

**CITY OF MASON  
COUNCIL MEETING  
NOVEMBER 14, 2011**

The meeting was called to order at 7:04 p.m. Father Harry Meyer opened the meeting in prayer. American Legion Color Guard, Post 194, presented the colors. 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, David Nichols, and Don Prince.

**APPROVAL OF MINUTES**

A motion to approve the October 24, 2011 Council Meeting Minutes was made by Councilmember Pelfrey, seconded by Councilmember Cox. VOTE: ALL YEAS.

**PRESENTATION OF PROCLAMATION TO QUI VIVE ORGANIZATION**

Mayor Prince read and presented a proclamation plaque congratulating the group on their 110 year anniversary. He then invited Dee Wilt to make a few remarks. Ms. Wilt thanked the City for this meaningful recognition and stated that they are the oldest continually functioning club in Mason. She explained that each spring the ladies choose a topic for the year. Each member is responsible for writing and presenting a paper on this topic. Past topics have included First Ladies, biographies, nature, science, and Noble Prize winners. This year's topic is "What legacy would you like to leave to your grandchildren?"

**PRESENTATION OF CHECKS FROM AMERICAN LEGION FOR MASON POLICE DEPARTMENT, MASON FIRE DEPARTMENT, HOPE FOR THE HOLIDAYS, AND MASON PUBLIC LIBRARY**

John Looker of American Legion Post 194 stated that their post expects to donate almost \$30,000 to charities around Mason in 2011. Post 194 is made up of 380 members with 215 members in the Ladies Auxiliary and 115 members in the sons organization. Mr. Looker presented \$1500 checks to each organization: Chief Ron Ferrell - Mason Police Department Explorer Post, Chief John Moore – Mason Fire Department, Sheri Collins – Hope for the Holidays, and Sarah Brown – Mason Public Library. He then gave a summary of Veterans Day activities in Mason.

**RECOGNITION OF RHINESTAHL CORPORATION**

Michele Blair explained that Rhinestahl Corporation moved their company operations to the Innovation Business Center along Innovation Way in 2009. Rhinestahl is a manufacturing company specializing in aerospace precision and custom machining. Since that time, the Economic Development Committee and staff have been working with this corporation to nurture their growth. Two years later Rhinestahl is looking to further expand business operations in engineering, technical solutions and specialized solutions. Michele described the project to

acquire and put \$2 million into retrofitting and renovating a 120,000 square foot building at 1111 Western Row Road. This building is on 12 acres which will allow them the option of doubling the footprint. She explained that this project will locate an immediate 85 employees, with a payroll of \$8.5M to the Western Row location and will grow employment over the next three years, expanding to a total of 155 employees and a payroll of \$12.75M at Western Row. This employment is in addition to the existing business operations and employment of 100 located at the Innovation Way headquarters. Michele explained that Council's Economic Development Committee is recommending an abatement under the Community Reinvestment Area Program (CRA). Rhinestahl would invest \$2 to 2.5 million into the facility and direct benefits, including jobs and investment back to the community, are estimated at \$2 million. Michele then introduced and invited Tom Johnston, Director Corporate Strategic Projects for Rhinestahl, to speak.

Tom Johnston addressed Council and stated that Rhinestahl has been taking strides to grow and is now ready to take a leap. He explained that they will be closing their Blue Ash facility with this move to Mason. They wanted to stay in Mason because the City, Council and Community Center have been so supportive. He explained how much Rhinestahl employees appreciate the employee wellness program with the Community Center and that employees relocating from Blue Ash are excited to participate in these programs. Mr. Johnston stated that Rhinestahl will be locating their Engineering and Technical Solutions (ETS) business, Advanced Manufacturing Group (AMG) business, and Support Solutions business into the Western Row facility.

Vice Mayor Nichols stated that Mason appreciates and is honored to have Rhinestahl in Mason.

