

**CITY OF MASON
COUNCIL MEETING
AUGUST 13, 2012**

The meeting was called to order at 7:05 p.m. Father Harry Meyer opened the meeting in prayer. All those present recited the Pledge of Allegiance.

ATTENDANCE

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

APPROVAL OF MINUTES

A motion to approve the July 9, 2012 Council Meeting Minutes was made by Vice Mayor Kidd, seconded by Councilmember Cox. VOTE: ALL YEAS.

ELAINE BRUENING OF THE WESTERN & SOUTHERN OPEN

Elaine Bruening, CEO of the W&S Open, presented a W&S logo shirt to each Councilmember and expressed appreciation to the City, Mayor, and Council for their continued support. She stated that the tournament, which is held two weeks before the US Open, moved to Mason from Old Coney 33 years ago and is now one of five cities to host the world's top tennis players, outside of the Grand Slam events. The Tournament offered an opportunity to the City for a 30-second spot that will air on ESPN during the tournament. Council previewed the clip. Mayor Nichols presented a framed print of the City to Ms. Bruening in appreciation of our partnership and stated that the City is honored to be the host city for this high profile event. Vice Mayor Kidd listed tennis activities at the Community Center to promote the W&S Open such as tennis ticket and tennis merchandise for sale in Symbiosis, tennis ball cookies for sale at Meet Me on Main Café, the tennis themed Open House in July, driveway tennis events, and opportunities to win an overnight stay at Great Wolf Lodge, tennis tickets and other gifts. In partnership with Mason businesses, the City delivered welcome gifts to the tennis players. He expressed the City's appreciation of Sloane Stephens' appearance at the Sunshine Concert on Sunday.

RECOGNITION OF 2013 CALENDAR PHOTO CONTEST WINNERS

Mayor Nichols and Vice Mayor Kidd congratulated each winner and presented them with a framed copy of their photograph, calendar, and cookies. The contest winners are as follows:

Rosemary Wells "Winter Beauty – January
Praba Sundarajan "Misty Morning" – February
Ron Ferrell (not present) "Memories in Mist" – March
Ernie Martin (not present) "Spring Soccer" – April
Fran Turrell "Heros Remembered" – May
Harrison Baumbaugh "Light the Night" – June
Jackie Chunko "Mason – A Little Bit Country" – July

Barbara Lokar "Breakfast This Way" – August
Leslie Kauffman "Autumn Journey" – September
Kathy Lawson (not present) – October
Jim Simpson "Autumn Splendor" – November
Janet Gay (not present) "Snowy Morning on the Plaza" – December
Cliff Turrell "Proud of Our Heritage and Town" - Cover

RECOGNITION OF JUDGE POWELL – WARREN COUNTY COURT ANNUAL REPORT

Judge Powell stated that law requires a report be presented yearly to Warren County Commissioners and that this is the first year he has made the presentation to other groups. He introduced his staff members in the audience. After the presentation, which focused on Juvenile Court activities, Judge Powell answered questions from Council regarding the CASA program and Mary Haven facility.

FIRE CHIEF MOORE – AUGUST 18 VOLUNTEER FIREFIGHTER CEREMONY

Chief Moore gave a brief history of the Mason Volunteer Fire Company and invited the public to attend the dedication of a plaque honoring these firefighters. The dedication ceremony will be held at 1:00 p.m. on Saturday, August 18th at the site of old Station 51, built in 1964. He thanked Jerry Mullins, an early member of the Mason Volunteer Fire Company, for his efforts on this project. Chief Moore introduced Perry Denehy, a longtime member of the Mason Fire Rescue Company. Mr. Denehy stated that he is pleased and honored that the City has chosen to erect this plaque and encouraged everyone to attend the dedication.

PARK BOARD APPOINTMENT

A motion to approve the appointment of Reneé Collins-Vogler to Park Board was made by Councilmember Spaeth, seconded by Vice Mayor Kidd. VOTE: ALL YEAS. Ms. Collins-Vogler came forward and was recognized by Council.

RECOGNITION OF VISITORS

Tom Kaper of Festivals of Mason thanked the City and Council for supporting the Heritage Festival. He listed the activities for this year's festival and said that the layout has been redesigned with areas dedicated to teen activities, youth activities, crafters, "Sweet Street", and food vendors.

