

**CITY OF MASON  
COUNCIL MEETING  
MARCH 12, 2012**

The meeting was called to order at 7:01 p.m. Missionary Aaron Boon opened the meeting in prayer. All those present recited the Pledge of Allegiance as led by Boy Scout Sam Abbott.

Mayor Nichols asked Aaron Boon to speak. Aaron explained that he will be leaving for Tanzania, Africa this week with his family for three years of missionary work. Councilmember Pelfrey stated that Aaron is married to her daughter, Stephanie, and that they are proud of and support Aaron's work.

**ATTENDANCE**

The following members of Council were present: Barbara Spaeth, Rich Cox, Tom Grossmann, Charlene Pelfrey, Don Prince, and David Nichols. Victor Kidd was absent.

**APPROVAL OF MINUTES**

A proposal was made to amend the minutes of the February 27 Council Meeting by correcting the vote count on the motion to suspend the rule (at the bottom of page 3) from ALL YEAS to 6 YEAS, 1 NAY (Prince). Also, in order to clarify the language of the Council discussion (last paragraph page 3), it was proposed to amend the minutes by striking the 2<sup>nd</sup> sentence and replacing with "While the money is an unbudgeted expenditure it comes from the City's cash reserves."

A motion to approve the February 27, 2012 Council Meeting Minutes, as amended was made by Councilmember Grossmann, seconded by Councilmember Prince. VOTE: ALL YEAS.

A motion to approve the February 27, 2012 Council Worksession Minutes was made by Councilmember Cox, seconded by Councilmember Spaeth. VOTE: ALL YEAS.

**PROCLAMATION      RECOGNIZING      DEVELOPMENTAL      DISABILITIES  
AWARENESS MONTH**

Chrissy Avery, Program Manager for the Community Center, stated that the Try-It program held at the Community Center in January was intended to offer a safe, fun environment for children and families with special needs to try new programs (dance, baseball, soccer & gymnastics) for a day without making a formal registration commitment. Other goals were to showcase facilities and programs at the Center and to serve as a resource center for families to connect with other support organizations. Approximately 80 to 100 participated. Chrissy stated that ASK was a partner in this event and introduced Teresa Harris, President of Mason ASK. Teresa Harris thanked the City for creating a welcoming community for families with special needs. She described how much it means to the children to have the opportunity to try a new sport. Mayor Nichols presented Ms. Harris with a framed print and expressed the City's appreciation for her work. Chrissy Avery introduced Joe DeZeno, Vice President of the Mason Parks & Recreation

Foundation, who was also presented with a framed print. Joe introduced Sally LeCras, secretary of the Foundation, and thanked the City of Mason for their support in building the park and helping special friends in need. Chrissy Avery recognized David Beaudry who has helped maintain the momentum from the Try-It event. He is a volunteer on the Therapeutic Recreation Advisory Panel which will recommend future programming. Chrissy also recognized Try-It event partners: Top Soccer, Cincinnati Recreation Commission, Mason Parks Foundation, Mason ASK, Stepping Stones Center, Building Blocks for Kids, and Cincinnati Therapeutic Riding and Horsemanship.

Mayor Nichols presented and read the Proclamation. Former Mayor Betty Davis stated that she is honored to accept this Proclamation on behalf all the many people in Warren County with special needs and extraordinary abilities. She introduced the Voices of Warren County choir, directed by Ellen Hudson. The choir was founded in 2008 and will be performing at the World Choir Games in Cincinnati this July.

### **VOICES OF WARREN COUNTY**

The choir performed four songs. The President of the Southern Gateway Chorus displayed a poster advertising the World Choir Games with a picture of the Voices of Warren County in the center of the poster.

### **RECOGNITION OF WARREN COUNTY SHERIFF LARRY SIMS**

Sheriff Sims reported on Warren County activity in 2011. He stated that there were 68,400 service calls in 2011, a decrease from the 71,000 calls in 2010. He reported on criminal activity, the number of concealed-carry permits issued, canine unit activity, foreclosures, and live scan fingerprinting services. Sheriff Sims reported that jail renovations were completed in July 2011, increasing the capacity of the prison from 197 to 280 inmates, saving \$1.2 million per year. Further savings were found by replacing the hot breakfast with cold breakfast food service. He expressed a deep appreciation to the County and City for their support with the loss in May of Sergeant Brian Dulle.

