

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

The meeting was called to order at 7:02 p.m. Chaplain Rick Huff opened the meeting in prayer. All those present recited the Pledge of Allegiance. Cassie Martin sang the National Anthem.

ATTENDANCE

The following members of Council were present: Victor Kidd, Barbara Spaeth, Charlene Pelfrey, Don Prince, and David Nichols. Rich Cox and Jim Fox were absent.

APPROVAL OF MINUTES

A motion to approve the June 8, 2015 Council Meeting Minutes as amended was made by Vice Mayor Kidd, seconded by Councilmember Prince. VOTE: ALL YEAS.

CITY MANAGER'S REPORT

Upcoming Sunshine Concert Series performances will be held the next three Sundays at the Golf Center. A concert will be held at Natorp's Nursery on Saturday, August 8, in partnership with Mason City Schools and part of race day weekend. The last four Sunshine Concerts will be held on Sundays at the Municipal Center lawn or the Golf Center at Kings Island.

On Friday and Saturday, July 17-18, the Bicentennial Baseball Bash will take place at Mason Sports Park. Teams from the Mason Youth Organization will participate in an exhibition type baseball event. There are 21 participants signed up to play in the Challenger League game on Saturday at 6:00 p.m. The public is invited to enjoy this free event.

The Mason TRI-Umphant Triathlon returns to Mason on Sunday, July 26, 2015 with events for women, men, and kids that include a swim, bike, and run. Proceeds from the triathlon benefit The Mason Parks and Recreation Foundation Common Ground, an all-inclusive playground, and the Mason Community Center Scholarship Fund.

Saturday, August 8th from 8am-12pm the 4th Annual Great Mason Chase will be held. Two-person teams participate in this physically and mentally challenging competition by biking from clue to clue in quest of earning the title "Top Chaser". Each challenge completed will earn a clue that leads to the next challenge. All ages 12 years and older are welcome to participate in "The Chase". An awards ceremony with live music from School of Rock will be held at Natorp's Nursery at 5:30 p.m.

Lindner Center of HOPE, partnering with Live Well in Mason, will host another Community Outreach presentation on Wednesday, August 12 from 6:30 p.m. to 7:30 p.m. at the Mason Community Center. This is the third of four educational presentations that provide expert discussion in mental health, addictions, and mental wellness by Lindner Center of HOPE

clinicians. Registration is suggested for this event. The final part of this educational series is on November 11.

Lou Eves Municipal Pool back-to-school hours start Wednesday, August 12; weekdays 1 p.m. to 5 p.m.; weekends 12 p.m. to 8 p.m. Labor Day weekend (September 5-7), the pool will be open from 12 p.m. to 8 p.m. for the entire 3-day weekend. The outdoor pool is open to the public. Season passes and daily admissions are available. The outdoor pool is included in Community Center Premier memberships.

Mr. Greg Sturk, a long time Mason resident, will be moving to Lebanon. As an active member of Mason's Bicentennial Committee, Greg holds the record for attending the most Bicentennial events. Councilmembers presented Mr. Sturk with Mason Bicentennial commemoratives and thanked him for his commitment to the City of Mason. He will be missed as one of the special individuals that make Mason a great place to live.

Mason Police Department serves all residents of Mason with an intellectually demanding component that balances individual rights with enforcement of laws that provide safety to the community. Police personnel exhibit high values by treating everyone without bias and choosing to do the right thing versus doing the easy thing. Eric expressed his gratitude and stated that he is impressed with how Chief Ferrell and Mason Police Officers handle difficult situations under pressure.

COMMITTEE REPORTS

Councilmember Spaeth gave the report from the July 9th Parks and Recreation Board meeting. She stated that Community Center membership levels have risen by 3000 members since June 2014. She listed upcoming July events, stated that approximately 500 attended the Outdoor Pool Party and Movie in the Park on July 1, Whole Foods made a donation to the Mason Parks and Recreation Foundation, and that the Board will host an appreciation lunch at Mason Sports Park on July 20 for Parks Maintenance staff.

Councilmember Pelfrey thanked the Chamber of Commerce, Historical Society, Mason and Deerfield Fire Auxiliary, and the many downtown businesses that sponsored or participated in Bicentennial Community Unity Days events.

RECOGNITION OF VISITORS

Rick Inskeep of 6352 Butler-Warren Road expressed his concerns regarding Ordinance 2015-81, construction of a roundabout at the intersection of Western Row and Butler-Warren Roads. He stated that the topography and traffic volumes would not support a roundabout at this location. Other concerns included large vehicles negotiating a roundabout, sight distance issues, and costs.

