

**CITY OF MASON
COUNCIL MEETING
JUNE 13, 2016**

The meeting was called to order at 7:06 p.m. Pastor Jerry Pelfrey 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, Don Prince, and Victor Kidd.

APPROVAL OF MINUTES

A motion to approve the May 16, 2016 Council Meeting Minutes was made by Vice Mayor Spaeth, seconded by Councilmember Pelfrey. VOTE: 5 YEAS, 2 ABSTAIN (Kidd, Prince).

CITY MANAGER'S REPORT

The Employee Excellence Awards luncheon will be held on June 22. Employees receiving the award have been nominated by their peers. Council members are encouraged to attend this event.

The 2016 Sunshine Concert Series on Sundays at 6:00 p.m. begins in July at Mason Municipal Center on the 10th and at Mason Downtown Plaza on the 17th. The Mason Historical Society will host the 23rd Annual Ice Cream Social on July 10 after the Sunshine Concert.

City offices will be closed on Monday, July 4 in observance of Independence Day. The Community Center will be open from 6:00 a.m. to noon with limited services. Lou Eves Municipal Pool is open from noon – 8:00 p.m.

Red, Rhythm and Boom returns to Mason on July 3rd. This free event, featuring Andy Grammer, is on the Municipal Center campus with activities and fireworks.

A motion to not request a hearing for a D3 liquor permit for Wildflower Cafe and Coffee House at 207 E. Main Street was made by Vice Mayor Spaeth, seconded by Councilmember Nelson. VOTE: ALL YEAS.

COMMITTEE REPORTS

Ashley Chance asked that we keep Ginny Sundin, dedicated Mason Park Board President, in our prayers as she recovers from surgery.

RECOGNITION OF VISITORS - none

RESOLUTION 2016-12 RECOGNITION OF MASON CITY SCHOOLS AND THE LEUKEMIA & LYMPHOMA SOCIETY'S MISSION TO BUILD A WORLD WITHOUT BLOOD CANCER

Jeff Forbes read the entire resolution.

Jennifer Heft stated in addition to excelling academically, Mason City School District is making a high impact outside the classroom, as well. The City would like to recognize teachers and students from three Mason schools who raised more donations for the Leukemia & Lymphoma Society than any school in the Tri-State. She introduced Bridgette Hightower of the Leukemia & Lymphoma Society to explain this accomplishment. Ms. Hightower recognized the enormous success of Mason students and spoke about the remarkable cooperation and team bonding demonstrated by the students. She thanked them for their hard work, time, and dedication to the mission to cure cancer.

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 2016-12 was made by Councilmember Grossmann, seconded by Councilmember Nelson. VOTE: ALL YEAS.

LINDNER CENTER OF HOPE UPDATE

Mayor Kidd introduced Lindner Center of Hope representatives John Mallery, Dr. Jolomi Ikomi, and Jen Pierson. John Mallery, supervisor of outpatient addiction services at Hope Center North, stated the facility became fully operational in September 2015. The program focuses on a comprehensive approach to addiction in an outpatient setting with 15 staff members, 2 full-time doctors, and 5 registered nurses. The facility is at 30% capacity with consistent growth and serves patients from Mason and surrounding communities. Dr. Jolomi Ikomi, Medical Director of Hope Center North, spoke about patient profiles. He stated the ratio of male and female patients is equal, most patient addiction typically starts with legally prescribed pain medication, and 60% of patients also suffer with mental illness. Comprehensive assessment and medical screening of each patient is completed followed by treatment. Social benefits of treatment include a decrease in crime and increase in the workforce.

RESOLUTION 2016-10 SECOND 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 stated as required by the State of Ohio, a budget to justify receipt of local government monies is required to be adopted each year. With this action, the City also confirms 4.4-mills for the Safety Fund. This is below 5-mills allowed by City Charter, below the previous

5-mill levy amount, less than the prior effective rate of 4.5-mills, and less than amounts levied by neighboring jurisdictions for safety services.

The Public Hearing was opened at 7:48 p.m.

The Public Hearing was closed at 7:49 p.m.

A motion to adopt Resolution 2016-10 was made by Councilmember Pelfrey, seconded by Councilmember Prince. VOTE: ALL YEAS.

RESOLUTION 2016-13 PROCLAIMING JULY AS NATIONAL PARKS & RECREATION MONTH

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

Jennifer Heft stated established in 1985, July is the month the National Recreation and Park Association (NRPA) recognize the importance of our nation's parks and recreation facilities. Mason City Council has committed significant financial resources to improve and increase recreational facilities and programs for Mason residents, building a culture of wellness. She spoke about the commission of a Parks Master Plan to look at Sundin Fields at Heritage Oak Park and the Lou Eves Municipal Pool. The pool was open in 1985 and is in need of significant repairs. Jennifer recognized staff working in the Parks and Recreation Department, led by Park Director Chrissy Avery. She invited everyone to participate in the Mason Parks Trolley Tour on July 31.