### **RECOGNITION OF VISITORS**

Joe DeZenzo and Sally LeCras of the Mason Park & Recreation Foundation presented a \$3000 check to the City to be used toward scholarships for families unable to afford aquatic programs at the Community Center. Ms. LeCras stated that this is part of \$9000 in total donations to date for this purpose. Mr. DeZenzo reported on the progress of the Common Grounds Park and thanked the City and Council for their help. They invited all to participate in the Foundation's major fundraiser, *Run, Walk, or Roll*, on May 12<sup>th</sup>.

### **ORDINANCE 2012-14 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH FORD DEVELOPMENT CORPORATION, IN AN AMOUNT NOT-TO-EXCEED \$437,018 FOR THE CONSTRUCTION OF THE COMMON GROUND PARK ACCESS ROAD PROJECT**

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

Eric Hansen explained that Common Ground is the term used for the all access playground led by the City and the Mason Parks Foundation. In the 90's the City acquired a 23-acre parcel on US 42 previously owned by the State of Ohio with the condition that it include a fully accessible playground. While the Foundation worked on funding, City staff worked on the infrastructure to access the property. This ordinance authorizes the City Manager to enter into a construction contract for the performance of work necessary for the Common Ground Park Access Road. The City was successful in securing a Capital Improvement Legislative Grant for \$297,000 to be included in House Bill 462 for these improvements. Together with \$100,000 in public utilities, the total budget for this project is approximately \$400,000. Ford Development was the low bidder and with the alternate street light bid of just under \$70,000, their total bid was \$437,000 for this project. Eric explained that the contingency in the contract in the amount of \$30,000 will likely be available if there is no unexpected developments with the construction which would limit the General Fund contribution to the project.

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

In response to Councilmember Grossmann's question, Eric stated that \$37,000 is at risk from the General Fund, but if contingency funds are not used only \$7000 will be needed. Also, \$100,000 of the project is being paid with City sewer and stormwater fees. The Parks Foundation is pursuing funds to pay for the playground equipment.

A motion to adopt Ordinance 2012-14 was made by Councilmember Pelfrey, seconded by Councilmember Prince. VOTE: ALL YEAS.

### **ORDINANCE 2012-15 APPROVAL OF THE REPLAT FOR THE MASON MANOR HOUSE PUD**

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

Richard Fair addressed Council and stated that this is a request for approval of the replat for Mason Manor House PUD. The 15 acre property, located at 7392 South Mason-Montgomery Road, is zoned I-PUD (Industrial Planned Unit Development). In 2008, the Manor House bought this pan-handle lot which includes the former Western Row Golf Course Club House. Their plans are to remodel the clubhouse into two wedding chapels. The purpose of the replat is to consolidate the properties owned by the Manor House into one lot (1A) and dedicate the right of way as required by the City of Mason Thoroughfare Plan. Planning Commission recommended approval of the replat.

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

Council discussed the reasons for the replat, that this replat should not affect the neighboring properties in White Blossom, and that a curb cut would not be eliminated.

A motion to adopt Ordinance 2012-15 was made by Councilmember Pelfrey, seconded by Councilmember Cox. VOTE: ALL YEAS.

**ORDINANCE 2012-16 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE MERKLE LAWN CARE COMPANY, INC., IN THE AMOUNT OF \$255,733 FOR MOWING, LANDSCAPING AND IRRIGATION MAINTENANCE WORK ON CITY OF MASON PROPERTY**

