

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

The meeting was called to order at 7:02 p.m. Pastor Jerry Pelfrey 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, Tom Grossmann, Charlene Pelfrey, and Don Prince. David Nichols was absent.

**APPROVAL OF MINUTES**

A motion to approve the October 22, 2012 Council Meeting Minutes was made by Councilmember Pelfrey, seconded by Councilmember Grossmann. Councilmember Grossmann requested revisions to the minutes. Eric Hansen suggested and Council agreed that the minutes be revised for approval at the next meeting.

**RECOGNITION OF VISITORS**

Adam Buckley of 6122 Fairway Drive and Garry Phimister of Saint Andrews Court, representing the Fairways at Pine Run HOA Board, expressed concerns that the proposed development on SR-741 would increase traffic on Fairway Drive. They stated that vehicles traveling on Fairway Drive speed and run the stop sign on a regular basis, creating a dangerous situation. They appreciate the City's attempts to alleviate the problem and suggest that a plan be in place to manage traffic before the development is completed. Council discussed the residents' concerns and suggested that Fairways at Pine Run residents work with City staff to define the problem, share data, and agree on a plan to improve the situation. City staff stated that preliminary studies suggest that the Mason Grand Development will increase traffic by 30-40 cars on Fairway Drive at peak hours. This volume is 10% of the traffic expected when the Glimcher Development was proposed in 2004. Last week speed monitor devices recorded average speeds of 29-32 mph on Fairway Drive. Richard Fair explained that a perception of obstructions is more effective in reducing speed than additional stop signs or speed bumps. Perry Schwartz stated that in the past, more than half of tickets issued for speeding on Fairway Drive were to residents.

Esther Grubbs 6422 Turnberry Court stated that she perceives the problem to be the design of Fairway Drive as a thoroughfare, it is wide and inviting. She would like an alternate route to divert traffic off of Fairway Drive. Councilmember Grossmann stated that a full interchange at Western Row and I-71 would reduce traffic on Fairway Drive and he encouraged residents to express their support for this project.

Hu Ping of 5864 Fairway Drive explained that, as a mother of two children, she is very concerned about careless drivers on her street. She has personally witnessed three to four accidents right around her home in the past year.

Dave Razzano of 5920 Fairway Drive suggested that speed limits be posted on the pavement along Fairway Drive, installation of additional stop signs on both sides of the road (the stop sign at Cloverwood as you travel east on Fairway is not visible), additional speed limit signs posted on the section of road east of Saint Andrews, and remove the street striping. He also asked that staff consider the impact that new development on Western Row has had on traffic along Fairway Drive. He expressed his support to complete the I-71 interchange at Western Row.

Ashok Krishnamurthy of 6197 Fairway Drive stated that he originally supported the street striping of Fairway, but now would like it removed. He believes that the stripes give drivers the illusion of a 35 mph speed limit. He suggested that speed signs be permanently posted on the wide part of Fairway and he supports the full interchange at I-71 and Western Row.

Troy Werner of 6334 Fairway Drive stated that from his home office he observes a lot of truck traffic along Fairway, the stripes make the road look like a highway, and he has seen drivers using the fire lane as a passing lane.

Perry Schwartz of 6309 Tarton Fields Lane suggested that speed cameras be considered. Eric Hansen stated that the Fire Department has responded to 13 accidents in the last 10 years and Police respond to an average of 6 accidents per year on Fairway Drive. Police have responded to 14 complaints/incidents over the past 4 years. He encouraged residents to call Police to file reports, even on property damage such as mailbox strikes.

Carol Hackney and Ellie Koutny of Mason Serves thanked Council for supporting their November 10<sup>th</sup> event. Ms. Hackney reported that over 300 volunteers served 34 homes on that day and many businesses provided goods and services. Food donated was delivered to the Mason Food Pantry. Ms. Koutny read notes from residents served on that day.

**ORDINANCE 2012-52 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 Councilmember Cox, seconded by Councilmember Pelfrey. VOTE: ALL YEAS.

Eric Hansen explained that the developer has requested this ordinance be tabled to the April 8, 2013 Council Meeting.

A motion to table Ordinance 2012-52 to the April 8, 2013 Council Meeting was made by Councilmember Prince, seconded by Councilmember Cox. VOTE: ALL YEAS.

**ORDINANCE 2012-72 FIRST READING: APPROVAL OF A REVISED MIXED USE CONCEPT PLANNED UNIT DEVELOPMENT PLAN LOCATED BETWEEN STATE ROUTE 741 AND COX-SMITH ROAD (MASON GRAND)**

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

Eric Hansen announced that the Public Hearing will be held on January 14, 2013.

