

**CITY OF MASON  
COUNCIL MEETING  
APRIL 25, 2016**

The meeting was called to order at 7:05 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: Diana K. Nelson, Barbara Berry-Spaeth, Ashley Chance, Kathy Grossmann, Charlene Pelfrey, and Victor Kidd. Don Prince was absent.

**APPROVAL OF MINUTES**

A motion to approve the April 11, 2016 Council Meeting Minutes was made by Vice Mayor Spaeth, seconded by Councilmember Chance. VOTE: ALL YEAS.

**CITY MANAGER'S REPORT**

To accommodate upcoming schedules and anticipated legislation, adjusting the Council meeting schedule is appropriate. Council may wish to consider a modified summer schedule with a single meeting a month for May, June, July, and August as done in years past. A single meeting on the second Monday of those summer months would not pose a problem to legislation timeframes. If Council wishes to make such a modification to the schedule a motion is in order. A modified summer schedule allows more opportunities for committee meetings and possible work sessions to maintain Council activity. Council discussed and decided to move the meeting date in May to the third Monday of the month. A motion to modify the schedule with Council meetings on May 16, June 13, July 11, and August 8 was made by Councilmember Pelfrey, seconded by Vice Mayor Spaeth. VOTE: ALL YEAS.

The City of Mason is partnering with the Lindner Center of Hope in collecting unused or expired medications on National Drug Take Back Day on Saturday, April 30. This collection will take place at Lindner Center of Hope North.

The 20<sup>th</sup> Annual Warren County Prayer Breakfast will be Thursday, May 5 from 7:00 a.m. – 8:30 a.m. at Kingspoint Church of God.

The City of Mason was selected as a Nathan's Famous Hot Dogs Tour Stop. The stop will be at Sundin Fields at Heritage Oak Park on Friday, May 6 from 4:00 p.m. to 6:00 p.m. and will include free hot dogs, chips, bottled water, and carnival games.

A motion to not request a hearing for a D1 D2 liquor permit for Sipco, LLC at 653 Reading Road was made by Vice Mayor Spaeth, seconded by Councilmember Grossmann. VOTE: 5 YEAS, 1 ABSTAIN (Kidd).

**COMMITTEE REPORTS**

Councilmember Chance gave a report from Park Board meeting. He encouraged residents to visit Mason's website for information on the many activities happening in Mason Parks and at the Community Center. Cardio Kids, a fitness center for members 6-12 years old, has seen triple the expected attendance. Mason sport fields are ready for play and he thanked Jenna Hurley and staff for organizing the numerous local and regional teams that use Mason facilities. He mentioned that Park Board member Kevin Collins is recovering from a serious accident. Park Board events being planned include a trolley tour of the parks and a luncheon for the many workers who maintain the parks.

Councilmember Nelson presented a 1<sup>st</sup> Quarter 2016 Finance Report summary and stated that net activity for the quarter was positive and allowed \$2 million to be transferred to the General Fund. She stated that the financial outlook for the City looks good and is doing better than projected.

Councilmember Pelfrey stated that EMS billing fees and procedures were discussed at the Safety Committee meeting. She stated that as a longtime Safety Committee member, she appreciates the City's proactive approach to safety, and that legislation to be considered tonight reflects this attitude. Eric Hansen asked that Ordinance 2016-67 be added to the agenda. He explained that Safety Committee has been working on legislation that would help protect the reputation of legitimate businesses by establishing licensing regulations for massage establishments. Council discussed the need for an opportunity to review the proposed legislation.

A motion to add Ordinance 2016-67 to the agenda as a first reading was made by Vice Mayor Spaeth, seconded by Councilmember Chance. VOTE: ALL YEAS.

### **COMMUNITY GARDEN PRESENTATION BY GARY MILLER**

Mr. Gary Miller thanked the City for providing property to be used as a Community Garden, and to City staff for answering questions, taking applications, and preparing the garden plots. He said that it expected that all 96 plots will be planted with 63 applications received to date. The garden will be open for planting on May 7. Mayor Kidd and Eric Hansen thanked Mr. Miller and the citizens that coordinate and donate their time to the Community Garden.

