

**CITY OF MASON
COUNCIL MEETING
DECEMBER 9, 2013**

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

ATTENDANCE

The following members of Council were present: Barbara Spaeth, Rich Cox, Tom Grossmann, Charlene Pelfrey, Don Prince, and David Nichols. Victor Kidd joined the meeting at 7:15 p.m.

APPROVAL OF MINUTES

Councilmember Pelfrey asked for a correction to the minutes regarding the Bicentennial Committee report. With that correction made, a motion to approve the November 18, 2013 Council Meeting Minutes, as amended, was made by Councilmember Prince, seconded by Councilmember Cox. VOTE: ALL YEAS.

A motion to approve the December 1, 2013 Reorganization Meeting Minutes, as amended, was made by Councilmember Prince, seconded by Councilmember Spaeth. VOTE: ALL YEAS.

CITY MANAGER'S REPORT

With the adoption of the 2014 Budget and the cancellation of the December 23rd meeting, the next regularly scheduled Council meeting is on January 13 at 7:00 p.m.

City offices will be closed on Wednesday, December 25 and Wednesday, January 1 in observance of the Christmas and New Year Holiday. The Community Center will open with limited hours and access on Christmas Day and limited hours, but full access on Christmas Eve, New Year's Eve and New Year's Day.

The Ohio Revised Code (ORC) requires that all employees of public offices be appropriately educated about a public office's obligations related to public records. The ORC requires all elected officials or their appropriate designees to attend training approved by the Attorney General. Historically, Council has authorized the Clerk of Council, as their designee, to attend this training. A motion to authorize Nancy Hickey as Council Designee to the Ohio Public Records Law Training was made by Councilmember Pelfrey, seconded by Councilmember Prince. VOTE: ALL YEAS.

Ohio Treasurer Josh Mandel in partnership with the Warren and Clermont County Veterans Services Offices, will be hosting a Veterans Smart Money Choices Workshop at the Mason Municipal Center on December 10. The workshop is intended to help educate Veterans and their families on financial matters.

On Wednesday, December 11 the Center will host the sixth annual Mocktails event. The public is invited to attend this event and sample some free delicious and safer alternatives to traditional cocktails. Participants will be competing for the Best Drink Name, Best Taste and Best Display.

The Community Center, in partnership with the Lindner Center of Hope, is featuring *An Evening with the Experts* series on December 11, January 8 and February 12 at 6:30 p.m. in the Senior Center. Clinicians from the Lindner Center of Hope will conduct expert discussions of mental health, addictions and mental wellness.

Video tours of Mason Community Center are now available on Google Maps.

Numerous compliments have been received regarding snow removal by City crews. Multiple City Departments coordinate to plan and deliver services 24/7 during weather events including Police, Fire, Engineering, Public Works, Parks, and Utilities.

The note for the new Public Works Garage was sold with a 0.77% true all in interest cost, which is significantly lower than the anticipated interest rate of 1.5%. The City's debt goes towards community investment projects such as roads and facilities. City debt has been falling over the last couple of years with \$86.3 million of debt at the end of 2013 and projected debt of \$78.3 million at the end of 2014. Total debt load two to three years ago was close to \$100 million. A good portion of the City's outstanding debt has guaranteed revenue or utility streams that help pay the debt.

RECOGNITION OF VISITORS - none

ORDINANCE 2013-88 2ND READING: AMENDING THE ZONING CODE AND MAP OF THE CITY OF MASON, OHIO, TO PROVIDE FOR THE REZONING OF APPROXIMATELY 17.57 ACRES FROM HT-1 HIGH TECH LIGHT INDUSTRIAL TO INDUSTRIAL PLANNED UNIT DEVELOPMENT WITH APPROVAL OF THE CONCEPT PLANNED UNIT DEVELOPMENT PLAN LOCATED ON THE WEST SIDE OF CENTRAL PARKE BOULEVARD NORTH OF 7547 CENTRAL PARKE BOULEVARD (FOUNTAINS OF MASON)