Chad Murdock, Mason Youth Softball (MYS) President and Mason Youth Organization Board Member (MYO), stated that MYO serves 1200 athletes 4-18 years old and the softball program serves 350 girls ages 6-15 years old. Mr. Murdock thanked the City for improvements to Heritage Oak Park fields. He said that players and spectators enjoyed improved safety conditions and

enhancements at the end-of-season tournament held at Heritage Oak. He presented a thank-you card to the City of Mason created and signed by all of the girls on softball teams. Councilmember Spaeth thanked Chad and thanked Parks and Recreation Board Member Rene Collins-Vogler who was very instrumental in assessing and promoting the necessary improvements to both Corwin M. Nixon and Heritage Oak fields.

ORDINANCE 2015-70 FIRST READING: APPROVING A MODIFICATION OF AN EXISTING CONDITIONAL USE PERMIT FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF BETHANY ROAD AND MASON-MONTGOMERY ROAD (UNITED DAIRY FARMERS – BETHANY GREEN CIRCLE)

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

Eric Hansen announced that a Public Hearing for this ordinance will be held on August 10. He explained that a request by Big Mike’s for a conditional use modification on this same property has been tabled until September so that this opportunity with UDF could be considered.

ORDINANCE 2015-71 APPROVAL OF THE FINAL PLAT FOR MASON GRAND PUD

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

Kurt Seiler stated that the plat is approximately 70 acres in size and located on SR-741 east of the Kroger site. Mason Grand has 294 apartments that are almost complete. Approval of this request would split off the multi-family apartments from Lots 2-10, a mix of office and retail, and establish the necessary easements. Staff requests that storm sewer in this PUD be labeled as “Private” and that the subdivider’s contract and performance bond be provided.

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

A motion to adopt Ordinance 2015-71 was made by Councilmember Pelfrey, seconded by Councilmember Prince. VOTE: ALL YEAS.

ORDINANCE 2015-72 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH INDIANA RELINE, INC. FOR ALL LABOR AND MATERIALS NECESSARY TO SLIP LINE AN EXISTING 84” DIAMETER CULVERT UNDER INNOVATION WAY IN THE AMOUNT OF \$340,920 AND DECLARING AN EMERGENCY

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

Kurt Seiler explained that this culvert runs under Innovation Way from Rhinestahl’s retention basin, under Makino’s driveway and outlets into a stream. In anticipation of the Innovation Way

widening project, Public Utilities staff inspected existing storm sewers under Innovation Way to check condition and determine if any replacement work was needed with the impending project. During inspection, staff discovered that a large diameter pipe located eight feet below Innovation Way had a separated joint that was beginning to create a sink hole behind the curb. Upon further investigation it was determined that the entire pipe is failing and is in need of immediate repair/replacement. Kurt explained that staff considered only trenchless construction techniques because they are the quickest, most cost effective solution to avoid the expense and disruption of open cutting the roadway. Slip lining is trenchless construction where a new pipe is inserted inside the failing pipe and then grout is injected between the two pipes. The existing 84" pipe is over 850 feet of corrugated metal and is proposed to be lined with a high density polyethylene (HDPE) liner pipe. The 84" diameter culvert is currently less than 72" in height in some areas. Due to the wall thickness of the liner pipe and room needed for grouting around the pipe, the largest possible liner pipe is a 63" diameter pipe with an inside diameter of about 59". Most of the loss in flow due to the smaller cross-sectional area of the pipe is made up by the improved hydraulics from a ribbed metal pipe to a smooth plastic pipe. Kurt stated that proposals were obtained from two vendors under the State Procurement program. Both proposals were lower than the state bid pricing, likely due to the length of the culvert. Indiana Reline had the lowest and best proposal. Kurt stated that an emergency clause has been included to allow work to be done as soon as possible.

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.

During Council discussion, Kurt explained the slip lining process for this project which will provide a much stronger pipe than the existing corrugated pipe. He stated that the existing pipe is almost 30 years old and that the life expectancy of the slip lined pipe is 50-100 years.

A motion to adopt Ordinance 2015-72 was made by Councilmember Prince, seconded by Councilmember Spaeth. VOTE: ALL YEAS.

ORDINANCE 2015-73 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH DEBRA KUEMPEL FOR INSTALLATION OF A MAKE-UP AIR UNIT SYSTEM FOR THE MASON COMMUNITY CENTER IN THE AMOUNT OF \$111,220

