

**CITY OF MASON
COUNCIL MEETING
NOVEMBER 28, 2011**

The meeting was called to order at 7:06 p.m. Chaplain Jerry 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, David Nichols, and Don Prince.

APPROVAL OF MINUTES

A motion to approve the November 14, 2011 Council Meeting Minutes was made by Vice Mayor Nichols, seconded by Councilmember Cox. VOTE: ALL YEAS.

PRESENTATION OF PROCLAMATION TO LARRY ANNEAR OF L3 COMMUNICATIONS

Mayor Prince read and presented the proclamation to Larry Annear and Steve Schoeny, a consultant of SZD Whiteboard. They also were presented with a framed City of Mason poster and box of cookies.

RECOGNITION OF VISITORS

Rick Inskeep of Butler-Warren Road had questions regarding the proposed Intelligrated tax abatement. Eric Hansen explained that this tax abatement is for an additional investment of \$15 million on an adjacent parcel of property. He stated that the criteria from the 2002 tax abatement has been met and exceeded. He stated that Intelligrated has an excellent track record in job creation, generating revenue, and meeting their commitments.

ORDINANCE 2011-110 AUTHORIZING THE CITY MANAGER TO PROVIDE THAT FUNDS BE MADE AVAILABLE TO THE MASON PORT AUTHORITY TO FUND A LOAN FOR THE INTELLIGRATED PROJECT IN THE AMOUNT OF \$300,000

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

Michele Blair addressed Council and stated that Intelligrated announced its acceptance of the original Mason recruitment package nearly 10 years ago. This project was for a 144,000 square foot headquarters facility on 14 acres, creating 150-200 jobs. She stated that the recruitment of this new 60,000 to 90,000 square foot technology center housing corporate headquarters functions, engineering and research and development represents a \$10 million investment and is a significant economic achievement for the City. She explained that the company will construct a 4-story class A office building. The company anticipates occupying the first three floors immediately with expansion into the fourth. The proposed development is on the adjacent 9.34 acres-acreage that the City secured a right of first refusal from Al Neyer Developers as part of the City's 2009 land acquisition and economic incentive agreement with Al Neyer. Preserving the future opportunity for growth of one of the City's

top companies has been a strategic objective. The project will create 200 jobs within the first three years expanding to 400 within five years with a projected new payroll of approximately \$14 million, expandable to \$28 million. Michele stated that Intelligrated is one of the top five employers within the City of Mason and one of the top 20 regional employers ranked by the Cincinnati Business Courier. She stated that today Intelligrated was named one of the regions top largest privately held companies by the Deloitte Cincinnati USA 100 list. Michele invited Chris Cole, CEO of Intelligrated, to make a few remarks.

Chris Cole addressed City Council and stated that Intelligrated was founded with fifteen employees one week before 9/11/01 and expanded to 30 employees by November. Intelligrated has thrived despite the poor economic climate. The target of 267 additional jobs in a 2009 incentive package with the City has been met one year ahead of schedule. Intelligrated is one of the fastest growing companies in greater Cincinnati with over \$1 million in sales. They are the #1 player in their industry. He explained that the company's board of directors recommended spreading risk by moving out of Ohio. Since Intelligrated's primary job growth is in engineering, they felt that they can attract the finest technical talent from Ohio and other Midwest universities and decided to stay in Ohio. He stated that the City of Mason is an attractive community to live in and that Intelligrated has a great working relationship with the City.

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 2011-110 was made by Vice Mayor Nichols seconded by Councilmember Gilb. VOTE: ALL YEAS.

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 Intelligrated, as authorized by the State of Ohio Community Reinvestment Area Program and contingent upon the company making an annual compensation payment to the Kings Local School District for the term of the abatement period was made by Vice Mayor Nichols, seconded by Councilmember Shimrock. VOTE: ALL YEAS.

The City presented a framed City of Mason poster and box of cookies to Intelligrated.

Councilmember Pelfrey excused herself from the meeting at 7:33, but before she left she thanked the three outgoing Councilmembers for sharing their time, talent, and resources to improve the City. She thanked Councilmember Bradburn for his service on the Safety Committee and addressing some tough issues.