**ORDINANCE 2012-73 AUTHORIZING THE CITY MANAGER TO EXECUTE A CHANGE ORDER TO THE EXISTING AGREEMENT BETWEEN THE CITY OF MASON AND AMERICAN STRUCTUREPOINT INC., FOR DESIGN SERVICES NECESSARY FOR THE BETHANY ROAD ROUNDABOUT IMPROVEMENT PROJECT IN THE AMOUNT OF \$27,000**

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 he will explain the next two ordinances together. Both ordinances are related to construction beginning next spring of the Bethany Road Roundabout at Mason-Montgomery Road. He explained that the project will relocate or dislocate approximately 330 linear feet of the existing creek and disturb 0.133 acres of class 1 wetlands. US Army Corps of Engineers (USACE) and Ohio EPA (OEPA) require mitigation of similar types of creek within the same watershed to mitigate the stream impacts and replacement of the lost class 1 wetland area. Richard explained that Muddy Creek in Quinn Park is a similar type of creek and meets the criteria for the stream mitigation. USACE and OEPA have approved the restoration of approximately 500' of Muddy Creek in Quinn Park to satisfy mitigation requirements. Muddy Creek restoration in Quinn Park is estimated to cost \$70,000 and was already listed on the Stormwater Capital Improvement Project list. Storm Water Utility funds would be used for this work. Richard explained that USACE and OEPA rules require wetland mitigation at a 2:1 ratio for class 1 emergent wetlands, the type being disturbed by the roundabout. The City can establish new wetlands and maintain it in perpetuity or purchase credits in a wetland bank. He stated that it is cheaper for the City to purchase credits. Credits can be purchased anywhere in the State of Ohio. Ohio Wetland Foundation has established the Big Darby Wetland Mitigation Bank and is authorized by USACE and OEPA to sell wetland mitigation credits to entities required to mitigate wetland impacts. Credits are available in this bank and these credits will satisfy USACE and OEPA requirements for the project. He stated that the City is required to purchase 0.3 acres of non-forested wetland mitigation credits at a price of \$38,000 per acre for a total cost of \$11,400. Ordinance 2012-74 authorizes this purchase.

Richard explained that Ordinance 2012-73 is a change order to the original contract with American Structurepoint for additional design work for the possible extension of existing sanitary sewer line along Bethany Road through the roundabout while it is under construction. Half of the sewer cost will be paid by the developer and the other half with utility funds. The change order also includes the design of Muddy Creek restoration in Quinn Park and additional boundary survey work at a cost not to exceed \$27,000.

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

During Council discussion, Richard explained that 500 feet of Muddy Creek will be restored in an effort to reduce erosion. Councilmember Pelfrey asked that the City consider the restoration of wetland in Gould Park. Richard stated that during the construction of the roundabout, traffic management will be difficult especially with the replacement of the culvert in the summer. He explained that “dislocate” is a term used to indicate that the creek will be disrupted by placing a pipe underground for the creek to flow through. Council discussed that this is an unfunded mandate by the state and federal government.

A motion to adopt Ordinance 2012-73 was made by Councilmember Cox, seconded by Councilmember Prince. VOTE: ALL YEAS.

**ORDINANCE 2012-74 AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENT WITH THE OHIO WETLAND FOUNDATION TO PURCHASE WETLAND MITIGATION CREDITS FOR THE PURPOSE OF WETLAND MITIGATION DUE TO THE BETHANY ROAD ROUNDABOUT IMPROVEMENT PROJECT AND DECLARING AN EMERGENCY**

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

A motion to adopt Ordinance 2012-74 was made by Councilmember Cox, seconded by Councilmember Spaeth. VOTE: ALL YEAS.

**ORDINANCE 2012-75 ACCEPTING THE PROPOSAL FOR THE SOUTHWEST MASON SANITARY SEWER REHABILITATION – PHASE II DESIGN FROM ENVIRONMENTAL ENGINEERING SERVICE (EES), IN THE AMOUNT NOT TO EXCEED FEE OF \$18,000 AND AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT DOCUMENTS**

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

Richard Fair explained that last year the Southwest Mason area was identified by staff as an area of high infiltration and inflow into the sanitary sewer system. Southwest Mason 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. He stated that Phase I of the project was the first time the City used slip-lining for rehabilitation of approximately 10,000 feet of existing sanitary. Disruption to residents, properties and traffic was held to a minimum during construction. It is anticipated this project saved \$500,000 over conventional construction methods and will extend pipe life by 40-50 years. He stated that Phase II is in the same area and includes Stratford Place, Sheffield Drive, Southwind Drive and adjoining streets to the west of Reading Road. He explained that the cost of designing Phase II includes a savings of \$6,000 in comparison to the design of Phase I. The Engineer’s knowledge

of the project area, previous survey data and design information and the Engineer's ability to utilize the Phase I design specifications were all factors leading to the lower design costs.