### **RECOGNITION OF VISITORS** - none

### **RESOLUTION 2016-8 DECLARING MAY 2016 AS BUILDING SAFETY MONTH**

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

Jennifer Heft discussed Resolution 2016-8 and Resolution 2016-9 together. She said National Building Safety Month in May recognizes building safety and code officials that maintain a safe, healthy, and accessible environment by administering building codes and standards. This year the theme "Building Codes: Driving Growth through Innovation, Resilience and Safety," draws attention to the need for worldwide increased uniformity in codes and standards. Jennifer stated Mason Building Department offers Mason residents free informational sheets with building

specifications for home improvement projects. During the month of May the International Code Council (ICC) releases weekly flyers that can be obtained from the Mason Building Department. These flyers contain safety tips corresponding to four weekly sub-themes: *Building Solutions for All Ages, The Science Behind the Codes, Learn from the Past Build for Tomorrow, and Building Codes: A Smart Investment*. The annual regional event hosted by Southwestern Ohio Building Officials Association (SWOBOA) will take place in Cincinnati on May 5. Members of SWOBOA will be on Fountain Square answering questions and passing out flyers with code information and safety tips helping to increase awareness for safe construction and building safety. Jennifer stated Resolution 2016-9 proclaims May 15-21 as National Emergency Medical Services Week. This resolution recognizes Mason Fire Department personnel who respond to over 2,800 emergency medical calls, for an average of more than 7 runs per day. She said that in addition to responding to emergencies, staff provides other services including CPR training, educational sessions for injury prevention, and promoting safety awareness.

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

A motion to adopt Resolution 2016-8 was made by Vice Mayor Spaeth, seconded by Councilmember Chance. VOTE: ALL YEAS.

**RESOLUTION 2016-9 PROCLAIMING THE WEEK OF MAY 15-21, 2016 AS EMERGENCY MEDICAL SERVICES WEEK**

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

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

A motion to adopt Resolution 2016-9 was made by Councilmember Chance, seconded by Councilmember Grossmann. VOTE: ALL YEAS.

**ORDINANCE 2016-60 ACCEPTING THE PUBLIC IMPROVEMENTS FOR ALVERTA – SECTIONS 1 AND 2 AND RELEASING THE PERFORMANCE BONDS**

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

Kurt Seiler stated Alverta subdivision is located on the south side of Western Row Road west of Oakwood Lakes Subdivision and is zoned Mixed-Use Planned Unit Development. Streets to be accepted in Sections 1 and 2 include Middleton Way, Middleton Court, part of Freedom Way, Gruber Drive, and Kamm Lane. Public Utilities, Public Works, and Engineering Departments, along with Greater Cincinnati Water Works, have inspected the public improvements. Staff recommends accepting the public improvements, which will become the City's responsibility upon acceptance.

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

A motion to adopt Ordinance 2016-60 was made by Councilmember Chance, seconded by Councilmember Nelson. VOTE: ALL YEAS.

**ORDINANCE 2016-61 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH BECKER ELECTRIC SUPPLY COMPANY FOR THE PURCHASE OF EIGHTEEN (18) DECORATIVE STREET LIGHTS AND ASSOCIATED MATERIALS IN THE AMOUNT OF \$58,000**

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

Kurt Seiler discussed Ordinance 2016-61, Ordinance 2016-62, and Ordinance 2016-63 together. He stated the City maintains approximately 550 street lights throughout Mason. This year's annual street light replacement program focuses on Windward Drive, Jennings Court, and a portion of Anthony Lane in the Bay Meadows subdivision. Kurt explained with a larger budget and significant savings from street light materials, this year's program will replace nearly double the number of lights over previous years. Ordinance 2016-61 authorizes a contract with Becker Electric Supply for \$49,000 for street lights and associated materials for this year's program. Ordinance 2016-62 authorizes a contract with ESI Electrical in an amount of \$22,500 to provide electrical work including installing foundations, poles, making all the wiring connections, and miscellaneous materials. This year's program also includes replacement of an antiquated lighting controller on Windward Drive. Ordinance 2016-63 authorizes a contract with RMW Excavating and Directional Drilling. RMW will provide the underground conduit work at an approximate cost of \$26,500. RMW has performed conduit installation for the previous three years and has been consistently at least half the cost of any other quotes for this portion of work.

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

A motion to adopt Ordinance 2016-61 was made by Vice Mayor Spaeth, seconded by Councilmember Pelfrey. VOTE: ALL YEAS.

