

**CITY OF MASON
COUNCIL MEETING
MARCH 26, 2012**

The meeting was called to order at 7:02 p.m. Pastor Tom Moll opened the meeting in prayer. Ryan Brooks, of Boy Scout Troop 194, led all those present in the Pledge of Allegiance.

ATTENDANCE

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

APPROVAL OF MINUTES

A motion to approve the March 12, 2012 Council Meeting Minutes was made by Vice Mayor Kidd, seconded by Councilmember Prince. VOTE: ALL YEAS.

A motion to approve the March 12, 2012 Council Worksession Minutes was made by Councilmember Cox, seconded by Vice Mayor Kidd. VOTE: ALL YEAS.

A motion to approve the March 19, 2012 Council Worksession Minutes was made by Vice Mayor Kidd, seconded by Councilmember Cox. VOTE: ALL YEAS.

RECOGNITION OF VISITORS

Judy Snyderman of 3823 Sandtrap Circle stated that the Condominiums at Pine Run have 112 units built on cement slabs. During severe storms there is no safe shelter for these residents. She asked that the City consider opening the Community Center, library, or other facility with a basement that would be a safe place for residents like her to go. Council and staff discussed the logistics of providing shelters in an emergency. Vice Mayor Kidd suggested that local churches may want to consider creating an emergency network to provide storm shelters.

Jerry Flyr of 2360 Resor Road in Fairfield introduced himself as a member of the LDS Church. Church members would like to offer their services to the Mason community.

RESOLUTION 2012-3 REQUESTING INFORMATION FROM COUNTY AUDITOR FOR PURPOSES OF EVALUATING AND LEVYING A TAX EXCEEDING THE 10-MILL LIMITATION AND DECLARING AN EMERGENCY (5.0 RENEWAL)

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

Jennifer Heft discussed both Resolution 2012-3 and 2012-4 together. She stated that Council's Safety Committee has met repeatedly to discuss the financial status, cost reductions, and potential funding options for the Fire Department. In addition, Council has held two worksessions to discuss funding options and timing of those options for the continued operations

and direction of the Fire Department. Council is aware that just a renewal of the current levy by itself will not be adequate to continue status quo operations of the department and other funding mechanisms will need to be explored. She explained that the Fire Department has seen a reduction in its revenues over the past three years. A recent reduction of over \$700,000 due to the State's elimination of the tangible personal property tax has prompted the need to explore different funding options for maintaining current services. The Fire Department has taken steps to reduce spending by joining the North East Fire Collaborative, delaying capital purchases, and utilizing part-time employees to maintain minimum staffing levels. Although these measures have reduced spending and prolonged the spending down of reserve funds, the department will lose its funding source when the current levy expires in 2013. Taking proactive measures to ensure the continuation of Fire and EMS services for the community, Council is discussing the placement of a levy on the ballot in either August or November 2012. Ballot issues must be filed with the Board of Elections 75 days prior to an election. Prior to placing a levy on the ballot Council must approve a Resolution asking the County Auditor to certify funding amounts for the levy being considered. Jennifer explained that these resolutions are one of the steps necessary to adequately evaluate funding options for the department. Additional legislation will be required to place a levy on the ballot if Council chooses to do so.

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

Council had a general discussion on ballot timing of past fire levies.

A motion to adopt Resolution 2012-3 was made by Councilmember Cox, seconded by Vice Mayor Kidd. VOTE: ALL YEAS.

RESOLUTION 2012-4 REQUESTING INFORMATION FROM COUNTY AUDITOR FOR PURPOSES OF EVALUATING AND LEVYING A TAX EXCEEDING THE 10-MILL LIMITATION AND DECLARING AN EMERGENCY (5.8 REPLACEMENT)

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

A motion to adopt Resolution 2012-4 was made by Councilmember Cox, seconded by Vice Mayor Kidd. VOTE: ALL YEAS.

ORDINANCE 2012-20 AUTHORIZING THE CITY MANAGER TO ACCEPT A CONSERVATION EASEMENT FOR THE MUDDY CREEK STREAM RESTORATION PROJECT AND DECLARING AN EMERGENCY (ST. SUSANNA CHURCH)

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

Richard Fair addressed Council and explained that since 2006 city engineers have been working with St. Susanna to monitor on-going erosion along the creek behind their property. In 2010 the Ohio EPA issued a grant to improve and restore two sections of the Muddy Creek. The first site is located adjacent to property owned by St. Susanna church and the second site is located behind the Four Seasons Apartment Complex. He stated that the work behind St. Susanna's is finished and the contractor is finalizing the restoration work behind Four Seasons. St. Susanna is granting to the City both a temporary and permanent conservation easement along the Muddy Creek valued at \$59,867.

