

**CITY OF MASON
COUNCIL MEETING
APRIL 13, 2015**

The meeting was called to order at 7:03 p.m. Father Jerome Bishop 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, and Don Prince. David Nichols was absent.

APPROVAL OF MINUTES

A motion to approve the March 23, 2015 Council Meeting Minutes was made by Councilmember Pelfrey, seconded by Councilmember Cox. VOTE: ALL YEAS.

CITY MANAGER'S REPORT

Mason City Tax Returns are due Wednesday, April 15. Residents can calculate and file online or visit the Tax Office at the customer service counter on the first floor of Mason Municipal Center. The Tax Office has extended office hours on Wednesday, April 15 from 8:00 a.m. to 7:00 p.m.

The public is invited to an Open House at the Mason Food Pantry on Saturday, April 25 from 11:00 a.m.–2:00 p.m. There will be a lot of activities including free lunch, car seat checks, face painting, Mason firetruck on display, raffle baskets, and a special guest, former Cincinnati Bengals Kicker Jim Breech.

Representative Paul Zeltwanger will be available at Mason Municipal Center on May 1, August 7, and November 6 from 3:00 p.m. to 5:00 p.m. to personally listen to constituent issues.

The Lindner Center of HOPE, partnering with Live Well in Mason, will host another Community Outreach presentation on Wednesday, May 13 from 6:30 p.m. to 7:30 p.m. at the Mason Community Center. This is the second of four educational presentations that provide expert discussion in mental health, addictions, and mental wellness by Lindner Center of HOPE clinicians. Join Chris Tuell's presentation on *Behavioral Addictions: Gambling, Pornography, Internet, and Spending*. Registration is suggested for this event. There are two more presentations as part of this educational series on August 12 and November 11.

All Veterans, their families, and the public are welcome to participate in a Salute to Veterans celebration in conjunction with Armed Forces Day on Saturday, May 16 at Mason Municipal Center campus. Events on stage will begin at 2:00 p.m. Councilmember Prince stated that posters are available for any area business owners interested in advertising the event. He encouraged veterans to register for the event.

COMMITTEE REPORTS

Councilmember Spaeth stated that the Warren County Municipal League will meet this Wednesday evening at the Golden Lamb in Lebanon and the topic will be the “State of the County.” She reported that at the April 9th Parks and Recreation Board meeting, activities and events discussed included the April 11th MCC Open House, Community Service and Earth Day events, April baseball tournaments, Moonlight Fishing, *Strolling with Angels* 5K on May 9th and the *Sheri Collins Memorial* 5K on May 30th. She said that in partnership with Mason Public Library, the Community Center will host story time three days a week. In the parks, there is a new fishing policy change and updates to ball fields are expected to be completed by May 24th.

Councilmember Pelfrey stated that she has received positive feedback regarding the Bicentennial musical production and thanked the talented Mason Community Players. She thanked all participants during Community Service Day and stated that twenty-five projects were completed.

Jeff Forbes stated that he has reviewed documents made available by the City as well as documents submitted by residents of various Crooked Tree subdivisions. Based on his review of relevant documents, the current legal zoning of Crooked Tree is comprised of a combination of R-3 and R-6 districts, a small portion of PUD (Wooded Vista), and a portion of B-2 (Bethany Green Circle). There is no credible legal basis to assert that the zoning is otherwise. City Council should be confident that their decisions based on this established zoning status are consistent, defensible, and appropriate. This matter should be considered concluded and any questions directed to his office.

PRESENTATION OF SERVICE PROCLAMATION FOR BETTY DAVIS

Vice Mayor Kidd stated that the City of Mason recognizes today a very special lady who is smart, tough, good and has had a positive impact on the community. He introduced Ms. Betty Davis and asked her to please come forward. Councilmember Fox read a statement from former Mayor John McCurley thanking her for her many years of service and stating that the City of Mason would not have been the same great national award-winning city that it is today without contributions made by Betty’s dedication and efforts. Vice Mayor read the City Proclamation and thanked Betty for her service to the community. Betty Davis stated that while serving on City Council she had the opportunity to give back to a community that has given her and her family so much. She introduced her family and expressed appreciation for living in the City of Mason and for opportunities provided to persons with developmental disabilities to work, live, and become a part of the community. She thanked the City of Mason and stated that the City has become a part of her heart and soul.