RESOLUTION 2011-16 COMMENDING TONY BRADBURN FOR HIS OUTSTANDING DEDICATION AND SERVICE TO THE CITY OF MASON, OHIO

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 Resolution 2011-16 was made by Vice Mayor Nichols, seconded by Councilmember Shimrock. VOTE: ALL YEAS.

A framed resolution was presented to Councilmember Bradburn. He thanked everybody and the citizens of Mason. He discussed some changes to the City during his eight years on Council.

RESOLUTION 2011-17 COMMENDING CHRISTINE SHIMROCK FOR HER OUTSTANDING DEDICATION AND SERVICE TO THE CITY OF MASON, OHIO

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 2011-17 was made by Vice Mayor Nichols, seconded by Councilmember Cox. VOTE: ALL YEAS.

A framed resolution was presented to Councilmember Shimrock. She mentioned the many family and friends she is grateful for during her four years on Council. She expressed her appreciation for the great administration of the City. Jennifer Heft and Eric Hansen make solid decisions for the right reasons. Councilmember Shimrock concluded by quoting Matthew 16:26.

RESOLUTION 2011-18 COMMENDING MICHAEL GILB FOR HIS OUTSTANDING DEDICATION AND SERVICE TO THE CITY OF MASON, OHIO

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

A motion to adopt Resolution 2011-18 was made by Vice Mayor Nichols, seconded by Councilmember Shimrock. VOTE: ALL YEAS.

A framed resolution was presented to Councilmember Gilb. He thanked Eric Hansen, Jennifer Heft, Councilmembers, and his wife, Michelle. He stated that he enjoyed his time on Council and urged that they continue listening to the citizens and moving Mason forward.

ORDINANCE 2011-116 AUTHORIZING PAYMENT OF \$10,000 TO FESTIVALS OF MASON, INC.

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

Eric Hansen explained that this is an initial payment of \$10,000 to begin providing funding in anticipation of the City of Mason's bi-centennial celebration in 2015.

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 2011-116 was made by Vice Mayor Nichols, seconded by Councilmember Shimrock. VOTE: ALL YEAS.

ORDINANCE 2011-111 ANNUAL APPROPRIATION ORDINANCE

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

Jennifer Heft explained that similar to last year, departments were given budget targets that involved reductions between 3%-20% from their typical operating levels with an overall 5% target reduction for the 2012 Budget. A lot of hard work by all departments and employees has gone into controlling expenses. The Safety Committee met to review the Fire vehicle needs, Employee Relations met to review compensation, the Golf Course Committee met to review the business plan submitted by RMS, and the Equipment Committee met to discuss fleet replacement practices. The Finance Committee then met to review the recommendations from each of these committees. They also met with City staff to determine the needs of each department. Jennifer stated that as with recent budgets, this year's budget process has been particularly difficult as City revenues continue to decline while the cost of services grows. No personnel were requested as part of the 2012 budget and it is likely that the 21 currently vacant positions will remain unfilled throughout next year. She explained that efforts to control costs and optimize existing resources paid dividends this year and those efforts will continue and additional opportunities pursued for next year. Options to increase and enhance revenue were explored with the Finance Committee during the budget process. It is likely that some of the options will be tested/implemented in 2012.