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 2012-20 was made by Vice Mayor Kidd, seconded by Councilmember Cox. VOTE: ALL YEAS.

ORDINANCE 2012-21 APPROVAL OF THE EASEMENT ACQUISITION FOR THE STORM SEWER IMPROVEMENTS ON THE JASON KAUFMAN PROPERTY AT 205 BURKE DRIVE

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

Richard Fair addressed Council and stated that Jason Kaufman is giving the City a 10x14 permanent easement to complete the West Church Street Storm Sewer Improvement Project. The project includes the installation of a new storm sewer system from Frank Street and Burke Drive along Church Street to Forest Avenue.

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 2012-21 was made by Councilmember Cox, seconded by Councilmember Prince. VOTE: ALL YEAS.

ORDINANCE 2012-22 AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT, NOT TO EXCEED \$24,000, WITH WARREN COUNTY SOIL AND WATER CONSERVATION DISTRICT FOR THE EDUCATION, INSPECTION AND ASSOCIATED SERVICES NECESSARY TO MEET THE NATIONAL POLLUTANT DISCHARGE ELIMINATION (NPDES) PHASE II REQUIREMENTS

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

Richard Fair stated that annually since 2003, the City has entered into this agreement with Warren County Soil and Water Conservation District (SWCD). SWCD will provide educational and inspection services that assist the City of Mason in meeting Ohio EPA regulations. In 2011 900 hours of service was provided. Partnering with Warren County Soil and Water Conservation District has given the City an opportunity to consistently meet EPA Best Management Practice

regulations at the least cost to residents. Warren County Soil and Water District is a branch of the Ohio Department of Natural Resources. He explained that part of their funding mechanism is a proportional match of funds supplied by local government agencies. In the past the State has matched up to 75 cents on the dollar. The City's \$24,000 contribution helps SWCD to pay a full time staff member who then is available to provide services to the City. Mason does not incur the expense of hiring staff that would otherwise be required.

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 2012-22 was made by Vice Mayor Kidd, seconded by Councilmember Prince. VOTE: ALL YEAS.

ORDINANCE 2012-23 ACCEPTING A BID AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH RUMPKE WASTE COLLECTION AND DISPOSAL SYSTEMS FOR THE WASTE COLLECTION AND DISPOSAL OF CERTAIN SOLID WASTES WITHIN THE CITY OF MASON AND DECLARING AN EMERGENCY

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

Jennifer Heft stated that the City of Mason provides a municipal contract for private waste collection. This both saves residents money and ensures access to effective waste removal throughout the City. The current contract will expire on April 30 of this year. Bids were opened on March 6 from the following companies: Republic Waste Services, Rumpke Waste, Inc. and Forest Green Waste, LLC. She stated that with increased costs for fuel, landfill, labor, and other expenses over the past 5 years, staff anticipated a significant increase in bid prices. However, the bids were extremely tight and competitive. Forest Green's entry into the market was additional competition allowing Mason to secure some very attractive rates. The City's existing program includes weekly trash collection and curbside recycling. Jennifer explained that the Public Works Department's brush chipping, leaf removal, and Christmas tree recycling programs remain popular, and are heavily utilized services that help reduce the amount that goes to the landfill. She explained that after reviewing the bids, staff recommended a two-year contract with Rumpke Waste, Inc., renewable years three through five. Rumpke's bid was the lowest for years two through five. Rumpke Waste Inc. has had a significant history with the City of Mason. The City receives relatively few complaints related to waste removal services. Jennifer stated that approximately 60% - 70% of Mason residents recycle, making Mason a fairly significant recycling community. In response to a number of customer requests, the bid specs included the City's preference to move to a larger recycling container with lid. Rumpke's bid included a larger 65-gallon capacity recycling container at the same monthly fee as their proposed 18-gallon container. Jennifer highlighted a few notable items within the contract: unlimited number of container pickup, residents are encouraged to notify the City when they have a large number of containers for removal; pickup is no earlier than 5:00 a.m. and no later than 6:00 p.m.; New Year's Day and Christmas Day holiday collections will be delayed one day; and there are monetary penalties imposed if the contractor fails to perform responsibilities as outlined in the

contract. She concluded by stating that the Utility Committee met to review the bid results and is recommending prompt action to secure the attractive rates in the contract and allow time to explore how to best pass the savings on to Mason residents. Ordinance 2012 – 23, authorizing a contract with Rumpke, Inc. is recommended for adoption.

