

**CITY OF MASON
COUNCIL MEETING
APRIL 22, 2013**

The meeting was called to order at 7:04 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: Victor Kidd, Barbara Spaeth, Rich Cox, Tom Grossmann, and Charlene Pelfrey. Don Prince and David Nichols were absent.

APPROVAL OF MINUTES

A motion to approve the April 8, 2013 Council Meeting Minutes was made by Councilmember Spaeth, seconded by Councilmember Cox. VOTE: ALL YEAS.

RECOGNITION OF MASON SWIM COACH KEN HEIS – SWIM TEAM AND SWIM PROGRAMS

Chrissy Avery introduced Head Coach of the Manta Rays Swim Team, Ken Heis. Ken presented an overview of the team and program over the past ten years. The program began in 2003 with 110 swimmers and has expanded to a swim team of 340 swimmers, a masters swim team, and 800 swimmers in the Mason Swim Academy. The Mason Manta Rays team has a 95% retention rate compared to the 78% national rate. Ken introduced the swimmers and highlighted team and individual achievements. Vice Mayor Kidd congratulated the team on their impressive performance and said that we are fortunate to have them in our community. Councilmember Spaeth commented on how amazed she was at their dedication and hard work. Ken Heis answered questions regarding the team's ranking in Cincinnati and discussed facilities in the Cincinnati area with 50 meter pools.

RECOGNITION OF VISITORS

Stephen Hill, Deputy District Director of Congressman Steve Chabot's office, introduced himself and invited residents to contact the Lebanon office at 11 South Broadway for assistance with Federal benefits and requests.

RESOLUTION 2013-09 PROCLAIMING THE WEEK OF MAY 19-25, 2013 AS EMERGENCY MEDICAL SERVICES WEEK

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

Jennifer Heft stated that National Emergency Medical Services Week will be celebrated May 19-25, 2013 in Mason. Emergency Medical Services Week is an opportunity to recognize and thank the Fire Department for providing service to the residents of Mason. Last year, the Department

responded to over 2200 emergency medical calls. Along with emergency response, other services include: CPR training, blood pressure screening, educational sessions for injury prevention, and promoting safety awareness. She said that this year, as part of National EMS Week, the Fire Department will provide educational presentations at three of the MCC Senior Center potluck lunches on safety topics pertinent to seniors.

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

A motion to adopt Resolution 2013-9 was made by Councilmember Pelfrey, seconded by Councilmember Spaeth. VOTE: ALL YEAS.

RESOLUTION 2013-10 PROCLAIMING MAY 19-25, 2013 AS NATIONAL PUBLIC WORKS WEEK

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 National Public Works Week is an opportunity to promote public awareness and to show appreciation to City of Mason staff involved with Public Works operations. The American Public Works Association sets aside a week in May each year to celebrate those services provided by public works departments. The theme for this year's event is "Because of Public Works..." Richard stated that Mason Public Works Department staff provides services which include street maintenance, snow and ice removal, brush chipping, leaf pick-up, street sweeping, mowing public right-of-way, litter control, maintaining guard rails and traffic signs, street light repair, tornado sirens, vehicle maintenance, sidewalk repair, storm sewer maintenance, and catch basin restoration. Richard stated that in addition to this work, Public Works staff helps out in other areas such as park and building maintenance. An example of this would be the replacement of light bulbs in the Municipal Center which saved the City \$7500.

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

Councilmember Cox expressed his appreciation of the great crew in the Public Works Department that saves the City a lot of money by doing additional work such as sidewalk repair.

A motion to adopt Resolution 2013-10 was made by Councilmember Cox, seconded by Councilmember Spaeth. VOTE: ALL YEAS.

ORDINANCE 2013-36 APPROVAL OF THE FINAL PLAT FOR BOXWOOD FARMS SUBDIVISION

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

Richard Fair addressed Council and stated that Boxwood Farms Subdivision is located north of Mason Road between Mason Early Childhood Center and Hickory Woods Subdivision. He stated that it is a small subdivision with 11 single-family lots along with 2 open space lots and right-of-way dedicated along Mason Road. Planning Commission recommends approval of the final plat contingent upon the submittal of a Subdivider's Contract and performance bond.

