

**CITY OF MASON  
COUNCIL MEETING  
JULY 11, 2011**

The meeting was called to order at 7:04 p.m. Chaplain Huff opened the meeting in prayer. All those present recited the Pledge of Allegiance.

**ATTENDANCE**

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

**APPROVAL OF MINUTES**

A motion to approve the June 13, 2011 Council Work Session Minutes and the June 13, 2011 Council Meeting Minutes was made by Councilmember Pelfrey, seconded by Councilmember Cox. VOTE: 4 YEAS, 1 ABSTAIN (Bradburn).

**PRESENTATION OF PROCLAMATION TO GREAT WOLF LODGE**

Michele Blair gave a brief historical overview of the Great Wolf Lodge and Conference Center since opening five years ago in 2006. She congratulated the business for being an overall excellent performing lodge and introduced Terrie Zajo, General Manager of the Great Wolf Lodge.

Terrie Zajo thanked the City of Mason for honoring their business with the recognition tonight. She explained that in 2008 Mason's Great Wolf Lodge won the first "Lodge of the Year" award and again received this honor in 2010. The Mason Lodge has partnered with the Big Brothers/Big Sisters organization over the past two years to raise \$60,000. Recently \$20,000 was raised at last month's Slide-Athon with Nick Lachey as spokesperson. She then introduced her management team: Betsy Kang, Jaime Barnett, Jen Schanne, Sean Scully, Troy Brege, Mike Keeton, Ron Bronner, Doug McGregor, and Jason Arthur. Ms. Kang presented each councilmember with a set of wolf ears. Mayor Prince read and presented the proclamation to Terrie Zajo and her management team.

**FESTIVALS OF MASON PRESENTATION**

Scott Pierce of Festivals of Mason updated Council on the Mason Heritage and Bicycle Festival. He stated that the 26-mile "Morning Glory Ride" will start at 6:30 a.m. from the Mason Grill. This is a faster and more challenging bicycle course than the "Scavenger Hunt" family bike ride scheduled in the afternoon beginning at 2:00. Both rides have a fee and require participants to register by completing the registration on-line, [www.festivalsofmason.org](http://www.festivalsofmason.org). The parade will begin at 10:00 a.m. and everyone is encouraged sign up to ride a bike in the parade by registering on-line. Activities after the parade include food and craft booths, kid's zone, scavenger hunt bike ride, and Mason Idol. Karen Kilgore stated that Mason Idol is a vocal competition for children 7-18 years of age. The first competition is on August 6<sup>th</sup>, second rounds on August 13<sup>th</sup>,

and three winners from each of four age groups will perform and compete at the Festival for the title of Mason Idol beginning at 3:00 on the Main Stage. She stated that approximately 30-50 talented children compete in this event. Scott Pierce stated that information on the parade, festival, bicycle events and Mason Idol registrations can be found on the Festivals of Mason website. He presented each councilmember with a personalized bicycle helmet to wear in the parade.

**RECOGNITION OF VISITORS**

Kevin Shew of 222 Van Buren Drive and Prestige Fireworks reported on the 4<sup>th</sup> of July Fireworks Show in Mason. He thanked Council for their assistance and reported that they have received positive feedback and are still receiving donations. He stated that community response indicates the support of this event and he would like to volunteer his services to keep the event alive in 2012.

Christine Neitzke of 4942 Hampton Pond Lane and of the Dragonfly Foundation stated that the organization was formed in 2010 when her son was diagnosed with Hodgkin’s Lymphoma as a way to support other families undergoing similar treatments at Cincinnati Children’s Hospital. Rea Davidson explained that the foundation was formed to support quality of life programs for patients of the hospital. She invited the City and public to support and participate in the foundation’s “Touch a Truck Touch a Heart” event at Corwin Nixon Park on July 16<sup>th</sup>.

Ben Huffman, Director of Sports Marketing for the Warren County Convention and Visitors Bureau (WCCVB), stated that in 2004 WCCVB established a Sports Tourism Department which last year brought \$36 million into the economy with 53 events in Warren County. The City has the opportunity to again host the Australian Football National Championship in the fall of 2012. Approximately 1900 people attended this event in October of 2009, with \$1 million in economic impact and 2400 hotel room nights. In order to host this event, the City is requested to allow alcohol in a contained area of the park during the event per Ordinance 2008-86.

Councilmember Bradburn made the motion that the City waive the ban on alcohol in the park for this specific event, seconded by Councilmember Cox. VOTE: ALL YEAS.