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

A motion to adopt Resolution 2016-13 was made by Councilmember Pelfrey, seconded by Councilmember Prince. 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 Grossmann, seconded by Councilmember Prince. VOTE: ALL YEAS.

Eric Hansen stated Council had tabled this to allow staff the opportunity to canvas the business community for input and reactions as to how it may impact their business. The purpose of this ordinance is to establish as part of the City's Codified Ordinances a requirement that businesses conducting massages, not licensed by the State of Ohio, obtain a license and follow requirements put in place by the City of Mason. He explained the intent is to promote legitimate establishments, protect their reputation, and this proposed legislation has received positive

reaction from Mason's business community. Safety Committee has reviewed and recommends adoption of Ordinance 2016-67.

Councilmember Chance thanked the Safety Committee and Councilmember Pelfrey thanked Sergeant Jeremy Saylor for gathering input from the business community on this issue.

A motion to adopt Ordinance 2016-67 was made by Councilmember Prince, seconded by Councilmember Chance. VOTE: ALL YEAS.

ORDINANCE 2016-69 SECOND 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 Prince, seconded by Vice Mayor Spaeth. VOTE: ALL YEAS.

Kurt Seiler explained the difference between a small cell tower and large macro tower. With the trend of more and more wireless technology users, large macro telecommunication facilities can no longer effectively handle all wireless communication traffic. Instead of continuing to build large macro towers in communities, new small cell facilities are being strategically deployed to off load wireless traffic from large towers. Heavy use locations, such as around the Mason Community Campus, school facilities, large corporate buildings and residential communities should see improved wireless reliability with proper location and installation of these facilities. Kurt stated Chapter 1133 defines a small cell telecommunication facility, 20 - 30 feet in height with a distributed antenna system and amendments to Chapter 1188 establish location, height and setback requirements along with aesthetic considerations, quantity limitations and rules for residential tower installations.

The Public Hearing was opened at 8:07 p.m.

The Public Hearing was closed at 8:08 p.m.

A motion to adopt Ordinance 2016-69 was made by Councilmember Chance, seconded by Vice Mayor Spaeth.

Council discussed exposure to radiation. Dave Kramer of Cincinnati Bell responded to this concern by stating all facilities are installed to FCC specifications and regulations. Small cell towers safely installed at 20 feet in height have a 1500-foot radius. He stated that a user on a cell phone has more exposure to radiation. Regarding location of small cell towers, Kurt confirmed that towers could not be installed in residential districts, even if a collector or arterial street is in the district because of the 100-foot setback requirement. Exceptions to this might include property such as MECC where a 100-foot setback can be achieved. Dave Kramer stated Cincinnati Bell's small cell tower design is integrated with all the wires and equipment contained within a box that allows for updated systems to be switched out within this profile. Council expressed the need for more time to consider this new technology. Councilmember Prince asked

that amendment to this ordinance be considered that would require Council approval with each tower installation.

A motion to table Ordinance 2016-69 was made by Councilmember Grossmann, seconded by Councilmember Prince. VOTE: ALL YEAS.

ORDINANCE 2016-77 AUTHORIZING THE CITY MANAGER TO PREPARE AND SUBMIT APPLICATIONS TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND / OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED

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

Eric Hansen explained the intent of the Ohio Public Works Commission Issue 1 grant program is to assist in financing public infrastructure capital improvements of local governments including roads and bridges, waste water treatment systems, water supply systems, solid waste disposal facilities, and storm water and sanitary collection, storage and treatment facilities. Ohio voters adopted the original Issue 2 program in 1987 with a sunset provision of 10 years with renewals in 1995, 2005 and 2014. He stated pre-application for Program Year 32 (2018) is a Cox-Smith Road Improvement Project that is a precursor to SR-741 and Kings Mills Road improvements slated for 2020. As part of that future project, the direct connection of Parkside Drive to SR-741 will be eliminated with local traffic instead utilizing Cox-Smith Road to access SR-741. He explained it was always intended that Cox-Smith Road would be improved and reopened when right-of-way was obtained to remove the 90-degree curves. The project will re-establish Cox-Smith Road between Parkside Drive and SR-741 by constructing a 2-lane roadway with a bike path, storm sewer, street lighting and minor intersection improvements at Parkside Drive and Cox-Smith Road. The grant request is for \$500,000 toward an estimated project cost of \$1,031,845. Eric stated final applications for Program Year 31 (2017) is a Bethany Road Improvement Project from Mason-Montgomery Road to West Corporation Limits. The project will tie the improvements recently completed at the Bethany Road Roundabout with the improvements to the west that were completed by the Warren County Engineer's Office. The grant request is for \$1,040,000 toward an estimated project cost of \$2,100,000.

