

**CITY OF MASON
COUNCIL MEETING
AUGUST 14, 2017**

The meeting was called to order at 6:59 p.m. Chaplain Marc Champagne 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, Don Prince and Victor Kidd. Charlene Pelfrey was absent.

APPROVAL OF MINUTES

A motion to approve the July 10, 2017 Council Work Session Minutes and July 10, 2017 Council Meeting Minutes was made by Councilmember Chance, seconded by Councilmember Nelson.

CITY MANAGER'S REPORT

The next regularly scheduled Council meeting is September 11 at 7:00 p.m.

The 2017 Western & Southern Open occurs this week in Mason at the Lindner Family Tennis Center. The City of Mason will be hosting economic development and government partners at different events during the tournament to strengthen our regional relationships and maximize our opportunity to promote Mason.

Warren County Municipal League meeting will be held August 16 at the Golden Lamb in Lebanon beginning at 6:00 p.m.

The City of Mason will host an Encore Downtown Block Party on Friday, August 25 at the Mason Downtown Plaza. The event will begin at 6:00 p.m. with music by the JAB Band followed by the Nick Netherton Band at 8:00 p.m. The American Legion will be selling beverages with proceeds from sales benefiting the Common Ground Playground project as well as Operation 194. Patrons at the event can enjoy local food vendors and exhibitors as well as kids' activities. US 42 from Mason Montgomery Road to Second Avenue and West Main Street from the intersection US 42 to North Forest will be closed Friday at 3:00 p.m. Detour signs for local traffic will be posted.

City offices will be closed on Monday, September 4 in observance of the Labor Day holiday. The Community Center will be open from 6:00 a.m. to noon with limited services.

The annual Heritage Festival will take place on Saturday, September 16 at the Mason Municipal campus. The event will begin with the annual parade at 10:00 a.m. in Downtown Mason concluding at the Mason Municipal Center campus. Following the parade, activities will be open 11:00 a.m. until 4:00 p.m. on the Mason Municipal Center campus including vendors, kids' activities, and live music.

The annual Patriot Fair hosted by the American Spirit Education Alliance is taking place at the Mason Municipal Center campus on Saturday, September 23 from 9:00 a.m. to 5:00 p.m. A motion to provide in-kind contributions for the Patriot Fair was made by Vice Mayor Spaeth, seconded by Councilmember Nelson. VOTE: ALL YEAS.

A motion to not request a public hearing for a C2, D1 and D8 liquor permit for Craft Pointe at 7920 S Mason Montgomery Road was made by Councilmember Grossmann, seconded by Councilmember Nelson. VOTE: ALL YEAS.

A motion to not request a public hearing for a C1 and C2 liquor permit for United Dairy Farmers at 3985 Mason Montgomery Road was made by Councilmember Chance, seconded by Councilmember Nelson. VOTE: ALL YEAS.

COMMITTEE REPORTS

Councilmember Prince and Councilmember Nelson advised the Safety Committee is researching in to possible solutions for the noise concerns on Marival Way.

PARKS AND RECREATION FOUNDATION DONATION PRESENTATION

Chris Slone, Incident Commander for the 2017 Red, Rhythm and Boom event, stated the event brought an estimated 25,000 visitors and a significant amount of event proceeds will benefit the Mason Parks and Recreation Foundation. As part of the planning process for multiple events this year the American Legion committed to donating 50% of the proceeds from beverage sales and the City committed to donating proceeds from the sales of refreshments and wristbands at Red, Rhythm and Boom to the Mason Parks and Recreation Foundation. Representatives of the American Legion presented a check in the amount of \$9,100 and Mayor Kidd, Vice Mayor Spaeth and Councilmember Chance presented a check in the amount of \$25,864 to Rachel Kopfler of the Mason Parks and Recreation Foundation.

RECOGNITION OF RED, RHYTHM AND BOOM VOLUNTEERS

Chris Slone stated City staff and Mason citizens' collaborative effort contributed to the success of the Red, Rhythm and Boom event. The City committed to making a donation to any organization that provided 10 or more volunteers for the event. He said over 250 volunteers participated in the event totaling over 455 volunteer hours. Dana Maidenberg, Volunteer Coordinator for the event, presented a check to Faith World Outreach Center, Mason High School Science Olympiad Team, Mason High School Student Government, Mason High School National Honor Society, Mason High School Model UN, and Mason High School Drama Club. Heritage Presbyterian Church was not able to attend. Mayor Kidd expressed appreciation for their participation and being a bigger part of the community.

PRESENTATION OF WARREN COUNTY AUDITOR'S OFFICE BY MATTHEW NOLAN, AUDITOR

Matthew Nolan reviewed the financial success and positive continued growth in Warren County and City of Mason. The greatest years of growth occurred 2006 in Warren County; 2016 almost matched 2006 and 2017 will exceed the growth in 2006. He stated the City and Warren County received a AAA Bond rating and only eight cities and three counties in Ohio have the AAA Bond rating. Matthew stated next year is reappraisal year, occurring every three years, which creates new property values. He also reminded residents to get a dog license for their dogs.

