

**CITY OF MASON
COUNCIL MEETING
APRIL 12, 2010**

Mayor Prince called the meeting to order at 7:02 p.m. Pastor Jerry Pelfrey opened the meeting with prayer. Those present recited the pledge of allegiance.

ATTENDANCE

The following members of Council were present: Michael Gilb, Christine Shimrock, Rich Cox, Tony Bradburn, Charlene Pelfrey, and Mayor Don Prince. David Nichols was absent.

APPROVAL OF MINUTES

A motion to approve the minutes of the March 22, 2010 Council Meeting was made by Councilmember Pelfrey, seconded by Councilmember Gilb. VOTE: ALL YEAS

PRESENTATION OF SPIRAL WISHING WELL AND SCHOLARSHIP CHECK

Rachel Kopfler, President of the Mason Parks & Recreation Foundation, addressed Council and gave an overview of the activities planned for 2010. She described the Scholarship Fund and the implementation of the spiral wishing well venue to assist with donations. The funds are used to provide financial help to those in need who wish to participate in the programs. She presented a check for \$1600 to the City as a result of their fundraising efforts.

SWEARING IN OF NEW FIRE FIGHTERS JASON GRAHAM AND BRYAN BRUMAGEN

Mayor Prince presided over the swearing in ceremony for the new firefighters Jason Graham and Bryan Brumagen. They introduced their family members present.

RECOGNITION OF VISITORS

Mr. Rhomer of 3178 Falcon ridge Drive asked the City to secure five acres for residents to use to grow produce, which they could share with others in the City. He suggested 20 by 20 foot plots, two per family, \$20 fee charged, no pesticides allowed, City to plow the land, info could be included on the web site. He also suggested if there is a drought, maybe the City could help with water. Jennifer Heft stated Pubic Works is reviewing this and will have something to report within two weeks. Councilmember Bradburn mentioned Lockland offered this program several years ago. Councilmember Gilb asked about the City's liability and Jeff Forbes said he would need to look into this.

RESOLUTION 2010-03 ARBOR DAY

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

Jennifer Heft stated since 1872, Americans have joined together on Arbor Day to recognize the value of trees and woodlands to human welfare. The Tree Committee of Mason continues to be active in promoting the benefits of trees in the City of Mason and their contribution to the quality of life. She stated on Thursday, April 22, the City of Mason will recognize Arbor Day 2010, in conjunction with Earth Day activities scheduled for that day. Terry Schulte mentioned the Tree Committee will distribute 200 tree seedlings to residents participating in the event. Also, as part of the activities scheduled for that day, Natorp's Inc will be conducting a tree planting demonstration. She noted a luncheon for the Tree City USA Awards will be hosted by the City of Montgomery on Friday, April 23. As a result of a cooperative venture between the Mason Tree Committee, the Public Works Department and the Parks Department, the City of Mason will again be receiving the award for 2010.

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

A motion to adopt Resolution 2010-03 was made by Councilmember Pelfrey, seconded by Councilmember Bradburn. VOTE: ALL YEAS

RESOLUTION 2010-04 PROCLAIMING THE WEEK OF MAY 9-15, 2010 AS CLEAN WATER WEEK

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

Jennifer Heft stated that since the passage of the Federal Clean Water Act in 1973, governments at the federal, state, and local levels have been committed to an ongoing effort to improve the quality of water throughout the United States. Clean Water Week emphasizes the efforts of all Americans to recognize the value of clean and safe water to human welfare. She stated Clean Water Week coincides with the fourth anniversary of the City's new Water Reclamation Plant (WRP) becoming operational. The WRP is a state-of-the-art facility that meets and/or exceeds current EPA standards and more stringent requirements that will likely be mandated in the future. She noted the City's Public Utilities Department. The department is responsible for operating the water reclamation plant, maintaining 9 lift stations, over 200 miles of sewer lines and over 3,000 manholes. They conduct annual sewer line smoke testing and inspections, maintain and test over 50 City owned back flow devices, conduct inspections of sewer lines, respond to calls and inquiries, perform daily lab tests to ensure compliance with

EPA guidelines, and work with over 13 industries within Mason to ensure compliance with the Industrial Pretreatment Program.