**RESOLUTION 2011-12 SECOND READING ADOPTING THE BUDGET OF THE CITY OF MASON FOR THE YEAR JANUARY 1, 2012 THROUGH DECEMBER 31, 2012**

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

The Public Hearing was opened at 7:42 p.m.

The Public Hearing was closed at 7:43 p.m.

Eric Hansen explained that this tax budget, as required by the State of Ohio, is to justify receipt of local government monies. The City will begin its formal budget process near the end of summer.

A motion to adopt Resolution 2011-12 was made by Councilmember Shimrock, seconded by Councilmember Pelfrey. VOTE: ALL YEAS.

**RESOLUTION 2011-13 EXPRESSING THE POSITION OF THE COUNCIL OF THE CITY OF MASON REGARDING THE FUNDING OF FIRE AND EMERGENCY SERVICES**

Jeff Forbes read the resolution in its entirety as requested by Councilmember Pelfrey. Eric Hansen stated that Council and the Safety Committee has invested much time discussing this issue. The Fire Department is historically funded through a fire levy that was first adopted in 1998 when the department was formed. He explained two major factors that have impacted the funding of the department are state action that has redirected funding and the approval of the renewal levy, which actually reduced current millage received. These two factors together represent a loss of \$1.2 million per year. He explained actions that the Fire Department has taken in order to safeguard the fund such as joining the Northeast Fire Collaborative, updating supply, inventory, training and maintenance practices, and collaboration with Deerfield Township on Station 51 location, 1<sup>st</sup> responders, and joint training. Eric stated that the City's Fire Fund current balance is \$5 million. This balance will allow the City to continue providing fire service at current levels by using this emergency balance. Council has decided to not seek immediate action on fire funding and will take this time to discuss with residents service levels and how best to secure funding.

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

Councilmember Pelfrey asked Joe Reigelsperger when the fund would be at zero if there were no changes. Joe stated that when the current levy expires at the end of 2013 it is anticipated that the Fire Fund will be at zero. Councilmember Pelfrey stated that she considers this an immediate emergency. Eric Hansen stated that it is important to maintain a healthy fund balance and that a zero balance would not be acceptable. Chief Moore commented that capital deferral to this point has not compromised safety.

A motion to adopt Resolution 2001-13 was made by Councilmember Shimrock, seconded by Councilmember Cox. VOTE: ALL YEAS.

**ORDINANCE 2011-52 SECOND READING AMENDING THE ZONING CODE AND ZONING MAP OF THE CITY OF MASON, OHIO, TO PROVIDE FOR THE REZONING OF APPROXIMATELY 0.64 ACRES BOUNDED BY SECOND AVENUE, FOREST AVENUE AND RUTH CHESNEY WAY FROM R-4 TO B-1 DO (DOWNTOWN OVERLAY) AND TO AMEND THE DESIGN GUIDELINES HANDBOOK TO ADD THESE PROPERTIES TO THE DOWNTOWN OVERLAY DISTRICT (SECOND AVENUE PROPERTY)**

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

Brian Lazor explained that Ordinance 2011-52 is a proposed rezoning of approximately 0.64 acres of land bounded by Second Avenue, South Forest Avenue and Ruth Chesney Way. The request is to rezone the property from R-4 (Single Family Residential) to B-1 DO (Central Business District Downtown Overlay). The R-4, Single Family Residential district allows a variety of uses geared towards residential styled development including schools, institutions, and residential facilities. The B-1, Central Business District allows a variety of uses that are more consistent with the Downtown area including offices, commercial, retail, and restaurants. Adding the Overlay District to the property further restricts uses and places review of new buildings and modifications to site under the purview of the Design Review Board. Brian stated that the Design Review Board recommended that the properties be included within the Overlay District. He said that the Planning Commission recommended approval of the rezoning based on the following findings: the proposed zoning is consistent with the Comprehensive Plan and that the proposed zoning is consistent with development in Downtown Mason. The Future Land Use Map designates the properties as "Community Core" which is consistent with the proposed zoning.

The Public Hearing was opened at 8:05 p.m.

Pat Drummond of 205 South Forest expressed her concern that the patio and parking lot would be expanded into the existing green space. She said that if there are no plans for the green space at this time, the zoning should be denied until plans are made.

