

**CITY OF MASON
COUNCIL MEETING
MAY 11, 2015**

The meeting was called to order at 7:05 p.m. Rabbi Kalmanson opened the meeting in prayer. Mason Police Color Guard presented the colors. 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 April 27, 2015 Council Meeting Minutes was made by Vice Mayor Kidd seconded by Councilmember Spaeth. VOTE: 6 YEAS, 1 ABSTAIN (Nichols).

CITY MANAGER'S REPORT

Ordinance 2015-34 was tabled from the April 27 meeting. Due to a conflict, the applicant requests that this Ordinance be tabled to the June 8 meeting. A motion to table Ordinance 2015-34 to the June 8, 2015 Council Meeting was made by Councilmember Fox, seconded by Councilmember Prince. VOTE: ALL YEAS.

The Lindner Center of HOPE, partnering with Live Well in Mason, will host another Community Outreach presentation on Wednesday, May 13 at Mason Community Center on Behavioral Addictions. Registration is suggested for this event.

All Veterans, their families, and the public are welcome to participate in a Salute to Veterans celebration May 16 at Mason Municipal Center campus. This Bicentennial event begins at noon with events on stage at 2 p.m.

City of Mason offices will be closed on Monday, May 25, in honor of Memorial Day. Trash collection is not affected by the closing. Mason Community Center will be open regular hours on Saturday and Sunday and on Memorial Day the center will open from 6 a.m. to noon with limited access. The Memorial Day Parade begins at 10 a.m. Lou Eves Municipal Pool opens for the season on Memorial Day weekend.

Mason Parks and Recreation Foundation and Mason Community Center will host the Sheri Collins Memorial 5K Run, Roll, & Sun on Saturday, May 30.

COMMITTEE REPORTS

Councilmember Spaeth announced that the Parks and Recreation Board meeting scheduled for May 14 has been cancelled.

PRESENTATION BY POLICE CHIEF RON FERRELL – MASON POLICE DEPARTMENT 2015 AWARDS

Chief Ferrell stated that this is Police Memorial Week and thanked everyone that attended the City's Memorial event this morning. He introduced Sergeant Craig Kline and Officer Nathan Ketterer of the Police Awards Committee. Sergeant Kline said that K-9 Officer Timber retired this year after eight years of service. Timber was utilized over 1200 times tracking armed suspects, felons, lost or missing persons, and narcotics. K-9 Timber was active in the community performing demonstrations for school and other community groups. K-9 Timber is awarded the Award of Merit and his handler, Officer Brad Walker, the Certificate of Accommodation. Mayor Nichols and Chief Ferrell presented the awards to K-9 Timber and Officer Walker.

Sergeant Kline stated that Officer Ryan Tanner retired after sixteen years of service as a Field Training Officer, Officer in Charge, and DARE Officer. He was an active participant in the Police Honor Guard, Safety Camp, and Scout Day. Officer Tanner was a dedicated and exceptional servant to the community. In recognition of his outstanding performance, Mayor Nichols and Chief Ferrell presented Officer Ryan Tanner the Award of Merit. Officer Tanner expressed his gratitude to everyone that he has worked with and the community that he served.

Sergeant Kline stated that Officer Aaron Shaffer responded to South Lebanon in April 2014 as a member of the Warren County Tactical Response Unit. While apprehending an armed suspect, Officer Shaffer acted selflessly to protect fellow officers. In recognition of his outstanding performance in the line of duty, Officer Aaron Shaffer is presented with the Award of Merit. Sergeant Kline stated that Officer Shaffer is also the recipient of this year's City of Mason Police Officer of the Year. He is an outstanding officer that demonstrates professionalism, compassion, respect and care. Mayor Nichols and Chief Ferrell presented both awards to Officer Aaron Shaffer.

Lieutenant Neil Garland stated that in honor of the City's Bicentennial Year, the Police Department designed a badge to commemorate the Police Department's years of service to the community and presented the Mayor, Vice Mayor, and each Councilmember with this badge, a challenge coin, and lapel pin to honor Council's role in the history of this great city.