Jennifer stated that extremely limited investments in new equipment and capital projects from General Fund dollars were considered. Ultimately \$325,000 contingency amount was included in the General Fund for vehicle replacement and reserve and the replacement of a Medic Transport Vehicle and vehicle contingency amount to be paid from Fire funds. Capital projects in the General Fund include: \$25,000 Annual Sidewalk Program, \$100,000 for repairs/set aside for the Public Works Garage, and \$10,000 for the annual street tree replacement program. Major Capital Improvements included in the 2012 Budget but paid from non-General Fund include: Kings Island Drive Traffic Study Improvement Design (\$250,000), Annual Street Maintenance (\$350,000), Bethany Road Roundabout Right-of-way acquisition (\$250,000), Common Ground Park Access Road (\$400,000), Mason Heights Drainage Improvements (\$415,000), SW Mason Sewer Rehab (\$376,000), SCADA Update Phase I (\$130,000), and Lift Station Pump Replacement (\$215,000). She said that the budget was reduced by 5%. There are concerns that in some cases budget amounts will not be adequate for the expected service level. Staff will continue to monitor and additional follow-up with Council will likely be necessary throughout 2012 to address some of the expenses that may arise next year. Jennifer explained that income tax revenues were budgeted to remain at 2007's estimate despite recent increases and that carryover balances are not included in annual revenue estimates. Many of the cost reductions made the last three years are not sustainable indefinitely without incurring greater expenses in future years, larger shifts, or unacceptable exposures in service levels. The City continues to coordinate and consolidate across departments to maintain current service levels. The Finance Committee is recommending Ordinance 2011 – 111 for adoption.

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

Council discussed the hard work put into this budget by committee and staff. Jennifer Heft stated that the Finance Committee met with outside groups to present their requests for funding in 2012. The

committee recommends that these levels remain consistent with the 2011 budget with the addition of \$7500 to be used towards a July 3 event in 2012.

A motion to adopt Ordinance 2011-111 was made by Councilmember Bradburn, seconded by Councilmember Cox. VOTE: ALL YEAS.

ORDINANCE 2011-112 PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$26,000,000 OF BONDS BY THE CITY OF MASON, OHIO, FOR REFUNDING THE SEWER SYSTEM REVENUE AND IMPROVEMENT BONDS SERIES 2004, AUTHORIZING THE PREPARATION AND DISTRIBUTION OF AN OFFICIAL STATEMENT, AUTHORIZING A BOND PURCHASE AGREEMENT AND AUTHORIZING AN ESCROW DEPOSIT AGREEMENT

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

Eric Hansen stated that one of the City's largest outstanding debt issues is \$30 million Sewer Revenue Bonds that were issued in 2004 to finance the new Water Reclamation Plant. The debt is paid from sewer usage fees. The Finance Committee considered the refinancing of this debt when market changes provided opportunity to refinance these bonds at a lower rate. The turbulence in the financial markets along with the City's Aaa credit rating allows us to eliminate costly requirements and to reduce the overall outstanding debt. General Obligation (GO) bonds will be issued with the adoption of this ordinance and will continue to be paid from sewer usage fees. He said that the effective rate is expected to be about 3% over the next seventeen years. The current bonds have a 4.6% effective rate. Using the existing fund balance to reduce the outstanding debt and a favorable interest rate, the annual debt service will be reduced from \$2.6 million to about \$2 million per year. This will save about \$600,000 per year or about \$10 million over seventeen years and will translate into reduced rates for residents. The pro forma indicates that future rate increases would likely be only minimal inflationary adjustments. Eric stated that due to the rapid changes and volatility in the financial markets, the bonds will only be issued if a reasonable savings may be realized. If the financial markets move away from the potential savings, the bonds will not be issued. He said that work done by the Utility Committee, Finance Committee, and Joe Reigelsperger has put the City into this attractive position.

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 2011-112 was made by Councilmember Bradburn, seconded by Councilmember Shimrock. VOTE: ALL YEAS.

ORDINANCE 2011-113 ACCEPTING THE PROPOSAL FOR THE SOUTHWEST MASON SANITARY SEWER REHABILITATION DESIGN FROM ENVIRONMENTAL ENGINEERING SERVICE, IN THE AMOUNT OF \$24,000, AND AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT DOCUMENTS