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

A motion to adopt Ordinance 2016-77 was made by Councilmember Chance, seconded by Councilmember Grossmann. VOTE: ALL YEAS.

ORDINANCE 2016-78 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH TIMBERLINE BUILDINGS TO CONSTRUCT A STORAGE BUILDING AT MASON SPORTS PARK

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

Eric Hansen stated the City has an opportunity to partner with the Warren County Convention and Visitors Bureau (WCCVB) and user groups to construct a much needed storage facility at the Mason Sports Park. The facility is needed to house equipment, bases, rakes, fertilizer, seed, field drying agent, mowers, etc. Currently these items are stored in job boxes or chained to the outside of the concession building and equipment and mowers are housed at the Water Reclamation Plant. The storage building will also reduce the risk of driving mowers along Mason-Morrow-Millgrove Road from the plant to the park. He explained annually the WCCVB rents fields for the various baseball, softball, soccer, and Frisbee tournaments held on City fields. Typically the rental payments are used to purchase material to refurbish fields and park land. This year the WCCVB rental fees will be used towards the cost of the storage facility. Staff received a quote to build a 18 x 56 storage facility with 4 garage doors. He stated a double section of the storage building will be used by the Parks Department to house hand tools, fertilizer, seed, mowers, etc. The remaining three single sections will be available for lease by WCCVB and user groups. The estimated cost of installing the building, including decorative stone to match the current shelter buildings and restroom/concession stand, is approximately \$50,000. Eric said WCCVB has agreed to pay approximately \$20,000 and the City will fund the balance of \$30,000 for construction. Discussions with user groups about rental for use of the facility are ongoing. The building location is between fields 2 and 3 on the north side of the bike path and will include four sections with partition walls, concrete floor and a concrete ramp in front of the garage doors. In order to match the Park's theme and the future master plan now under development decorative stone will be used along front and sides of the building; the remaining building will be metal siding construction.

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.

Council discussed the use of this building by outside groups and WCCVB. Eric explained that the City will build and own the building then collect fees from both WCCVB and user groups interested in leasing space.

A motion to adopt Ordinance 2016-78 was made by Councilmember Prince, seconded by Councilmember Pelfrey. VOTE: ALL YEAS.

ORDINANCE 2016-79 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH OHMER CONTRACTING, INC., IN THE AMOUNT OF \$23,500, FOR THE REMOVAL OF THE CENTER BARRIER WALL AND PROVIDING A CONCRETE CURB IN PLACE OF THE WALL ON THE MASON-MONTGOMERY BRIDGE OVER THE MUDDY CREEK

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

Kurt Seiler stated the bridge located on Mason-Montgomery Road over Muddy Creek was constructed in 2001 with decorative stone and railing. The past 14 winters have taken their toll on the bridge and it is in need of repair. Staff explored several options for the center wall on the east side of Mason-Montgomery Road, which gets hit hardest with salt and snow from passing plow trucks. This wall is not needed for safety, since many areas along the path are right up against the curb. Kurt explained Ordinance 2016-79 authorizes a contract with Ohmer Contracting, Inc. to remove the middle wall and construct a 3' wide curb that will later allow for decorative planters to create a visual barrier between roadway and path. City staff will assist with this project by removing existing fence and caps and providing traffic control while the work is being performed. Kurt explained Ordinance 2016-80 authorizes a contract with Brick Tec Inc. to provide new wall cap materials along with labor to install. Brick Tec will also provide cultured stone to repair the damaged pieces on the west wall due to road salts. New wall caps will be real stone which should last longer than cultured stone and will be wider to provide a drip edge as well as longer pieces for less frequent joints. He explained Ordinance 2016-81 authorizes a contract with Allied Fence Builders, Inc. to supply and install new decorative fence on both outside walls. This new fence will match the current design, but will be made of painted black aluminum rather than galvanized steel for longevity due to the exposure of roadway elements. Kurt explained Ordinance 2016-82 authorizes a contract with American Façade Restoration to caulk around the perimeter of decorative fence on both outside walls, caulk where barrier wall meets existing sidewalk/bike path, clean and caulk all control joints on barrier walls, pressure wash and seal all sides of the walls. The price also includes \$9,460 for caulking, cleaning and sealing the Downtown Plaza walls. The 2016 Budget included \$120,000 for this capital improvement project. City staff will provide the general contractor oversight plus assist with the demolition of the existing fence and barrier caps, which provides a cost savings. City staff believes this solution is the most cost effective long term solution that will provide an aesthetically appealing bridge/gateway.

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 2016-79 was made by Councilmember Chance, seconded by Councilmember Prince.

