

**CITY OF MASON
COUNCIL MEETING
FEBRUARY 23, 2015**

The meeting was called to order at 7:04 p.m. Reverend Terry Kidd 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, Jim Fox, Charlene Pelfrey, Don Prince, and David Nichols.

APPROVAL OF MINUTES

A motion to approve the February 9, 2015 Council Meeting Minutes was made by Councilmember Cox, seconded by Councilmember Spaeth. VOTE: ALL YEAS.

CITY MANAGER'S REPORT

The City of Mason, in partnership with the American Legion and Pillars of Honor, Inc., hosted a Day of Honor & Unveiling of the Original Scale-Model of the National World War II Memorial on Saturday, February 21 at 1:00 p.m. at the Mason Community Center. This event honored WWII Veterans unable to travel to Washington D.C. to see their memorial in person.

Pillar of Honor volunteers, who bring this traveling exhibit to many cities, complimented the City of Mason on providing such a nice facility to the community. Eric explained that the strength of partnerships and the Mason business community make this amenity possible. Since the Community Center expansion almost five years ago, the City has not had to use taxpayer funds to support operations, has been able to use revenues generated towards improvements at the Center, and has not increased membership rates.

The Mason Community Center will host the 6th Annual Race to Anyplace on March 7th. This is an indoor cycling competition where teams race one another in support of blood cancer research. Registration begins at 7:30 a.m. People are invited to support the event through participation, attendance, and donation.

March 20, 21, and 22 are Member Appreciation Days at the Mason Community Center. There will be programs and incentives to recognize members.

The Mason Community Center is hosting World Down Syndrome Day on Saturday, March 21. Children and families can enjoy activities and programs at this free event.

Snow removal becomes the priority across multiple departments allowing for 24-hour coverage. Assistant Utility Superintendent Kathy Dorman is a good example as she has been "incident commander" the past month even though snow removal isn't in her typical duties. At this time,

the City has enough supplies of salt and fuel to handle future snow events. With salt shortages and prices at epic highs, staff has been conservatively using salt and hoping to purchase additional salt this week. This is the first year that equipment has been stored under roof ready to respond to snow events without delay. The new Service Center allows the trucks to be stored loaded with salt and ready to go. This has been a huge improvement in snow removal.

COMMITTEE REPORTS

Councilmember Pelfrey discussed upcoming Bicentennial activities. She said that upcoming events include *Imagine! Mason the Musical* performances on April 9th - 12th and Community Service Day on April 11th. She invited residents to become involved by volunteering, attending events, and purchasing commemoratives that are now available.

Councilmember Spaeth discussed the Warren County Municipal League meeting. Vice Mayor Kidd and Judge Robert Peeler presented educative information regarding the heroin epidemic. This problem is considered a medical issue because of the addictive properties of the drug. Councilmember Spaeth encouraged attendance at the upcoming OneCity fundraiser.

Councilmember Prince discussed the Salute to Veterans event scheduled for May 16th. He announced the four guest speakers at the event, Josh Mandell, Brad Wenstrup, Danny Bulp, and keynote speaker Vice Admiral James P. Wisecup USN (retired). A Marine Corp active duty Color Guard will be present along with many interesting activities and displays. He encouraged veterans to pre-register for the event by visiting the website.

SWEARING-IN FIREFIGHTERS, FIRE LIEUTENANTS, AND DEPUTY FIRE CHIEFS

Chief John Moore introduced Mason Firefighters Jake Bennett, Andy McCormick, Andy Schmidt, Chad Schrock, Trent Small, Lance Smith, Dan Spaeth, Greg Thomas, and Jeff Walton. Mayor Nichols presided over the swearing-in ceremony of the nine firefighters.

Chief Moore introduced Mason Fire Lieutenants Aaron Bosko and Julie Miller. Mayor Nichols presided over the swearing-in ceremony of Lt. Bosko and Lt. Miller. Lieutenant Badges were pinned on to their uniforms by family members.

Chief Moore introduced Deputy Fire Chiefs Steve Botts and Bryan Brumagen. Mayor Nichols presided over the swearing-in ceremony of Deputy Chief Botts and Deputy Chief Brumagen. Deputy Chief Badges were pinned on to their uniforms by family members.

PRESENTATION OF CITIZEN'S AWARD FOR DISTINGUISHED SERVICE, LIFE SAVER AWARD, AND 2014 FIREFIGHTER OF THE YEAR AWARD

Chief Moore introduced Michael Clements as recipient of the Citizen's Award for Distinguished Service. He stated that Mr. Clements is a member of CERT (Community Emergency Response Team) and has dedicated hundreds of hours assisting the Fire Department provide CPR classes to the community, businesses and individuals.

Chief Moore introduced Jordan Boyd as recipient of the Life Saver Award, the highest award given. Firefighter Boyd assisted a choking victim by clearing the airway and restoring active breathing.

Chief Moore introduced Luke Burkhart as the 2014 Firefighter of the Year. Firefighter Burkhart is being recognized for his productivity, many training accomplishments, a member of USAR Ohio Task Force 1, and an outstanding employee. Mayor Nichols commented on the many unsolicited compliments received concerning the professionalism of City of Mason Police and Fire Department personnel.

