

**CITY OF MASON
COUNCIL MEETING
OCTOBER 22, 2012**

Vice Mayor Kidd called the meeting to order at 7:07 p.m. Pastor Tom Moll opened the meeting in prayer. Boy Scout Troop #194 presented the colors and Scout John Anick led all those present in reciting the Pledge of Allegiance.

ATTENDANCE

The following members of Council were present: Victor Kidd, Barbara Spaeth, Rich Cox, Tom Grossmann, Charlene Pelfrey, and Don Prince. David Nichols was absent.

APPROVAL OF MINUTES

A motion to approve the October 8, 2012 Council Meeting Minutes was made by Councilmember Pelfrey, seconded by Councilmember Spaeth. VOTE: ALL YEAS.

RECOGNITION OF SERGEANT MATT HAYES AND POLICE DOG ZICCO

Chief Ferrell introduced Sergeant Matt Hayes and Zicco. Chief Ferrell said that Zicco retired earlier this year after serving eight years as the City of Mason's first canine unit. Sergeant Hayes started the canine program in January of 2004 and serves as the program's coordinator. In addition to serving countless hours on the job, Zicco participated in many exhibitions and the D.A.R.E. program. Sergeant Hayes introduced his family. Councilmember Pelfrey and Vice Mayor Kidd presented a plaque in recognition and appreciation of Zicco's service.

RECOGNITION OF CAROL HACKNEY OF MASON SERVES

Carol Hackney introduced her assistant Ellie Koutny. Ms. Hackney thanked the City and Council for their continuing support of this community event. She announced that November 10th, 2012 marks the 4th Annual Mason Serves. Volunteers meet that morning at Mason Municipal Center for the kick-off then travel to assigned homes of residents in need of assistance in preparing their homes for winter. In addition to the many great volunteers, businesses donate goods and services to the effort. Ms. Hackney encouraged city leaders to participate in this rewarding program. Volunteer applications should be submitted by November 3rd.

RECOGNITION OF COMETS PIZZA DONATION TO MASON PARK FOUNDATION

Vice Mayor Kidd introduced Chris Simpson of Comets Pizza. Ms. Simpson said that a group of students working concessions at the Mason Sports Park and Municipal Pool decided to collect summer tips to donate toward building the new all-inclusive playground, Mason Common Grounds. She said that Mason residents were very gracious in their generosity and that the workers were shocked when donations totaled \$600. Ms. Simpson introduced the students. Vice Mayor Kidd thanked the students for their selfless act. Rachel Kopfler of Mason Parks Foundation thanked the students for their generosity.

RECOGNITION OF JOHN LOOKER – VETERANS DAY CELEBRATION

John Looker, American Legion Post 194 Commander, announced that the Veterans Day Memorial Service will begin at 7:00 p.m. on Sunday, November 11th at the Mason Municipal Center. Captain Steve Maynard, US Navy Veteran of 29 years, will be the featured speaker. He announced additional area Veterans Day Events taking place that week and encouraged everyone to participate in these programs in support of our veterans.

RECOGNITION OF VISITORS

Joe DeZenko of 5083 Plantation Court addressed Council with questions regarding Issue 7. To his question regarding the plan for a property tax increase, Councilmember Grossmann replied that if Issue 7 passes, the first opportunity to adjust the millage would be in 2014. He explained that the current 5 mil levy collects a total fixed amount of around \$5 million and that with a typical five year real estate levy, effective millage rates decrease as real estate values increase. Councilmember Grossmann stated that Council has made a commitment to reduce 2014 property tax, most likely to 4.5 or 4.4 mils, to account for a \$1.2 million grant received from the Federal Government to support Fire/EMS services. Mr. DeZenko asked why only non-residents should pay for a gap in funding. Councilmember Grossmann stated that the intention of Issue 7 is to fairly share the burden of paying for safety services based upon actual usage. He stated that for example, the owner of a \$100,000 home would pay \$500 (on a 5 mil rate) while a non-resident earning \$100,000 while working in the City of Mason would pay \$100 to \$150 (.1% to .15% without accounting for credits a non-resident likely receives). Mason homeowners would still pay the vast majority of the amount collected compared to non-residents. He said that later in the meeting, safety committee will explain in detail the distribution of funding sources and who benefits from Fire & EMS services. Joe DeZenko asked why non-residents working in the City of Mason should pay for the city pool, community center, golf course, and senior center if they are not receiving value from these amenities. Councilmember Grossmann stated that each of these facilities charge a user fee to offset costs and that Mason Community and Senior Center is now in a profitable position based on user fees and lease space payments.