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.

Richard Fair answered questions during Council discussion. He said that a low spot that currently collects water in this area will be improved with a ditch that drains the water into catch basins. Richard explained that alternate access from this subdivision to Mason Road was considered but could not be worked out. Staff believes that the traffic from this small neighborhood should not present problems.

A motion to adopt Ordinance 2013-36 was made by Councilmember Cox, seconded by Councilmember Pelfrey. VOTE: ALL YEAS.

ORDINANCE 2013-37 ACCEPTING THE LOW AND BEST BID FOR THE SOUTHWEST MASON AREA SANITARY SEWER IMPROVEMENTS – PHASE II PROJECT FROM MILLER PIPELINE, LLC AND AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT DOCUMENTS

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

Richard Fair explained that last year, Phase I of this project was the first time the City used slip-lining for rehabilitation of approximately 10,000 feet of existing sanitary. Disruption to residents, properties and traffic was held to a minimum during construction. With construction of the project completed below budget, this project saved \$500,000 over conventional construction methods and will extend pipe life by 40-50 years. He stated that reducing infiltration and inflow (I&I) sent by the collection system to the Water Reclamation Plant reduces expenses at the plant. Bids were opened on April 9, 2013 with Miller Pipeline, LLC as the best and lowest bidder. Miller Pipeline, LLC is the contractor that completed the Phase I project last year and did an excellent job working with both City staff and local residents during the project. Richard explained that Phase II of the project is east of Butler-Warren Road and north of Western Row Road and includes Windward, Windsong, Southwind, Stratford, Sheffield and other streets in the area. Typically in these areas, the sewer pipe itself is in good condition, but joints are badly deteriorated.

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

A motion to adopt Ordinance 2013-37 was made by Councilmember Cox, seconded by Councilmember Spaeth. VOTE: ALL YEAS.

ORDINANCE 2013-38 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH A&A SAFETY, INC. IN THE AMOUNT OF \$54,577.35, FOR THE STRIPING OF VARIOUS STREETS IN THE CITY

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

Richard Fair explained that the annual street striping program is for painting of center lines, edge lines, channelizing lines, and crosswalks within the City of Mason. A&A Safety was the low bidder and was the contractor on last year's program.

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

A motion to adopt Ordinance 2013-38 was made by Councilmember Pelfrey, seconded by Councilmember Cox. VOTE: ALL YEAS.

ORDINANCE 2013-39 ACCEPTING THE LOW AND BEST BID FOR THE BETHANY ROAD ROUNDABOUT PROJECT FROM FORD DEVELOPMENT CORP. AND AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT DOCUMENTS

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

Kurt Seiler discussed both Ordinance 2013-39 and Ordinance 2013-40 together. Kurt explained that the Bethany Road Roundabout project began in 2009 when Council authorized a contract with American Structurepoint Inc. for design of both the Mason Road Roundabout project and the Bethany Road Roundabout project. In 2010 a \$1.3 million grant was secured for 80% federal and 20% local match. Kurt stated that there is significant traffic back-up and higher truck volume at the site of the proposed Bethany Road Roundabout. He explained that the 190 foot diameter of the Bethany Road Roundabout is larger than the 120 foot diameter of the Mason Road Roundabout to allow for truck traffic. Opening day traffic will likely only require a single lane roundabout, but the design will enable upgrade to dual-lane roundabout with only minor signage and striping changes. Kurt stated that included in the bid price is a sanitary sewer extension that was added to the plans to provide sanitary sewer to this previously unsewered area of the City. The owner of the lot at the northwest corner of the intersection, Bunnell Hill Development Company, has agreed to pay half of the cost to extend the sewer westward up to \$80,000. Ordinance 2013 - 40 authorizes the City Manager to enter into the reimbursement agreement with Bunnell Hill for the extension of sanitary sewer. Kurt stated that in addition to reducing traffic back-ups in this area, the Bethany Road Roundabout is expected to prolong the need for widening Bethany Road in the future. Kurt stated that Ford Development Corporation, the lowest of seven bidders on this project, has recently completed the Mason Road Widening Project, the Mason Road Roundabout and is nearly complete with the US-42 Widening Project. Ordinance 2013 - 39 authorizes a construction contract with Ford Development Corp. Construction.