RECOGNITION OF VISITORS - none

ORDINANCE 2015-22 AMENDING THE CODIFIED ORDINANCES OF THE CITY OF MASON, OHIO, TO MODIFY CHAPTER 949 IN PART AND ADOPT MODIFICATIONS TO CHAPTER 949 PROVIDING FOR INDUSTRIAL PRETREATMENT REGULATIONS AND ADMINISTRATIVE PROCEDURES

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

Eric Hansen stated that the City administers an Industrial Pretreatment Program that helps protect the sewer system from accidental industrial release that could interfere with Water Reclamation Plant processes and ensures compliance with federal and state regulations. In October 2014, Ohio EPA completed an audit of the City's Pretreatment Program. As a result of the audit, the City was notified that two procedural actions were required to keep the program in compliance. Eric stated that a draft with minor modifications to the City's Utilities Regulations Chapter 949 has been submitted to Ohio EPA and the changes have been approved.

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 2015-22 was made by Councilmember Pelfrey, seconded by Councilmember Spaeth. VOTE: ALL YEAS.

ORDINANCE 2015-23 AUTHORIZING THE CITY MANAGER TO ENTER INTO CONTRACT WITH BRIGHT STREET, LLC FOR INSTALLATION OF THREE FLAGPOLES IN THE DOWNTOWN PLAZA AREA IN AN AMOUNT NOT TO EXCEED \$14,909 AND DECLARING AN EMERGENCY

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

Jennifer Heft stated that in recognition of the City's Bicentennial, VFW Post 9066 and American Legion Post 194 have offered to donate flags and flagpoles to be located on the downtown plaza. The Bicentennial Committee and city staff considered locations for the flagpoles and identified an existing landscape planting area on the western side of the plaza as an ideal location. She

explained that placing flagpoles in this area has the least disruption to current landscaping and infrastructure, easy access to power necessary for lighting of the flags at night, and the least costly option. One existing tree will need to be removed in this area. Jennifer stated that the VFW and American Legion will be purchasing and supplying the flags and poles. A Bicentennial logo flag will fly next to the United States and State of Ohio flags throughout 2015. At the conclusion of the City's Bicentennial the MIA/POW flag will replace the Bicentennial flag. Jennifer stated that the contract with Bright Street includes installation of flagpole foundations, assembling and setting the poles, and all necessary electrical connections. An emergency clause has been included to facilitate completion of the project before Memorial Day and Community Unity Week celebration.

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

Mayor Nichols thanked the veteran groups that work behind the scenes raising the level of the quality of life in our community.

A motion to adopt Ordinance 2015-23 was made by Councilmember Cox, seconded by Councilmember Fox. VOTE: ALL YEAS.

ORDINANCE 2015-24 ACCEPTING THE PROPOSAL FOR THE READING ROAD IMPROVEMENT MASTER PLAN FROM BAYER BECKER, INCORPORATED, IN THE AMOUNT NOT TO EXCEED FEE OF \$50,000, AND AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT DOCUMENTS

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

Kurt Seiler stated that this contract requests a master plan for improvements along Reading Road from 1st Avenue to Tylersville Road. He explained that in 2008 construction was completed for the Downtown Streetscape improvements with future phases conceptually defined. During this year's budget discussions, the desire was expressed to begin planning for future improvements on Reading Road. Kurt stated that design services in this contract include an analysis of existing conditions, potential lane configurations, conceptual pedestrian sidewalks, storm sewer, potential streetscape designs, gateway features, phasing and cost estimates, and impact on parking. Proposals were received from three firms and Bayer Becker's was considered the best. Bayer Becker has designed numerous projects throughout the city and Ordinance 2015-24 is recommended for adoption in an amount not-to-exceed \$50,000.

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.

To Councilmember Fox's question regarding sidewalks on the west side, Kurt responded that the goal is for sidewalks on both sides. There are utility, water, and signage challenges on the west side that need to be considered. Councilmember Cox requested that crosswalks be well lit and asked about a bike path and improvements to the north side of Reading Road. Kurt stated that he

is not sure if there will be room for a bike path, but possibly a bike lane. Conceptual and some of the improvements in the design may be applicable to the north side of downtown.

A motion to adopt Ordinance 2015-24 was made by Councilmember Cox, seconded by Councilmember Fox. VOTE: ALL YEAS.

