

Don Williams of 214 West Church Street addressed Council and said he appreciated the work Council has done for the City. He noted the information desk in the lobby is always vacant. He suggested staffing it with a volunteer. Eric Hansen said the City did that 2 years ago but found the volunteers were not happy working where there was such little interaction with people. Don then suggested it be staffed only during high traffic times. He then asked if Council is aware of how much property the City actually owns. He said there are seven and one half pages at the County Auditor's site which totals 147 parcels owned by the City. He said it would be a good idea to review and assess if it could be sold. He then said it is important to support the downtown businesses. He said it will take time to make changes in this area and they will face hardships as a result. He added it didn't happen 20-25 years ago when changes were made to the downtown area and we should learn from that mistake. He said the Church Street residents are concerned about those who exceed the speed limits and ignore the stop signs. He also said he is very worried about the increased traffic on Mason Road with the opening of the Early Childhood Center.

RECOGNITION OF VISITORS

Ginny Sundin introduced Debbie Darland as the new member to the Mason Park Board as designated by the Mason Schools.

BOARD

RECOGNITION OF DEBBIE DARLAND'S APPOINTMENT TO MASON PARK

Jennifer Trepal introduced the following winners of the Heritage Calendar Photo Contest: Mike Greenstone, Aparna Madhavan, John Boyton, Christine Shimrock, and Mike Rodmaker. Mike Greenstone and Mike Rodmaker were present to receive the recognition. Jennifer thanked the Pulse Journal for printing the calendars at no cost to the City.

HERITAGE CALENDAR PHOTO WINNERS

A motion to approve the minutes of the August 14, 2006 council meeting was made by Councilmember Wurzbacher, seconded by Councilmember Kidd. VOTE: ALL YEAS

APPROVAL OF MINUTES

The following members of Council were present: Victor Kidd, Steve Osborne, Tony Bradburn, Matt Kline, Todd Wurzbacher, Tom Grossmann and Char Pelfrey.

ATTENDANCE

Mayor Pelfrey called the meeting to order at 7:11 p.m. Those present recited the pledge of allegiance.

**CITY OF MASON
COUNCIL MEETING
AUGUST 28, 2006**

Pastor Childers of the First Church of God addressed Council and read a letter he sent to Councilmembers thanking the Fire Department and stating they are doing a good job for our community.

Frank Miller of Walnut Lane in the Greenery condominiums addressed Council and said three fire trucks plus EMS vehicles responded to his neighbor's call for health reasons. He said it seem like an awful waste of resources to send that many out on each call. Councilmember Bradburn said he will check into it. He said they might have anticipated using a forced entry and then may have needed additional personnel. Mr. Miller said it happened Saturday afternoon between 12:00-3:00 p.m. Mr. Miller said he did not need a response but would appreciate them looking into it.

PRESANTATION BY PAIGE ROTHSTEIN ON DOWNTOWN COST ITEMIZATION

Paige Rothstein addressed Council and stated the breakdown of costs requested at the last meeting has been provided to the Councilmembers in the packets. She stated the total amount requested is \$45,387.53. She also reported the Committee met Monday morning and discussed how customers can be attracted to downtown Mason. It was decided the first Friday of every month the businesses would hold an event to attract attention to that area. Vice Mayor Grossmann noted the bulk of the costs are associated with a mailing, which totals \$31,499.80. He suggested using *Mason Matters* as an alternative to this method of communication. He also questioned the fairness of helping one business over another located within the corporation limits. Councilmember Kidd stated the difference is as a result of the decisions the City has made, these businesses will be harmed. He said the catalyst of a vibrant downtown is businesses that are thriving. That will attract interest by others for locating downtown. He added if the area is redecorated but the businesses aren't thriving, we have not helped the community. Mayor Peltrey noted this project will take much longer than the average road improvement project. Councilmember Kline said two things need to be done and that is communication and branding. Councilmember Osborne said he met with Paige and has a better understanding of the expenses. He said he will support this request. Vice Mayor Grossmann asked what the flyer will look like. Paige distributed a sample they have been working on to which Councilmember Osborne commented the business names should appear on the flyer and perhaps a coupon attracting the patronage. Councilmember Kidd moved to approve the request for \$45,387.53. Councilmember Wurzbacher seconded the motion. VOTE: ALL YEAS Mr. Pitrelli's from Pitrelli's Italian Restaurant addressed Council and said the businesses downtown are not looking for a handout. He said they are small entrepreneurs and the money will be spent wisely.

ORDINANCE 2006-81 AMEND THE CODE OF ORDINANCES OF THE CITY OF MASON TO AMEND IN PART ZONING CODE CHAPTERS 113, 1157, 1159 AND TO ESTABLISH AND INSERT CHAPTER 1174 (LARGE RETAIL ESTABLISHMENTS)

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

Brian Lazor addressed council and stated staff has been working with McKenna and Associates along with Wood and Lamping to create Zoning Ordinance amendments that address large retail establishments.