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

Richard Fair addressed Council and stated that the property to be rezoned is located on the west side of Central Parke Boulevard, north of Cedar Village Drive and west of Mason-Montgomery Road. Mason Christian Village is located to the north of the development, Fire Station 52 is adjacent south to the property and the business environment along Central Parke Boulevard is continued with the proposed development. The current zoning is High Tech Light Industrial and is proposed to be rezoned I-PUD, Industrial Planned Unit Development. He said that the proposed zoning complements existing development within the park and buildings on adjacent parcels. Included in the proposed development is the construction of a 33,100 square foot medical facility that focuses on patients with Alzheimer's, dementia, and related memory issues and is projected to house 64 residents. Richard explained future access points into the

development along Central Parke Boulevard as well as an access easement through an existing office complex to the south. He explained that a utility easement along a significant portion of the property helps the development meet and exceed PUD green space requirements. Richard stated that Planning Commission has reviewed and recommends approval of the rezoning and concept plan as submitted.

The Public Hearing was opened at 7:21 p.m.

The Public Hearing was closed at 7:22 p.m.

Mayor Nichols asked about screening between the adjacent apartment condos west of the development. Richard Fair stated that mounding and screening is planned along the west property line but that screening along the utility easement will need to meet height requirement restrictions as defined by the utility companies.

A motion to adopt Ordinance 2013-88 was made by Councilmember Pelfrey, seconded by Councilmember Prince. VOTE: ALL YEAS.

ORDINANCE 2013-98 AUTHORIZING THE RE-APPROPRIATION AND TRANSFER OF MONIES AND TRANSFERRING OTHER FUNDS AND APPROPRIATIONS FOR THE CURRENT EXPENSES OF THE CITY OF MASON: THEREFORE, AMENDING THE ANNUAL APPROPRIATION ORDINANCE 2012-95 OF THE CITY OF MASON, OHIO, PASSED BY THE COUNCIL OF THE CITY OF MASON, OHIO ON DECEMBER 10, 2012 FOR THE YEAR 2013

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

Jennifer Heft explained Ordinance 2013-98 and Ordinance 2013-99 together. She stated that City Council approved the 2013 Budget with Ordinance 2012-95 on December 10, 2012. This appropriation ordinance is a plan and guide for City finances for the complete year. As situations change throughout the year, it is important that the budget provide enough discretion and flexibility to accommodate new and shifting priorities. Jennifer explained that department heads are responsible for reviewing appropriation accounts and maintaining positive balances in all line items. As priorities change, they can request to transfer, within their respective department, appropriation amounts among all line items except those that fall outside the legal level of control. She stated that the most significant re-appropriations in Ordinance 2013-98 are for economic development activity including the \$90,000 3-year agreement with CincyTech approved by Council in July. Others include community development activities such as the bicentennial sponsorship to the Festivals of Mason and Mason Historical Society and grant-paid residential demolition. Additional amounts were needed for outdoor pool maintenance and recreational programs. Jennifer stated that there are thirteen fund transfers being requested as part of the Re-appropriation Ordinance. The General Fund transfers include: \$8 million to the General Capital Improvement Fund; \$2.3 million for the income tax portion to pay for safety services; \$1.6 million transfer to the Government Center Reserve Fund for the annual Municipal Center lease payment; \$370,000 transfer to the Golf Course Fund to cover negative fund

balances; and \$66,000 to the Street Subdivision Fund for future Gould property improvements. Other transfers include the Capital Improvement fund transfer of \$698,000 to the Golf Course Fund for debt service payments and capital purchases. She explained that the Fire Reserve balance of \$4 million was transferred to the Fire Levy Operating Fund in order to fully exhaust original levy funds before using funds from the Charter amendment held in the new Safety Fund.

Jennifer stated that Ordinance 2013-99 is a housekeeping item to adjust and correct various line items within the City's funds. Of the eighteen (18) supplemental appropriations, fifteen (15) are increases needed to ensure budgetary compliance for financial reporting purposes and three (3) are decreases. She explained major supplementals requested: items related to the City's commitment to several economic development activities; the new Safety Fund for Fire, EMS, and public safety services; a new Public Works facility; Bethany Road Roundabout Project; a retroactive TIF adjustment by the Ohio Department of Development; and funding for the Willow Brooke Lift Station Project. She stated that although adjustments will always occur throughout the year, it is customary for Council to approve a re-appropriation and fund transfer ordinance and an annual supplemental ordinance at year's end to close the City's accounts.