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 reduced rates and the benefits of a larger recycling bin with lid.

A motion to adopt Ordinance 2012-23 was made by Vice Mayor Kidd, seconded by Councilmember Cox. VOTE: ALL YEAS.

ORDINANCE 2012-24 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT, INCLUDING ALTERNATES 1 AND 2, WITH BARRETT PAVING MATERIALS, INC. IN AN AMOUNT NOT TO EXCEED \$1,644,770.36, FOR THE 2012 JOINT STREET RESURFACING PROGRAM AND AUTHORIZING THE CITY MANAGER TO EXECUTE A RELATED REIMBURSEMENT AGREEMENT WITH DEERFIELD TOWNSHIP

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

Richard Fair addressed Council and stated that for the sixth consecutive year, engineering staff has once again partnered with Deerfield Township and successfully coordinated a combined resurfacing project. By increasing contract quantities, both the City and Township benefit from reduced unit bid prices. He explained that the City holds the contract and that Deerfield Township reimburses the City once the contractor has been paid. Deerfield Township is responsible for inspecting township streets. He stated that typically, between \$750,000 and \$1,000,000 is budgeted for this annual program. Due to budget constraints and similar to last year the 2012 Budget included only \$350,000 in a base annual street maintenance program, an additional \$150,000 for a possible secondary street maintenance program and \$15,000 for shoulder work and for paving cart paths at the Golf Center. If both the base and secondary budgets are approved, streets likely to be resurfaced include: Village Lakes Boulevard, Hickory Woods Drive, Park Lake Drive, Hi-Tek Court, Tri-Way Drive, and Cloverwood Drive. He stated that the base bid also includes approximately 20 streets with full and/or partial depth pavement repair, resurfacing work within the JW Harris TIF District, shoulder work and sealing asphalt at the Water Reclamation Plant. Balances within the TIF fund will be used to perform curb repair, catch basin repair, and to resurface Opportunity Place and Quality Place at an estimated cost of \$86,000 to be paid by the TIF District. Richard explained that the City's portion of the contract is \$549,927 for the base bid, \$16,240 for the Golf Center, \$21,500 for alternate 1, and \$37,432 for alternate 2. He explained that Alternate 1 will be 100% reimbursed by GCWW to correct a storm water issue across the Mars Hills parking lot. Alternate 2 is for the installation of a 12 space parking lot on the old Fire Station 51 site and was not included in the 2012 budget. Richard stated that the bids were very tight and lower than anticipated. The contract is around \$60,000 below budget. Council can make the decision to save the money and

stay below the budget or use the money to pave additional streets.

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

Council discussed paving additional streets to stay within the budget. Richard recommended that this be done with a change order.

A motion to adopt Ordinance 2012-24 was made by Vice Mayor Kidd, seconded by Councilmember Cox. VOTE: ALL YEAS.

CITY MANAGER'S REPORT

Jennifer Heft had nothing to report.

COMMITTEE REPORTS

Councilmember Prince reported that maintenance on the Veterans Memorial is near completion and will be ready for Memorial Day. The eternal flame has been updated with an enclosed and energy efficient fixture. The original flame cost the City about \$10,000 a year to operate and the new low-flow flame will be significantly cheaper.

Mayor Nichols reported that we were honored to have the Consul General of Japan, Kuninori Matsuda, visit Mason last week. He stated that Japanese based companies appreciate Mason business practices as much as we like having their business. Mason is considered to be in the top five in the country for future business.

OLD AND NEW BUSINESS

Councilmember Cox reported a water main break on US-42 near the Swifty Service Station.

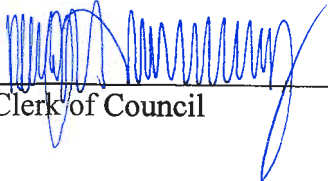
Councilmember Grossmann inquired about the lighting in the Community Center.

RECOGNITION OF VISITORS

None.

ADJOURN

A motion to adjourn was made by Vice Mayor Kidd, seconded by Councilmember Cox. VOTE: ALL YEAS. TIME: 8:04 p.m.


Clerk of Council


Mayor