PRESENTATION OF LINDNER CENTER OF HOPE PROCLAMATION

Vice Mayor Kidd stated that both Lindner Center of HOPE and Assurex Health have made an enormous impact on the City of Mason and countless lives around the world. He introduced Brian Owens and Jennifer Pierson of Lindner Center of HOPE and Gina Drosos and Don Wright of Assurex Health. Brian Owens stated that in 2008, Lindner Center of HOPE opened in Mason and is honored to be part of the community. He thanked the City, Mayor and City Council for unwavering support of their mission to provide hope to families struggling with mental health and addiction issues. Mr. Owens discussed the mental health education day at Manor House on May 3rd with keynote speaker Mackenzie Phillips and breakout sessions. Gina Drosos expressed appreciation to the City of Mason for supporting young emergent businesses and stated that

Assurex Health has grown in just a few years from four employees to 400 employees. Forward-thinking by the City helps improve employment and builds a tax base that gives back to the community. Ms. Drosos stated that Assurex Health does genetic testing that helps physicians choose the right medication for a patient. They are very passionate about Mental Health Awareness Month and she listed other activities such as VA Research Week, NAMI fundraising walks, and an inaugural lecture on Pharmacogenomics at the American Psychiatric Association (APA). She said participation in these local and national activities will help drive awareness and development in mental health care technology. Vice Mayor Kidd presented proclamations to Assurex Health and Lindner Center of HOPE in recognition of May as Mental Health Awareness Month and May 3rd as mental illness and addiction Education Day.

PRESENTATION OF FIRE DEPARTMENT LIFE SAVER AWARDS BY FIRE CHIEF MOORE

Chief Moore stated that on February 9th emergency crews were dispatched, and upon arrival, Mason Police Officer Sloan began chest compressions on a patient with no pulse and not breathing. Mason Fire EMS personnel began advanced cardiac life support procedures upon arrival and were successful in returning the patient's circulation and breathing. The patient was transported to the hospital, successfully treated, and released eight days later with few restrictions. Chief Moore stated that tonight the Life Saver Award is presented to members that without their intervention, life would have been lost. Life Saver Awards were presented to Lieutenant Julie Miller, Firefighter Paramedics Mike Green, Andy Smith, Lance Smith, Dan Spaeth, Matt Wagers, and Officer Chris Sloan. Chief Moore stated that Firefighter EMT Bill Galvin, not present tonight, is also a recipient of the Live Saver Award.

RESOLUTION 2015-4 PROCLAIMING THE WEEK OF MAY 17-23, 2015 AS EMERGENCY MEDICAL SERVICES WEEK

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

Chief Moore stated that EMS week is an opportunity to recognize emergency medical service providers including physicians, nurses, firefighters, and paramedics. He said that Mason's firefighters, emergency medical technicians, and paramedics not only serve our community with distinction but also train the community in CPR, which is critical in giving someone suffering a heart attack the best chance for survival. The City offers free CPR classes to citizens and employers.

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

A motion to adopt Resolution 2015-4 was made by Councilmember Prince, seconded by Councilmember Spaeth. VOTE: ALL YEAS.

RECOGNITION OF MASON MANTA RAYS SWIM TEAM

Chrissy Avery, Mason Parks and Recreation Director, said that the Mason Manta Rays swim team is one of the City's largest programs with over 300 swimmers. She introduced Ken Heis,

Manta Rays Head Coach, to report on the team's accomplishments this year. Ken Heis stated that this year there were 131 new records set, the team has a national ranking of 60 out of 3000 teams, seniors Justin Hove and Sydney Lofquist were recognized by USA Swimming as Academic All-Americans, Hannah Whiteley and Ashley Volpenhein will represent Team USA in Dublin, Ireland, and five Manta Rays swimmers have qualified for the 2016 USA Olympic Swimming Trials. Ken introduced the top swimmers from the State Junior Olympics meet, Senior Sectional swimmers, and NCSA National Team swimmers.

RECOGNITION OF VISITORS

Alyssa Heim, Deputy District Director for Congressman Steve Chabot, introduced herself and stated that she oversees the Warren County office in Lebanon. She stated that Congressman Chabot is Chair of the Small Business Committee and will be touring small businesses in the First District during Small Business Week in May. She asked to be contacted if you know of a small business that would like to have the Congressman visit.

RESOLUTION 2015-5 PROCLAIMING THE DAY OF APRIL 24, 2015 AS ARBOR DAY

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

Jennifer Heft stated that the City's annual Arbor Day celebration held on Saturday, April 11 included Earth Day activities. Business participants included Trek Bikes, Rumpke Recycling, Kind Granola, Mason Farmer's Market, Tree City USA, and Juice Plus. Public Works and Public Utilities staff participated and distributed free evergreen saplings for residents to plant and help grow our community green. Jennifer stated that the City of Mason will receive the Tree City USA award for 2015.