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 2013-98 was made by Councilmember Cox, seconded by Vice Mayor Kidd. VOTE: ALL YEAS.

ORDINANCE 2013-99 AUTHORIZING THE SUPPLEMENTAL APPROPRIATIONS OF MONIES: THEREFORE AMENDING THE ANNUAL APPROPRIATION ORDINANCE 2012-95 OF THE CITY OF MASON, OHIO, PASSED BY THE COUNCIL OF THE CITY OF MASON, OHIO ON DECEMBER 10, 2012 FOR THE YEAR 2013

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 Councilmember Cox, seconded by Councilmember Prince. VOTE: ALL YEAS.

A motion to adopt Ordinance 2013-99 was made by Councilmember Pelfrey, seconded by Councilmember Prince. VOTE: ALL YEAS.

ORDINANCE 2013-100 ANNUAL APPROPRIATION ORDINANCE

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

Eric Hansen stated that the Finance Committee, chaired by Councilmember Grossmann, has met to review 2014 Budget proposals and make recommendations for the annual appropriation ordinance. Prior to Finance Committee meetings the Safety Committee, Employee Relations Committee, Golf Course Committee, Court Liaison Committee, and Equipment Committee each met to discuss different components of the budget process. Eric summarized larger items in the

2014 Budget. He said that no new positions were requested as part of the budget process (apart from an outstanding request from Municipal Court that is under further review by the Court Liaison Committee). Efforts to control costs and optimize existing resources continue to pay dividends this year. Those efforts will continue and additional opportunities pursued for next year. Six years ago there began a concerted effort throughout the organization to increase cooperation, coordination, communication and cost saving efforts. These efforts combined with several years of an effective hiring freeze were significant to the City's ability to balance the budget during this difficult economic period. The 2014 Budget anticipates continued careful evaluation of service needs before existing vacant positions are filled. The 2014 plan does include exploring the creation of a new position to add flexibility under the direction of the Service Director to direct multi-skilled staffing resources on a flexible schedule to those service areas most in need on a seasonal, weekly, or even daily basis. This is essentially a capitalization of the lessons learned over the last several years of consolidating positions and relying on cross-disciplinary teams to accommodate short-term surges in workload or special projects/initiatives. Eric stated that the Finance Committee discussed funding requests from outside groups and recommended financial support that restores the \$4,000 reduction back to \$8,000 for the Humane Association and Mason Historical Society. The Committee also set aside \$60,000 as support for Festivals of Mason and expects additional discussion before a final recommendation is made. Funds were included in the budget to continue partnerships with national athletic events such as volleyball and other partnerships that promote the Golf Course and other City amenities. Eric stated that placeholder amounts were included in the budget for various anticipated projects including the bicentennial celebration, gateway improvements, interchange improvements, and a citywide computer database. He explained that these items are conceptual, may require significant staff time to develop with multiple phases over several budget years and that Council action will be requested before fiscal commitments are made. Eric stated that the 2014 Budget includes about \$12 million for capital projects and equipment. Of this, \$5.7 million is attributed to capital items paid from the General Fund including \$2.6 million carried over for the garage improvements, \$1 million for the future I-71/Western Row Road Interchange and \$915,000 for vehicle replacements. Many stormwater improvements requested were placed on hold to allow staff time to catch up on current workload, although some of these projects may require funding during the course of 2014 should circumstances prove that delay is unfeasible. Eric stated that equipment replacement anticipated during 2014 includes five police cruisers, a street sweeper, and fire vehicles. He explained a developing strategy not to schedule individual vehicles for replacement, but to rely on contingency amounts to more closely align vehicle failure with replacement. The 2014 Budget includes funds to be prepared for these needs. Eric stated that cost reductions made the last several years are no longer sustainable without incurring unacceptable exposures in service levels. The 2014 Budget provides for an approach to continue preparing for some of these impacts by establishing small contingency amounts that can be used in emergency situations or, if unused, reserved for capital purchases in future years. Future budget years will continue to address this issue. Eric stated that the budget continues to be based on conservative practices, which has helped the City's long-term financial health, even during economic downturns. A lot of hard work by all departments and employees has gone into controlling expenses. Eric explained that from a revenue standpoint, City strategies include: 2014 income tax revenues budgeted at less than 2012 actual receipts; no receipt of local government funds from the State are budgeted; and anticipated revenues from local job growth are not included. Eric explained a couple structural adjustments to the 2014 Budget. General