RECOGNITION OF VISITORS

Dale Nugent of 4234 Mason Pointe Drive and Kurt Seiler discussed additional information needed to get Mason Pointe Drive dedicated to the City.

Deidra King of 3809 Hanover Drive requested a meeting or work session with Council for clarification about the changes to Cox-Smith Road and Parkside Drive.

ORDINANCE 2017-97 APPROVAL OF MCGEE'S COURTS 4 SPORTS REPLAT OF LOT 5A

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

Kurt Seiler stated the replat will subdivide the existing lot into two new lots: 5B – 2.392 acres and 5C – 4.011 acres.

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

A motion to adopt Ordinance 2017-97 was made by Councilmember Chance, seconded by Vice Mayor Spaeth. VOTE: ALL YEAS.

ORDINANCE 2017-98 AN ORDINANCE TO PROVIDE CONSENT AND APPROVE THE APPLICATIONS FOR FOUR SMALL CELL FACILITIES PROPOSED TO BE LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF MASON (CINCINNATI BELL)

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

Kurt Seiler advised three of the requested four small cell facility sites had previously been denied due to pole height or location. These locations have been resubmitted for approval and all but one location meets the requirements of the Zoning Ordinance. The location at 6000 Mason-Montgomery Road needs to be moved 10 feet for approval; however a location for better service would be to move to Lakeside Drive, which Planning Commission previously approved.

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

Council discussed concerns and resolutions with Kurt and David Kramer, of Cincinnati Bell, in regards to a cell tower location in front of a business property, placing cell towers in other areas, radiation, capacity demands, Verizon as a monopoly in the area, and aesthetic appeal with the cylinder black posts. David advised there is an increase in demand for faster and more robust wireless service leading to the development of small cell facilities to address wireless speed and data capacity issues. These facilities are strategically placed in areas of heavy usage. Each cell tower will allow for two or more customers; currently Verizon is interested.

A motion to amend Ordinance 2017-98 to allow for the 6000 Mason-Montgomery Road site to be located on Lakeside Drive subject to approval by Zoning Board of Appeals was made by Councilmember Prince, seconded by Vice Mayor Spaeth.

A motion to adopt Ordinance 2017-98 as amended to approve four (4) small cell facilities and to allow for the 6000 Mason-Montgomery Road site to be located on Lakeside Drive subject to approval by Zoning Board of Appeals was made by Councilmember Prince, seconded by Councilmember Chance. VOTE: 5 YEAS, 1 NAY (Nelson).

ORDINANCE 2017-99 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE DETROIT SALT COMPANY, LLC FOR THE PURCHASE OF APPROXIMATELY 5,500 TONS OF HIGHWAY ROCK SALT AT \$50.56 PER TON

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

Jennifer Heft stated Mason bids out annually through the Southwest Ohio Purchasers for Government (SWOP4G) purchasing program and a cooperative agreement with the Warren County Engineer's Office who facilitate the purchase of rock salt. Lebanon, Springboro, Deerfield Township and Clearcreek Township also participate in this program. This year, Detroit Salt had the lowest bid returned on both contracts. The lowest bid was for the SWOP4G program at \$55.86 piled. This price represents a significant savings from last year's price from \$7.44 to \$5.89 per ton.

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.

Eric Hansen advised Morton Salt was the second lowest bidder and will plan on using them for a back-up plan in the case of unforeseen reasons. A new contract will be needed.

A motion to adopt Ordinance 2017-99 was made by Councilmember Prince, seconded by Councilmember Chance. VOTE: ALL YEAS.

ORDINANCE 2017-100 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH MEDICOUNT MANAGEMENT, INC., FOR THE PURPOSE OF EMS BILLING SERVICES

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

Eric Hansen said the City entered into a contract with Medicount Management, with the formation of the Mason Fire Department, to provide billing services related to EMS transportation to local hospitals. Medicount Management invoices insurance companies to reimburse the City for the transport service provided. Since that time the contract was renewed and updated to reflect changes to standard billing rates. Revenues generated from EMS billing are approximately 9% of the Fire Department's annual operating budget. He said Ordinance 2017-100 authorizes a 4-year contract and updates language needed to meet insurance requirements, changes to State law, and language to comply with Medicare requirements establishing the City as the provider and Medicount Management Inc. as the billing agent.

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.

Councilmember Nelson, Vice Mayor Spaeth, Councilmember Prince and Eric discussed the remaining monies not collected that remain after insurance pays their full payment. Eric advised the City seeks and maximizes the reimbursement available through the insurance company.

A motion to adopt Ordinance 2017-100 was made by Councilmember Nelson, seconded by Councilmember Grossmann. VOTE: ALL YEAS.

ORDINANCE 2017-101 AN ORDINANCE AUTHORIZING THE CONSENT OF THE CITY OF MASON, OHIO WITH RESPECT TO THE AMENDMENT TO LOAN DOCUMENTS IN CONNECTION WITH THE CITY'S ECONOMIC DEVELOPMENT REVENUE AND REFUNDING REVENUE BONDS, SERIES 2010 (CEDAR VILLAGE PROJECT)

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

Eric Hansen advised this legislation does not create any City expenditure nor impact the City's credit. The City's participation in the bond is only as a conduit to help federal tax exempt bond funding. The City has been proceeding with this bond with Cedar Village Health Care Facility since it began. He said healthcare companies are able to acquire tax-exempt bond funding for qualified operations through Economic Development Revenue Bonds. The amendment to this bond will improve economic development and investments that support job growth.

