

**CITY OF MASON
COUNCIL MEETING
MAY 16, 2016**

The meeting was called to order at 7:03 p.m. Vice Mayor Spaeth introduced Kevin McDonough, sitting in for Law Director Jeff Forbes. Chaplain DeArco opened the meeting in prayer. Mason Police Honor Guard presented the colors and 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, and Charlene Pelfrey. Don Prince and Victor Kidd were absent.

APPROVAL OF MINUTES

A motion to approve the April 25, 2016 Council Meeting Minutes was made by Councilmember Pelfrey, seconded by Councilmember Chance. VOTE: ALL YEAS.

CITY MANAGER'S REPORT

As part of Red Rhythm and Boom, the American Legion is requesting a temporary liquor permit from the State of Ohio and approval from Council to allow for alcohol on the Municipal Center campus on Sunday, July 3 from 3:00 p.m. to 11:30 p.m. A motion is in order to approve alcohol on campus. A motion to approve alcohol on the Municipal Center campus on Sunday, July 3 was made by Councilmember Chance, seconded by Councilmember Nelson. VOTE: ALL YEAS.

The City of Mason Police Department will host a Memorial Service to honor officers fallen in the line of duty. The event will take place on Tuesday, May 17 beginning at 9:30 a.m. in the Municipal Center Atrium.

Top ranked beach volleyball teams in the world attempt to qualify for the 2016 Olympic Games May 17 - 21 at the Carl Lindner Tennis Center in Mason. The City of Mason is a proud co-sponsor of the only 2016 Olympic Volleyball Qualifier in the United States prior to the Olympic Games. Admission tickets are free at the gate.

All veterans and active duty military are invited to use Mason Community Center and Lou Eves Municipal Pool for free Memorial Day weekend. Military also receive a 20% discount on Community Center membership.

City of Mason offices will be closed on Monday, May 30, in honor of Memorial Day. Trash collection will not be affected by the closing.

The public is invited to Memorial Day in Mason on May 30. Activities include a continental breakfast at 8:00 a.m., parade at 10:00 a.m., and a Memorial Day service at the Municipal Center Veteran's Memorial beginning at approximately 11:00 a.m.

Mason Parks and Recreation Foundation and Mason Community Center will host the Sheri Collins Memorial 5K Run, Roll, & Sun on Saturday, June 4 to raise funds for Common Ground Playground. Online registration is available until May 28.

A motion to not request a hearing for a D5I liquor permit for Two Cities Pizza Co. at 202 W. Main Street was made by Councilmember Nelson, seconded by Councilmember Grossmann. VOTE: ALL YEAS.

Safety Committee met last week and recommends tabling Ordinance 2016-67 on tonight's agenda to allow additional outreach and discussion with the local business community. The intent of this ordinance is to protect and strengthen legitimate business.

COMMITTEE REPORTS

Councilmember Pelfrey stated that response to Ordinance 2016-67 from the business community has been positive and time is needed to introduce this legislation to additional businesses. The Downtown Committee met and is looking into ways to utilize the plaza and promote Downtown Mason. The committee plans to partner with the Chamber and community groups in this effort.

SWEARING-IN OF POLICE OFFICERS KYLE DWELLY AND CALEB CONN

Chief Ron Ferrell introduced Officer Kyle Dwelly of Fayetteville, Ohio and Officer Caleb Conn of Jeffersonville, Ohio. Officer Dwelly is married and served four years with the United States Air Force. Officer Conn grew up on a family farm and has served with the Fayette County Sheriff's Office. Vice Mayor Spaeth swore-in the Officers and welcomed them to the City of Mason Police Department.

RECOGNITION OF VISITORS - none

RESOLUTION 2016-10 FIRST READING: ADOPTING THE BUDGET OF THE CITY OF MASON FOR THE YEAR JANUARY 1, 2017 THROUGH DECEMBER 31, 2017

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

Eric Hansen announced Resolution 2016-10 will have a second reading and public hearing on June 13.