Fund transfers increased \$2.5 million for the Safety Fund's portion of the income tax. The Community Center Fund's revenue and budget increased to realign activity to match the ongoing success of the Community Center. He stated that the City's total outstanding debt is anticipated to fall by \$8 million. Despite current economic conditions, and notwithstanding concerns with service level expectations, the 2014 Budget represents a fiscally prudent approach to municipal finances and a workforce committed to cost savings, efficiency, and sound investment in growing businesses. The Finance Committee recommends Ordinance 2013-100 for adoption.

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

A motion to adopt Ordinance 2013-100 was made by Councilmember Cox, seconded by Councilmember Prince. VOTE: ALL YEAS.

ORDINANCE 2013-101 APPROVAL OF THE REPLAT FOR LOT 7 IN FALLING BROOK PHASE A

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

Richard Fair stated that that Falling Brook is located just south of Sports Center Complex Drive, east of Fairway Drive and the Golf Course. The subdivision started in 2007 is being developed as landominiums and the State requires each unit to be recorded concurrently with building construction. Planning Commission and staff recommend approval of this replat which provides individual building lots for Lot 7.

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 2013-101 was made by Councilmember Cox, seconded by Councilmember Spaeth. VOTE: ALL YEAS.

ORDINANCE 2013-102 APPROVAL OF THE FINAL PLAT FOR FALLING BROOK PHASE B, BLOCK B

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

Richard Fair addressed Council and stated that the developer is requesting approval of the final plat for Phase B, Block B of the Falling Brook Subdivision. In August, Planning Commission approved a revised site and landscape plan which replaced 46 of the attached residential units with 34 detached single family landominiums. This reduced the number of units in the subdivision by twelve. He explained that the plat for Phase B, Block B will create 14 buildable lots with 3 open space lots. Block A to the north had 8 buildable lots, so this brings the total to 22 with 12 more to come. Richard stated that staff recommends approval of Ordinance 2013 –

102 contingent on the vacation of some easements and submittal of a Subdividers Contract and Performance Bond.

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 2013-102 was made by Councilmember Pelfrey, seconded by Councilmember Prince. VOTE: ALL YEAS.

ORDINANCE 2013-103 APPROVAL OF THE CONSOLIDATION/DEDICATION PLAT FOR THE MASON PUBLIC LIBRARY SUBDIVISION

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

Richard Fair addressed Council and stated that the Mason Public Library requests consolidation of five separate lots into one lot measuring 1.42 acres. Twenty five feet of right-of-way along Walter Chesney Way and a stormsewer easement along the northwest side of the lot will also be dedicated.

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 2013-103 was made by Vice Mayor Kidd, seconded by Councilmember Cox. VOTE: ALL YEAS.

ORDINANCE 2013-104 ACCEPTING THE PROPOSAL FOR THE FURBEE DRIVE AND CASTANEA DRIVE DRAINAGE IMPROVEMENT DESIGN FROM EVANS CIVILPRO ENGINEERS, LLC IN THE AMOUNT NOT TO EXCEED FEE OF \$29,910, AND AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT DOCUMENTS

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

Richard Fair explained that over the past several years, staff has been working with residents on drainage issues in the area of South Mason Heights. This contract is to design a solution to the flooding problem in the Furbee, Castanea, Acoma, and Van Buren Drive area and remove water from the Washington Way and Jefferson Way area. This regional project will address standing water and flooding problems by redirecting stormwater from Furbee Drive and Castanea Drive toward Pine Hill Lake. Richard stated that the contract with Evans CivilPro Engineers will provide surveying, easement documentation and engineering design services for the project. He explained that Evans CivilPro Engineers is a new company whose staff has worked with the City on several projects. The 2013 Budget included \$40,000 for this project's design work and Evans CivilPro was the lowest and best bid at \$29,910. Richard stated that construction for this project is estimated at \$360,000 and has been included in the 2014 Budget.