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

A motion to adopt Resolution 2010-04 was made by Councilmember Cox, seconded by Councilmember Shimrock. VOTE: ALL YEAS

ORDINANCE 2010-38 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH TREND CONSTRUCTION, INC., IN AN AMOUNT NOT TO EXCEED \$818,008.50 FOR THE MASON ROAD ROUNDABOUT PROJECT

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

Richard Fair stated that the City was successful in receiving Local Transportation Improvement Project (LTIP) funds for 49% of the cost (approximately \$273,000 of \$557,000) of the Mason Road Roundabout construction. He said this funding provides an excellent opportunity to install a single lane roundabout concurrent with the Mason Road Improvement Project at a little over half its cost. Roundabouts improve the safety and efficiency of intersections, reduce congestion by eliminating the need to stop unnecessarily, reduce pollution and fuel usage, help calm traffic and are safe for pedestrians. The roundabout project includes curbs and gutters, storm drainage, a stamped concrete truck apron, landscaping, bike path and sidewalk.

Richard stated bids were received from seven construction firms with the best and lowest bid being received from Trend Construction. They are currently constructing the Mason Road Improvement Project and coordinating the two projects with one contractor will have many benefits including: time savings, seamless integration of the two projects, reduced equipment on site and better coordination of traffic maintenance. He noted both January and April issues of Mason Matters contained articles on roundabouts. The City website will be updated to include additional information, graphics and a Flash video that will help to further explain the benefits and the rules of the road when driving roundabouts and dispel common myths.

Councilmember Pelfrey asked about pedestrian traffic in the center of the roundabout. Richard Fair stated that will not be allowed. She said the plans should be revised to use shrubbery etc to discourage access into the roundabout. Mayor Prince agreed and stated the shrubs should be high enough to block the view from the opposite direction. He also added the roundabout at Union Center is too small and this one should be designed larger. Councilmember Pelfrey asked about when this would be started. Richard Fair said it will be done by fall and the project will begin in approximately two weeks.

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

A motion to adopt Ordinance 2010-38 was made by Councilmember Pelfrey, seconded by Councilmember Cox. VOTE: ALL YEAS

ORDINANCE 2010-39 AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDER #1 TO THE EXISTING CONTRACT BETWEEN THE CITY OF MASON AND DEBRA-KUEMPEL (ELECTRICAL PACKAGE) IN THE AMOUNT OF \$11,938.00 FOR THE CITY OF MASON FIRE STATION 51 WITH HEADQUARTERS

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

Richard Fair stated that the contracts included the prototype fire station and an alternate for a community room/headquarters addition. The project was designed as a lump sum bid project with a base bid and two alternates. The bids for the five prime contracts, including alternates, were well below the architect's estimate. Besides being in a prime bidding environment, fire and engineering staff worked with the architect along with the Safety Committee to design the most cost effective and energy efficient building possible to help reduce construction and future operating costs.

Richard explained Ordinance 2010 - 39 is a change order that will add \$11,938 to DeBra-Kuempel's electrical contract for necessary lighting changes and additional in-slab electrical and data outlets for the community spaces. After the original contracts were approved, a conductivity report prepared by the mechanical engineer indicated that with the existing soil conditions, four additional deep wells were needed for the geothermal system. Ordinance 2010 - 40 is a change order that will add \$19,500 to DeBra-Kuempel's HVAC contract for the additional wells. Ordinance 2010 - 41 is an additional \$16,528 to Cincinnati United Contractor (the general trades contractor) for added blocking and masonry work and changes in work due to building code updates and drawing clarifications. The total requested amount for these change orders is \$47,966, which is less than 2% of the approved construction cost. He noted the Safety Committee of Council has reviewed these change orders and is recommending adoption of all three ordinances.

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

A motion to adopt Ordinance 2010-39 was made by Councilmember Bradburn, seconded by Councilmember Gilb. VOTE: ALL YEAS

ORDINANCE 2010-40 AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDER #1 TO THE EXISTING CONTRACT BETWEEN THE CITY OF MASON AND DeBRA-KUEMPEL (HVAC PACKAGE) IN THE AMOUNT OF \$19,500.00 FOR THE CITY OF MASON FIRE STATION 51 WITH HEADQUARTERS

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

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

Rich Cox stated the payback for geothermal is not realistic. He said it would not pay back in 5-7 years. He said he does support going green but is aware some of the claims are not accurate. Mayor Prince clarified the need for additional wells. Richard Fair concurred that four additional wells are needed.

A motion to adopt Ordinance 2010-40 was made by Councilmember Gilb, seconded by Councilmember Bradburn. VOTE: ALL YEAS

ORDINANCE 2010-41 AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDER #1 TO THE EXISTING CONTRACT BETWEEN THE CITY OF MASON AND CINCINNATI UNITED CONTRACTORS (GENERAL TRADES PACKAGE) IN THE AMOUNT OF \$16,528.00 FOR THE CITY OF MASON FIRE STATION 51 WITH HEADQUARTERS

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

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

A motion to adopt Ordinance 2010-41 was made by Councilmember Bradburn, seconded by Councilmember Shimrock. VOTE: ALL YEAS

CITY MANAGER'S REPORT

Jennifer Heft discussed the following items:

► The Area Progress Council, in conjunction with local chambers of commerce, will sponsor a Primary Forum on Tuesday, April 13 at 5:30 p.m. at the Warren County Career Center. Candidates on the May 4 primary election ballot will be featured. The event is open to the public and is free of charge.