Michele Blair explained that in order to attract and grow Rhinestahl in the community, the company identified community wellness and workforce recruitment as top needs. The incentive package to Rhinestahl includes access to partnerships with the Mason Community Center, Tri Health and the Golf Center at Kings Island. In total the City proposes a wellness and workforce package over a period of five years that has an estimated average annual value of \$95,000. This includes items such as golf rounds and memberships, Community Center membership and wellness programming through Tri-Health. Rhinestahl will complement the wellness /workforce package commitment by contributing an estimated annual average value of \$71,000.

Tom Johnston stated that recruiting the right employees for a technical company is very important. The wellness/recreation package along with the City of Mason being a great place to raise a family allows them to recruit top talent from all over the world.

Eric Hansen expressed the City's gratitude to Rhinestahl for educating us on what companies need and look for. Using community amenities such as the Community Center and the Golf Center to attract and retain an active and educated workforce is proving instrumental to the success and growth of entrepreneurial companies. The City of Mason is rapidly developing a unique model to leverage these amenities to attract progressive, high-growth corporations. This both strengthens the viability of these assets and expands the local tax base with job creation. Rhinestahl's commitment to this model is the foundation for a strong community partnership.

**COMMUNITY REINVESTMENT AREA DISTRICT #1 AND COMMUNITY  
WELLNESS-EMPLOYEE RECRUITMENT INCENTIVE – RHINESTAHL  
CORPORATION**

A motion to provide an abatement under the Community Reinvestment Area Program of 100% of real property improvements for a period of 15 years on the value of the new building improvements, for Rhinestahl, as authorized by the State of Ohio Community Reinvestment Area Program and contingent upon the company making an annual compensation payment to the Mason City School District for the term of the abatement period was made by Vice Mayor Nichols, seconded by Councilmember Pelfrey. VOTE: ALL YEAS.

A motion to authorize the City Manager to execute a Community Wellness and Employee Recruitment incentive package for Rhinestahl was made by Vice Mayor Nichols, seconded by Councilmember Shimrock. VOTE: ALL YEAS.

**RECOGNITION OF VISITORS** none

**EXECUTIVE SESSION: LITIGATION**

This item was moved into the second Executive Session.

**ORDINANCE 2011-100 ACCEPTING THE PUBLIC IMPROVEMENTS FOR WESTERN PORTION OF BATSCHE TRAILS BOULEVARD (ESTATES AT CHESTNUT HILLS) AND RELEASING THE PERFORMANCE BOND**

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

Kurt Seiler stated that this road is located off of Mason-Montgomery Road, just north of the Estates at Chestnut Hills Subdivision. He explained that this ordinance is to release the performance bond and accept the public improvements of Batsche Trails Boulevard and the widening of Mason-Montgomery Road. The Public Utilities, Public Works, Engineering Department and Greater Cincinnati Water Works have inspected the public improvements.

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 stated that he has observed a natural spring in this area. Engineering will investigate this situation.

A motion to adopt Ordinance 2011-100 was made by Councilmember Pelfrey, seconded by Councilmember Shimrock. VOTE: ALL YEAS.

**ORDINANCE 2011-101 ACCEPTING THE PUBLIC IMPROVEMENTS FOR GREENBRIER COMMERCIAL PUD AND RELEASING THE PERFORMANCE BOND**

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

Kurt Seiler stated that Greenbrier Commercial PUD is located on the northwest corner of Tylersville Road and Snider Road. This is the commercial portion of the Greenbrier PUD and

includes businesses such as Drug Mart, Tylersville Dental, Greenbrier Office Condos and several other retail spaces. Streets to be accepted include Thornberry Court and Nichols Way. 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 and waiving the one-year maintenance bond period because all maintenance items have been recently completed by the developer.

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 2011-101 was made by Councilmember Pelfrey, seconded by Vice Mayor Nichols. VOTE: ALL YEAS.

**ORDINANCE 2011-102 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH TEC ENGINEERING, INC. FOR \$48,000 TO OPERATE AND MAINTAIN THE CITY'S TRAFFIC SIGNAL SYSTEM AND TO EXECUTE UP TO FOUR ANNUAL RENEWALS**

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

Kurt Seiler stated that in 2007, City Council authorized a one-year contract with TEC for the operations and maintenance of the City's traffic signals. He said that we currently have 40 signals that are maintained. The contract was a success and resulted in a much more proactive approach to managing the City's traffic signals as well as a dramatic reduction from over \$50,000 per year in signal maintenance costs to under \$20,000 in 2007. Kurt stated that other benefits attributed to the contract with TEC include reduced delay, rapid response, and issues responded to or repaired by TEC before being notified by other sources. He explained that this is a 5-year contract with about a 1% increase per year. The cost is much less than the cost of one full-time signal technician and provides the advantage of having a trained and knowledgeable staff that are able to quickly respond to traffic signal issues.