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

During Council discussion, Kurt Seiler explained how the design allows for access to the residential driveway at the corner lot and where the bike path crosses the roundabout.

A motion to adopt Ordinance 2013-39 was made by Councilmember Cox, seconded by Councilmember Pelfrey. VOTE: ALL YEAS.

ORDINANCE 2013-40 AUTHORIZING THE CITY MANAGER TO ENTER INTO A REIMBURSEMENT AGREEMENT WITH BUNNELL HILL DEVELOPMENT COMPANY, INC. FOR A SANITARY SEWER MAIN CONSTRUCTION ALONG BETHANY ROAD AND DECLARING AN EMERGENCY

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

A motion to adopt Ordinance 2013-40 was made by Councilmember Cox, seconded by Councilmember Spaeth. VOTE: ALL YEAS.

ORDINANCE 2013-41 AUTHORIZING THE CITY MANAGER TO ENTER INTO A SWIMMING POOL MANAGEMENT AND MAINTENANCE AGREEMENT WITH SWIM SAFE POOL MANAGEMENT, INC., IN AN AMOUNT NOT TO EXCEED \$160,000 AND DECLARING AN EMERGENCY

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

Jennifer Heft stated that since 2010 the City has been working with legal counsel to understand and implement several changes to insure compliance with the Patient Protection and Affordable Care Act (PPACA). However, probably the most significant impact of the Act to City operations, and effective 2014 is the requirement that employees working 30 hours or more per week be provided with health care coverage. She explained that the City currently offers health care coverage to full-time employees working 40 hours or more per week. There are approximately 200 part-time employees and providing health care coverage would have a significant financial impact on the City. Jennifer stated that staff has been exploring a number of creative options for maintaining levels of service and operation and minimizing expenses, while trying to comply with the Affordable Care Act. Some of these options have included using contractual services, redefining part time work to seasonal/temporary, strategic hiring of full time positions and establishing a separate business entity. She explained that one creative option considered was partnering with a separate entity for lifeguards at the Community Center. Together with another pool facility, the process of hiring employees would be shared and lifeguards could work part-time for both separate entities. Legal counsel advised against this

option. At the Employee Relations Committee in March, staff indicated that effective May 5, part-time staff hours will be reduced to not-to-exceed 25 hours per week. Jennifer stated that reducing part-time employee hours to 25 will create a need for more part time staff in order to continue operations. In addition, staff explained how they had been exploring the option of contracting for lifeguards and life guard supervision at the outdoor pool.

Jennifer explained that in the past the outdoor pool was staffed with additional seasonal staff along with shifting lifeguards from the Community Center. Part time coordinators and full time Community Center staff provided daily management and supervision. She stated that with the reduction of hours for part time staff a significant amount of additional part time staff would be needed. Getting the pool staff hired and trained in time for the opening of the pool along with filling other part time staffing needs by the May 5 deadline would be difficult. As a separate facility from the Community Center with seasonal operations the Lou Eves pool is conducive for evaluating an alternative part time staff option without violating requirements of the Affordable Act. Jennifer stated that like any contractual arrangement there is some loss of control. With the Affordable Care Act that becomes increasingly more relevant as a Mason employee cannot directly supervise the guards at the outdoor pool. Preliminary estimates indicate the cost for contractual part time staff would be similar to what historically has been spent for lifeguards at the outdoor pool. She explained that with the outdoor pool scheduled to open Memorial Day weekend, staff followed an abbreviated process and contacted two pool management companies. After speaking with legal counsel Swim Safe Pool Management Inc. (SSPM) was selected based upon its ability to provide the service, size of the firm and willingness to modify contractual agreement to provide assurances related to the Affordable Act. The City has worked with SSPM to identify hours of operation, schedule, staffing needs, customer service expectations and special events scheduled at the pool. The proposed one season contract includes scheduled monthly payments to SSPM. Jennifer stated that some of the things outlined in the contract include: SSPM will provide pool manager, lifeguards and other personnel required to operate the pool; the City has the ability to request the dismissal of any employee who is not performing in accordance with City expectations; all lifeguards will have current American Red Cross Lifeguarding, CPR for the Professional Rescuer and First Aid Certificates; managers will have Certified Pool Operator certificates; and SSPM will maintain detailed training records for all SSPM personnel and provide copies to the City. City staff will work closely with supervisors of Swim Safe Pool Management Inc. to help ensure a safe environment, consistency with other City facilities and the high quality of customer service that Mason residents have come to expect. Jennifer stated that this is an experiment that will help the City evaluate how to address staffing in future seasons. The Employee Relations Committee has reviewed this legislation and is recommending adoption of Ordinance 2013-41. An emergency clause has been added to provide time to secure and train staff for opening of the Lou Eves pool by Memorial Day weekend.