The amendments aim to provide regulations for the construction and renovation of buildings over 20,000 square feet in the B-2 (Shopping Center) and B-3 (Road Service) zoning districts. Some highlights of the amendments include limiting expansive facades, adding architectural details, and creating buildings unique to the City of Mason. Brian stated the amendments also give the Planning Commission and Zoning Board of Appeals the flexibility to adapt the regulations to a specific site and building condition.

Mayor Pettrey opened the public hearing at 8:28 p.m. There were no comments in support or opposed to this legislation. Mayor Pettrey closed the public hearing at 8:29 p.m.

A motion to adopt Ordinance 2006-81 was made by Councilmember Kline, seconded by Councilmember Kidd. VOTE: ALL YEAS

ORDINANCE 2006-96 AMENDING THE ZONING CODE AND ZONING MAP OF THE CITY OF MASON, OHIO, TO PROVIDE FOR THE REZONING OF APPROXIMATELY 0.40 ACRES LOCATED AT 209 AND 211 EAST MAIN STREET FROM R-4 TO R-4 AND DOWNTOWN OVERLAY DISTRICT AND TO AMEND THE DESIGN GUIDELINES HANDBOOK TO ADD THE PROPERTIES TO THE DOWNTOWN OVERLAY DISTRICT (PINSON-WITTMAN PROPERTY)

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

Eric Hansen stated this is a first reading and a public hearing on this legislation will be held on September 25, 2006.

ORDINANCE 2006-97 ACCEPTING THE PUBLIC IMPROVEMENTS FOR THORNGATE AT WINDEMERE, SECTION 2,3, AND 5

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

Richard Fair explained to Council this is the multi-family section of the Windemere subdivision. The streets, which are private, include part of Thorngate Drive and Grasmere Run. The residences in Sections 2 and 3 are condominiums while Section 5 consists of landowners. Richard said these are the last sections of Thorngate at Windemere to be accepted. The Public Utilities, Public Works, Engineering Department and Greater Cincinnati Water Works have inspected the public improvements. The utilities and other improvements will become the city's responsibility upon acceptance. Staff recommends accepting the public improvements, contingent on the submission of a one-year maintenance bond.

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

Councilmember Bradburn asked if the issues have been resolved concerning this development. Richard replied no there is a memo in the Council packets providing the update on several subdivisions in the city.

A motion to adopt Ordinance 2006-97 was made by Councilmember Wurzbacher, seconded by Councilmember Osborne. VOTE: ALL YEAS

ORDINANCE 2006-98 AUTHORIZING THE CITY MANAGER TO ENTER INTO A GRANT AGREEMENT WITH THE STATE OF OHIO, DEPARTMENT OF DEVELOPMENT

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

Michele Blair explained to Council, the City negotiated a highly competitive recruitment package that included both incentives from the City of Mason and the Ohio Department of Development in 2005. Authorizing these two pieces of legislation is the last step in finalizing the City's commitment to Great Wolf Lodge to facilitate the leverage of funds from the State of Ohio of \$350,000 in 629 Roadwork funds. Michele stated this particular funding is made available through the State of Ohio 629 Roadwork Development Fund for the purpose of fostering economic development growth and the creation of jobs in the State. Great Wolf Lodge will use the funds to construct a new roadway of approximately 1,500 linear feet connecting Kings Island Drive and Columbia Rd, install two new traffic signals which is anticipated to improve overall traffic flow and safety in this area of the City and to construct improvements to Kings Island drive of approximately 1,500 linear feet of turn lane from Kings Island Drive to Great Wolf Drive. Michele also stated the Grant Agreement between the State of Ohio and the City of Mason allows the City to accept funds of up to \$350,000 to defray the cost of the roadway improvement by reimbursement to Great Wolf Lodge Resorts. The Development Agreement between Great Wolf and the City of Mason then allows the reimbursement of the funds to Great Wolf and binds Great Wolf to the same obligations of State and Federal guidelines and policies that the City will assume by signing the Ohio Department of Development Grant Agreement. Ordinance 2006-98 requests Council's approval to enter into a Grant Agreement with the State of Ohio to accept \$350,000 and Ordinance 2006-99 requests Council's approval to enter into a Development Agreement with Great Wolf Lodge, authorizing the reimbursement of the \$350,000 for the roadway improvements.

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

Councilmember Bradburn asked if any streetlights have been planned for this area. Richard Fair replied not as part of their project..