Josh Morrow, attorney representing People's First Savings Bank, stated that this lot sits squarely within the downtown business area. He said that it is businesses like Pitrelli's that drive the economy of Downtown Mason and it would be a mistake to handcuff this type of business. This petition is not in contradiction of the business plan but rather the fulfillment of it. Josh concluded by stating that this current location has been a business site for many years.

John Woodward of 208 South Forest stated that residents are not concerned about the existing parking lot, but have some concerns regarding plans for the green space that separates business and residential. He questioned the need to rezone without plans. He presented a petition with over 100 signatures from Mason residents who are against rezoning these parcels. He stated that rezoning this property would affect the property values of surrounding residential.

Don Williams of 214 West Church Street is on the Board of Directors of People's First Savings Bank. He stated that the bank is committed to creating a nice area by improving the building and landscaping. Keeping a portion of the area "green" would fit into this plan.

Brian Lazor addressed Councilmember Bradburn's questions regarding the encroachment of Pitrelli's patio into the residential zoning. Brian explained that this is not a legal non-conforming use in a residential area because it was built recently.

Jim Pitrelli, restaurant owner, explained that they removed an existing structure from the back of the building that was dangerous to use over the patio. He said that the only plans that he has for the green space is a garden. He explained that his existing parking lot is more than adequate and that there is not a need for additional parking.

Tom Stranko of 4010 South Ascot Place spoke on behalf of his son and daughter-in-law who live at 213 S. Forest. He suggested that there be a neighborhood discussion before a decision is made.

Evelia Vodenik of 104 South Forest congratulated Mr. Pitrelli on a successful restaurant. She would like Pitrelli's to keep the empty lot green so that her children can continue playing on it.

The Public Hearing was closed at 8:43 p.m.

During Council discussion, Mayor Prince expressed his frustration with the unanswered question as to "why zone now if there are no plans". Councilmember Pelfrey expressed her opinion that the creation of the Downtown Overlay District has increased property values in this area. She said that this request meets the definition of the overlay district. Brian Lazor explained that changes to property within the Downtown Overlay District would require approval by the Design Review Board and Planning Commission. Notification to adjacent property owners would not be required.

A motion to adopt Ordinance 2011-52 was made by Councilmember Bradburn, seconded by Councilmember Cox. VOTE: 4 YEAS, 1 NAY (Prince).

**ORDINANCE 2011-64 (1<sup>ST</sup> READING) TO AMEND THE CODE OF ORDINANCES OF THE CITY OF MASON TO AMEND IN PART ZONING CODE CHAPTERS 1133, 1159, AND 1175 (SWEEPSTAKES/INTERNET CAFES)**

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

Eric Hansen set the Public Hearing date for August 8, 2011.

**ORDINANCE 2011-65 APPROVAL OF THE OFFSITE SANITARY SEWER EASEMENT PLAT FOR WILLOW BROOKE SUBDIVISION**

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

Richard Fair addressed Council and stated that this is a sanitary sewer easement for future service to the Willow Brooke Subdivision which is located on Mason Morrow Millgrove Road just east of the City of Mason Water Reclamation Plant. The easement is actually on property owned by the Reserves of Carmelle. The easement runs from Carmelle's east property line to a manhole that is located at the southwest corner of the Water Reclamation Plant.

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

Councilmember Bradburn excused himself from the meeting at this time and was not available for the vote.

A motion to adopt Ordinance 2011-65 was made by Councilmember Cox, seconded by Councilmember Pelfrey. VOTE: 4 YEAS. (Bradburn absent for the vote)

**ORDINANCE 2011-66 ADOPTING A PLAN FOR MEDICAL INSURANCE FOR CITY EMPLOYEES AND DEPENDENTS**

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

Jennifer Heft stated that in 1998, the Employee Benefits Committee was created to evaluate and provide recommendations to the Employee Relations Committee of Council for the City's medical insurance plan and to educate, promote and facilitate those recommendations with other employees within the organization. The Committee has representation from both non-union and union employees. She explained that the Employee Committee has initiated a number of significant changes to the medical health care coverage for employees helping to control ever increasing health care costs. Some of those changes have included: evaluating health care pool options, fully insured plans versus self insurance, third party administrators, plan benefits and mail-order prescription drug plans. Jennifer stated that in 2007, City Council authorized the Committee's recommendation to implement a dramatic change to the health care plan with annual deductibles and monthly contributions by employees. In 2008, to continue efforts to control health care costs, and build on the partnership with TriHealth, the Committee recommended that the City partner with TriHealth for the development and implementation of a Wellness Program for employees, that included membership access to the Community Center. Throughout 2009 and 2010 changes to the plan included increases to the annual family deductible and the maximum out-of-pocket amount. She said that the City is self-insured which typically is more cost effective and flexible than typical programs. However, health care costs have continued to increase and last year the Benefit Committee began evaluating Health Savings Accounts (HSA) for employees as a way to contain health care costs. The City was able to successfully negotiate moving to HSA as part of the last Fire Union contract adopted by Council on November 22, 2010.