ORDINANCE 2012-52 1ST READING AMENDING THE ZONING CODE AND ZONING MAP OF THE CITY OF MASON, OHIO, TO PROVIDE FOR THE REZONING OF APPROXIMATELY 5.45 ACRES FROM I-1 LIGHT INDUSTRIAL TO RESIDENTIAL PLANNED UNIT DEVELOPMENT WITH APPROVAL OF THE CONCEPT PLANNED UNIT DEVELOPMENT PLAN LOCATED SOUTH AND EAST OF 1224 CASTLE DRIVE (CASTLE PARK RESIDENTIAL)

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

Eric Hansen announced that the 2nd reading and Public Hearing for this ordinance has been set for the September 10, 2012 Council Meeting.

ORDINANCE 2012-53 APPROVAL OF THE FINAL PLAT FOR ESTATES AT CHESTNUT HILLS SUBDIVISION SECTION 4

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

Kurt Seiler stated that the property is zoned R-2 single family residential and will, when fully built, consist of 81 lots. The final plat of The Estates of Chestnut Hill Section Four consists of 13 buildable lots and will dedicate the utilities, storm, water and sewer easements as well as right of way necessary for this section of the development. This is the fourth and final phase of the subdivision. Kurt said that Planning Commission recommends approval of the final plat with three contingencies: revision of language on the Dedication Statement, review and comments by Greater Cincinnati Water Works (GCWW), and the standard requirement of a Subdivider's Contract and performance bond.

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.

During Council discussion, Kurt explained that Lot #78 has waterline and sanitary sewer line and will remain open for easements. Lot #63 is a detention basin.

A motion to adopt Ordinance 2012-53 was made by Councilmember Cox, seconded by Vice Mayor Kidd. VOTE: ALL YEAS.

ORDINANCE 2012-54 APPROVAL OF THE DEDICATION PLAT FOR 109 & 111 KINGS MILLS ROAD (TIME WARNER ENTERTAINMENT)

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

Kurt Seiler stated Time Warner Entertainment is requesting approval of the dedication plat for the properties located just south of the Marathon at East Main and Kings Mills intersection. On October 25, 2011, Council reviewed and approved the Conditional Use Permit for the expansion of the existing Time Warner Facility. Kurt explained that as a condition of the approval, the property owner was to dedicate the right of way of Kings Mills Road (30' from centerline of road) as required by the City's Thoroughfare Plan. This plat will dedicate approximately 0.0095 acres of right of way to the City and Planning Commission has recommended approval of the dedication plat.

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 Ordinance 2012-54 was made by Vice Mayor Kidd, seconded by Councilmember Spaeth. VOTE: ALL YEAS.

ORDINANCE 2012-55 AUTHORIZING THE ACCEPTANCE OF CERTAIN DONATED EASEMENTS AND THE ACQUISITION OF OTHER CERTAIN EASEMENTS AS PART OF THE MASON HEIGHTS AREA DRAINAGE IMPROVEMENTS AND DECLARING AN EMERGENCY

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

Kurt Seiler explained that the main goal of the next two ordinances is to relieve flooding issues in the Mason Heights area, specifically 302 and 305 Northcrest Drive. These properties have experienced repetitive flooding during heavy rain events such as those experienced in 1997, 1998, 2001 and 2003. He stated that this project will run new storm sewer along Northcrest Drive to Lakeview Drive and utilize the existing lake at the end of Lakeview Drive as a modified detention basin. The existing retention pond will be dredged out, surface water elevation lowered, and outlet modified to accomplish this. The project requires two easements which were donated by property owners. Kurt stated that bids were received and opened on August 7, 2012 with Brunk Excavating, Inc. providing the best and lowest bid at \$449,059. Brunk most recently completed the Mason-Montgomery Road sanitary sewer crossing project north of Alliance Drive and staff has been satisfied with past work. He explained that the 2012 Budget included \$415,000 in Stormwater Fund for this project. The original budget did not include the cost to relocate the existing water main which accounts for the additional cost not included in the Budget. Kurt stated that the Utility Committee reviewed this project and is recommending Ordinances 2012 – 55 and 2012 – 56 for adoption.