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.

Vice Mayor Kidd asked if this project would lower the water table in the Heights and what the elevation is between this area and the water tower at Butler-Warren Road. Richard said that the area is flat and that the project may help to improve high water in the area, but may not correct all problems. He did not know the elevation numbers, but could find out. To Councilmember Cox's questions, Richard responded that preliminary drawings show new stormsewer going from the south cul-de-sac on Furbee to Pine Hill Lakes Park. The pipe will run in the road north on Furbee then down Castanea.

A motion to adopt Ordinance 2013-104 was made by Vice Mayor Kidd, seconded by Councilmember Spaeth. VOTE: ALL YEAS.

ORDINANCE 2013-105 ACCEPTING THE LOWEST AND BEST BID FOR THE QUINN PARK STREAM MITIGATION PROJECT FROM EVANS LANDSCAPING INC., IN THE AMOUNT OF \$169,821, AND AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT DOCUMENTS

A motion to table Ordinance 2013-105 to the February 10, 2014 meeting was made by Councilmember Cox, seconded by Councilmember Pelfrey. VOTE: ALL YEAS.

ORDINANCE 2013-106 ACCEPTING THE LOWEST AND BEST BID FOR THE WILLOW BROOKE REGIONAL LIFT STATION PROJECT FROM FORD DEVELOPMENT CORPORATION, IN THE AMOUNT OF \$1,532,890, 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.

Richard Fair discussed Ordinances 2013-106, 2013-107, 2013-108, 2013-109, and 2013-110 which all pertain to the Willow Brooke Subdivision located just east of the Water Reclamation Plant. The lots south of Mason-Morrow-Milgrove Road are fed with a gravity sanitary sewer system while the 156 lots on the north side require a lift station. Originally the developer proposed a lift station location that would only be useful to the few houses of the subdivision and would not benefit the City currently or in the future. City staff approached the developer to relocate the lift station. He explained that locating a lift station at the northeast corner of the Willow Brooke property would be capable of becoming a regional lift station with the ability to service future development. Ordinance 2013-106 is for the construction of this regional lift station. When bids were opened, the top two bids were very close. Richard explained that Ford Development submitted the second lowest base bid but lowest total bid with alternate.

Richard stated that Ordinance 2013-107 accepts the easements and authorizes the City Manager to execute any and all necessary documents to complete the acquisition of easements needed across the property owned by Mason Project I, LLC. He explained that Mason Project I, LLC is the developer of Willow Brooke and has agreed to grant easements needed to construct the

Regional Lift Station including a Temporary Construction Easement, Grading Easement, Utility Easement, and an easement under Muddy Creek.

Richard stated that Ordinance 2013-108 accepts the easement and authorizes the City Manager to execute any and all necessary documents to complete the acquisition of easement needed across the property owned by the City of Lebanon for the Willow Brooke Regional Lift Station. This 25 foot easement outside the east property line of Willow Brooke Subdivision will allow for installation of the force main up to Mason-Morrow-Milgrove Road.

Richard stated that Ordinance 2013 – 109 authorizes the City Manager to enter into a Lift Station reimbursement agreement with Mason Project I, LLC for the construction of the Willow Brooke Regional Lift Station. After a year of negotiating with the developer, Mason Project I, LLC has agreed to reimburse the City \$2,400/lot for 156 lots. This represents \$250,000 estimated cost to the developer to build the original designed lift station, an 8 year build out amortization at 4% plus a \$511.28 fee per lot. He said that in total, the City will receive around \$400,000 from the developer for the Lift Station.