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

Jennifer Heft stated that Mason Community Center (MCC) celebrates its 5-year partnership with TriHealth for the expansion to the Center and that some of the original portions are over 12 years old. She said that MCC remains one of the largest public recreation facilities in the state and is home to Mason business partners, Assurex and TriHealth. The Center is truly a community asset. She explained that staff has been studying ways to improve the northern entrance into the facility, in particular moderating lobby temperatures during winter months. The existing door system contributes to the problem in addition to an imbalance of air pressure between the building and outside air. During studies conducted by KZF this past winter, it was observed that cold air was

being pushed into the center when the doors opened. She explained that typically, a building is pressurized at a positive level so as doors are opened, interior air is pushed out. This is accomplished by bringing more outside air into the building through the HVAC system than is being exhausted out. For the Community Center, the opposite was true. In order to resolve the problem, KZF determined that a make-up air unit would be required to maintain the proper pressure and keep the interior space heated at the same time. She stated that three bids were received for this project, with Debra Kuempel submitting the lowest and best proposal. With high pedestrian traffic in and out of the building during daytime hours, staff included an alternate bid to complete interior work during nighttime hours. This will allow work, such as installation of new ductwork, grilles, diffusers, etc., to be performed during nighttime hours with much less disruption to staff and patrons of the business partners located at the Center. The work is scheduled to be completed before the start of the winter season. Jennifer stated that problems with the door system will be addressed this fall.

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 2015-73 was made by Councilmember Spaeth, seconded by Vice Mayor Kidd. VOTE: ALL YEAS.

ORDINANCE 2015-74 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH COMPASS MINERALS AMERICA INC. FOR THE PURCHASE OF APPROXIMATELY 5,500 TONS OF HIGHWAY ROCK SALT AT \$63.38 PER TON

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

Eric Hansen discussed both Ordinance 2015-74 and Ordinance 2015-75 together. He stated that recent high demand, low availability, and new requirements mandated by salt companies last year resulted in much higher salt prices. Historically, the City has participated in the Southwest Ohio Purchasers for Government (SWOP4G) purchasing program. In addition to this program, the City participated in a cooperative purchasing program with surrounding communities facilitated by the Warren County Engineer's Office. Eric stated that prices obtained under the SWOP4G program were unexpectedly lower than anticipated and all bids received were lower than last year. City staff proposes authorization of two contracts with the intent to purchase as much rock salt from Compass (SWOP4G program) at the lower rate of \$63.38/ton and the remainder of the City's needs to be purchased through Cargill (Warren County program) at \$73.15/ton. He explained that Compass is new to the region and staff is uncertain of the quantity and availability of their salt supplies. By authorizing both contracts, the City will be provided with the lowest cost and added insurance that crews will be in a good position to provide snow and ice removal services through the winter season. The City typically uses 5,500 tons of rock salt in a season, and with prices \$22-\$31 per ton lower from last year's price, this represents a substantial savings.

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

During Council discussion, Eric Hansen responded that the City has storage capacity for 5,500 tons of rock salt. Presently there is 1,000 tons in storage.

A motion to adopt Ordinance 2015-74 was made by Councilmember Prince, seconded by Councilmember Pelfrey. VOTE: ALL YEAS.

ORDINANCE 2015-75 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH CARGILL INC. FOR THE PURCHASE OF APPROXIMATELY 5,500 TONS OF HIGHWAY ROCK SALT AT \$73.15 PER TON

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

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

A motion to adopt Ordinance 2015-75 was made by Councilmember Prince, seconded by Councilmember Spaeth. VOTE: ALL YEAS.

ORDINANCE 2015-76 AUTHORIZING THE CITY TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH WARREN COUNTY EMERGENCY SERVICES REGARDING THE COLOCATION OF CITY AND COUNTY EMERGENCY OPERATIONS CENTERS

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

Jennifer Heft stated that in 2002, the City spent a considerable amount of time planning and designing an Emergency Operations Center (EOC) that was built in the basement of the new Municipal Center. In 2010, Fire Station 51 was completed that included a community room to be a safe area of refuge and a backup location for EOC operations in case the Municipal Center's EOC was compromised. In addition, there was consideration that the City might serve as the local EOC for the County. Jennifer said that over the past couple of years the County has been working to organize their EMA and EOC operations as well as evaluating alternatives for a backup location if their new EOC would be compromised. She explained that Safety Director Chief Moore has been discussing Mason's two locations as possible locations for the County's southern back up site. Both Chief Moore and Chief Ferrell do not believe the County's use of either Mason location as a backup site will compromise any of the City's operations in case of an emergency. Earlier this year the County opened their new communications center that includes a facility for EOC operations. This agreement with the County would allow Mason to use the County's EOC facility should Mason's two locations become compromised and allow the County to use Mason's facilities as a back-up site.

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 2015-76 was made by Councilmember Pelfrey, seconded by Councilmember Prince. VOTE: ALL YEAS.

ORDINANCE 2015-77 FIRST READING: PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$6,000,000 OF BONDS BY THE CITY OF MASON, OHIO, TO PERMANENTLY FINANCE NOTES PREVIOUSLY ISSUED FOR BUILDING ACQUISITION AND IMPROVEMENTS IN THE CITY

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

Eric Hansen said that first readings of Ordinance 2015-77 through Ordinance 2015-80 will be done tonight with second readings on August 10, 2015. He explained that these ordinances provide for the refinancing of existing debt and is not the issuance of new commitments.