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

Richard Fair addressed Council and stated that this is the annual City-wide mowing, landscaping and irrigation maintenance contract. Since 2003, the City has supplemented its workforce by using a private contractor for these services, allowing City staff to concentrate on other resident services. The mowing, landscaping and irrigation contract includes work along the Tylersville Road and Mason-Montgomery Road corridors as well as Fire Station #51, Fire Station #52, Municipal Center, Kings Island Drive, Snider Road, US 42, Socialville-Fosters Road, Western Row Road, and Quinn Park. Much of the contract is focused on mowing, landscaping and irrigation maintenance, weed control, pruning, and hand watering but also includes other major tasks such as watering, fertilizing, and pruning over 1500 street trees, replacing dead street trees, mulching around trees and in planting beds, and replacing salt damaged vegetation. Richard explained that in 2009 Brickman was awarded the base contract plus three alternates for mowing, landscaping and irrigation maintenance at \$246,178. The contract was renewed without additional cost in 2010 and in 2011. At the end of 2011, Brickman indicated that they could no longer renew the contract with no additional cost increase. The Public Works Department modified the scope and rebid the work. Four bids were opened on Tuesday, February 28 with Merkle Lawn Care Company submitting the lowest bid. Richard explained that Merkle has worked in Anderson Township and has good credentials and references. He stated that the base bid includes the summer annual planting of 3500 plants in over 90 planting beds mostly located at the tips of the landscape islands, downtown plaza, and the front of the Municipal Center. As part of this work, in 2011 the City received a Gardner Recognition Award from The Cincinnati Horticultural Society for the landscaping and annual plantings on Mason-Montgomery Road and Tylersville Road. Richard explained that alternate #1 is for one additional planting that will occur in the Fall and should last until the Spring. Alternate #2 includes annual plantings and daily watering of the 60 downtown planters. The base contract plus the alternates cost has increased this year by \$28,630 or 10%. This increase is likely due to increased costs such as fuel, material, and labor. He stated that this contract still represents an excellent price and a significant cost savings for the City. Richard explained that this ordinance represents the staff recommendation of the Base Bid plus Alternate #2. If Council elects to include Alternate #1 in the contract or eliminate Alternate #2, an amendment to Ordinance 2012 – 16 would be needed. He stated that this contract is for one year, with an option to extend for up to four additional years, with no price increase and on mutual acceptance by both parties. The total contract extensions cannot exceed five years.

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

Council discussed replacing annuals with perennials. The City currently has a mix of annuals and perennials. Annuals have the advantage of not being affected by road salt during the winter and they create a “wow” factor.

A motion to adopt Ordinance 2012-16 was made by Councilmember Cox, seconded by Councilmember Pelfrey. VOTE: ALL YEAS.

### **CITY MANAGER’S REPORT**

► Council will be holding a worksession on Monday, March 19 at 5:00 p.m. in the Municipal Center.

► The Area Progress Council is sponsoring its annual State of the County luncheon on Wednesday, March 14 at 11:30 a.m.

► City staff has not yet been called to provide mutual aid assistance to Moscow, Ohio to clear storm debris from public areas affected by last week’s storms. The City is organizing efforts to collect donated items to send to the community of Moscow. Those interested in participating can drop off items at any Municipal Facility including: Municipal Center, Community Center, Fire Stations, Public Works Garage, and Water Reclamation Plant. Items needed include: personal hygiene items, diapers, formula, baby wipes, paper towels, toilet paper, work gloves, batteries, etc.

► Eric Hansen will be out of town the week of March 24 – March 30. Council will need to appoint someone to act as City Manager in his absence. A motion to appoint Jennifer Heft as acting City manager during Eric Hansen’s absence was made by Councilmember Cox, seconded by Councilmember Prince. VOTE: ALL YEAS.

► The NEC Chamber will sponsor its annual 2012 Spring Gala Dinner & Auction on Wednesday, May 9 at The Manor House. A motion is in order if Council wishes to authorize attendance by Council Members, City Manager, Assistant City Manager, and Economic Development to attend this event on behalf of the City. The City has provided a Community Center pass as an auction item. A motion to authorize attendance by Council members and staff to the NEC Chamber 2012 Spring Gala Dinner and Auction was made by Councilmember Cox, seconded by Councilmember Pelfrey. VOTE: ALL YEAS.

► Just before Mother’s Day and Teacher Appreciation Week the Center will host the Spring Shop Local on Wednesday, April 18 from 10:00 a.m. – 5:00 p.m. This event, located along Main Street at the Center, features over 30 area merchants and home sales representatives. The public is welcome to attend.