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

A motion to adopt Resolution 2015-5 was made by Councilmember Prince, seconded by Councilmember Fox. VOTE: ALL YEAS.

ORDINANCE 2015-39 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH RACK & BALLAUER EXCAVATION CO., INC. FOR THE FURBEE DRIVE AND CASTANEA DRIVE DRAINAGE IMPROVEMENT PROJECT IN THE AMOUNT OF \$340,243

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

Kurt Seiler explained that easements were obtained last year in preparation for this regional stormwater project to eliminate and improve nuisance and structural flooding in the area by diverting water to Pine Hills Lake. This area was specifically reviewed as part of the Stormwater Master Plan to be sure that water could safely drain into the lake. Kurt stated that of the three bids received, Rack & Ballauer submitted the lowest bid. This company has not directly worked for the City but has performed several waterline projects for Greater Cincinnati Water Works

within the City. Rack & Ballauer has been very responsive to City staff and residents during these projects. He said that the 2015 Budget included \$350,000 for the construction of this project.

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

A motion to adopt Ordinance 2015-39 was made by Councilmember Prince, seconded by Councilmember Spaeth. VOTE: ALL YEAS.

ORDINANCE 2015-40 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH JOHN R. JURGENSEN COMPANY, FOR THE 2015 STREET RESURFACING PROGRAM IN THE AMOUNT OF \$1,598,933

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

Kurt Seiler discussed Ordinance 2015-40, Ordinance 2015-41, and Ordinance 2015-42 together. He explained that in Ordinance 2015-40, the 2015 Budget included a base budget of \$875,000 with an additional \$400,000 for possible secondary street maintenance, pending bid pricing. Often additional paving work that has been recommended as part of the budget is included in the street maintenance program bid package to obtain better pricing. This year the bid package also included: Stone Ridge Drive Extension and turn lanes on SR 741 (\$175,000), resurfacing of cart paths at the Golf Center (\$50,000), and concrete work at the Municipal Pool and Heritage Oak Park (\$12,000). Kurt stated that the base and secondary street programs anticipate resurfacing Terrace Drive, Fireside Drive, Firethorne Drive, Windward Drive, Heritage Club Drive, Appaloosa Trail, Surrey Lane, Paddock Lane and Palomino Trail. Kurt explained that last year, Greater Cincinnati Water Works (GCWW) completed a watermain project on David Lane, Arbor Court and Acoma Drive which requires them to resurface half the roadway. While the City did not intend to resurface these roadways at this time, it would be prudent to do the other half of the roadway in conjunction with GCWW's portion. The entire roadway work for these streets is included in the City's resurfacing program and GCWW will reimburse the City for their portion of the work (\$97,500). Kurt stated that two bids were received, with J. R. Jurgensen submitting the lowest bid. The bid price per ton of asphalt was \$64.50 this year compared with \$67.80 last year. Consequently, staff recommends taking advantage of this pricing and authorizing the additional \$400,000 secondary street maintenance program funds. Kurt explained that a portion of the annual pavement program is also dedicated to maintenance items such as crack sealing and pavement preservation. For the past several years the City has been contracting this work directly rather than thru the larger program to get better pricing by avoiding the markup from the general contractor. He stated that Ordinance 2015-41 authorizes a contract with J & A Construction, Inc. for crack sealing work in an amount of \$45,000. J & A has performed the City's crack sealing work for the past few years with very few complaints from residents and competitive pricing at or below state bid. Ordinance 2015 – 42 authorizes a contract with Strawser Construction, Inc. for placement of mastic surface treatment in the amount of \$20,000. Kurt explained that this ordinance will enable staff to test a new product called Onyx, which is a surface treatment applied to streets where heavy crack sealing is also applied.

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 2015-40 was made by Councilmember Cox, seconded by Councilmember Prince. VOTE: ALL YEAS.

ORDINANCE 2015-41 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH J & A CONSTRUCTION, INC., FOR CRACK SEALING IN THE AMOUNT OF \$45,000

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

A motion to adopt Ordinance 2015-41 was made by Councilmember Fox, seconded by Councilmember Spaeth. VOTE: ALL YEAS.

ORDINANCE 2015-42 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH STRAWSER CONSTRUCTION, INC., FOR MASTIC PAVEMENT SURFACE TREATMENT IN THE AMOUNT OF \$20,000

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

A motion to adopt Ordinance 2015-42 was made by Councilmember Cox, seconded by Councilmember Spaeth. VOTE: ALL YEAS.