RESOLUTION 2016-11 PROCLAIMING MAY AS MENTAL HEALTH AWARENESS MONTH

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

Michele Blair stated the City is committed to fostering a culture of wellness through policies, programs, and the business community. Lindner Center of Hope has been a great partner in the City for eight years and Assurex Health is an important precision medicine company in the mental health field. She introduced from Lindner Center of HOPE, Lynn Oswald, Executive Vice President, and Jennifer Pierson, Senior Director for Marketing and Outreach. Ms. Oswald thanked Council and the Mason community for the ongoing support of Lindner Center of Hope's commitment to diagnosis, treatment, and research in the area of mental wellness. Since opening, Lindner Center of Hope has treated over 27,000 patients from all over the world and has been awarded over 50 grants totaling close to \$4 million. The focus this year for Mental Health Month is generating an understanding of the perspective of people suffering in some way with mental illness which affects one in five Americans. She explained the importance and impact of Mason partnership events including education day with 500 in attendance, \$200,000 raised at *Night of High Hope*, and 24 pounds of pills collected at *Drug-Take-Back* day. Michele Blair introduced Inger Eckert of Assurex Health, Senior Vice President and Legal General Counsel. Ms. Eckert stated selection of the right medication is critical and GeneSight technology helps doctors better select medication for each individual patient. Over 300,000 patients have been tested with GeneSight and 17,000 clinicians are using Genesight. Assurex Health has grown from four to 450 employees over the past several years and in 2015 reached over \$50 million in revenue, growth of 81% over 2014. Ms. Eckert thanked Lindner Center of Hope, who has been using GeneSight for many years, and City of Mason Council and staff for supporting the growth of health focused business in the City of Mason.

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

Vice Mayor Spaeth thanked Assurex Health and Lindner Center of Hope for the work they do. She read and presented copies of the proclamation to Ms. Eckert and Ms. Oswald.

A motion to adopt Resolution 2016-11 was made by Councilmember Chance, seconded by Councilmember Pelfrey. VOTE: ALL YEAS.

ORDINANCE 2016-67 SECOND 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 Safety Committee recommends revision to help clarify Ordinance 2016-67 by moving exemptions to the top of the ordinance. These changes are being made and will be sent to Council for their review before the next meeting. A motion to table Ordinance 2016-67 to the June 13 meeting was made by Councilmember Pelfrey, seconded by Councilmember Grossmann. VOTE: ALL YEAS.

ORDINANCE 2016-69 FIRST READING: AMEND THE CODE OF ORDINANCES OF THE CITY OF MASON TO AMEND IN PART ZONING CODE CHAPTERS 1133 AND 1188 (ZONING CODE AMENDMENTS)

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

Eric Hansen announced Ordinance 2016-69 will have a second reading and public hearing on June 13.

ORDINANCE 2016-70 APPROVAL OF THE VACATION PLAT FOR A PORTION OF ALLIANCE DRIVE

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

Kurt Seiler discussed Ordinance 2016-70 and Ordinance 2016-71 together. He explained plans have been revised for the Empire Foods facility, located on Alliance Drive off of Mason-Montgomery Road near Fire Station 51. Empire has purchased additional lots to accommodate a larger 240,000 square foot facility. Kurt stated Ordinance 2016-70 approves the vacation plat to vacate the right-of-way and utility easement for the portion of Alliance Drive which will be removed to accommodate the revised building and parking layout of the Empire facility. Ordinance 2016-71 approves the dedication plat to dedicate right-of-way and utility easements for the relocated cul-de-sac. Planning Commission approved revised development plans reducing the length of Alliance Drive by the developer in order to accommodate the new larger facility.

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

A motion to adopt Ordinance 2016-70 was made by Councilmember Pelfrey, seconded by Councilmember Chance. VOTE: ALL YEAS.

ORDINANCE 2016-71 APPROVAL OF THE DEDICATION PLAT FOR A PORTION OF ALLIANCE DRIVE

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

A motion to adopt Ordinance 2016-71 was made by Councilmember Pelfrey, seconded by Councilmember Grossmann. VOTE: ALL YEAS.