Council discussed safety and appearance concerns surrounding the replacement of existing wall with a three-foot curb. Future plans could include adding fencing or large scale planters to the three-foot curb. Councilmember Chance requested visual renderings of proposed changes to the bridge and Councilmember Pelfrey requested that Safety Committee have the opportunity to review the proposal.

A motion to table Ordinance 2016-79, Ordinance 2016-80, Ordinance 2016-81, and Ordinance 2016-82 was made by Councilmember Pelfrey, seconded by Councilmember Prince. VOTE: ALL YEAS.

ORDINANCE 2016-80 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH BRICK TEC INC., IN THE AMOUNT OF \$54,862.82, FOR THE

REPLACEMENT OF CAPS AND CULTURED STONE ON MASON-MONTGOMERY BRIDGE BARRIER WALLS

Ordinance tabled.

ORDINANCE 2016-81 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ALLIED FENCE BUILDERS INC., IN THE AMOUNT OF \$12,625, TO INSTALL NEW FENCE ON THE BARRIER WALLS ON THE MASON-MONTGOMERY BRIDGE OVER MUDDY CREEK

Ordinance tabled.

ORDINANCE 2016-82 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH AMERICAN FACADE RESTORATION, LLC, IN THE AMOUNT OF \$24,535, TO CAULK, CLEAN AND SEAL THE BARRIER WALLS ON THE MASON-MONTGOMERY BRIDGE OVER MUDDY CREEK AND THE DOWNTOWN PLAZA WALLS

Ordinance tabled.

ORDINANCE 2016-83 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH R.E. MIDDLETON CONSTRUCTION, IN THE AMOUNT OF \$75,000, FOR THE 2016 SIDEWALK REPLACEMENT PROGRAM

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

Kurt Seiler said two quotes were received for this year's sidewalk program with R.E. Middleton Construction providing the lowest per-square-foot price for the project. The 2016 Budget includes \$75,000 for this annual program and an additional \$25,000 for materials for City crews to do spot repairs city-wide. He said this project includes installation of new sidewalk in Memorial Park from the Patriot Elm tree to Lakeside Drive and to Mason-Montgomery Road. The project will replace sidewalk along Tradewind Drive in the Olympia Fields subdivision and continuing on Windsong Drive, Southwind Drive and Windward Drive as funds allow.

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

During Council discussion, Kurt explained that quality of both City and contractor crews is good, but it is easier and less costly to have City staff doing spot repairs all over the City while the contractor crews work in one area.

A motion to adopt Ordinance 2016-83 was made by Councilmember Prince, seconded by Councilmember Pelfrey. VOTE: ALL YEAS.

OLD AND NEW BUSINESS

Council discussed signs placed in the right-of-way and steps taken by staff to discourage it. Vice Mayor Spaeth expressed interest in consideration of fines to help compensate for staff overtime costs removing signs placed illegally in the right-of-way.

Councilmember Pelfrey said Officer Sean McCormick was recognized Officer of the Year at the May 26 Mason Police Awards Banquet. She said that on June 9, she and Vice Mayor Spaeth attended the Mason Deerfield Chamber Downtown Meet and Greet with local businesses. Short and long term projects for downtown were discussed. Councilmember Pelfrey thanked the VFW and American Legion for organizing another successful Memorial Day parade. She said that Safety Committee met to review Mason’s emergency procedures and how we work regionally. Just a few days after this meeting, emergency procedures were implemented when Mason responded to the active shooter incident in Landen. Deputy Sheriff Katie Barnes, a Mason High School graduate, was injured during this action.

RECOGNITION OF VISITORS - none

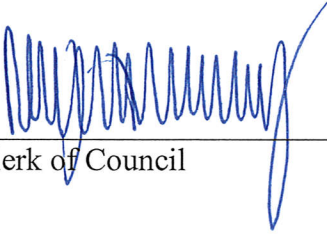
EXECUTIVE SESSION: LAND ACQUISITION

A motion to adjourn into Executive Session for the purpose of discussing land acquisition was made by Councilmember Chance, seconded by Vice Mayor Spaeth. VOTE: ALL YEAS. TIME: 9:01 p.m.

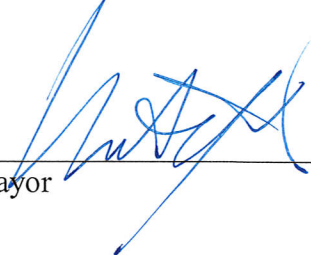
A motion to reconvene into Regular Session was made by Councilmember Chance, seconded by Councilmember Grossmann. VOTE: ALL YEAS. TIME: 11:23 p.m.

ADJOURN

A motion to adjourn was made by Councilmember Chance, seconded by Councilmember Grossmann. VOTE: ALL YEAS. TIME: 11:23 p.m.



Clerk of Council



Mayor