ORDINANCE 2015-43 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ROZZI'S FAMOUS FIREWORKS IN AN AMOUNT NOT TO EXCEED \$52,000, TO PROVIDE FIREWORKS DURING THE CITY OF MASON'S BICENTENNIAL RELATED EVENTS

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

Jennifer Heft stated that for over a year now, the City's Bicentennial Committee consisting of Councilmember Spaeth, Councilmember Cox, and Chairperson Pelfrey along with the Mason Historical Society and civic groups have been working on a variety of events in celebration of the City's Bicentennial. She stated that upcoming Bicentennial events include Salute to Veterans, Downtown Community Unity, Community Baseball Tournament, Historical Society Cemetery Walk, a Birthday Party, and Closing Ceremony. She explained that City staff prepared a Request for Proposal (RFP) for fireworks as part the Salute to Veterans, Community Unity Days and Birthday Party Bicentennial events. Interested firms could propose on individual

events or all four shows. The RFP was mailed to three firms and the City received proposals from Prestige Fireworks and Rozzi's Famous Fireworks. She explained that the City has experience with both firms and staff recommends moving forward with a contract with Rozzi because their proposal was more detailed, had a more thorough response and understanding of items related to the venue and firing zones, identified a team with experience and knowledge, acknowledged setup and teardown expectations along with size and quantities of shells to be used at each event, and was the least costly. City Council approved a budget of \$400,000 for the two-day Birthday Party and \$200,000 for all other events and activities related to the City's Bicentennial. The contract with Rozzi's Famous Fireworks in an amount not-to-exceed \$52,000 is within the budgeted amounts approved by Council. She said that plans include a 10-minute fireworks show on July 4th during the Community Unity Days event, a 10-minute show on Friday night of the Birthday Party on September 18, and a 25-minute show on Saturday night of the Birthday Party on September 19.

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

A motion to adopt Ordinance 2015-43 was made by Councilmember Cox, seconded by Councilmember Fox. VOTE: ALL YEAS.

A motion to add Ordinance 2015-44 to the agenda was made by Councilmember Fox, seconded by Councilmember Pelfrey. VOTE: ALL YEAS.

ORDINANCE 2015-44 AUTHORIZING THE CITY MANAGER TO EXECUTE ANNEXATION PETITIONS FOR CITY OWNED PROPERTY AND DECLARING AN EMERGENCY

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

Jeff Forbes explained that this first procedural step for annexation of city-owned property outside of City limits is general in nature and is not addressing any specific pending petition. It would authorize the City Manager to execute any petitions as they are received. The purpose is to assist neighboring properties avoid double taxation.

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

A motion to adopt Ordinance 2015-44 was made by Councilmember Fox, seconded by Councilmember Cox. VOTE: ALL YEAS.

OLD AND NEW BUSINESS

Councilmember Cox expressed appreciation for the Bicentennial musical production written by John Miller and produced by Laureen Catlin. He stated that the goal of 2015 service hours was met during the Community Service Day and he thanked Mason Kiwanis, all the organizations and individuals participating, and Sallie Nally for organizing the event.

Councilmember Spaeth talked about how amazing Community Service Day was. She said that the group she worked with enjoyed the opportunity to serve lunch to Mason's first responders and would like to do this yearly. She also stated how much she enjoyed the Bicentennial play and the Easter buffet at CourseView Restaurant.

Councilmember Fox recognized government students in the audience and stated that he looks forward to the future when they serve as councilmembers and he is the audience member.

Councilmember Cox said that the Bicentennial play will be broadcast on ICRC television.

RECOGNITION OF VISITORS

Chris Martin of 206 N. East Street thanked City Council and stated that changes to the fishing policy in the parks will make a difference.

Bethany Angstadt of 5764 August Court expressed her appreciation for this great community and encouraged City leaders to focus on spending taxpayer dollars wisely.

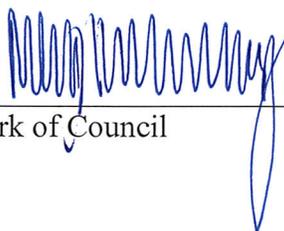
EXECUTIVE SESSION: LAND ACQUISITION

A motion to adjourn into Executive Session for the purpose of discussing land acquisition was made by Councilmember Prince, seconded by Councilmember Pelfrey. VOTE: ALL YEAS. TIME: 8:29 p.m.

A motion to reconvene into Regular Session was made by Councilmember Fox, seconded by Councilmember Prince. VOTE: ALL YEAS. TIME: 9:09 p.m.

ADJOURN

A motion to adjourn was made by Councilmember Prince, seconded by Councilmember Cox. VOTE: ALL YEAS. TIME: 9:10 p.m.



Clerk of Council



Mayor