Richard stated that Ordinance 2013 – 110 authorizes the City Manager to enter into a Box Culvert Repair reimbursement agreement with Mason Project I, LLC for the repairs to the adjacent box culvert in an amount not-to-exceed \$33,600. Richard explained that during a review of the existing box culvert under Mason-Morrow-Milgrove Road, it was noted that the culvert was in need of repair. As Mason Project I, LLC is scheduled to extend the culvert as part of their road widening; the City approached the developer to complete the needed repairs in conjunction with the culvert extension construction. Mason Project I, LLC has agreed and the City will reimburse them the cost of this work. Richard stated that investment in this regional lift station will allow the City to better position itself for existing and future development in this section of the City. Construction is expected to start as early as possible with substantial completion of the project scheduled for July 1, 2014.

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.

Richard Fair responded to Vice Mayor Kidd's questions regarding sewer plant capacity by stating that the plant processes an average of 2 to 3 million gallons/day and can process a maximum of 5 to 6 million gallons in a day. With the addition of a clarifier, Mason's Water Reclamation Plant capacity can be increased to 13 million gallons/day.

A motion to adopt Ordinance 2013-106 was made by Councilmember Cox, seconded by Vice Mayor Kidd. VOTE: ALL YEAS.

ORDINANCE 2013-107 AUTHORIZING THE CITY MANAGER TO ACCEPT EASEMENTS ACROSS THE MASON PROJECT I LLC PROPERTY FOR THE WILLOW BROOKE REGIONAL LIFT STATION PROJECT

A motion to read by title only was made by Councilmember Cox, seconded by Vice Mayor Kidd. 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 2013-107 was made by Councilmember Pelfrey, seconded by Councilmember Prince. VOTE: ALL YEAS.

ORDINANCE 2013-108 AUTHORIZING THE CITY MANAGER TO ACCEPT AN EASEMENT ACROSS THE CITY OF LEBANON PROPERTY FOR THE WILLOW BROOKE REGIONAL LIFT STATION PROJECT

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

A motion to adopt Ordinance 2013-108 was made by Vice Mayor Kidd, seconded by Councilmember Spaeth. VOTE: ALL YEAS.

ORDINANCE 2013-109 AUTHORIZING THE CITY MANAGER TO ENTER INTO A LIFT STATION REIMBURSEMENT AGREEMENT WITH MASON PROJECT I, LLC RELATED TO THE WILLOW BROOKE SUBDIVISION

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 Councilmember Prince, seconded by Councilmember Spaeth. VOTE: ALL YEAS.

A motion to adopt Ordinance 2013-109 was made by Councilmember Cox, seconded by Councilmember Prince. VOTE: ALL YEAS.

ORDINANCE 2013-110 AUTHORIZING THE CITY MANAGER TO ENTER INTO A BOX CULVERT REPAIR REIMBURSEMENT AGREEMENT WITH MASON PROJECT I, LLC

A motion to read by title only was made by Councilmember Spaeth, 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.

Richard Fair responded to Councilmember Cox that the plan is to widen the road in this area.

A motion to adopt Ordinance 2013-110 was made by Councilmember Prince, seconded by Councilmember Cox. VOTE: ALL YEAS.

ORDINANCE 2013-111 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH WALT SWEENEY FORD FOR THE PURCHASE OF TWO (2) 2014 FORD F-550 DUMP TRUCKS IN THE AMOUNT OF \$142,456