**ORDINANCE 2016-62 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ESI, INC. PROVIDING FOR THE INSTALLATION AND THE NECESSARY ELECTRICAL CONNECTIONS FOR THE 2016 STREET LIGHT REPLACEMENT PROGRAM IN THE AMOUNT NOT TO EXCEED \$22,500**

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

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

A motion to adopt Ordinance 2016-62 was made by Councilmember Pelfrey, seconded by Councilmember Grossmann. VOTE: ALL YEAS.

**ORDINANCE 2016-63 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH RMW EXCAVATING AND DIRECTIONAL DRILLING, INC. PROVIDING FOR THE INSTALLATION OF ELECTRICAL CONDUIT FOR THE 2016 STREET LIGHT REPLACEMENT PROGRAM IN THE AMOUNT NOT TO EXCEED \$26,500**

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

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

A motion to adopt Ordinance 2016-63 was made by Councilmember Nelson, seconded by Councilmember Grossmann. VOTE: ALL YEAS.

**ORDINANCE 2016-64 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH AERO-MARK, INC. IN THE AMOUNT OF \$64,448.67, FOR 2016 STREET STRIPING PROGRAM**

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

Kurt Seiler stated three bids were received for this work with Aero-Mark submitting the lowest bid. Work to be performed as part of the annual street striping program includes painting of center lines, edge lines, channelizing lines, crosswalks, school markings, railroad markings, lane arrows, words "ONLY" and island markings on various streets throughout the City. Kurt explained the 2016 Budget included \$60,000 for this program but quantities were increased in the 2016 bid specs for painting a number of streets with thermal plastic striping that has aged and is in need of striping.

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

A motion to adopt Ordinance 2016-64 was made by Vice Mayor Spaeth, seconded by Councilmember Grossmann. VOTE: ALL YEAS.

**ORDINANCE 2016-65 AUTHORIZING THE CITY MANAGER TO ENTER INTO A PURCHASE AGREEMENT WITH HENRY P. THOMPSON COMPANY FOR FORTY EIGHT (48) REPLACEMENT BALLASTS AND ADDITIONAL PARTS FOR UV DISINFECTION SYSTEM, IN AN AMOUNT NOT TO EXCEED \$35,000 AND DECLARING AN EMERGENCY**

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

Eric Hansen explained UV Disinfection, one of the last processes in the wastewater treatment process, disinfects wastewater as it flows across one of two banks of ultraviolet (UV) light generated by rows of long tubular bulbs in two concrete channels. At the conclusion of this process, the water is safe to be returned to the environment. Advantages of UV technology in comparison to traditional chlorination include reduced risk to operators, less cumbersome to operate, and elimination of chlorine released into the environment. Eric explained the majority of ballasts in one bank were not working and in need of replacement. Mason Water Reclamation Plant (WRP) was placed into service May 2006 and operates 24 hours a day, 7 days a week in a very harsh environment. Over the years, the plant has started to need more proactive maintenance, equipment upgrades and replacement. Fortunately there is redundancy in the UV Disinfection system, the plant would be in violation of OEPA limits if both banks were to fail simultaneously. The 2016 Budget includes \$175,000 for the Annual Water Reclamation Plant Maintenance & Replacement Program, \$145,000 was for specific maintenance projects and \$30,000 was to cover unanticipated replacements. The UV Disinfecting System was not a project specified for maintenance in the 2016 Budget. Eric explained by replacing the entire bank, the City will receive a 10% discount off the cost for a not to exceed amount of \$35,000. WRP is vital infrastructure essential to the City’s existing health and future growth opportunities. An emergency clause has been added to the legislation as the UV Disinfection system is a critical component to the continuous operation of the Water Reclamation Plant.

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

A motion to adopt Ordinance 2016-65 was made by Councilmember Pelfrey, seconded by Councilmember Grossmann. VOTE: ALL YEAS.