► On Saturday, April 14 the Center will host an Open House from 8:00 a.m. – 8:00 p.m. The Spring Fling is from 2:00-4:00 p.m. The public can enjoy a free family day at the Center.

► Mason City income taxes must be postmarked, e-filed, or dropped in the city drop box no later than Tuesday, April 17, 2012. The Tax Office will be glad to answer questions or complete Mason tax forms, free of charge, during regular business hours or during extended hours. The Tax Office is open from 8 a.m. to 4:30 p.m., Monday through Friday. The office will also be open from 8 a.m. to noon on Saturday, April 14, and will stay open until 7:00 p.m. on Monday, April 16.

► A motion to cancel the March 26, 2012 Council Meeting was made by Councilmember Pelfrey, seconded by Councilmember Spaeth. VOTE: 2 YEAS, 4 NAYS. The meeting will be held as scheduled.

### **COMMITTEE REPORTS**

Councilmember Spaeth reported on items from the Park Board meeting. The schedule for stocking Pine Hills Lake has been released, daily fishing pass rates have increased by \$.25, three seasonal employees will be hired this summer, outdoor pool concrete and liner work is ongoing, the Pine Hills Lake water level is being lowered, *Weight Watchers* is meeting at the Community Center, the *Empowered to Lose Big* program is concluding, and program registration begins March 16. She reported that the youth basketball season has concluded with 1400 participants. This year the program began collecting admission fees which totaled \$29,000 in revenue. Park Board members are planning an outing to become more familiar with City Parks.

### **OLD AND NEW BUSINESS**

Councilmember Cox stated that he and Councilmember Spaeth had the pleasure of serving as judges for the Girl Scout Troop 41 and Troop 343 Bake-Off. He announced that the Girl Scout organization is celebrating their 100<sup>th</sup> anniversary this year. Councilmember Cox encouraged attendance to the Fire Auxiliary Fish Fry.

### **RECOGNITION OF VISITORS**

Barry Pruett of Republic Waste Services stated that he has attended over 100 council meetings in more than 30 towns and has never enjoyed a meeting as much as tonight's joy filled meeting.

### **EXECUTIVE SESSION: PERSONNEL AND LITIGATION**

A motion to adjourn into Executive Session for the purpose of discussing personnel and litigation was made by Councilmember Prince, seconded by Councilmember Cox. VOTE: ALL YEAS. TIME: 8:45 p.m.

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

**ORDINANCE 2012-17 APPROVING THE COLLECTIVE BARGAINING AGREEMENTS BETWEEN THE CITY OF MASON AND THE MASON POLICE ASSOCIATION AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT, AND DECLARING AN EMERGENCY**

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

A motion to adopt Ordinance 2012-17 was made by Councilmember Cox, seconded by Councilmember Grossmann. VOTE: ALL YEAS.

**ORDINANCE 2012-18 APPROVING THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF MASON AND TRUCK DRIVERS, CHAUFFEURS, AND HELPERS LOCAL 100, AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT, AND DECLARING AN EMERGENCY**

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

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

A motion to adopt Ordinance 2012-18 was made by Councilmember Cox, seconded by Councilmember Spaeth. VOTE: ALL YEAS.

**ORDINANCE 2012-19 ADOPTING A POLICY TO ESTABLISH A SICK LEAVE DONATION PROGRAM**

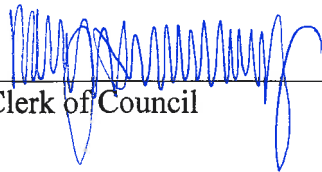
A motion to read by title only was made by Councilmember Cox, seconded by Councilmember Grossmann. VOTE: ALL YEAS.

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

A motion to adopt Ordinance 2012-19 was made by Councilmember Pelfrey, seconded by Councilmember Cox. VOTE: ALL YEAS.

**ADJOURN**

A motion to adjourn was made by Councilmember Prince, seconded by Councilmember Grossmann. VOTE: ALL YEAS. TIME: 9:37 p.m.

  
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Clerk of Council

  
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Mayor