► Mason tax returns are due by April 15. The Mason Tax Office staff will be glad to complete your Mason tax return free of charge. Just visit the Tax Office at the Mason Municipal Center, 6000 Mason-Montgomery Road. Offices hours are 8:00 a.m. to 4:30 p.m., Monday through Friday. For your convenience, the Mason Tax Office will be open on Saturday, April 10 from 8:00 a.m. until 12:00 p.m., Wednesday, April 14 and Thursday, April 15 from 8:00 a.m. until 7:00 p.m. Residents are also encouraged to use our online tax tool to calculate your taxes. The tax tool is available on the City's website.

► City Council has invited Mason City School Board members and officials to tour the City's partnership with TriHealth for the expansion to the Community Center on Tuesday, April 20 at 5:00 p.m.

► The next Warren County Municipal League membership meeting is scheduled for Wednesday, April 21 beginning at 6:00 p.m. at JD Legends Restaurant, 65 Millard Drive, in Franklin. Featured speaker is Sue Cave, Director of the Ohio Municipal League, and the sponsor is LJB Engineers. Cost for dinner is \$15.

► The City will recognize Earth Day and Arbor Day on April 19-22. This year will mark the 40th anniversary of Earth Day and the 18th annual Earth Walk for the City. Each day, beginning April 19, the City will host an informational booth at the Community Center from 9:00 a.m. – 11:00 a.m. and 6:00 p.m. – 8:00 p.m. On Monday, the booth will feature information on recycling; Tuesday information on gardening; Wednesday information on transportation alternatives. The annual Earth Walk will be held on Thursday, April 22. The one-mile walk will begin at the VIP building located in Pine Hill Lakes Park. The first 75 participants who register for the walk will receive a t-shirt. Those interested can register online, in person or by calling the Community Center. At the end of the walk, a new tree will be planted to commemorate Earth Day and Arbor Day. There will be informational booths at the park on the day of the walk, including one sponsored by the Mason Tree Committee, who will give free tree seedlings to the first 200 walkers who complete the Earth Walk.

► The City of Mason's 6th annual Volunteer Appreciation Reception will be held on Thursday, April 22 from 6:00 p.m. to 7:30 p.m. in the Mason Municipal Center Atrium. We will honor those volunteers who have given 50 hours or more of service to the city. Light hors d'oeuvres and punch will be served, with the recognition program beginning at 6:30 p.m.

► On Saturday, April 24, from 10:00 a.m. – 2:00 p.m. the City along with Group Health Associates and Bethesda will participate in St. Susanna's Health Fair. Community Center staff will provide fitness demonstrations every 15 minutes along with information on the Center. The Fire Department will provide information on smoke detectors and having a safe plan for your home. The Police Department will provide DARE program information along with other general information on kids' safety. The event is open to the public.

A request for the waiver of sewer tap fees relating to the Bethany Road Sewer Project has been received from the owners of 5269 Bethany Road. Councilmember Bradburn moved to waive the fees, seconded by Councilmember Cox. VOTE: ALL YEAS

COMMITTEE REPORTS None

OLD AND NEW BUSINESS

Councilmember Pelfrey commented on a letter that appeared in the local paper calling the City Manager a tax and spend manager. She said those comments are unfounded and unkind. She also noted the suggestion that students be used to work on the City's website is unrealistic as school is out in four weeks and the work on the website is continuous and tedious. She suggested a form be created that is easy to read that documents how wisely the City is spending tax payer dollars. Mayor Prince agreed and stated the City has a good story to tell noting the improvement in the bond rating twice during an economic downturn. Councilmember Bradburn, Chair of Finance, suggested the Finance Committee meet with the Finance Director and discuss the creation of such a document. Mayor Prince noted charts versus texts should be used and actual versus budgeted amounts should be shown. He also noted this could be posted on the website.

RECOGNITION OF VISITORS

Perry Schwartz of 6309 Tartan Fields Lane addressed Council and stated the City's Annual Financial Report (CAFR) provides all the financial information you could want. He also asked how much of the grant for the Mason Road roundabout would we actually receive. Richard Fair responded, all that was allocated.

ADJOURN

A motion to adjourn was made by Councilmember Bradburn, seconded by Councilmember Cox. VOTE: ALL YEAS
TIME: 8:20 p.m.


Clerk of Council
Mayor