ORDINANCE 2012-52 2ND READING: AMENDING THE ZONING CODE AND ZONING MAP OF THE CITY OF MASON, OHIO, TO PROVIDE FOR THE REZONING OF APPROXIMATELY 5.45 ACRES FROM I-1 LIGHT INDUSTRIAL TO RESIDENTIAL PLANNED UNIT DEVELOPMENT WITH APPROVAL OF THE CONCEPT PLANNED UNIT DEVELOPMENT PLAN LOCATED SOUTH AND EAST OF 1224 CASTLE DRIVE (CASTLE PARK RESIDENTIAL)

Eric Hansen announced that the developers of this property have requested a continuance of the Public Hearing in progress to the next Council Meeting. A motion to continue the Public Hearing in progress to November 12, 2012 was made by Councilmember Prince, seconded by Councilmember Cox. VOTE: ALL YEAS.

SAFETY COMMITTEE PRESENTATION

Councilmember Pelfrey, Safety Committee Chair, stated that Safety Committee along with full Council has spent several years in open discussions regarding upcoming exploration of the current fire levy, addressing ways to cut expenditures without compromising safety, response times, and creative ways to fund the Fire/EMS Department. She stated that a 5 year–5 mill levy was established in 1998 when the Mason-Deerfield Township Joint Fire District was dissolved. The 5 year-5 mill levy was renewed in 2003 and 2008. She stated that during that 10-year period, the Fire Department took on many challenges and was strengthened through intense training programs, revision of the department's command structure, and closer adherence to National Fire Protection Agency (NFPA) standards. The Fire Department is solely funded by the Fire Levy with no General Fund dollars utilized to support Mason Fire and EMS services. She explained that a mill is a mathematical formula. It is a property tax rate equal to one tenth of one percent of the assessed property value. As a point of reference, she stated that the homeowner of a \$100,000 home in Deerfield Township currently pays \$238 with the 6.8 mill fire levy while the homeowner of a \$100,000 home in Mason currently pays \$175 with the 5.0 mill fire levy. Mason's 5.0 mill fire levy has not been adjusted for inflation. With the growth of the community and inflation, the Fire Department has been forced to begin spending down the reserve fund. Another strain on the department's budget was the State of Ohio's withholding of \$700,000/year to the Fire Fund. While considering several options for fire service funding, consideration was given to the fact that Mason residents subsidize fire and EMS service to those who work in the city, but do not live in the city. Councilmember Pelfrey stated that Issue 7 would retain the 5 mill fire levy that Mason voters approved in 1998 and would minimally increase the current earnings tax from 1.0% to 1.12% for those that work in the city, but do not live in the city.

Councilmember Prince explained three pie charts: Fire & EMS Services: Who Benefits, Current Fire & EMS Funding Sources, and Proposed Fire & EMS Funding Sources. Businesses and their employees receive 46% of the benefits, residents receive 54%. Currently, funding sources for these services are 21% business property tax and 65% resident property tax. He explained that the proposed solution would have the funding sources much more even, with residents and non-residents paying their fair share. He stated that if Issue 7 is passed, two income streams would be provided with a cap that could not be raised above traditional levels. Funds raised would be specifically directed to safety services and could not be directed to the General Fund. It allows Council to adjust the funding sources once a year in order to keep it balanced as demographics change.

Councilmember Pelfrey stated that she appreciates that Issue 7 is an easy to understand one-ballot issue. Councilmembers sent a factual letter to all residents and, along with others, have been speaking to residents directly concerning Issue 7. In the last three weeks residents have expressed an appreciation for the way Issue 7 will balance the funding of the Fire Department, an understanding of the issue, with the majority expressing their support. She clarified that Issue 7 is only about operating and staffing the two existing fire stations and no future fire stations are included in the passage of Issue 7. Councilmember Pelfrey explained that Mason Firefighters are union employees that have volunteered to freeze wages over the last several years and are paying for their health insurance in part. Firefighter salaries are in the median range of other

regional jurisdictions and Mason Fire Department attracts and retains a quality workforce that provides expert medical attention and fire protection.