**ORDINANCE 2016-66 AUTHORIZING THE CITY MANAGER TO ESTABLISH THREE POSITIONS OF UTILITIES MANAGER IN THE PUBLIC UTILITIES DEPARTMENT, THREE POSITIONS OF ASSISTANT PUBLIC UTILITIES DIRECTOR IN THE PUBLIC UTILITIES DEPARTMENT, AND ESTABLISHING COMPENSATION FOR SAID POSITIONS**

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

Eric Hansen stated Water Reclamation Plant operations are highly regulated through Federal and State Environmental Protection Agencies. Various certifications including an Operator of Record (ORC) with a Class IV certification is required for plant operations. In the last nine years the Public Utilities Department has experienced the departure of three Directors. Historically, the Department Director was the Operator of Record (ORC) for the plant and held a Class IV certification as required by the Ohio Environmental Protection Agency. Eric explained Class IV certification requires completion of a written thesis along with managing operations of a plant for two years. OEPA’s requirement that a Class IV applicant work in a plant management position

for two years can become complicated in light of the limited management/supervisory positions within the organizational structure. Having only one Class IV certification is not a prudent business practice for one of the most critical infrastructure components in the City. He said the long-term strategic plan for the department follows a model established by both Police and Fire Departments. That model involves the establishment of three management positions within the Public Utilities Department. These positions would work as a team, cross trained in many functions for operations of the plant and maintenance, making them eligible in the long term to apply for their Class IV certification. Upon receipt of the Class IV certification, they would be elevated into an Assistant Public Utilities Director position and eligible to function as the ORC if needed. The short-term and long-term strategic plans for the department preserve the operational effectiveness and continuity of operations. It represents a well-considered and fiscally prudent opportunity to establish the future of the Public Utilities Department and continue its progress in meeting the City's standards of excellence.

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

A motion to adopt Ordinance 2016-66 was made by Councilmember Chance, seconded by Councilmember Pelfrey. VOTE: ALL YEAS.

**ORDINANCE 2016-67 FIRST READING: ADOPTING CHAPTER 727 OF THE CODIFIED ORDINANCES OF THE CITY OF MASON RELATING TO MASSAGE ESTABLISHMENTS AND DECLARING AN EMERGENCY**

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

Eric Hansen stated that Ordinance 2016-67 will have a second reading at the next Council Meeting on May 16, 2016.

**OLD AND NEW BUSINESS**

Jeff Forbes introduced Jillian Smith Brandstetter, newest partner at Wood & Lamping LLP, working with the local government practice group.

**RECOGNITION OF VISITORS**

**EXECUTIVE SESSION: LAND ACQUISITION**

A motion to adjourn into Executive Session for the purpose of discussing land acquisition was made by Councilmember Pelfrey, seconded by Councilmember Chance. VOTE: ALL YEAS. TIME: 7:57 p.m.

A motion to reconvene into Regular Session was made by Vice Mayor Spaeth, seconded by Councilmember Chance. VOTE: ALL YEAS. TIME: 8:59 p.m.

A motion to add Ordinance 2016-68 to the Council Agenda was made by Councilmember Pelfrey, seconded by Councilmember Chance. VOTE: ALL YEAS.

**ORDINANCE 2016-68 AUTHORIZING THE CITY MANAGER TO ENTER A LAND INSTALLMENT CONTRACT WITH BERNICE C. STEPHENSON AND RICHARD ALAN WALKER RELATED TO APPROXIMATELY 33.5 ACRES OF REAL PROPERTY AND DECLARING AN EMERGENCY**

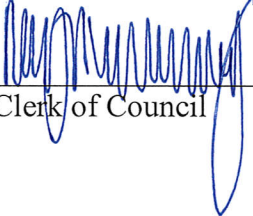
A motion to read by title only was made by Vice Mayor Spaeth, seconded by Councilmember Nelson. VOTE: ALL YEAS.

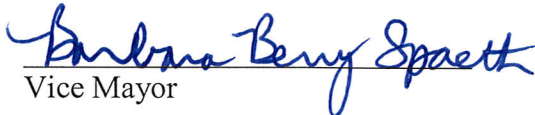
A motion to suspend the rule and allow for adoption after the first reading was made by Councilmember Nelson, seconded by Councilmember Pelfrey. VOTE: ALL YEAS.

A motion to adopt Ordinance 2016-68 was made by Councilmember Chance, seconded by Vice Mayor Spaeth. VOTE: ALL YEAS.

**ADJOURN**

A motion to adjourn was made by Councilmember Nelson, seconded by Councilmember Chance. VOTE: ALL YEAS. TIME: 9:01 p.m.

  
Clerk of Council

  
Vice Mayor