Jennifer explained that a Health Savings Account (HSA), is a tax-advantaged medical savings account available to employees who are enrolled in a high deductible health plan. The funds contributed to an account are not subject to federal income tax at the time of deposit and funds roll over and accumulate year to year if not spent. HSAs are owned by the employee and therefore encourage saving for future health care expenses; allow the employee to receive needed care without an administrator determining what benefits are allowed; and make employees more responsible for their own health care choices. Once employees reach their deductible, coverage is at 100% for all major medical, hospitalization, and prescription drugs. Jennifer stated that HSAs allow the City to reduce the growth of health care costs and increase the efficiency of the program. She said that for 2012, the annual family deductible will increase from \$1100 to \$2400 and employees will pay a \$50 per month premium for a Family plan. This is a dramatic change to the City's health care plan and to help employees move to the HSA program the City will make a one-time deposit to the employee's HSA and match employee's contribution up to \$240 per year for Single, and up to \$500 per year for family in 2012. The HSA program proposal in

Ordinance 2011 – 66 for non-union employees is for plan years 2012 and 2013 and is consistent with the plan offered to Fire Union employees and will be the benchmark for other pending union contracts. She explained that similar to the Employee Wellness program, the HSA program provides flexibility for maintaining control over the system, minimizing costs, supporting a merit system, and assisting with recruiting effectiveness while maintaining conservative financial management practices. The Employee Relations Committee has had the opportunity to review and discuss changes to the health insurance program and is recommending Ordinance 2011 – 66 for adoption.

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 2011-66 was made by Councilmember Pelfrey, seconded by Councilmember Cox. VOTE: ALL YEAS.

**ORDINANCE 2011-67 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH NORTH AMERICAN SALT CO., FOR THE PURCHASE OF APPROXIMATELY 5,500 TONS OF HIGHWAY ROCK SALT AT \$62.68 PER TON**

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

Richard Fair addressed Council and stated that this ordinance is the annual contract for the City to purchase rock salt for removal of ice and snow from City streets. Mason purchases about 5,500 tons of rock salt each year to provide this service. He explained that historically, the City has participated in the SWOP4G purchasing program because it has successfully obtained bulk rock salt cheaper than through the State Procurement Program. The SWOP4G bids included 4 suppliers that bid on our proposal. This year's low bid was \$62.68 per ton, \$0.31/ton lower than last year's price which represents approximately \$17,000 in annual savings. Richard stated that since 2006, rock salt prices have increased dramatically from \$44.05/ton to \$62.99/ton in 2010. This year, North American Salt Co. was the low bid for Mason. We have not used North American since 1997 and they have a significantly smaller salt stockpile than our previous vendor. In order to assure that we have adequate highway rock salt this winter, staff will be preparing additional legislation for emergency purchases of highway salt from a separate vendor. Richard explained that staff continues to look for alternatives for reducing freight fees. Several years ago the City purchased a salt thrower to help reduce these costs. The City was paying approximately \$3 per ton to stack the salt. The City continues to pursue alternatives to both reduce the budgetary impact of salt prices as well as to ensure available quantities are on hand. The Public Works Department is looking at methods of application, alternate treatment, and time to treat. He said that a major cost savings has been the implementation of an Incident Command structure for snow and ice removal services which has improved operational efficiency and reduced snow removal costs by using staff from four departments in rotating shifts.

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

A motion to adopt Ordinance 2011-67 was made by Councilmember Cox, seconded by Councilmember Shimrock. VOTE: ALL YEAS.

### **CITY MANAGER'S REPORT**

▶ The Community Center held an open house on Saturday, July 9. The event was well attended with events, tours, and demonstrations.

▶ The City will be hosting the Fit to Fight Triathlon on Sunday, July 17<sup>th</sup> at Corwin Nixon and Pine Hill Lakes Parks as well as Lou Eve's Municipal Pool. The women's event begins at 7:30 a.m., followed by the men's event at 9:00 a.m. and the Kid's Triathlon at 11:00 a.m. There is a 5K run/walk at 8:00 a.m. This is the 4<sup>th</sup> year the event has been hosted in the parks, and the City's Live Well in Mason Committee is strengthening the partnership by helping to organize volunteers and offering Community Center guest passes to participants.