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 2011-102 was made by Councilmember Cox, seconded by Vice Mayor Nichols. VOTE: ALL YEAS.

**ORDINANCE 2011-103 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH AETNA BUILDING MAINTENANCE FOR THE MUNICIPAL CENTER, COMMUNITY CENTER AND THE WATER RECLAMATION PLANT'S ADMINISTRATIVE BUILDING FOR JANITORIAL CLEANING SERVICES**

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

Eric Hansen explained that this is for the Janitorial Cleaning Service of three buildings, the Mason Municipal Center, part of the Mason Community Center, and Water Reclamation Plant's Administration Building. Five (5) companies participated in the bid. The City is currently paying approximately \$160,000 per year and the lowest bid this year was for just over \$105,000, which is a \$55,000 savings. While there is some hesitation over the significant difference in price from the City's current provider of these services, Aetna Building Maintenance did participate in the pre-bid meeting, tour of the facility, is the low bidder and their performance was verified through contact with their references.

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 2011-103 was made by Vice Mayor Nichols, seconded by Councilmember Shimrock. VOTE: ALL YEAS.

**ORDINANCE 2011-104 AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH WARREN COUNTY COMMISSIONERS REGARDING MASON MUNICIPAL COURT PUBLIC DEFENDER**

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

Jennifer Heft addressed Council and stated that both Warren County and the City of Mason are obligated by State statute to provide legal counsel to indigent persons charged with serious offenses in Mason Municipal Court. A Public Defender is appointed to represent such people and receives compensation from either the County or City according to state statutes. Jennifer explained that the County is eligible for partial reimbursement of their public defender expenses from the Ohio Public Defender's Office if a cooperative agreement exists between the City and County regarding public defender expenditures. Since 2004, the County has requested that the City authorize an agreement that would formalize the practice and allow the County to pursue reimbursement from the State. The County is now requesting annual renewal of this agreement to meet State of Ohio requirements.

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

A motion to adopt Ordinance 2011-104 was made by Vice Mayor Nichols, seconded by Councilmember Pelfrey. VOTE: ALL YEAS.

**ORDINANCE 2011-105 AUTHORIZING THE CITY MANAGER TO ENTER INTO TRUST AGREEMENTS FOR THE PURPOSE OF ESTABLISHING DEFERRED COMPENSATION PLANS, AUTHORIZING THE CITY MANAGER TO AUTHORIZE PLAN CHANGES, AND DECLARING AN EMERGENCY**

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

Jennifer Heft stated that the City of Mason offers, at no cost to the City, opportunities for employees to participate in deferred compensation plans as allowed by Internal Revenue Code 457(b). Employees currently have the opportunity to participate in four deferred compensation plans. Employees can request additional plans be added as an alternative option. The City will typically add additional plans as long as they do not add any additional administrative burden and do not have any employer related fees. With deferred compensation agreements, plan changes are made by the sponsoring organization or changes are required by federal tax laws. The ordinance will also authorize the City Manager to approve these types of plan changes without additional Council action. This legislation was prepared based upon a recent request by the Ohio Municipal League for a required plan change that needs to be approved before the end of this year. With the passage of this ordinance, the City Manager would have the ability in the future to authorize any new deferred compensation agreements and to authorize modification to the plans as requested by plan administrators and federal tax laws as they become necessary.

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 Ordinance 2011-105 was made by Vice Mayor Nichols, seconded by Councilmember Shimrock. VOTE: ALL YEAS.