VIDEO PRESENTATION: MASON'S BICENTENNIAL OPENING CEREMONY

Councilmember Pelfrey stated that ICRC is producing a video collection of Bicentennial events. The video presented highlights the Opening Ceremony. ICRC is doing this work free of charge and is truly an example of excellence in service. Councilmember Prince stated that ICRC will be recording the Salute to Veterans event on Saturday.

RECOGNITION OF VISITORS

Andre Dunkirk of 5130 Spire Oaks Drive asked if there will be a public hearing on June 8 concerning Ordinance 2015-34. Jeff Forbes responded that residents always have the opportunity to address Council during the Recognition of Visitors, but the Public Hearing portion

was closed at the April 27 meeting. On June 8, consideration of Ordinance 2015-34 will open with Council discussion, but Council may choose to entertain questions or answers from residents at their discretion.

Clark Wiebert and Jerry Flyr of the Church of Jesus Christ Latter Day Saints stated that the church is a primary sponsor of the *Feed Ohio* initiative. Governor Kasich has provided a proclamation inviting the citizens of Ohio to participate in *Feed Ohio* and they invite the City of Mason to issue a similar proclamation that would bring attention to this project. They expressed gratitude for the City of Mason's participation in *Feed Ohio* last year and look forward to working with the City again this year. Mr. Flyr stated that 55,000 pounds of food was collected in 2013 and 170,000 pounds of food was collected in 2014.

RESOLUTION 2015-9 FIRST READING: ADOPTING THE BUDGET OF THE CITY OF MASON FOR THE YEAR JANUARY 1, 2016 THROUGH DECEMBER 31, 2016

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

Eric Hansen stated that a Public Hearing is scheduled for June 8, 2015.

ORDINANCE 2015-34 APPROVING A MODIFICATION OF AN EXISTING CONDITIONAL USE PERMIT FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF BETHANY ROAD AND MASON-MONTGOMERY ROAD (BETHANY GREEN CIRCLE)

Tabled to the June 8, 2015 Council Meeting.

ORDINANCE 2015-48 APPROVAL OF THE REPLAT FOR THE NYMBERG SUBDIVISION

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

Kurt Seiler stated that the subject property is located at 409 Reading Road on the corner of Reading Road, Doc Erbeck Way, and Forest Ave. The replat would divide the property into two lots. All Smiles Dentistry is located on the front lot, Lot 1A, and the back lot is currently vacant. This replat will allow the back lot to be sold and developed. Kurt stated that Planning Commission recommends Ordinance 2015-48 for adoption with the following contingencies: renaming the replat to Nymberg Subdivision Section 1; labeling the Storm Sewer Easement as "Private"; changing "ingress/egress way" to "ingress/egress easement"; and requesting Zoning Board of Appeals approval of a variance for lot size and width.

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

Councilmember Fox had a question regarding future use of the vacant lot. Kurt stated that staff understands that the church is interested in purchasing the vacant lot and developing it with church property.

A motion to adopt Ordinance 2015-48 was made by Councilmember Pelfrey, seconded by Councilmember Prince. VOTE: ALL YEAS.

ORDINANCE 2015-49 APPROVAL OF THE REPLAT FOR LOT 12 IN FALLING BROOK PHASE A-6

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

Kurt Seiler stated that in 2007, Planning Commission did a blanket approval that included the replat of Lot 12 in this landminium development. He explained that the State requires each unit be recorded concurrently with the building's construction. This lot is located in the area of Sports Center Complex Drive and Fairway Drive.

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 2015-49 was made by Councilmember Prince, seconded by Councilmember Cox. VOTE: ALL YEAS.

ORDINANCE 2015-50 APPROVAL OF THE FINAL PLAT FOR THE RESERVES OF CARMELLE PHASE 3B

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

Kurt Seiler stated that Reserves of Carmelle subdivision consists of 156 buildable lots and this final plat for 14 buildable lots will dedicate utilities, storm, and sewer easements as well as right of way necessary for the Phase 3B section of the development. Kurt discussed relocation of the construction entrance into this development. He explained that the new construction entrance will line up with the Water Reclamation Plant on Mason-Morrow-Millgrove Road in an area that is more level and safer for construction traffic. Planning Commission recommends approval upon submittal of a Subdivider's Contract and performance bond.