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

Richard Fair addressed Council and stated that this ordinance is to award a contract for the Southwest Mason Sanitary Sewer Rehabilitation Design to Environmental Engineering Service. He explained that after ten years of doing trunk line sewer repair, the City did an Infiltration and Inflow (I&I) study two years ago and discovered that there were three areas (Olympia Fields, Mason Heights, and Manhasset) in the City with older sewers. Typically in these areas, the sewer pipe itself is in good condition, but joints are badly deteriorated. Richard explained that the method of repair for the sewer uses trenchless technology which allows repair from the inside. This method is less costly and reduces the need for excavation which minimizes disruption of traffic and inconvenience to residents. The Southwest Mason area was identified by staff as an area particularly prone to problems from deteriorating joints. This area includes Stratford Place, Sheffield Drive, Southwind Drive and adjoining streets to the west of Reading Road, as well as Indianwood Blvd., Cherokee Drive, and adjoining streets east of Snider Road. Richard stated that the intent is that design will be completed by early 2012, with construction to begin in 2013. The proposal from EES, in the amount of \$24,000, was determined to be the most responsive for the work needed. The Utility Committee reviewed this project at the meeting on April 26 as part of the discussion and review of sewer rates and other capital projects. The Finance Committee reviewed this project and included a total of \$24,000 in the 2011 Budget for this project.

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 2011-113 was made by Vice Mayor Nichols, seconded by Councilmember Cox. VOTE: ALL YEAS.

ORDINANCE 2011-114 ACCEPTING THE PROPOSAL FOR THE WASTEWATER/STORMWATER MASTER PLAN UPDATE FROM STANTEC CONSULTING SERVICES, INC., IN THE AMOUNT OF \$184,900, AND AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT DOCUMENTS

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

Richard Fair addressed Council and stated that this ordinance will authorize a contract in the amount of \$184,900 to Stantec Consulting Services, Inc. for the Wastewater/Stormwater Master Plan Update. He explained that this project is in the 2011 Budget and is an upgrade to the 1999 Sewer Master Plan Update. This is the first stormwater plan that the City has undertaken since the Stormwater utility was developed in 2001. Richard explained three major goals from the master plan. The first is to insure that stormwater and wastewater are compliant with federal and state discharge regulations, incorporates the requirements of the federal NPDES Phase 2 Permit which has recently gone into effect and creating a capital improvement plan for the utility. He stated that the second goal is to examine ways that the Water Reclamation Plant might be used as a regional treatment facility. Regional issues are of current importance because of the increased emphasis being placed on total watershed planning by regional agencies, Ohio Environmental Protection Agency (OEPA), and the United States Environmental Protection Agency (EPA). Regionalism will have direct bearing on potential grant funding for future projects. Richard stated that the third goal is to coordinate the wastewater and stormwater systems with the City Comprehensive Plan of 2010. He explained that this

will reduce expenses with the elimination of duplication of work on road projects. In September, a detailed Request for Proposals (RFP) for the Wastewater/Stormwater Master Plan Update was sent to eight pre-qualified firms. Five proposals were received and four of the proposals were under budget. The proposal by Stantec in the amount of \$184,900 was the most responsive to the City's requirements. The Finance Committee reviewed this project and included a total of \$200,000 (\$50,000 for Stormwater and \$150,000 for Wastewater) in the 2011 Budget for this project.

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 2011-114 was made by Councilmember Cox, seconded by Vice Mayor Nichols. VOTE: ALL YEAS.

ORDINANCE 2011-115 AUTHORIZING THE CITY OF MASON TO REIMBURSE BUNNELL HILL DEVELOPMENT COMPANY, INC., FOR ADVANCEMENT OF DESIGN AND ENGINEERING FEES ALLOCATED TO CERTAIN PUBLIC IMPROVEMENTS, IN AN AMOUNT NOT TO EXCEED \$150,000, AND DECLARING AN EMERGENCY (EVERYBODY'S FARM TIF)

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

Eric Hansen stated that on October 10 City Council approved Ordinance 2011-92 authorizing \$1.75 million of TIF revenue bonds and the corresponding service agreement with the developer. Included in the service agreement was a provision that allowed up to \$150,000 in engineering design costs expended by the developer to be reimbursed. Per the previously approved service agreement, Ordinance 2011-115 authorizes this reimbursement.

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

A motion to adopt Ordinance 2011-115 was made by Councilmember Cox, seconded by Councilmember Shimrock. VOTE: ALL YEAS.