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

A motion to adopt Ordinance 2012-55 was made by Councilmember Cox, seconded by Vice Mayor Kidd. VOTE: ALL YEAS.

ORDINANCE 2012-56 ACCEPTING THE LOWEST AND BEST BID FOR THE MASON HEIGHTS AREA DRAINAGE IMPROVEMENTS PROJECT FROM BRUNK EXCAVATING, INC., IN THE AMOUNT OF \$449,059, AND AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT DOCUMENTS AND DECLARING AN EMERGENCY

A motion to read by title only was made by Vice Mayor Kidd, seconded by Councilmember Prince. 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 Ordinance 2012-56 was made by Councilmember Cox, seconded by Councilmember Prince. VOTE: ALL YEAS.

ORDINANCE 2012-57 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH LJB, INC. IN THE AMOUNT OF \$381,640 FOR THE DESIGN OF KINGS ISLAND DRIVE IMPROVEMENTS

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

Kurt Seiler stated that a safety study was completed in 2008 to analyze accident data and make recommendations for improvements to Kings Island Drive. In 2010 the City applied for and received federal grant funding for 80% of right-of-way and construction costs for these improvements. The City would be responsible for 20% of the estimated \$5 million project. He stated that the project spans approximately 1.6 miles bounded by Western Row Road and Great Wolf Drive and consists of adding a left turn lane and bike path on Kings Island Drive throughout the project limits, upgrades to the existing traffic signal installations, coordinated signage, pavement markings, and drainage system. The traffic signals along Kings Island Drive within the project limits will be interconnected to allow for optimization and the signage will be upgraded to better define lane utilization. Kurt said that the project will improve safety, but also optimize the traffic flow in the area surrounding Kings Island and provide a more prominent landscape and memorable environment for the many visitors to Kings Island. He stated that the 2012 budget included \$250,000 for preliminary design of this project and anticipated an additional \$250,000 in 2013 for final design. As a potential cost savings, staff requested proposals to include both phases of design. The proposal from LJB, Inc., for both preliminary and final design, at \$381,640 also includes \$35,000 for coordination with the I-71 northbound on-ramp and represents a substantial cost savings. Construction is anticipated to begin in 2015.

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 the start date for construction. Kurt stated that the design is expected to require about one year to complete and the environmental work another year. Other points of discussion included the location of the bike path, bike crossing, lighting, median, safety improvements to the curve, and clarification of the left turn lane location. Kurt explained that much of these issues will be worked out in the design phase of the project.

A motion to adopt Ordinance 2012-57 was made by Vice Mayor Kidd, seconded by Councilmember Spaeth. VOTE: ALL YEAS.

ORDINANCE 2012-58 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH NORTH AMERICAN SALT CO., FOR THE PURCHASE OF APPROXIMATELY 5,500 TONS OF HIGHWAY ROCK SALT AT \$62.52 PER TON

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

Eric Hansen stated that typically Mason purchases about 5,500 tons of rock salt each year to provide snow and ice control. Last year the City used less than 1000 tons of rock salt. Historically, the City has participated in the Southwest Ohio Purchasers for Government (SWOP4G) purchasing program because it has successfully obtained bulk rock salt cheaper than through the State Procurement Program. He stated that four suppliers submitted bids as part of the SWOP4G program. This year's low bid was \$62.52 per ton, \$0.16/ton lower than last year's price. Salt costs have gradually declined since 2008. Eric explained that last year was North American Salt Company's first year as salt supplier for the City and they are again the low bid this year. North American Salt Co. has a stockpile capacity which is a significantly smaller than Cargil. While last year was a mild winter and salt capacity did not have an impact on snow removal operations, should the City receive significant snow fall during this year's winter season additional legislation for emergency purchases of highway salt from a separate vendor may be necessary. Eric stated that several years ago the City purchased a salt thrower to help reduce salt delivery costs. The City was paying approximately \$3 per ton to stack the salt. By purchasing the salt thrower the City has saved \$15,000-\$20,000 annually. Ordinance 2012 – 58 authorizes a contract with North American Salt Company to purchase up to 5,500 tons of rock salt at a per ton price of \$62.52. Eric stated that if 5,500 tons of salt are needed this season the total cost will be \$343,860. He explained that the City continues to pursue alternatives to both reduce the budgetary impact of salt prices as well as to ensure available quantities are on hand. This includes continuing to search for less expensive supplies as well as conservation measures that may increase the effectiveness of snow removal this year. For several years the City has experimented with beet juice for the treatment of snow and ice covered streets and three years ago, the City implemented an Incident Command structure for snow and ice removal services which has improved operational efficiency and reduced snow removal costs.

