

**CITY OF MASON
COUNCIL MEETING
NOVEMBER 9, 2015**

The Mayor and Vice Mayor were not in attendance. Jeff Forbes opened the floor for nominations for temporary Meeting Chair. Councilmember Prince nominated Councilmember Pelfrey which was seconded by Councilmember Fox. With no other nominations, Councilmember Pelfrey was declared temporary Meeting Chair by acclamation.

The meeting was called to order at 7:07 p.m. Chaplain Jerry Pelfrey opened the meeting in prayer. All those present recited the Pledge of Allegiance.

ATTENDANCE

The following members of Council were present: Barbara Spaeth, Ashley Chance, Jim Fox, Charlene Pelfrey, and Don Prince. David Nichols and Victor Kidd were absent.

APPROVAL OF MINUTES

A motion to approve the October 26, 2015 Council Meeting Minutes was made by Councilmember Spaeth, seconded by Councilmember Prince. VOTE: ALL YEAS.

CITY MANAGER'S REPORT

On Saturday, November 7 the City hosted an Open House for the Mason Service Center. There was a great turn-out, food was provided by the Golf Center, Parks and Public Works had displays on the many services housed at the Service Center with emphasis on service improvements because of the new facility.

On November 10 the Bicentennial Committee will host an event at the Manor House in Mason. The intention of the program is to secure the momentum for Common Ground Playground, give an update on project status, and identify stakeholders and community leaders that can help drive the project forward to conclusion.

The Lindner Center of HOPE has partnered with Live Well in Mason in hosting a Community Outreach Series at the Mason Community Center. This educational series of four presentations provides expert discussion in mental health, addictions, and mental wellness. The last presentation in the series on November 11 will discuss *What is Motivation for Change and how important is it?*

The City will host a Veterans Day ceremony at the Municipal Center on November 11. Members of the community and City Council are encouraged to attend to show support for our veterans.

Cincinnati Family Magazine is hosting the Kids & Family Expo at the Community Center on Saturday, November 14 from 10:00 a.m. to 2:00 p.m. This free event will feature over 40 local businesses and children's programs that provide services of interest to families.

The Community Center's next Shop Local event will be held on Wednesday, December 2, from 9:00 a.m. to 4:00 p.m.

For the 19th year, the City is conducting its Hope for the Holidays program. The purpose of Hope for the Holidays is to provide a way for City staff and the community to give back by assisting families in need during the holidays. To participate in the program or for additional information, please call the City or e-mail hopefortheholidays@masonoh.org.

At this time of year, City Council typically authorizes the purchase of a Holiday gift certificate for each employee. If Council would like to offer this to all City employees, a motion to this effect would be appropriate. A motion to approve the purchase of holiday gift certificates for each City employee was made by Councilmember Spaeth, seconded by Councilmember Prince. VOTE: ALL YEAS.

Per City Charter, Council needs to meet on Tuesday, December 1 for an organizational meeting. Newly elected council members will be sworn in and Council elects Mayor and Vice Mayor. Staff is preparing for this meeting to begin at 5:00 p.m. and to include a reception as well as a photographer for official Council photographs. A motion would be appropriate to schedule this meeting. A motion to set the Council Organizational Meeting for December 1, 2015 at 5:00 p.m. was made by Councilmember Spaeth, seconded by Councilmember Prince. VOTE: ALL YEAS.

COMMITTEE REPORTS

Councilmember Spaeth discussed the Bicentennial event to be held at the Manor House on November 10. Revenue generated throughout the Bicentennial year from events and the sale of commemoratives in addition to generous donations from Bicentennial Sponsors will be donated to the Common Ground Playground project. She stated that everyone is invited to attend the open reception at the Manor House that includes a presentation on design of the playground, contributions of funds and in-kind services received to date, and plans to complete construction of the playground. The purpose of the event is to encourage additional corporate and individual contributions towards the building of Common Ground Playground with plans to break ground in 2016.

Councilmember Pelfrey discussed the Bicentennial Closing Ceremony scheduled for December 14 at Great Wolf Lodge beginning with a social hour at 5:30 p.m. and the Council Meeting starting at 6:30 p.m. The evening will include a video presentation of the Bicentennial year, Mason Community Players, and recognition of sponsor donations to Common Ground Playground. She encouraged everyone to join in this community celebration.

A motion to change the location and time of the December 14, 2015 Council Meeting to Great Wolf Lodge at 6:30 p.m. was made by Councilmember Spaeth, seconded by Councilmember Prince. VOTE: ALL YEAS.