Councilmember Prince explained actions taken to reduce Fire Department expenses. He stated that this is the third year that Mason firefighter's Union has agreed to forego traditional annual pay increases. Firefighters participate in a high deductible health care package. He stated that a deferred equipment replacement schedule is now in place, replacing equipment every 12-14 years instead of 8-10 years. Councilmember Prince spoke about the many ways that the City of Mason cooperates with Deerfield Township and other jurisdictions. He stated that Mason has mutual aid and first response agreements in place with Deerfield Township. These agreements provide better service to all of our residents. The city negotiated a co-location agreement with Deerfield Township when Station 51 was being built. This agreement would have saved money for both departments if Deerfield Township had honored this agreement. Other cooperative initiatives with Deerfield Township include Traffic Infrastructure Districts (TID), road resurfacing program, *Our Town* magazine, and Community Center membership fees. The Mason Fire Department joined the Northeast Fire Collaborative (NEFC) in 2009, cooperating with Blue Ash, Sycamore, Symmes, Loveland, and Sharonville. Vice Mayor Kidd expressed his support and the importance of passing Issue 7. He stated that the department has exceptional leadership that has worked hard to keep expenses low. Councilmember Grossmann stated that the vast majority of incidents firefighters respond to are for medical emergencies or automobile accidents. Non-residents receive a significant portion of these benefits. Relatively few emergency calls are to homes or businesses for fire related incidences. He explained that, like an insurance policy, safety services cover everyone who lives, works, or travels through the City of Mason. Issue 7 keeps taxes low for everybody. If a real estate tax was the only funding source for safety services, a 6.8 mill levy would be needed, as in Deerfield Township. Most non-residents also will not experience a tax increase if Issue 7 is passed, as the earnings tax rate in Mason is still lower than most municipalities and those non-resident business employees will probably receive a complete credit for taxes paid to Mason.

ORDINANCE 2012-70 2ND READING: ADOPTING THE REVISION, CODIFICATION, RECODIFICATION, REARRANGEMENT AND PUBLICATION OF THE ORDINANCES AND RESOLUTIONS OF THE CITY OF MASON, IN BOOK FORM, FOR THE CURRENT SUPPLEMENT

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

The Public Hearing was opened at 8:20 p.m.

The Public Hearing was closed at 8:20 p.m.

Jennifer Heft stated that this ordinance is an annual update of the city's codification for all legislation enacted for the year ended December 31, 2011.

A motion to adopt Ordinance 2012-70 was made by Councilmember Spaeth, seconded by Councilmember Prince. VOTE: ALL YEAS.

ORDINANCE 2012-71 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$450,000 OF TAX INCREMENT FINANCING REVENUE REFUNDING BONDS (MASON ENTERPRISE PARK PROJECT) OF THE CITY OF MASON, COUNTY OF WARREN, STATE OF OHIO, UNDER SECTION 5709.40 ET SEQ. OF THE OHIO REVISED CODE FOR THE PURPOSE OF PAYING THE COST OF CERTAIN PUBLIC IMPROVEMENTS; AND AUTHORIZING A PLEDGE OF AND LIEN ON CERTAIN SERVICE PAYMENTS TO SECURE SUCH BONDS

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

Eric Hansen explained that Tax Increment Financing (TIF) is a creative tool that cities use to help developers by building infrastructure needed to operate a business. Increased tax revenue generated by the improved property value of the business, called an increment, is used to fund this infrastructure, not tax dollars used for operations. Under a TIF arrangement the City issues bonds to pay for public improvements, the City's tax dollars and credit rating are not jeopardized, increased tax revenues are used for debt service payment and the developer agrees that if the increased tax revenue is not sufficient to pay for the debt service, the developer is responsible for paying the difference. Eric stated that in 2002 the City issued almost \$700,000 TIF bonds for public improvements related to Mason Enterprise Park on SR-741. He explained that with the downturn in the economy the area has not developed as anticipated and the property tax revenue has not been sufficient to offset debt service payments. The developer has been responsible for this deficit. Joe Reigelsperger, Finance Director for the City, and legal counsel have been working with the developer to lower the payments by refinancing the bonds at a lower interest rate and with a longer term which is still within the TIF expiration date. Mr. Hansen explained that this action to refinance the TIF bonds at a lower rate will make sure that the TIF continues to cover that amount, City tax dollars are not jeopardized, the developer will have more time to pay the bonds down, and more time is allowed for the property to develop.