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.

A motion to adopt Ordinance 2017-101 was made by Councilmember Prince, seconded by Councilmember Chance. VOTE: ALL YEAS.

ORDINANCE 2017-102 AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENT #31009 WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE PURPOSE OF CONSTRUCTING THE BUTLER-WARREN ROAD & WESTERN ROW ROAD ROUNDABOUT PROJECT

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

Kurt Seiler addressed Ordinance 2017-102, Ordinance 2017-103 and Ordinance 2017-104. Local Public Authority agreements allow City staff to bid out construction for projects and sets rules and responsibilities for receiving federal funds. These Ordinances will allow \$9 million in federal funding for these projects. Ordinance 2017-102 convert the existing Butler-Warren Road and Western Row Road 4-way stop controlled intersection to a roundabout in cooperation with West Chester Township and Butler County Engineer's office. Ordinance 2017-103 will widen SR 741 to five lanes from Spyglass Hill (south of US 42) to Welden Drive (north of Bethany Road) and improve two intersections. Ordinance 2017-104 will connect the Mason Sports Park to Lebanon YMCA trail and connect Mason's trail system to the Little Miami Scenic Trail system. Staff estimates that administering the projects internally will save the City approximately \$800,000 on all three projects combined.

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

A motion to adopt Ordinance 2017-102 was made by Councilmember Chance, seconded by Councilmember Grossmann. VOTE: ALL YEAS.

ORDINANCE 2017-103 AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENT #31019 WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE PURPOSE OF CONSTRUCTING THE STATE ROUTE 741 WIDENING PROJECT

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 Vice Mayor Spaeth. VOTE: ALL YEAS.

A motion to adopt Ordinance 2017-103 was made by Councilmember Prince, seconded by Councilmember Grossmann. VOTE: ALL YEAS.

ORDINANCE 2017-104 AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENT #31010 WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE PURPOSE OF CONSTRUCTING THE MASON-LEBANON BIKE CONNECTOR PROJECT

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

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

A motion to adopt Ordinance 2017-104 was made by Councilmember Prince, seconded by Councilmember Chance. VOTE: ALL YEAS.

ORDINANCE 2017-105 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH TRANE BUILDING SERVICES IN THE AMOUNT OF \$24,000, FOR LABOR AND MATERIAL RELATED TO AN AIR HANDLING UNIT SERVICING THE MUNICIPAL CENTER AND DECLARING AN EMERGENCY

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

Jennifer Heft said the air handling unit fan shroud in the Municipal Center was destroyed and needs replaced. This air handling unit services the Police Department, second floor business suites and lower level business suites. The City plans to move as quickly as possible for repairs to ensure business partners operations continue.

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 Ordinance 2017-105 was made by Councilmember Nelson, seconded by Councilmember Grossmann. VOTE: ALL YEAS.

Motion to add Ordinance 2017-106 to the agenda was made by Councilmember Prince, seconded by Councilmember Nelson. VOTE: ALL YEAS.

ORDINANCE 2017-106 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ANDRITZ SEPARATION, INC., FOR REPAIR AND REPLACEMENT OF EQUIPMENT AT THE WATER RECLAMATION PLANT IN AN AMOUNT NOT TO EXCEED \$54,000 AND DECLARING AN EMERGENCY

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

Jennifer Heft said one of the two centrifuges needs repaired; a scroll and bowl are destroyed. A vibration analysis is completed every 6,000 hours; this centrifuge had only 700 hours. The centrifuge will need to be mailed out for repairs, but one centrifuge is still in working order.

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.

Councilmember Prince advised a maintenance program should be in place for the City's equipment to be inspected more frequently and prevent further complications.

A motion to adopt Ordinance 2017-106 was made by Vice Mayor Spaeth, seconded by Councilmember Prince. VOTE: ALL YEAS.

OLD AND NEW BUSINESS

Mayor Kidd appointed Bill DeLong and Michael Ryan to the Mason Public Library Board of Trustees. A motion to confirm the two new members of the board was made by Vice Mayor Spaeth, seconded by Councilmember Chance. VOTE: ALL YEAS.

RECOGNITION OF VISITORS

Eliot Bastian of 3812 Hanover Drive expressed his dislike of the cell towers aesthetic appeal. Vice Mayor Spaeth and Councilmember Prince reviewed other options the cell towers could have looked like and confirmed the locations are not located inside subdivisions. Eric said Council spent time and money joining a lawsuit that Mason prevailed on to ensure City regulations and control of where the cell towers were placed. He stated Council has protected Mason residents and business interests.

ADJOURN

A motion to adjourn was made by Councilmember Chance, seconded by Councilmember Nelson. VOTE: ALL YEAS. TIME: 8:47 p.m.