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

A motion to adopt Ordinance 2012-75 was made by Councilmember Cox, seconded by Councilmember Pelfrey. VOTE: ALL YEAS.

**ORDINANCE 2012-76 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH RAWDON MYERS INC. FOR THE PURCHASE OF COMPONENTS TO UP GRADE THE WATER RECLAMATION PLANT AND THE COLLECTION SYSTEM'S SUPERVISORY CONTROL AND DATA ACQUISITION (SCADA) EQUIPMENT IN THE AMOUNT OF \$106,756, AND DECLARING AN EMERGENCY**

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

Richard Fair addressed Council and stated that this is the first phase of the Supervisory Control and Data Acquisition (SCADA) upgrade at the Water Reclamation Plant. Phase II of this project is anticipated in 2013 and Phase III in 2014. Richard stated that Phase I will integrate all the City lift stations, including alarms, voltage, current and flow monitoring, efficiency reporting and station optimization. The upgraded SCADA equipment will allow supervisors to remotely monitor and evaluate actual alarm conditions before dispatching maintenance personnel, saving overtime costs. He explained that the SCADA system installed in 2002 has saved the City enough in overtime costs to pay for itself and the new system is expected to do the same. The 2012 Budget included \$130,000 for this project. Rawdon Myers, Inc. is a single source provider for this SCADA equipment. Last year Council authorized Ordinance 2011-81 which modified the City's purchasing policy to be consistent with the Ohio Revised Code (ORC), thereby eliminating the need to bid supplies and materials less than \$225,000. The Utilities Committee has reviewed this project and is recommending Ordinance 2012-76 for adoption.

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

Councilmember Cox asked for an estimated total cost over the three years of this project. Richard estimated it at \$250,000.

A motion to adopt Ordinance 2012-76 was made by Councilmember Spaeth, seconded by Councilmember Cox. VOTE: ALL YEAS.

**ORDINANCE 2012-77 AUTHORIZING THE CITY MANAGER TO ACQUIRE CERTAIN EASEMENTS ACROSS THE STRESS ENGINEERING PROPERTY, IN THE AMOUNT OF \$14,000, AND DECLARING AN EMERGENCY**

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

Richard Fair discussed the next two ordinances together. He stated that Ordinance 2012-77 is the purchase of approximately 1.5 acres from Stress Engineering which was identified as right-of-way needed along Western Row Road for future roadway and utility improvements. Richard stated that Ordinance 2012-78 is the repurchase 1.07 acres along Western Row Road from Seapine Software for the purchase price of \$1.00 and the cost of any engineering and document preparation for the split of property to be paid for by the City. The acreage is part of a limited roadway access easement given to Tennis for Charity used during the annual Western & Southern Open. This transaction is part of an agreement with Al Neyer and Seapine.

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 2012-77 was made by Councilmember Spaeth, seconded by Councilmember Cox. VOTE: ALL YEAS.

**ORDINANCE 2012-78 AUTHORIZING THE CITY MANAGER TO EXERCISE THE RIGHT TO REPURCHASE A CERTAIN PARCEL FROM BAEOLOPHUS (SEAPINE SOFTWARE), LOCATED OFF WESTERN ROW ROAD AND DECLARING AN EMERGENCY**

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

A motion to adopt Ordinance 2012-78 was made by Councilmember Spaeth, seconded by Councilmember Prince. VOTE: ALL YEAS.

**ORDINANCE 2012-79 AUTHORIZING THE CITY MANAGER TO EXECUTE THE FIRST AMENDMENT TO THE TAX INCENTIVE AGREEMENT BETWEEN THE CITY OF MASON, THE MASON CITY SCHOOL DISTRICT AND J.W. HARRIS COMPANY, INC.**