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

A motion to adopt Ordinance 2012-71 was made by Councilmember Cox, seconded by Councilmember Prince. VOTE: ALL YEAS.

CITY MANAGER'S REPORT

► Halloween is Wednesday, October 31 and Trick or Treat hours are 6:00 to 8:00 p.m. Please be aware of children in the streets if you are traveling during these hours.

► Election Day is Tuesday, November 6 with voting hours from 6:30 a.m. to 7:30 p.m. The Mason Municipal Center is a polling place that day.

► The Mason Community Center's upcoming Open House will be held on October 27, 2012 from 8am-8pm. The Center is open free to all guests. New members who join the facility that day will receive a variety of discounts. From 11am-1pm, a Fall Festival is scheduled in Mason

Community Center's gymnasium. Carnival games will be offered, including a passport station, cookie walk, lollipop tree, pumpkin patch, jack-o-lantern disk game, bean bag toss game, spider ring toss, duck pond, tattoo station, and toddler inflatables. From 10am-2pm, a Volunteer Fair will take place along the Center's Main Street. During the Volunteer Fair, you can talk to 30 to 35 non-profit/service organizations who will explain their mission and the unique volunteer opportunities they offer. All programs offered that day are free to the community.

► This time of year City Council authorizes the purchase of a gift certificate for a ham or turkey for City employees. An additional option would be a gift certificate for the Community Center. If Council would like to offer this to all City employees, a motion to this effect would be appropriate. A motion to authorize the purchase of gift certificates for city employees at the holidays was made by Councilmember Pelfrey, seconded by Councilmember Cox.

VOTE: ALL YEAS.

COMMITTEE REPORTS

Councilmember Spaeth reported that at the October 11th Park Board meeting a citizen presented concerns regarding violation of rules at Pine Hill Lakes Park. Councilmember Spaeth expressed her appreciation of citizens becoming involved in the parks and invited interested residents to become a V.I.P. (Volunteer In the Park). She explained that a V.I.P. has the authority to request persons to abide by the rules and regulations of the Park District and to notify a Peace Officer of any violation. She stated that there is a need for more V.I.P.s and asked that anyone interested please contact Dana at the Community Center to volunteer. Other reports included Municipal Pool, Community Center events, Parks events, and baseball field maintenance. She stated that the Parks Rules and Regulations manual and fields usage scheduling policy are being revised.

OLD AND NEW BUSINESS

Councilmember Pelfrey thanked Judy Cox, Rich Cox, and the *Mason Historical Society* for the fantastic Rose Hill Cemetery Walk. She enjoyed the *Mason Community Players* portrayal of the many Mason historical figures. It was a great event. Councilmember Cox stated that over \$1500 was raised with this event and that there are plans to expand it for next year.

Councilmember Grossmann clarified, in response to an email correspondence received, that if Issue 7 is approved there will not be additional fire stations built. He explained that he believed the Lebanon Tea Party was the source of a flyer with misinformation about adding stations, referenced at the last Council meeting, because the email address used by the Lebanon Tea Party disseminated the flyer. He also explained why he chose to respond to this e-mail as part of a public conversation and for the public record. In order to clarify another misconception, Councilmember Grossmann stated that Issue 7 proposes a flat or proportional tax, not a heavy progressive or graduated income tax.

RECOGNITION OF VISITORS

John Looker of 111 East Main and Commander of American Legion Post 194 invited High School students to participate in programs offered through the American Legion. He explained the programs: Americanism test and essay, Boys and Girls State, and Oratorical Contest.

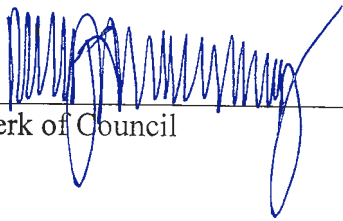
EXECUTIVE SESSION: LAND ACQUISITION

A motion to adjourn into Executive Session for the purpose of discussing land acquisition was made by Councilmember Prince, seconded by Councilmember Grossmann. VOTE: ALL YEAS. TIME: 9:00 p.m.

A motion to reconvene into Regular Session was made by Councilmember Cox, seconded by Councilmember Prince. VOTE: ALL YEAS. TIME: 9:50 p.m.

ADJOURN

A motion to adjourn was made by Councilmember Cox, seconded by Councilmember Pelfrey. VOTE: ALL YEAS. TIME: 9:50 p.m.


Clerk of Council


Mayor