ORDINANCE 2015-25 ACCEPTING THE PROPOSAL FOR THE US-42 TYLERSVILLE ROAD SEWER OVERFLOW REDUCTION AND REHABILITATION PROJECT DESIGN FROM STRAND ASSOCIATES INCORPORATED, IN THE AMOUNT NOT TO EXCEED FEE OF \$40,000 AND AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT DOCUMENTS

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

Kurt Seiler stated that this project is in the budget for both design and construction this year. He explained that staff applied for an Ohio Public Works Commission grant and expects funding to be awarded. The grant request is for \$336,000 (49%) of an estimated project cost of \$687,000. Moving forward with the design at this time will better position the City for grant funding and design is an eligible item within the grant. Kurt explained that the project spans from the cul-de-sac of Lindemann Lane through Meadows Park and continues through Tylersville Crossing to the intersection of US-42 and Tylersville Road. This area experiences sewer overflows and backups during significant storm events. Most of the project will be slip-lining and pipe-bursting trenchless construction, with some open trenching. The most difficult part of the project will be in the area of US-42 and Tylersville with directional drilling across the intersection. He stated that an estimated 3000 feet of sanitary sewer will be rehabilitated. Staff recommends Strand Associates (\$40,000) for the final design of this project. Staff felt that Strand Associates' proposal was the most comprehensive in providing services necessary for this complex project. Although Strand Associates' cost was not the lowest, Strand's project team had the most appropriate qualifications for this specialized project. Ordinance 2015 – 25 in an amount not to exceed \$40,000, includes the final engineering design and plans and specifications for bidding the project and is recommended 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 Cox. VOTE: ALL YEAS.

A motion to adopt Ordinance 2015-25 was made by Councilmember Prince, seconded by Vice Mayor Kidd. VOTE: 6 YEAS (Spaeth absent for vote).

ORDINANCE 2015-26 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH M AND S GLASS, INC., IN THE AMOUNT OF \$49,600 FOR LABOR, MATERIAL, AND RIGGING TO REMOVE EXISTING FIFTY-THREE (53) MUNICIPAL CENTER ATRIUM WINDOW LITES TO REPAIR FRAMES, PERIMETER AND GLASS PERIMETER CAULKING, INSTALL NEW BREAK METALS AT SILLS, AND SILL FLASHING

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

Jennifer Heft stated that the Municipal Center has experienced rain water intrusion problems since construction in 2002. She explained that during construction, the original window installer filed bankruptcy and the City hired a replacement contractor to finish installing the windows. In addition, the City litigated the original contractor for failure to complete the job and accepted a settlement of over \$100,000. Jennifer explained that over the years, the City has hired several contractors to try and correct the water problem in the atrium but the issue continued until 2013. In 2013, M. and S. Glass, Inc. removed a section of lites, located on the southeast corner of the Municipal Center, and replaced break metal at the sill and the sill flashing. Since this work, there have been no further signs of water intrusion in this area. She stated that with the success of the work performed by M. and S. Glass, Inc., staff recommends moving forward with replacement of the remaining fifty-three (53) lites at a cost of \$49,600. The 2015 budget included \$60,000 for this work.

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.

Mayor Nichols asked if more funds have been spent on repairing the leak than funds received as part of the settlement with the original contractor. Eric Hansen estimated that \$20,000 to \$25,000 has been spent so far and the settlement was for over \$100,000.

A motion to adopt Ordinance 2015-26 was made by Councilmember Fox, seconded by Councilmember Pelfrey. VOTE: ALL YEAS.

OLD AND NEW BUSINESS

Councilmember Cox complimented city crews for doing such a great job clearing the roads over the past week.

Mayor Nichols spoke about the Pillars of Honor event that brought the original scale model of the World War II Memorial to Mason Community Center. He stated that this moving ceremony was an opportunity for WWII veterans unable to travel to Washington D.C. to see the Memorial. At the event, a veteran spoke about his experience as part of the first troops to land at Omaha Beach on D-Day. Mayor Nichols announced that the City is planning a special event in May with Mrs. Eva Mozes Kor, a twin and survivor of the Auschwitz concentration camp.

Vice Mayor Kidd stated that he appreciates Mayor Nichols and Councilmember Prince's efforts and emphasis on events that honor U.S. Veterans.

RECOGNITION OF VISITORS

Steve Baumgardner, Boy Scout Troop 500 Scoutmaster, stated that Troop 500 Scouts are working on their Citizenship in the Community merit badges. He thanked the City for all the things they do and for keeping the roads clear for travel.

Sallie Nally of 627 Reading Road and downtown Mason business owner, stated that she appreciates the collaboration between the American Legion, VFW, City staff, City Council, and community members. She expressed pride in the community's united patriotism.

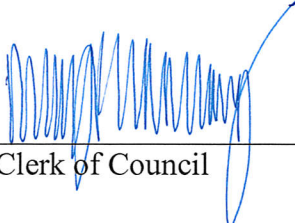
EXECUTIVE SESSION: LAND ACQUISITION

A motion to adjourn into Executive Session for the purpose of discussing land acquisition was made by Vice Mayor Kidd, seconded by Councilmember Cox. VOTE: ALL YEAS. TIME: 8:28 p.m.


A motion to reconvene into Regular Session was made by Councilmember Prince, seconded by Vice Mayor Kidd. VOTE: ALL YEAS. TIME: 9:05 p.m.

ADJOURN

A motion to adjourn was made by Councilmember Cox, seconded by Vice Mayor Kidd. VOTE: ALL YEAS. TIME: 9:06 p.m.



Clerk of Council



Mayor