ORDINANCE 2016-72 APPROVAL OF THE DEDICATION PLAT FOR BUNNELL ROAD AND U.S. ROUTE 42

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

Kurt Seiler discussed Ordinance 2016-72 and Ordinance 2016-73 together. Plats in this area, which includes Ambleside Meadows subdivision and City of Mason property, dedicate right-of-way necessary to meet City of Mason Thoroughfare Plan requirements. He explained the plat in Ordinance 2016-72 dedicates 50 feet from the centerline of U.S. Route 42 for the adjacent City of Mason property as well as the section of the roadway adjacent to the new Ambleside Meadows subdivision. The plat in Ordinance 2016-73 dedicates right-of-way for City of Mason property on Bunnell Road as required by the Warren County Thoroughfare Plan. Kurt explained this portion of City owned property was not annexed because property across Bunnell Road was not annexed. The first 30 feet of right-of-way will be dedicated to Warren County and the remaining 20 feet of right-of-way, located in the City of Mason, will be dedicated to the City of Mason. Planning Commission recommends approval of Ordinance 2016-72 and Ordinance 2016-73.

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

A motion to adopt Ordinance 2016-72 was made by Councilmember Chance, seconded by Councilmember Pelfrey. VOTE: ALL YEAS.

ORDINANCE 2016-73 APPROVAL OF THE DEDICATION PLAT FOR U.S. ROUTE 42

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

A motion to adopt Ordinance 2016-73 was made by Councilmember Pelfrey, seconded by Councilmember Chance. VOTE: ALL YEAS.

ORDINANCE 2016-74 ESTABLISHING A FEE SCHEDULE FOR EMS AND FIRE DEPARTMENT BILLING FOR THE CITY OF MASON

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

Jennifer Heft stated in 1998, Council approved a contract with Medicount Management, Inc. to provide billing services related to emergency medical service calls. Since a majority of users of emergency services have some form of insurance, funds are collected from insurance companies to pay for the expense of ambulance transports. Medicount Management, Inc. performs billing

services for over 60 entities. Billing for this service generates approximately \$600,000 annually while associated expenses are nearing \$1,000,000 annually. She explained evaluation of EMS fees are done on an annual basis and were updated in 2008 and 2012. Billing for emergency medical services is standard procedure for most communities and many neighboring jurisdictions have adjusted their fees. After reviewing Mason's current rate and the rate for surrounding communities, adjustment to billing rates for both Basic Life Support (BLS) and Advance Life Support (ALS) are recommended. Jennifer explained two changes proposed to the EMS billing policy. The first change allows for users of the service to be billed twice for balances owed after the insurance companies are billed. The second change provides for these fees to be updated on an annual basis according to COLA increases approved by Council and as part of the City's Schedule of Fees. This is consistent with other fees used by the City and allows revenues to adjust more in line with annual expenses. Both of these changes are included within this fee schedule and policy. Safety Committee has reviewed and is recommending Ordinance 2016-74 for adoption.

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

During discussion, Councilmember Pelfrey explained that the purpose of the fee increase was not intended to close the gap between expenses and fees collected but to be equitable with fees charged by surrounding communities.

A motion to adopt Ordinance 2016-74 was made by Councilmember Grossmann, seconded by Councilmember Nelson. VOTE: ALL YEAS.

ORDINANCE 2016-75 AUTHORIZING THE CITY MANAGER TO EXECUTE AN ADDENDUM TO THE CONTRACT WITH SWIM SAFE POOL MANAGEMENT FOR EXTENDING LIFEGUARD AND POOL MANAGEMENT SERVICES FOR INCREASED OPERATING HOURS FOR LOU EVES MUNICIPAL POOL

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

Jennifer Heft stated in 2014 Council approved authorizing a contract with SwimSafe Pool Management to provide lifeguards and lifeguard supervision at Mason's three aquatic facilities. She explained in response to member feedback, the City began offering "Back to School Hours" at the outdoor pool. Over the past two summers, this service has allowed the outdoor pool to remain open on weekdays after Mason City School's classes began. The response from members and guests has been positive and staff recommends offering "Back to School" hours again for the 2016 Lou Eves Municipal Pool operating season. Based on visit reports and guest feedback, staff recommends updating "Back to School" operating hours from 1 - 5 p.m. to 4 - 8 p.m. 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 addendum also allows staff to adjust operating hours in the future, as needed, without requiring an additional addendum for Council approval. The additional expense for these services in 2016 is \$7,490 less than last year.

