made by Councilmember Shimrock, seconded by Councilmember Cox. VOTE: ALL YEAS. TIME: 9:36 p.m.



Clerk of Council



Mayor