▶ The Lou Eves Municipal Pool will host a pool party for premier members on Sunday, July 31 from 12:00-3:00 p.m.

▶ On Sunday, July 31 at Nixon Park from 6 to 8 p.m. the City will host a concert by the West Chester Jazz Dogs, a local jazz and blues quintet. The Jazz Dogs play a variety of jazz standards and classic blues from the 1920s to the present, mixed with a few of their own compositions. The free concert is sponsored by Mason Health Care Center.

▶ A motion to not require a hearing for a liquor permit for Lou's Pony Keg was made by Councilmember Bradburn, seconded by Councilmember Cox. VOTE: ALL YEAS.

▶ The City has refinanced three debt issuances. \$6.69 million of general obligation bonds were reissued at a rate of 3.01%. These bonds are for projects such as the Mason Road widening, stormwater improvement, and US-42 widening. General obligation bonds for purchase of the Golf Course were reissued at a rate of 3.27%. \$3.5 million of short term debt associated with SR-741 property acquisition was secured at a rate of 0.81%. Eric stated that only 7% of the City's total debt is exposed to rising rates. The City has secured very attractive long term rates for 93% of the City's debt. The City's overall debt will be reduced in 2011 by \$4.2 million and by an anticipated \$4.4 million in 2012. Less than half (48%) of the City's debt is paid with general fund sources (tax dollars). More than half (52%) is paid for by utilities and other revenue. With the many efforts by Joe Reigelsperger and the Finance Department, the City is effectively saving \$250,000/year.

### **COMMITTEE REPORTS**

Councilmember Cox reported that the Park Board is hosting a thank you luncheon for members at the Mason Sports Park on July 9<sup>th</sup>.



## **OLD AND NEW BUSINESS**

Councilmember Bradburn reported that in the morning of July 4<sup>th</sup> the Mason Community Center was packed. He stated that it is good to be open on holidays.

## **RECOGNITION OF VISITORS**

Perry Schwartz of 6309 Tarton Fields Lane suggested that the City educate the public through publications such as Mason Matters regarding the City's debt. Other topics of interest might be that the Asian long horned beetle attacking maples and oaks can be successfully treated with Merit insecticide.

## **EXECUTIVE SESSION: LAND ACQUISITION, PERSONNEL, LITIGATION, AND SECURITY**

A motion to adjourn into Executive Session for the purpose of discussing land acquisition, personnel, litigation, and security was made by Councilmember Cox, seconded by Councilmember Shimrock. VOTE: ALL YEAS. TIME: 9:28 p.m.

A motion to reconvene into Regular Session was made by Councilmember Cox, seconded by Councilmember Pelfrey. VOTE: ALL YEAS. TIME: 10:36 p.m.

## **ORDINANCE 2011-68 AUTHORIZING THE CITY MANAGER TO ACQUIRE APPROXIMATELY 3.4 ACRES OF PROPERTY AT A PRICE NOT TO EXCEED \$130,000.00 AND DECLARING AN EMERGENCY (S.R. 741 PROPERTY)**

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

A motion to adopt Ordinance 2011-68 was made by Councilmember Pelfrey, seconded by Councilmember Cox. VOTE: ALL YEAS.

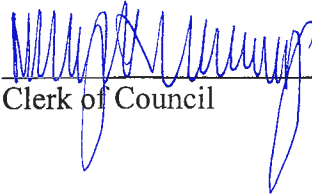
A motion to waive the First Right of Refusal on approximately ten acres of ground on Innovation Way (Neyer Property) was made by Mayor Prince, seconded by Councilmember Pelfrey. VOTE: ALL YEAS.

A motion to authorize the City Manager to enter into an agreement with Group Health to occupy the Municipal Center for basement storage was made by Councilmember Cox, seconded by Councilmember Shimrock. VOTE: ALL YEAS.

Council discussed the request by the Dragonfly Foundation for assistance with their *Touch a Truck Touch a Heart* event in July. Council decided that financial support could not be given.

**ADJOURN**

A motion to adjourn was made by Councilmember Bradburn, seconded by Councilmember Cox.  
VOTE: ALL YEAS. TIME: 10:50 p.m.



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Clerk of Council



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Mayor