CITY MANAGER'S REPORT

- ▶ Christmas in Mason will take place in downtown Mason on Friday, December 2 from 6 to 9 p.m.
- ▶ City offices will be closed on Monday, December 26 for the Christmas Holiday and Monday, January 2 for the New Year Holiday. Offices will be open with limited services on Friday, December 23. The Community Center will be open normal operating hours 5:00 a.m. – 11:00 p.m.
- ▶ Christmas Day and New Year's Day are on Sundays this year and therefore, the Rumpke trash and recycling schedule will not be affected. Rumpke also advises that holiday wrapping paper and wrapping tissue, cards, envelopes, and gift boxes will be accepted for recycling this year.
- ▶ The Council Reorganizational Meeting is scheduled for Thursday, December 1 at 3:00 p.m.

► City of Mason employees will gather in the Mason Municipal Center on Wednesday, December 7 at 11:30 a.m. for the annual Employee Holiday Lunch and announce this year’s Employee Excellence Award winners. City Council is invited to attend.

► The Mason Community Center is hosting a “Shop Local” event for the community on Wednesday, December 7. Area merchants and home sales representatives will be at the center on Main Street from 11:30 a.m. to 1 p.m. and from 5 to 7 p.m. to help you complete your holiday shopping. This event is open to the public.

► Santa will visit the Mason Community Center on Saturday, December 3 from 9:00 a.m. – 11:00 a.m.

► A motion to not request a hearing for a D5I liquor permit for C4S LLC (Courts 4 Sports) at 854 Reading Road was made by Councilmember Bradburn, seconded by Vice Mayor Nichols. VOTE: ALL YEAS.

COMMITTEE REPORTS

Mayor Prince reported that Festivals of Mason committee has changed the direction of the Christmas in Mason Parade. The parade will begin at Mason-Montgomery Road and travel down Main Street toward the Downtown Plaza. This should minimize road closures.

OLD AND NEW BUSINESS

Councilmember Bradburn thanked City administration and Council. He stated that he will continue to follow the financing of the City and stated that the City’s Finance Department has an excellent Finance Director. He asked that the You-tube video honoring the troops serving overseas at Christmas be shown at the next Council meeting.

Vice Mayor Nichols thanked Councilmembers Shimrock, Gilb and Bradburn for their service. He stated that they really set an example and then highlighted their strengths and accomplishments as they served on Council and committees. Mayor Prince and Councilmember Cox echoed the Vice Mayor’s thoughts.

Councilmember Cox reported that there are three lights out in the downtown area.

Mayor Prince thanked city staff for relocating the brick Community Center sign that was blocking the view for drivers pulling out of the Municipal Center parking lot.

RECOGNITION OF VISITORS none

EXECUTIVE SESSION: LAND ACQUISITION/PERSONNEL

A motion to adjourn into Executive Session for the purpose of discussing land acquisition and personnel was made by Councilmember Bradburn, seconded by Councilmember Cox. VOTE: ALL YEAS. TIME: 8:59 p.m.

Councilmember Pelfrey returned to the meeting during Executive Session.

A motion to reconvene into Regular Session was made by Councilmember Cox, seconded by Councilmember Gilb. VOTE: ALL YEAS. TIME: 9:35 p.m.

ORDINANCE 2011-117 ACCEPTING A PROPOSAL, IN THE AMOUNT OF \$16,885, FOR THE DEMOLITION OF THE OLD FIRE STATION 51, FROM BRUNK EXCAVATING, AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT DOCUMENTS AND DECLARING AN EMERGENCY

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

A motion to adopt Ordinance 2011-117 was made by Councilmember Cox, seconded by Councilmember Shimrock. VOTE: ALL YEAS.

ORDINANCE 2011-118 MODIFYING THE CONTRACT FOR LEGAL SERVICES WITH WOOD & LAMPING LLP TO PROVIDE FOR UPDATED COMPENSATION

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


A motion to adopt Ordinance 2011-118 was made by Councilmember Bradburn, seconded by Vice Mayor Nichols. VOTE: ALL YEAS.

ADJOURN

A motion to adjourn was made by Councilmember Bradburn, seconded by Vice Mayor Nichols. VOTE: ALL YEAS. TIME: 9:37 p.m.



Clerk of Council



Mayor