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

Eric Hansen stated that this ordinance represents a positive conclusion to a complicated issue. He explained that the City's first Tax Increment Financing District (TIF) was done in 1999 to recruit J. W. Harris (now Lincoln Electric) to the City of Mason. Several changes have occurred since then, including a better understanding of TIFs, TIF law, new ownership, state tax calculations, and expectations. Eric stated that although this is not a City issue, the City values its relationships with both the school and business community. At the core of the issue was a

disagreement between the new owners of J.W. Harris, Lincoln Electric, and Mason City School District relative to two types of payments: TIF (make whole payments to the school) and tax abatement. Eric stated that this TIF District is performing well with a sufficient balance in the fund to pay off the current outstanding principal on that debt. TIF funds will be used to pay off this debt and obligations to the School District. Lincoln Electric will pay the tax abatement. All parties gain with this new agreement which corrects an issue where Lincoln Electric would have paid both property tax and TIF payments. Eric stated that the TIF will continue until it expires in 2018 and allow funds to pay for additional public improvements. Both the School District and Lincoln Electric have been briefed on this creative resolution and are supportive of the City's efforts. Eric expressed appreciation to city staff, particularly Joe Reigelsperger and Michele Blair, for developing a resolution that successfully resolves some complicated issues. A motion to suspend the rule and allow for adoption after the first reading was made by Councilmember Pelfrey, seconded by Councilmember Prince. VOTE: ALL YEAS.

Councilmember Cox inquired as to the size of the TIF District. Eric stated that the TIF Districts includes 4 or 5 properties and that he was unsure of the boundaries, but would get that information to Council at a later date.

A motion to adopt Ordinance 2012-79 was made by Councilmember Cox, seconded by Councilmember Prince. VOTE: ALL YEAS.

#### **ORDINANCE 2012-80 ADOPTING A POLICY REGARDING ESTABLISHING AND CLOSING FUNDS**

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

Eric Hansen stated that the City must comply with significant legal restrictions on the use of public resources. The Auditor of State dictates how the City accounts for public funds and city administration makes every effort to comply with all legal requirements. Staff from the Auditor of State's Office typically conducts or oversees an audit and it is anticipated that citations and findings for a variety of noncompliance items will be issued. Many of these will be technicalities and procedural compliance items. One benefit of being a Charter City is that City Council can determine laws, policies and procedures that are more applicable to the operations of the local government and community and therefore not dictated by State law. He said Ordinance 2012-80 will establish a local policy for establishing and closing funds. The policy allows funds to be created and closed to meet changing needs of the City without the cumbersome process of seeking legislation and the Auditor of State approval each time a fund needs to be created or closed. He explained that this policy will be useful, for example, when grant funds are received. It provides good accounting procedures while streamlining the process.

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 2012-80 was made by Councilmember Cox, seconded by Councilmember Spaeth. VOTE: ALL YEAS.

**ORDINANCE 2012-81 REPEALING PARTS OF SECTION 181 OF THE CODIFIED ORDINANCES OF THE CITY OF MASON, OHIO, AND ADOPTING NEW PARTS OF SECTION 181 TO REFLECT THE CHANGES IN THE CITY OF MASON'S CHARTER, AND DECLARING AN EMERGENCY**

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

Eric Hansen stated that earlier this month voters approved Issue 7 to amend the City's Charter. He explained that this necessitates some changes to the City's tax code and the codified ordinances to bring the City in compliance with what the voters approved. Ordinance 2012-81 repeals portions of the City's tax code and replaces it with the appropriate language to comply with the Charter amendment.

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.

A motion to adopt Ordinance 2012-81 was made by Councilmember Cox, seconded by Councilmember Prince. VOTE: ALL YEAS.

**ORDINANCE 2012-82 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 Councilmember Prince. VOTE: ALL YEAS.

Jennifer Heft stated that this ordinance authorizes an agreement with Warren County regarding Mason Municipal Court Public Defender payments. She explained 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 violating either state or local ordinances. 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.

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

A motion to adopt Ordinance 2012-82 was made by Councilmember Cox, seconded by Councilmember Spaeth. VOTE: ALL YEAS.

**ORDINANCE 2012-83 AUTHORIZING THE CHIEF OF POLICE TO CONTRIBUTE UNCLAIMED BICYCLES TO VARIOUS PUBLIC AGENCIES OR NONPROFIT ORGANIZATIONS**



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

Jennifer Heft stated that each year the Police Department takes possession of bicycles that are turned in as found or recovered as stolen property. The bicycles are typically in poor condition with very little value. Some are returned to their owners, but in many cases the owners cannot be located and the bicycles are stored in the impound lot until disposal. Jennifer said that in 2001, in lieu of selling them at a public auction, Council authorized these bicycles to be donated to a local church that refurbished the bikes and gave them to the less fortunate. The Police Department is currently working with two local churches to donate this inventory of bicycles and extend the Hope for the Holidays program.

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 2012-83 was made by Councilmember Pelfrey, seconded by Councilmember Prince. VOTE: ALL YEAS.