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 2013-41 was made by Councilmember Spaeth, seconded by Councilmember Grossmann. VOTE: ALL YEAS.

ORDINANCE 2013-42 ACCEPTING THE PROPOSAL FOR THE KINGS ISLAND PARKING STUDY FROM LJB, INC., IN THE AMOUNT NOT TO EXCEED FEE OF \$53,200, AND AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT DOCUMENTS

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

Eric Hansen stated that the City is in the process of improving Kings Island Drive with a project of about 1.6 miles which consists of adding turn lanes, bike paths, upgrades to existing traffic signal installations, coordinated signage to better define lane utilization, pavement markings, and drainage system. The estimated \$5.3 million project with \$4.3 in grant funding secured will improve safety, but also optimize the traffic flow in the area surrounding Kings Island and provide a more prominent landscape. Eric explained that while working on the preliminary design plans, City staff sought input from Kings Island and included the park in the process. As a result, Kings Island is willing to partner with the City in a joint study that evaluates Kings Island parking lot, entrances, and how that impacts the redesign of Kings Island Drive. He stated that reconfiguring the entrance into the park could have a profound impact on the final design of Kings Island Drive and lower the cost of the project as well as long term maintenance costs for the City. Eric stated that Kings Island has provided information regarding traffic flow into the park and has generously offered to contribute half the cost of the parking study. The City and Kings Island will continue to work closely to ensure this project benefits the park as well as the traveling public throughout the City. The contract for LJB, Inc. is recommended at a cost not to exceed \$53,200, fifty percent to be reimbursed by Kings Island.

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.

In response to Councilmember Grossmann's questions, Kurt Seiler stated that Federal Grant funding is through OKI and is for 80% Federal, 20% local matching funds. The project is a May 2015 construction award, although the start date has not been locked down at this point. Eric Hansen stated that discussions regarding an upgrade of aesthetics are ongoing. He said that although Kings Island and Great Wolf Lodge are businesses that benefit from this project, traffic unrelated to Kings Island through this I-71 corridor travelling to other areas of the City reap residual benefits.

A motion to adopt Ordinance 2013-42 was made by Councilmember Grossmann, seconded by Councilmember Cox. VOTE: ALL YEAS.

CITY MANAGER'S REPORT

- The Northeast Cincinnati Chamber of Commerce will host the Spring Gala Dinner and Auction on Wednesday, May 8 at 5:30 p.m. at the Manor House Banquet & Conference Center.
- May 27th is Memorial Day. A Veterans Memorial Service will be held at the Veterans Memorial starting with a continental breakfast at 7:30 a.m. followed by services at 8:00 a.m.

The Memorial Day Parade will begin at 10:00 a.m. Parade participants will meet at 9:00 at the American Legion Hall, Post 194.

- Community Center Activities. Mason Manta Rays Swim Team has contributed to the business and financial success of the Community Center. June is family golf month and discount coupons will be available at the Community Center for a Father's Day golf event at the Golf Center. In honor of Father's Day, MCC is hosting a "Night at the Reds" and a limited number of tickets to the June 19 game will be available for purchase in Symbiosis.