**ORDINANCE 2011-106 AUTHORIZING THE CITY MANAGER TO ENTER INTO A FIVE-YEAR CONTRACT WITH PLATTENBURG & ASSOCIATES, INC., FOR ACCRUAL CONVERSION AND CAFR PREPARATION, IN THE AMOUNT OF \$80,500**

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

Eric Hansen stated that this ordinance allows the City to comply with State of Ohio auditing requirements and provides professional services related to the City's Comprehensive Annual Financial Report (CAFR) preparation. The CAFR report is a resource for businesses and residents to better understand the City's financial position, trends, and to meet nationally recognized standards of excellence in financial reporting. Eric explained that while there are no legal requirements for the preparation of a CAFR, this report represents a commitment by the City of Mason to conform to nationally recognized standards of excellence in financial reporting. He stated that the City is compelled by the State of Ohio to undergo an annual audit. Historically the State has allowed the City to contract an Independent Public Accountant (IPA) to meet this obligation, however the City has received initial notice that the State Auditor's Office is intending to perform the City of Mason's 2011 audit. He explained that while audits performed by the Auditor of State Office are consistent in price with an IPA firm's pricing, experience has shown that a significant amount of additional hours are involved with the audit. Therefore, the City has submitted a request to the Auditor of State's office to reconsider its decision and allow the City to seek a five-year audit contract with an IPA. Eric stated that, in the past, the City has used a couple of firms, Clark, Schaeffer and Hackett and Plattenburg & Associates, for these services. The Finance department continues to work aggressively to bring much of the work for the preparation of the CAFR in-house to minimize costs of this work. In fact, in 2006 Plattenburg & Associates reduced their bid price for these services. They noted the following in their 2006 proposal: "Plattenburg & Associates, Inc. has priced the Mason GAAP/CAFR project at a significant discount as compared to our normal pricing structure. This reflects our strong

desire to be associated with Mason as the leading City in this area. It also reflects our great confidence in the ability of the Finance Department staff to provide first rate data for preparation of the CAFR.” Eric stated that Plattenburg & Associates has again submitted a proposal to continue the same work with only a 3% increase-still resulting in a significant savings to the City. Eric explained that this ordinance is for the CAFR preparation only and that there will be additional legislation if the state allows the City to have the audit done by an IPA.

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

A motion to adopt Ordinance 2011-106 was made by Vice Mayor Nichols, seconded by Councilmember Pelfrey. VOTE: ALL YEAS.

### **CITY MANAGER’S REPORT**

► City employees are beginning the 15<sup>th</sup> annual “Hope for the Holidays” program on November 28. Employees volunteer and sponsor a variety of ways for staff as well as interested community members and businesses to help local families in need during the Holidays. A giving tree at the Mason Community Center provides one way to fill needs. A hotline is maintained at 229-8507 for those interested in “adopting” a family for the Holidays or to provide references for assistance. Donations from employees and the community will be accepted through Friday, December 16. Items may be dropped off at the following locations: Mason Municipal Center, Mason Community Center, Mason fire stations, Mason Public Works Department, and the Mason Water Reclamation Plant.

► A motion to not request a hearing for a D1, D2 liquor permit for Phoenician Tavern Ltd. was made by Councilmember Bradburn, seconded by Vice Mayor Nichols. VOTE: ALL YEAS

► City offices will be closed on Thursday, November 24 and Friday, November 25 in observance of Thanksgiving. The Community Center will be opened on Thanksgiving Day from 6:00 a.m. – Noon. Patrons visiting the Center will have access to the fitness floor, walking track, gymnasium and locker rooms. All other group exercise classes and programs are cancelled. The Center will resume normal operating hours on Friday, Saturday and Sunday.

► The Council Reorganizational Meeting is scheduled for Thursday, December 1 at 3:00 p.m. A photographer will be in the atrium conference room at 2:00 p.m. for official City photographs of new Council members. A brief reception with Council members, their families and friends, will be held immediately following the meeting.

► The regularly scheduled second meeting in December falls on December 26<sup>th</sup>. The Finance Committee has worked hard to have the 2012 Appropriation Ordinance ready by November 28<sup>th</sup> Council meeting. With that, all remaining business can be ready for Council action on December 12<sup>th</sup> and no additional meetings needed until January. A motion eliminating the December 26<sup>th</sup> meeting would be appropriate.