PRESENTATION BY NORITAKE

Michele Blair welcomed Noritake and stated that the company is known around the world for precision and advanced manufacturing in the industrial community. She introduced Noritake representatives Mr. Ichiro Yamauchi - Abrasives Division President, Mr. Hideuki Shibata - Abrasives Division Manager, and Ms. René Dillon – Human Resources Manager. Mr. Yamauchi spoke about the wonderful opportunity to congratulate the City of Mason on behalf of Noritake Company. He acknowledged Mason's 200 years of success and projected that the City will reach new heights in future years. Ms. Dillon stated that in 1904 Noritake Company Ltd, a leader in the industry of manufacturing porcelain ware was founded in Japan. Noritake presented the City of Mason with a vase as a symbol of their admiration for achieving a thriving 200 years. She stated that the Noritake vase has a very specialized red color called shinsha, which in the Japanese culture symbolizes the "vigor of life." Shinsha is a difficult glazing process that is manufactured in only three countries in the world. Noritake is the only company in Japan that has mastered the art of producing this shinsha color. She said that it is a very special achievement to the Noritake Company and Noritake wishes to share it as part of the City of Mason's achievement of 200 years.

RECOGNITION OF VISITORS

Councilmember Pelfrey recognized Councilmember-elect Kathy Grossmann.

Audrea Liviskie of 974 Western Row Road expressed her frustration with noise coming from Crossroads Church. The noise from loud music during weekend services and evening practices disturbs the peace by rattling dishes and windows in her home 750 feet away. She believes that the church is aware of the disturbance but appears to be uninterested in solving the problem since they are in compliance of current laws. She requested the City pass a law that addresses this problem. Eric Hansen responded that the City has been in communication with the church and has engaged a sound expert to investigate solutions to the problem. The City's legal counsel is reviewing noise ordinances in other municipalities in an effort to revise and update Mason's current noise ordinance. He explained that noise is a complicated issue and noise ordinances are difficult to enforce. He encouraged Ms. Liviskie to continue reporting any disturbance and stated that this would be helpful in the City's efforts to document and collect data.

ORDINANCE 2015-110 SECOND READING: AMEND CHAPTER 182 OF THE CODIFIED ORDINANCES OF THE CITY OF MASON REGARDING MUNICIPAL INCOME TAX

Jeff Forbes read the entire ordinance.

Jennifer Heft stated that since 2000, the Ohio State Legislature has introduced and adopted legislation to bring about municipal income tax uniformity throughout the state. In January 2013, HB 601 was re-introduced in the General Assembly as HB 5 and was signed by the Governor in December 2014 to take effect in tax year 2016. She explained that while changes are numerous, the impact on Mason is far less significant than many other municipalities as the City's Tax Code is already consistent with many of the required changes. However, some

changes do impact Mason's Tax Ordinance and require Council action. These include: withholding for nonresidents working in Mason begins on day 21; net operating loss (NOL) carryover remains 5 years, but NOL is reduced to 50% allowable each year; State law establishes penalty and interest charges for late filing and late payment; income from prizes, awards, sweepstakes, lottery winnings, gambling and sports winnings, or other similar games of chance are taxable; estimated tax payments are due on April 15, June 15, September 15, and December 15; payment and overpayment threshold is \$10; there is a new deadline for filing extensions; the Mason Tax Office is required to send correspondence by certified mail or secure e-mail for anything other than a request for additional information or mathematical errors; and beginning in January 2016, two members are to be appointed to the Tax Board of Review by Council and one member appointed by the City Manager. Jennifer stated that there are already proposed amendments to HB 5 in the current budget bill and staff anticipates that more changes to Mason's Tax Ordinance will be necessary to comply with State law if the bill as amended passes. Currently however, a new City of Mason Tax Ordinance is required to be passed by January 1, 2016 to conform to State of Ohio requirements and deadlines. The current Tax Ordinance is not being repealed since it will continue to apply to all tax years prior to tax year 2016. Staff does not anticipate a significant impact on the City's tax revenues or operations.

A motion to adopt Ordinance 2015-110 was made by Councilmember Spaeth, seconded by Councilmember Prince. VOTE: ALL YEAS.