- The Summer Sunshine Concert series will begin on June 23 with eight concerts on Sundays through August 11th. The concerts will be held at various locations with area business partners.

- Continuing the City's efforts toward interdepartmental coordination, staff from City Departments assisted the Tax Department as the tax return deadline approached by working in customer service and mail. Two residents also volunteered by opening mail and greeting residents dropping off tax returns. Utilization of electronic filing (e-filing) by 22% of residents and 2500 businesses contributed to improved efficiency.

- Warren County Prayer Breakfast will be held in Lebanon on May 2, 2013.

COMMITTEE REPORTS

Councilmember Pelfrey reported that the Bicentennial Committee met with Mason Historical Society and Festivals of Mason members last week. They are finalizing a logo, general timeline for the year, and budget for the Bicentennial signature event to be held in the fall of 2015.

Councilmember Spaeth reported that at the Parks and Recreation Board (P&R) meeting Rachel Kopfler of the Mason Parks Foundation reported on progress of the Common Ground Playground. The Foundation needs to raise \$2 million to build the playground, has hired a grant writer, and is working with BrandingGround on marketing. She said that Mason Park Board is looking for ways to work and partner with the Foundation to help raise the funds needed. The City has donated in-kind services (road and sewer) and is partnering with the Foundation on a June 9th Run, Roll, and Sun 5K fundraiser. Councilmember Spaeth reported on other P&R activities including Mason Twisters, Arbor Day, Shop Local, concessions, seasonal employees, MYO dirt donation for Heritage Oak fields, and 3rd annual baseball tournament.

OLD AND NEW BUSINESS

Councilmember Grossmann commented on AssureX marketing materials.

Councilmember Spaeth said that four Mason employees visited Goddard School today to help preschoolers make bird feeders and terrariums for Earth Day.

RECOGNITION OF VISITORS

Brian Crabtree, a Mason High School Senior, thanked City Council for working and caring for the City of Mason and its citizens.

Michael Kaper, a student at Schilling School, said that as part of a class assignment, he needed a photograph as evidence of his attendance at the City Council meeting.

EXECUTIVE SESSION: LITIGATION; PROPERTY ACQUISITION; EMPLOYMENT / COMPENSATION OF PUBLIC EMPLOYEES

A motion to adjourn into Executive Session for the purpose of discussing litigation, property acquisition, employment/compensation of public employees was made by Councilmember Cox, seconded by Councilmember Spaeth. VOTE: ALL YEAS. TIME: 8:28 p.m.

A motion to reconvene into Regular Session was made by Councilmember Cox, seconded by Councilmember Pelfrey. VOTE: ALL YEAS. TIME: 9:36 p.m.

A motion to add Ordinance 2013-43 to the agenda was made by Councilmember Grossmann, seconded by Councilmember Spaeth. VOTE: ALL YEAS.

ORDINANCE 2013-43 ACCEPTING THE TRAC FUNDING REQUEST SUMMARY FOR THE WESTERN ROW ROAD INTERCHANGE PROJECT, AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A RELATED INTERGOVERNMENTAL AGREEMENT WITH THE WARREN COUNTY TID, AND DECLARING AN EMERGENCY

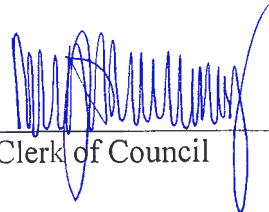
A motion to read by title only was made by Councilmember Grossmann, seconded by Councilmember Spaeth. VOTE: ALL YEAS.


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

A motion to adopt Ordinance 2013-43 was made by Councilmember Cox, seconded by Councilmember Pelfrey. VOTE: ALL YEAS.

ADJOURN

A motion to adjourn was made by Councilmember Cox, seconded by Councilmember Spaeth. VOTE: ALL YEAS. TIME: 9:38 p.m.


Clerk of Council


Mayor