A motion to cancel the Council Meeting scheduled for December 26 was made by Councilmember Pelfrey, seconded by Vice Mayor Nichols. VOTE: 6 YEAS, 1 NAY (Bradburn)

## **COMMITTEE REPORTS**

Councilmember Cox, Park Board Chair, reported that there are a couple of openings on the board that need to be filled. He also stated that there are major pool repairs being done during this mild fall weather.

Councilmember Pelfrey reported that the Festivals of Mason Committee met today to discuss Christmas in Mason. The Downtown Committee is finishing up some things regarding signage for the Plaza and way finding signs.

Councilmember Bradburn reported that the Finance Committee has kept all funding levels the same as the 2011 budget. However there have been several requests for increases and they have decided to leave these decisions to the new incoming Council. He listed some of the requests: Festivals of Mason (\$25K), Humane Society (\$4K), Historical Society (increase from \$4K to \$8K), Mason Deerfield Art Festival (increase from \$4K to \$5K plus additional funds to maintain the Art Festival), Kevin Shew of the Fireworks Show requested an expenditure of \$7500, and Northeast Cincinnati Chamber of Commerce (increase from \$2500 to \$5000).

## **OLD AND NEW BUSINESS**

Councilmember Pelfrey stated that there is a dangerous hole (sink hole?) about 3-4 feet deep and 4 feet in circumference on the nature trail at Concord Crossing near a bridge or swale. Kurt Seiler stated that Engineering will contact the HOA in this area.

Councilmember Cox expressed his concern with maintaining the high quality of life in Mason while considering budget cuts.

Councilmember Bradburn stated that he had a call from a resident on Santa Fe reporting litter in the area. He will provide the resident's address to Kurt.

## **RECOGNITION OF VISITORS** none

## **EXECUTIVE SESSION: PERSONNEL, LAND ACQUISITION, AND LITIGATION**

A motion to adjourn into Executive Session for the purpose of discussing personnel, land acquisition, and litigation was made by Vice Mayor Nichols, seconded by Councilmember Pelfrey. VOTE: ALL YEAS. TIME: 8:15 p.m.

A motion to reconvene into Regular Session was made by Councilmember Gilb, seconded by Councilmember Shimrock. VOTE: ALL YEAS. TIME: 9:45 p.m.

## **ORDINANCE 2011-107 REPEALING ORDINANCE NO. 2010-147 OF THE CITY OF MASON, OHIO, AND ESTABLISHING HIRING COMPENSATION RANGES FOR CITY OF MASON EMPLOYMENT POSITIONS**

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

A motion to adopt Ordinance 2011-107 was made by Councilmember Bradburn, seconded by Councilmember Gilb. VOTE: ALL YEAS.

**ORDINANCE 2011-108 ESTABLISHING THE SALARY ADMINISTRATION PLAN, PROVIDING FOR CONSIDERATION OF INCREASES IN COMPENSATION ON AN ANNUAL BASIS, AND GRANTING A COST-OF-LIVING INCREASE**

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

A motion to adopt Ordinance 2011-108 was made by Councilmember Gilb, seconded by Councilmember Shimrock. VOTE: ALL YEAS.

**ORDINANCE 2011-109 ADJUSTING THE PAY RATES FOR CERTAIN CITY OF MASON EMPLOYEES**

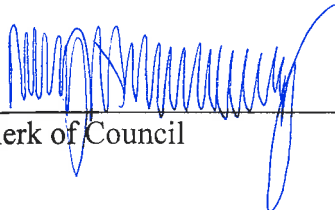
A motion to read by title only was made by Councilmember Bradburn, seconded by Councilmember Cox. VOTE: ALL YEAS.

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

A motion to adopt Ordinance 2011-109 was made by Councilmember Cox, seconded by Councilmember Gilb. VOTE: ALL YEAS.

**ADJOURN**

A motion to adjourn was made by Councilmember Bradburn, seconded by Councilmember Gilb. VOTE: ALL YEAS. TIME: 9:49 p.m.

  
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Clerk of Council

  
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Mayor