ORDINANCE 2015-78 FIRST READING: PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$3,000,000 OF BONDS BY THE CITY OF MASON, OHIO, FOR ROAD IMPROVEMENTS IN THE CITY

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

ORDINANCE 2015-79 FIRST READING: PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$9,000,000 OF BONDS BY THE CITY OF MASON, OHIO, FOR VARIOUS PURPOSES IN THE CITY

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

ORDINANCE 2015-80 FIRST READING: PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$9,750,000 OF REFUNDING BONDS BY THE CITY OF MASON, OHIO, TO REFUND SERIES 2008 BONDS ISSUED FOR VARIOUS PURPOSES IN THE CITY

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

ORDINANCE 2015-81 AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION THROUGH THE OKI REGIONAL COUNCIL OF GOVERNMENTS FOR THE CONGESTION MITIGATION/AIR QUALITY PROGRAM FUNDING FOR THE CONSTRUCTION OF A ROUNDABOUT ON BUTLER-WARREN ROAD AT WESTERN ROW ROAD AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE BUTLER COUNTY COMMISSIONERS

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

Kurt Seiler stated that the Butler County Engineer's office contacted City staff about the possibility of improving the intersection of Butler-Warren Road and Western Row Road (Barret Road in Butler County) due to the high accident rate and congestion. There were 43 crashes between 2012 and 2014 at this intersection (33 were angle crashes and 11 were also injury crashes). He stated that Butler County proposed installing a roundabout at the intersection and completed some preliminary design work. He explained that 9000 vehicles travel Butler-Warren Road through this intersection with a 6.5% truck count. Kurt addressed concerns regarding large vehicles travelling through roundabouts and stated that there have been no issues with trucks or buses at the Mason Road roundabout. The proposed roundabout at Western Road and Butler-Warren would be a 150-foot diameter compared to a 120-foot diameter at Mason Road. Kurt explained that the project would address grading issues and would most likely require acquisition of two properties at the intersection. Butler County proposes submission of a CMAC application as part of an additional round of funding available due to awarded projects being returned. The City of Mason would split the local share with Butler County on this joint application. Kurt stated that acquisition of property and replacement of a 50 year old culvert in Mason are included in grant funding. The culvert is in need of replacement and the City's estimated portion of the local share is \$200,000 which is a little more than it would cost the City to replace the culvert alone.

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

During Council discussion, Kurt stated that the larger diameter would allow for the roundabout to be modified in the future if a second lane becomes necessary and answered questions as to which properties would be impacted when the roundabout is constructed. Council shared positive experiences with roundabouts and observations of large vehicles successfully traveling through roundabouts.

A motion to adopt Ordinance 2015-81 was made by Councilmember Prince, seconded by Councilmember Spaeth. VOTE: ALL YEAS.

OLD AND NEW BUSINESS

Vice Mayor Kidd stated that as a victim of crime, he was recently served a subpoena. This summons had a harsh opening that he feels could be construed as insensitive to victims of crime. He contacted Court and suggested a revision of this document to create a more compassionate subpoena. He stated that Court is not a City of Mason department.

Councilmember Spaeth stated that the Bicentennial subcommittee for Community Unity Days did a great job and that people enjoyed being on the plaza. She hopes that the City will continue with future events on the Downtown Plaza.

Mayor Nichols thanked the Bicentennial Committee for working over the last two years planning multiple events for the Bicentennial year.

RECOGNITION OF VISITORS - none

EXECUTIVE SESSION: EMPLOYMENT/COMPENSATION OF PUBLIC EMPLOYEES

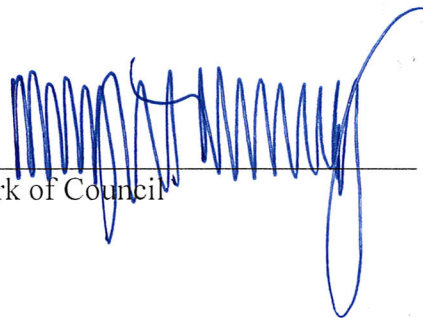
A motion to adjourn into Executive Session for the purpose of discussing employment/compensation of public employees was made by Vice Mayor Kidd seconded by Councilmember Pelfrey. VOTE: ALL YEAS. TIME: 8:30 p.m.

A motion to reconvene into Regular Session was made by Vice Mayor Kidd seconded by Councilmember Pelfrey. VOTE: ALL YEAS. TIME: 9:43 p.m.

A motion to affirm termination of Keith Collins was made by Councilmember Spaeth, seconded by Councilmember Prince. VOTE: 5 YEAS, 0 NAYS.

ADJOURN

A motion to adjourn was made by Vice Mayor Kidd, seconded by Councilmember Spaeth. VOTE: ALL YEAS. TIME: 9:45 p.m.


Clerk of Council


Mayor