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

Councilmember Cox inquired about traffic through the neighborhood and additional access at SR-741 and Mason-Morrow-Millgrove Roads. Kurt Seiler responded that traffic is better than it was and that construction of the second access from this neighborhood to SR-741 is expected to begin soon. The road connecting to Mason-Morrow-Millgrove Road through Willowbrook Subdivision is about 1000 feet away. Councilmember Cox stated that he has made a

commitment to not approve any additional development in Carmelle until a secondary access to the neighborhood is complete.

A motion to adopt Ordinance 2015-50 was made by Vice Mayor Kidd, seconded by Councilmember Fox. VOTE: 6 YEAS, 1 NAY (Cox).

ORDINANCE 2015-51 APPROVAL OF THE FINAL PLAT FOR THE ALVERTA SUBDIVISION SECTION 3B

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

Kurt stated that this is the last residential section of the Alverta Subdivision that is located on the south side of Western Row Road, east of Mason-Montgomery Road. The final plat for Alverta Section 3B consists of 12 buildable lots and the extension of Freedom Way. The plat will dedicate utilities, storm, and sanitary sewer easements as well as right-of-way necessary for this section of the development. Ordinance 2015–51 is recommended for adoption contingent upon submittal of a Subdivider’s Contract and performance bond.

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

A motion to adopt Ordinance 2015-51 was made by Councilmember Fox, seconded by Councilmember Prince. VOTE: ALL YEAS.

ORDINANCE 2015-52 AUTHORIZING THE CITY MANAGER TO EXECUTE AN ADDENDUM TO THE CONTRACT WITH SWIMS SAFE POOL MANAGEMENT FOR EXTENDING LIFEGUARD AND POOL MANAGEMENT SERVICES FOR INCREASED 2015 OPERATING HOURS FOR LOU EVES MUNICIPAL POOL

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

Jennifer Heft stated that typically Lou Eves Municipal Pool opens Memorial Day weekend, closes on the weekdays and operates weekends only until Mason City Schools is released for summer break. Two years ago, Community Center Premier members and outdoor pool members asked that the pool remain open after Mason City Schools return to classes. Last year staff tried a new pilot program “Back to School Hours” at the outdoor pool. The response from members and guests was positive and staff recommends offering “Back to School” hours again and staying open on weekdays after Memorial Day. Jennifer explained that an addendum to the contract with SwimSafe for lifeguard and lifeguard supervision services is necessary to accommodate the new schedule and extended hours of operation. The additional expense for these services is \$24,400.

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 2015-52 was made by Councilmember Cox, seconded by Councilmember Pelfrey. VOTE: ALL YEAS.

ORDINANCE 2015-53 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH FORD DEVELOPMENT CORPORATION, IN AN AMOUNT NOT-TO-EXCEED \$6,473,087 FOR THE CONSTRUCTION OF THE KINGS ISLAND DRIVE SAFETY IMPROVEMENT PROJECT

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

Eric Hansen stated that Kurt Seiler has been instrumental in attaining \$4.3 million in grant funding for this improvement project plus an additional \$600,000 in OPWC funds. Eric stated that Kings Island Drive is considered a significant gateway to the City of Mason and this project has been a priority for the City. He said that Kings Island has been an excellent project partner including reconfiguration of their parking lot in an effort to improve traffic into the park. Kings Island Drive will receive the “boulevard” treatment with landscaped medians, banner poles, and decorative lighting included. Eric stated that the range of the top three bids on this project was within .03%.

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.

During Council discussion, Kurt Seiler explained that decorative lighting will be installed in the medians and existing lights will be repainted and reinstalled over the roadway. Kurt stated that the general contractor, Ford Development Corp., is responsible for any work subcontracted out and some of these subcontractors are listed in their bid. Kurt explained the timeline for the project and stated that construction is expected to start in July and be completed the end of 2016.

A motion to adopt Ordinance 2015-53 was made by Councilmember Prince, seconded by Councilmember Fox. VOTE: ALL YEAS.

OLD AND NEW BUSINESS

Councilmember Spaeth asked for clarification on work being done at the outdoor pool. Jennifer Heft stated that worn parts of the existing playground structure will be removed and good parts will be reconfigured to create a useable structure this summer. Ballard King is conducting a study at the Community Center and the outdoor pool facility has been added to this study.