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

Eric Hansen stated that dump trucks provide the backbone to service delivery for the City by plowing and salting of snow, brush chipping, leaf collection, parks maintenance, catch basin maintenance, and other service related activities. Over the last few years, the City has deferred replacement of City vehicles as a temporary cost cutting measure. Many of the current vehicles are well past their effective replacement cycle and reliability has been in question. Different from past practice and as part of the 2013 Budget process, the Equipment and Finance Committees discussed the plan to purchase these vehicles but hold them in reserve until current equipment failed or was taken out of service due to high repair costs. Eric stated that years of deferred maintenance have left the City fleet with a very thin margin of error. Without having replacement equipment ready, City services including snow removal, brush chipping, and leaf pickup could be compromised or maintained only at a very high cost if existing equipment were to fail. Eric stated that this year, Truck #11 had a complete engine failure. The engine was replaced at an approximate cost of \$11,000 in order to have a vehicle in time for the winter snow removal season. The Equipment Committee of Council has recommended that this vehicle be replaced utilizing 2013 vehicle contingency funds. The 2013 Budget included \$475,000 for the purchase of replacement vehicles. The State Purchasing Contract amount is significantly less than the anticipated \$100,000. A new F-550 truck can be purchased for just over \$71,000. Eric explained that Finance Committee discussed that it may be prudent for Council to take advantage of this attractive price by purchasing two vehicles at this time. If Council elects to do so, an amendment to Ordinance 2013 – 111 would be appropriate. Both vehicles would not be ready for delivery or service until next fall when the new Public Works garage is expected to be ready to store City equipment under roof.

A motion to amend Ordinance 2013-111 to purchase two (2) F-550 trucks at a cost of \$71,228 each 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 Councilmember Pelfrey, seconded by Councilmember Prince. VOTE: ALL YEAS.

A motion to adopt Ordinance 2013-111 as amended was made by Councilmember Prince, seconded by Councilmember Cox. VOTE: ALL YEAS.

Eric stated that over the past two years the City has budgeted contingency funds. In 2012 the City spent \$36,500 of the \$325,000 budgeted and up until the adoption of Ordinance 2013-111 has spent \$79,000 of the \$260,000 budgeted for 2013. He stated that there are ample contingency funds both for this purchase and to carry over into next year.

ORDINANCE 2013-112 AUTHORIZING THE CITY MANAGER TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE WARREN COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING VICTIM WITNESS ADVOCATE SERVICES IN THE ANNUAL AMOUNT OF \$30,000

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

Jennifer Heft addressed Council and stated that State Code obligates local Municipal Courts to provide Victim Witness Advocate services to victims of crimes for those cases filed within the Municipal Court. For many years the County provided these services at no cost to the City. In 2007, due to increasing case load, the County Prosecutor asked each City in Warren County to contribute annually \$20,000 to offset the expenses of continuing to provide these services. In 2007, Council approved Ordinance 2007 – 90 which authorized a cooperative agreement with the Warren County Board of County Commissioners for Victim Witness Advocate Services. Jennifer explained that this agreement is ongoing at an annual cost of \$20,000 and can be terminated by either party with 60 days' notice. There has been no increase for these services since 2007, while the workload has increased. The County Prosecutor's costs have exceeded the \$20,000 by approximately \$5,000-\$6,000 annually for several years. Jennifer stated that as part of the 2014 Budget process an increase of \$10,000 in the annual cost, for a total of \$30,000, for providing these services was recommended. This amount should maintain the current arrangement for 5 years or more without the City having to increase staffing or other contractual arrangements.

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.

Councilmember Pelfrey stated that her family has personally experienced the importance of this critical service and expressed her appreciation for the fantastic job provided by the Victim's Advocate.

A motion to adopt Ordinance 2013-112 was made by Councilmember Prince, seconded by Councilmember Spaeth. VOTE: ALL YEAS.

ORDINANCE 2013-113 APPROVING AND AUTHORIZING THE EXECUTION OF AN AMENDED AND RESTATED TAX INCENTIVE AGREEMENT PERTAINING TO THE KINGS MILL TAX INCREMENT FINANCING DISTRICT

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

Eric Hansen explained that the overall success of tax tools such as TIF (Tax Increment Financing) and CRA (Community Reinvestment Area) are directly related to the positive and progressive relationships that exist between the City and corresponding school districts. Both City and school staff work to assure that the schools are reimbursed for tax revenues and both parties recognize the value of a strong economy, developing land to maximize tax dollars, and

jobs benefitting the residents of Mason. Eric stated that the City of Mason and Kings Local School District have worked to develop a streamlined and standardized process that eliminates the need to negotiate a reimbursement agreement with each CRA or TIF. This will set a policy that is mutually advantageous to both parties and will allow the City to compete for new investment more effectively.

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.