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

Mayor Nichols inquired about the City's salt storage capacity. Eric estimated capacity at 8000 tons and stated that the salt barn allows the City to store larger quantities of salt in a controlled environment which saves costs. Councilmember Cox asked about delivery of salt by rail and Eric responded that the City has considered this and it is not cost effective at this time.

A motion to adopt Ordinance 2012-58 was made by Vice Mayor Kidd, seconded by Councilmember Cox. VOTE: ALL YEAS.

ORDINANCE 2012-59 AUTHORIZING THE CITY MANAGER TO ENTER INTO A MUTUAL AID AGREEMENT FOR LAW ENFORCEMENT WITH HAMILTON TOWNSHIP

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

Eric Hansen stated that Mason plays host to a number of different events, venues and activities that not only promote the City but support economic development activities. He explained that these events often require the use of extra/off duty police personnel for security and traffic control and are typically privately financed. The Police Department is able to accommodate many of these requests using internal resources, however, there are times, primarily during the summer season, when additional resources are needed. Historically the Warren County Sheriff's Office (WCSO) has been contacted to assist, as they have concurrent jurisdiction anywhere in the County. Eric explained that if WCSO is unable to provide officers, the department has looked to other local agencies to assist. This proposed mutual aid agreement is designed to allow the City and Hamilton Township to provide reciprocal police services for non-emergency situations, specifically as it relates to extra duty or off duty details. He stated that Warren County will remain the City's first contact for assistance prior to contacting Hamilton Township. Likely when the City renews the current agreement with Warren County it will be updated to include language related to extra/off duty details consistent with the Hamilton Township agreement.

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

A motion to adopt Ordinance 2012-59 was made by Councilmember Cox, seconded by Councilmember Prince. VOTE: ALL YEAS.

CITY MANAGER'S REPORT

- ▶ The next scheduled Council meeting is on Monday, September 10 at 7:00 p.m.
- ▶ City offices will be closed for Labor Day on Monday, September 3rd. The Community Center is open from 6:00 am – noon.
- ▶ The 2012 Western and Southern Open will begin in Mason on Saturday, August 11 at the Lindner Family Tennis Center. The City of Mason will be hosting our economic development partners and governmental partners at different events during the 9-day period to strengthen our regional relationships and maximize our opportunity to promote Mason.
- ▶ Festivals of Mason is sponsoring the 2012 Heritage & Bicycle Festival on Saturday, August 18. The event starts off with one of the area's largest parades at 10:00 a.m. The Community Center Café is providing refreshments to parade participants prior to the parade.

▶ The next meeting of the Warren County Municipal League will be held on Wednesday, August 15 beginning at 6:00 p.m. at the Houston Restaurant. Contact Terry Schulte if you plan to attend.

▶ The summer months are typically lean months for area food pantries. The City is partnering with the Mason Food Pantry and the Schuh Center at St. Susanna Church to assist area families with food and clothing. Collection bins will be located at Mason Municipal Center, Mason Community Center, Fire Station 51, and Fire Station 52 from August 13 to 22. After August 22, donations can be dropped off at the Mason Food Pantry or the Schuh Center.

▶ The City will host a pool party for Premier members at the Lou Eves Municipal Pool from 6:30 to 8:30 pm on August 17. Premier members will enjoy swimming, games, food provided by Comet's Pizza, and a family friendly movie at 9:00 in the park.

▶ The City will host the Great Mason Chase on Sunday, August 19, from 9am - 1pm. The City, in partnership with 28 local businesses, has created 35 challenges for 2-person adventure hunt that will lead participants throughout the City. The challenge is to complete 10 challenges and race to the finish or complete the most challenges in the 4 hour timeframe. Immediately following the race, participants can enjoy a post-race party in conjunction with the Sunshine Concert on the plaza of the Municipal Center.