Councilmember Cox asked how residents can share their input on skate park consideration. Eric responded that residents can attend Park Board and City Council meetings, communicate via the City website, letters, or by contacting Parks and Recreation Director Chrissy Avery. The possibility of a skate park has been added to the Ballard King study.

Councilmember Pelfrey thanked the Police Department for the beautiful Bicentennial commemorative badges. She asked Kurt Seiler to give an update on construction of the decorative bridge over I-71. Kurt stated that installation of the decorative portion of the project is complete and that light fixtures are expected to be installed by mid-June. Councilmember Pelfrey asked about the need for an expanded police force to address the impact of additional businesses in the City of Mason. Eric Hansen stated that corporate offices do not generate police calls compared to residential areas but do generate traffic. Regarding increased traffic, the City stays ahead of the curve when attracting economic development with major infrastructure projects such as the I-71-Western Row interchange expansion. Eric stated that additional traffic may generate police calls depending on location of the business but what the company contributes to the economy far outweighs any additional calls for service. Eric addressed Councilmember Prince's questions regarding staffing levels by stating that Police and Fire Departments are at, near, or approaching fully authorized staffing. The City is divided into districts that help administer calls for safety services.

Mayor Nichols advised Council that he has determined to appoint M. Andrew Wade to the vacancy created on the Mason Port Authority Board of Directors by the resignation in late 2014 of former Director Hauser and has requested the advice and consent of Council to that appointment for the unexpired portion of that term commencing on November 1, 2014 and expiring on October 31, 2018. Council was advised of the following: Mr. Wade is a Certified Public Accountant and is currently the Senior Vice President and Chief Financial Officer of AtriCure, Inc., a company with a growing presence in Mason, and has worked in various financial positions since joining AtriCure. Mayor Nichols further advised Council that Mr. Wade does not currently work or reside in the City of Mason, but that he will work in Mason upon completion of the headquarters facility under construction in the Oak Park Development District. A motion to confirm the appointment of M. Andrew Wade to Mason Port Authority was made by Vice Mayor Kidd, seconded by Councilmember Fox. VOTE: ALL YEAS.

Mayor Nichols witnessed a major traffic backup in the area of US-42, Kings Mills, and SR-741. Kurt stated that staff was made aware of the problem last Friday and with a camera at the US-42/SR-741 intersection, TEC was able to clear the traffic. Kurt stated that staff is aware of increased traffic at Bethany and SR-741 and is working on improvements to the area. Mayor Nichols thanked the members of the Bicentennial Committee for all their hard work. Mayor Nichols commented on the tremendous opportunity it was to meet Ms. Eva Kor and what a huge impression she makes on everyone that meets her. As a survivor of Auschwitz, her story of forgiveness and the example of getting her life back as a result of this forgiveness is a message that inspires anyone that has survived a painful situation.

RECOGNITION OF VISITORS - none

EXECUTIVE SESSION: LAND ACQUISITION; EMPLOYMENT/COMPENSATION OF PUBLIC EMPLOYEES

A motion to adjourn into Executive Session for the purpose of discussing land acquisition and employment/compensation of public employees was made by Vice Mayor Kidd, seconded by Councilmember Cox. VOTE: ALL YEAS. TIME: 8:36 p.m.

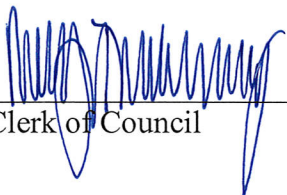
A motion to reconvene into Regular Session was made by Councilmember Cox, seconded by Councilmember Fox. VOTE: ALL YEAS. TIME: 8:55 p.m.

A motion to appoint Jennifer Heft as Acting City Manager during the City Manager's absence was made by Councilmember Cox, seconded by Councilmember Spaeth. VOTE: ALL YEAS.


A motion to provide City Manager additional \$10,000 funding for additional compensation to be dispersed to City Department Heads and a \$9,500 bonus to City Manager Eric Hansen was made by Councilmember Cox, seconded by Vice Mayor Kidd. VOTE: ALL YEAS.

ADJOURN

A motion to adjourn was made by Councilmember Cox, seconded by Councilmember Spaeth. VOTE: ALL YEAS. TIME: 8:56 p.m.



Clerk of Council



Mayor