### CITY MANAGER'S REPORT

► The Shop Local Event at the Community Center on Wednesday, November 28 from 10:00 a.m. to 5:00 p.m. will feature over 30 area merchants and home sales representatives. This is a great opportunity to start your holiday shopping. The public is welcome to attend.

► For the 16<sup>th</sup> year, the City will conduct its Hope for the Holidays program where city employees volunteer their time and resources. This year, the City will partner with the Mason Food Pantry to more fully meet the needs of program recipients and to help provide for those in need during the holidays. Donations of individual items will be accepted through Monday, December 10. Non-perishable food items, household items, gift certificates, and new and unwrapped toys for boys and girls ages 1 to 17 are welcome.

► The regularly scheduled second meeting in December falls on December 24. Staff is working to have all remaining business ready for Council action on December 10 and with focused attention on 2013 budget preparation, no additional meetings should be needed until January. A motion eliminating the December 24 meeting would be appropriate.

► A motion to cancel the December 24, 2012 Council Meeting was made by Councilmember Pelfrey, seconded by Councilmember Prince. VOTE: ALL YEAS.

► A motion to not request a hearing for a D1 liquor permit for Courts 4 Sports at 854 Reading Road was made by Councilmember Cox, seconded by Councilmember Pelfrey.  
VOTE: ALL YEAS.

## **COMMITTEE REPORTS**

Councilmember Prince reported Festivals of Mason Board requests Councilmembers to be at the Plaza at 6:45 for the Christmas in Mason Tree Lighting at 6:50. Entertainment on the plaza begins at 6:00 p.m.

Councilmember Spaeth reported that Park Board has conducted two public work sessions regarding the athletic complex usage policy and expects another meeting scheduled before the end of the year. She reported on the Community Center Open House, Volunteer Fair, Silver Sneakers Program, Youth Basketball, Swim Lessons, Family Expo, Half-Marathon, and Mocktails. Councilmember Spaeth stated that the parks have been winterized, SAY Soccer has donated \$1600 toward equipment rental to roll the fields, and the entrance gates to the parks are now locked at night to reduce vandalism.

## **OLD AND NEW BUSINESS**

Councilmember Grossmann reported that Issue 7 was approved by a strong margin of 73.3%. He thanked residents for listening and understanding the issue. He clarified that Issue 7 is a flat or proportional tax not a graduated or progressive tax and felt that comments prior to the elections comparing the proposed tax to communism were unfounded and reckless. Councilmember explained that Council each year will have the ability to adjust the rates, within the range set, in an effort to keep taxes as low as possible. He stated that Council has made a commitment to adjust the rates in consideration of the \$1.2 million Federal Grant received. Eric Hansen stated that the current fire levy continues through next year and that in the summer of 2013, Council will determine the 2014 real estate rate within the caps set. He explained that data from 2013 income tax revenue will not be available by the summer of 2013 to set the 2014 tax rate. Vice Mayor Kidd thanked Councilmember Grossmann for his outstanding work on Issue 7.

Councilmember Spaeth said that the Veterans Day Ceremony on November 11<sup>th</sup> was a very moving service. She encouraged everyone to attend next year.

## **RECOGNITION OF VISITORS**

Brad Glass of 6369 Edgebrook Court stated that the Bethany Road project affected his subdivision of 150 homes and he appreciated the good job by the engineers and contractors. There were people working hard every day of good weather throughout the 24 month project. He expressed his appreciation to the Warren County Assistant Bridge Engineer, Dominic Brigano, for working so courteously with the Home Owners Association in resolving issues. He stated that the project is a tremendous upgrade to our city and he looks forward to the improvement on traffic when the roundabout is complete.

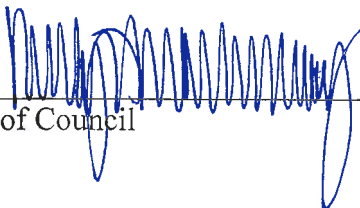
## **EXECUTIVE SESSION: LAND ACQUISITION AND PERSONNEL**

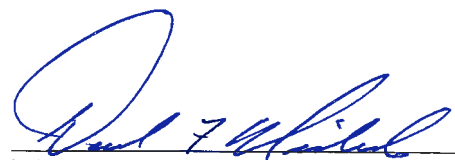
A motion to adjourn into Executive Session for the purpose of discussing land acquisition and personnel was made by Councilmember Prince, seconded by Councilmember Cox. VOTE: ALL YEAS. TIME: 9:25 p.m.

A motion to reconvene into Regular Session was made by Councilmember Grossmann, seconded by Councilmember Prince. VOTE: ALL YEAS. TIME: 10:16 p.m.

**ADJOURN**

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

  
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Clerk of Council

  
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Mayor