▶ In July the Police Department was reaccredited and awarded the Advanced Law Enforcement Accreditation by the Commission on Accreditation for Law Enforcement Agencies (CALEA). This is a rigorous process and only 50 of 800 law enforcement agencies in Ohio are accredited and only 600 of 17,000 in the United States have this accreditation. The Mason Police Department was originally accredited in July 1997. The completion of a project this extensive would not have been possible without the work of Chief Ferrell and Assistant Police Chiefs Paul Lindenschmidt and Todd Carter.

COMMITTEE REPORTS

Councilmember Prince said that Ensign Timothy McDaniel of the USS Mason, a graduate of Mason High School and the Naval Academy, has volunteered to work on a service project within their namesake City. He and some of his crew members will visit Mason in October and the Veteran's Committee will be coordinating some projects and activities during this time.

Councilmember Spaeth reported on the last two Park Board meetings. She said that the Parks are busiest in June and July with activities such as soccer, scout camps, wiffleball, baseball, 5K races, and the Sunshine Concert Series. A team from Kuwait played in a baseball tournament in Mason. She also reported on outdoor pool activity and revenues, the new group fitness formats at the Community Center, the picnic for the Park Maintenance employees, and the Park Board tour of the Parks in August.

OLD AND NEW BUSINESS

Vice Mayor Kidd complimented the Fire Department on the quick response to a recent accident near the Pine Hill entrance. He also suggested that the City consider replacing council packets with I-pads. The annual savings in staff time and paper could be significant. Council discussed wireless access within the City. Wireless internet access in the downtown plaza has been provided by the chamber for about two years, but the community has little awareness of this service.

Councilmember Cox thanked staff for improving the UDF entrance at Tylersville and US-42. He raised concerns regarding the pot hole on US-42 in front of St. Susanna and traffic light timing at US-42 and Tylersville. Councilmember Cox asked about the policy for flying model airplanes in City Parks. Ginny Sundin stated that no person is allowed to operate engine powered model airplanes in the parks without written permission from the Director of Parks and Recreation. She said that Armco Park field allows it. Councilmember Cox stated that he has enjoyed all of the Sunshine Concerts and would like to see them expanded.

RECOGNITION OF VISITORS

Ginny Sundin, of 108 E. North Street, expressed her appreciation for the newest member to Park Board and her birthday greetings at the July Kiwanis meeting.

EXECUTIVE SESSION: PERSONNEL AND LAND ACQUISITION

A motion to adjourn into Executive Session for the purpose of discussing personnel and land acquisition was made by Councilmember Cox, seconded by Councilmember Spaeth. VOTE: ALL YEAS. TIME: 9:16 p.m.

A motion to reconvene into Regular Session was made by Councilmember Prince, seconded by Councilmember Cox. VOTE: ALL YEAS. TIME: 10:15 p.m.

A motion to add Ordinance 2012-60 to the agenda was made by Vice Mayor Kidd, seconded by Councilmember Cox. VOTE: ALL YEAS.

ORDINANCE 2012-60 AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AMENDED LEASE AGREEMENT WITH ASSURERX HEALTH, INC., AND DECLARING AN EMERGENCY

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

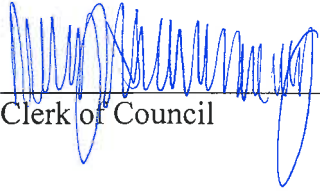
A motion to suspend the rule and allow for adoption after the first reading was made by Vice Mayor Kidd, seconded by Councilmember Spaeth. VOTE: ALL YEAS.

A motion to adopt Ordinance 2012-60 was made by Councilmember Cox, seconded by Councilmember Spaeth. VOTE: ALL YEAS.


A motion to amend the 2011 Community Center Lease was made by Councilmember Spaeth, seconded by Councilmember Cox. VOTE: ALL YEAS.

ADJOURN

A motion to adjourn was made by Councilmember Cox, seconded by Vice Mayor Kidd.
VOTE: ALL YEAS. TIME: 10:17 p.m.



Clerk of Council



Mayor