ORDINANCE 2015-111 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH VOGELPOHL FIRE EQUIPMENT INC. FOR THE PURCHASE OF 40 MSA G-1 SELF CONTAINED BREATHING APPARATUS AND ACCESSORY EQUIPMENT FOR THE CITY OF MASON FIRE DEPARTMENT

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

Eric Hansen stated that SCBA equipment is the most important personal protective equipment used by firefighters. The City's SCBA equipment was purchased in 1998 when the Mason Fire Department was established. He explained that SCBA units were scheduled for replacement the past two years, but delayed as production of SCBA equipment was awaiting approval of new National Fire Protection Agency (NFPA) standards. Meanwhile, City staff was able to extend the life of current equipment by performing various upgrades. The equipment is now 17 years old, well beyond its useful life, and no longer meets current safety standards. Eric stated that 40 SCBA units will cost \$312,000. Earlier this year, the Northeast Fire Collaborative (NEFC) applied for a joint Federal Emergency Management Agency (FEMA) grant to update personal protective SCBA for three of the four departments in the collaborative and was awarded the grant in October. Mason joined the NEFC in 2010 and staff estimates an annual savings from joint purchasing agreements alone at nearly \$100,000. As a NEFC member, it is anticipated that the reimbursing grant will save the City of Mason over \$253,000. Eric stated that the new SCBA equipment meets the latest recommended safety standards set by the NFPA. Improvements in the new SCBA improve firefighters' safety using new industry standard alarm tones and are constructed of materials that can withstand higher temperatures often produced during fires in today's structures. Voice communication equipment built into the SCBA has significantly

improved, making it clearer to communicate with personnel on the emergency scene. Mason's equipment will also have advanced technology that will be able to monitor firefighters in the building and their air supply. The Finance and Safety Committees recommended including \$400,000 in the 2014 Budget for this equipment replacement. When the project was delayed the funding was again included in the 2015 Budget.

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

A motion to adopt Ordinance 2015-111 was made by Councilmember Fox, seconded by Councilmember Prince. VOTE: ALL YEAS.

ORDINANCE 2015-112 ACCEPTING THE PROPOSAL FOR THE MARIVAL / BROADVIEW FARMS STREAM RESTORATION PROJECT DESIGN FROM SUSTAINABLE STREAMS, LLC, IN THE AMOUNT NOT TO EXCEED FEE OF \$63,100 AND AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT DOCUMENTS

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

Kurt Seiler stated that in August 2015, the City entered into an agreement with Ohio EPA to receive \$222,000 in grant funding for the Marival/Broadview Farms Stream Restoration Project. Proposals for design of stream improvements were requested from five Engineering firms and three proposals were received. He stated that all three proposals were evaluated and the proposal received from Sustainable Streams, LLC was found to be the most responsive to the project requirements. The total design fee of \$63,100 submitted by Sustainable Streams, LLC is very competitive in comparison with the City's estimate and the fees proposed by the other firms. The 2015 Budget included \$75,000 for the design of the project. Kurt explained that the proposed project will restore approximately 3,200 linear feet of the Unnamed Tributary to the Muddy Creek running from US-42 under Stone Ridge Drive to Cox-Smith Road through Marival and the Broadview Farms subdivisions. The Grant will reimburse the City for the design cost and future construction costs. The City of Mason, Marival Homeowners Association (HOA) and Warren County Soil and Water Conservation District (SWCD) are partnering to complete the improvements. Marival HOA will provide volunteers to help during construction of the project.

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

A motion to adopt Ordinance 2015-112 was made by Councilmember Spaeth, seconded by Councilmember Fox. VOTE: ALL YEAS.

OLD AND NEW BUSINESS - none

RECOGNITION OF VISITORS - none

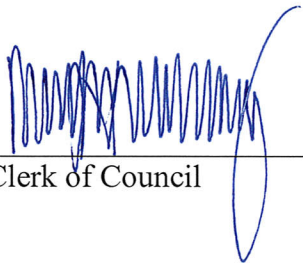
**EXECUTIVE SESSION: LAND ACQUISITION AND EMPLOYMENT /
COMPENSATION OF PUBLIC EMPLOYEES**

A motion to adjourn into Executive Session for the purpose of discussing land acquisition and employment/compensation of public employees was made by Councilmember Spaeth, seconded by Councilmember Chance. VOTE: ALL YEAS. TIME: 8:00 p.m.


A motion to reconvene into Regular Session was made by Councilmember Fox, seconded by Councilmember Prince. VOTE: ALL YEAS. TIME: 9:18 p.m.

ADJOURN

A motion to adjourn was made by Councilmember Prince, seconded by Councilmember Chance. VOTE: ALL YEAS. TIME: 9:19 p.m.



Clerk of Council



Vice Mayor