Mayor Nichols commented that Kings School District has been wonderful to work with and that they understand the importance of economic development.

A motion to adopt Ordinance 2013-113 was made by Councilmember Prince, seconded by Councilmember Cox. VOTE: ALL YEAS.

A motion to adopt a memorandum of understanding between the City of Mason and Kings Local School District was made by Councilmember Prince, seconded by Councilmember Pelfrey. VOTE: ALL YEAS.

COMMITTEE REPORTS

Councilmember Prince explained the difficult decision that was made to cancel Christmas in Mason. He stated that many residents have expressed their appreciation for this decision when considering the unsafe weather conditions. They look forward to next year's event.

OLD AND NEW BUSINESS

Vice Mayor Kidd stated that he is impressed with how well the City optimizes the life of city equipment and vehicles.

Councilmember Spaeth stated that a second pedestrian has been hit this school year and asked that community leaders work together to resolve the unsafe school traffic situation before a tragedy occurs.

Eric Hansen stated that Council needs to appoint a representative to the OKI Board before January 3, 2014. Councilmember Cox stated that as Council Representative the past two years, he has found it difficult to attend Thursday OKI meetings as they conflict with his work schedule. He stated that he would continue as Mason's OKI Representative and do the best that he could to attend the meetings. Eric Hansen stated that the City has committed staff to attend OKI meetings and is exploring with OKI an option for an elected City official and/or designee. A motion to appoint Rich Cox as OKI Board Representative until other options regarding a City staff designee are explored was made by Councilmember Pelfrey, seconded by Councilmember Spaeth. VOTE: ALL YEAS.

Council discussed the great job that City crews do clearing the roads of snow in the City of Mason. Richard Fair stated that the City is responsible for clearing over 300 lane miles of road.

RECOGNITION OF VISITORS - none

EXECUTIVE SESSION: PROPERTY/LAND ACQUISITION

A motion to adjourn into Executive Session for the purpose of discussing property/land acquisition was made by Councilmember Prince seconded by Vice Mayor Kidd. VOTE: ALL YEAS. TIME: 8:34 p.m.

A motion to reconvene into Regular Session was made by Councilmember Cox, seconded by Councilmember Prince. VOTE: ALL YEAS. TIME: 9:33 p.m.

ORDINANCE 2013-114 AUTHORIZING THE CITY MANAGER TO ACQUIRE APPROXIMATELY 3.2 ACRES OF REAL PROPERTY AT A PRICE NOT TO EXCEED \$1100 AND DECLARING AN EMERGENCY (FORMER WEATHERSTONE PROPERTY)

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 Councilmember Cox, seconded by Vice Mayor Kidd. VOTE: ALL YEAS.

A motion to adopt Ordinance 2013-114 was made by Councilmember Cox, seconded by Councilmember Prince. VOTE: ALL YEAS.

ORDINANCE 2013-115 AUTHORIZING THE CITY MANAGER TO EXECUTE A LETTER OF INTENT AND TO NEGOTIATE A RELATED PURCHASE AGREEMENT RELATED TO THE SALE OF APPROXIMATELY NINE ACRES OF LAND ON INNOVATION WAY

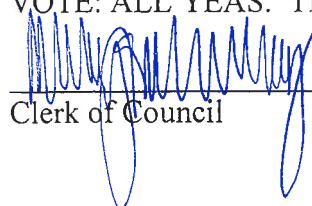
A motion to read by title only was made by Councilmember Spaeth, seconded by Councilmember Cox. VOTE: ALL YEAS.

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

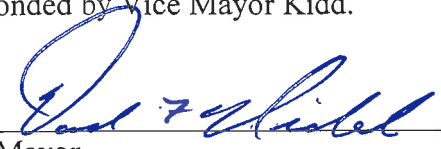
A motion to adopt Ordinance 2013-115 was made by Councilmember Cox, seconded by Councilmember Pelfrey. VOTE: ALL YEAS.

ADJOURN

A motion to adjourn was made by Councilmember Cox, seconded by Vice Mayor Kidd. VOTE: ALL YEAS. TIME: 9:34 p.m.



Clerk of Council



Mayor