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

Vice Mayor Spaeth stated that the school calendar year has been changed, the first day of school is on August 15.

A motion to adopt Ordinance 2016-75 was made by Councilmember Grossmann, seconded by Councilmember Chance. VOTE: ALL YEAS.

ORDINANCE 2016-76 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH FORD DEVELOPMENT CORPORATION, FOR THE AMBLESIDE OFFSITE IMPROVEMENT PROJECT IN THE AMOUNT OF \$1,878,045

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

Kurt Seiler stated legislation was approved in February to create an assessment district in the Ambleside Meadows subdivision. This ordinance is approval of the construction contract for the public improvement project in that district. Public improvements included in the assessment include widening work on US-42, bike path along US-42 and a water main loop along US-42 and Bunnell Road. The assessment will be collected over a 25-year period. Kurt stated there were five bidders on the project, with Ford Development Corporation the lowest and best bidder at just over \$1.8 million. Ford Development has completed multiple jobs in the City and is currently constructing the Kings Island Drive Safety Improvements Project. The development agreement specifies that the first portion of the water main from Mason-Morrow-Millgrove Road up to the subdivision's north entrance be completed by the end of August 2016. The remainder of the project is to be completed by August 1, 2017. He explained the supplemental appropriation of \$1.9 million includes additional fees for three borings under the railroad.

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

A motion to adopt Ordinance 2016-76 was made by Councilmember Chance, seconded by Councilmember Pelfrey. VOTE: ALL YEAS.

OLD AND NEW BUSINESS

Councilmember Pelfrey thanked staff for a great job organizing events for Red Rhythm & Boom on such a short timeline. A huge crowd to the event is anticipated. She said Councilmembers participating in the Memorial Day parade should meet at the American Legion at 9:15 a.m.

Councilmember Chance stated the Mason community is privileged to have such a fine Police Department that serves people with respect and dignity and encouraged everyone to attend tomorrow's Police Memorial Service.

Vice Mayor Spaeth commented on the excellent Mother's Day buffet at the Golf Center's Courseview Restaurant and that upgrades to the restaurant look very good.

RECOGNITION OF VISITORS - none

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

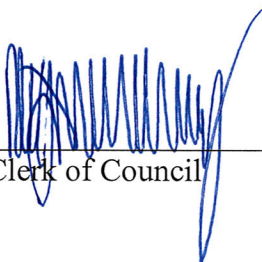
A motion to adjourn into Executive Session for the purpose of discussing land acquisition and employment/compensation of public employees was made by Councilmember Nelson, seconded by Councilmember Chance. VOTE: ALL YEAS. TIME: 8:08 p.m.

A motion to reconvene into Regular Session was made by Councilmember Grossmann, seconded by Councilmember Chance.

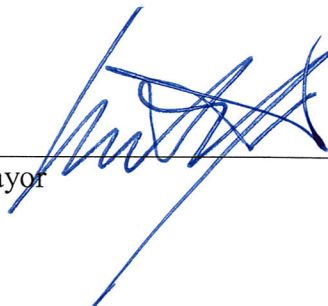
Eric Hansen stated there was an arrest made today at a business in Mason with two charges of illegal activity filed. He announced an opportunity to visit the Mason Tech Center on May 24 during BioOhio. Jennifer Heft stated the Parks Trolley Tour on Sunday, July 31 will include a ceremony to introduce the new sign at Heritage Oak Park in honor of Ginny Sundin.

ADJOURN

A motion to adjourn was made by Councilmember Nelson, seconded by Councilmember Chance. VOTE: ALL YEAS. TIME: 8:50 p.m.



Clerk of Council



Mayor