A motion to adopt Ordinance 2006-98 was made by Vice Mayor Grossmann, seconded by Councilmember Wurzbacher. VOTE: ALL YEAS

ORDINANCE 2006-99 AUTHORIZING THE CITY MANAGER TO ENTER INTO A DEVELOPMENT AGREEMENT WITH GREAT WOLF LODGE RESORTS, INC.

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

◆Reporters at the Community Press have been reassigned. Rob Dowdy will no longer be covering Mason. Eric Bradley, who has been covering Deerfield Township and Mason Schools for the last 9 months, will replace him.

Eric Hansen reported on the following items:

CITY MANAGER'S REPORT

A motion to adopt Ordinance 2006-100 was made by Vice Mayor Grossmann, seconded by Councilmember Wurzbacher. VOTE: ALL YEAS

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

Eric Hansen explained to Council, on April 10, 2006 Council authorized a one-year contract with a local business, Homemade Dreams Coffeehouse, to provide service in the concession operations at the Corwin Nixon Ball fields and the Lou Eves Municipal Pool. Operations for the Community Center Café were included in the bids for park concessions. Eric stated the proposal from Homemade Dreams includes a revenue sharing agreement with the City for 15% of gross sales (excluding sales tax) and a slightly expanded menu with similar pricing to what was provided to City Council for park concessions. Included in the bid for Café operations was a proposal to make structural changes to the Community Center Café to better accommodate business needs. Any building improvements would be done at the vendor's cost and would become part of the building if the agreement were not renewed. Since Mason City Schools owns the facility, approval from the Schools is required for any improvements that would alter the facility. Homemade Dreams is seeking a five-year agreement to provide cost recovery for the projected expenses associated with the proposed improvements. Eric further stated staff is not anticipating the Café to be a significant revenue source for the Center. However, the operation of the Café will provide additional on-site service to residents and members, enhancing the customer's experience. Upon approval of a contract with Homemade Dreams, staff will pursue approval from the Schools for the proposed improvements to the facility.

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

ORDINANCE 2006-100 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH HOMEMADE DREAMS FOR CONCESSION SERVICES AT THE CAFE' AT THE COMMUNITY CENTER

A motion to adopt Ordinance 2006-99 was made by Vice Mayor Grossmann, seconded by Councilmember Kline. VOTE: ALL YEAS

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

Councilmember Kidd moved to adjourn into executive session for the purpose of discussing land acquisition and personnel. Councilmember Bradburn seconded the motion. VOTE: ALL YEAS

EXECUTIVE SESSION

Paul Brandon of Ohio Beads and Gems located on Main Street addressed Council and thanked them for the earlier vote for expenditures on downtown. He said a mailer needs to reach others beyond the City corporation limits. He expressed a need for clarification of the area within Downtown Mason. He suggested merchants may be willing to financially participate with directions signs such as "Downtown Mason and Ohio Beads and Gems this way."

RECOGNITION OF VISITORS

Councilmember Kline stated the intersections in the City are dangerous for pedestrians and he has experienced this first hand when riding his bike. He said it is particularly dangerous at Tylersville Road and Mason Montgomery Road. He noted cars are pulling in front of the stop bar. Vice Mayor Grossmann said the problem is probably increased by the right turn after a full stop. Mayor Peltrey asked who is responsible for placing a crossing guard at this intersection. Ken Schneider replied the School Board makes that decision. Mayor Peltrey asked staff to make a request to the School Board for this location.

COUNCIL OLD AND NEW BUSINESS

Vice Mayor Grossmann reported the Finance Committee has discussed the introduction of an Admissions tax. He said another meeting will be held and include an invitation to the businesses that will be affected. He added the City does not want to affect church events or school events. He said 3% is the average and that is anticipated to generate approximately 2-3 million dollars. He also stated the Committee is reviewing the possibility of allowing a full credit to residents on income tax paid to other jurisdictions. He said a ballot issue has been discussed that may be placed on the May ballot. He added the Committee does not agree on how this should be worded but the Law Director is researching the matter. Councilmember Osborne, a member of the Finance Committee, clarified the discussions on the tax credit must be done by a vote of the people. He said the City can keep it as it is, allow a full credit or give Council the power to implement any change. Now the charter dictates the way it is implemented.

Vice Mayor Grossmann reported the Court Liaison Committee met and discussed several items one of which was the introduction of a diversion program. He explained the benefit this type of program would have with young people who have minor offenses. He also stated the Court is requesting new software that they will pay for themselves. They are also requesting a room to be used by Defense Counsel and for records review.

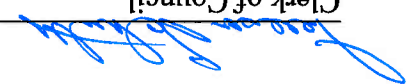
COMMITTEE REPORTS

♦Public Utilities received a Safety Performance Award from MVRMA for going three consecutive years without a MVRMA loss. Given the size of the Public Utilities fleet and the nature of their work, this is a commendable feat.

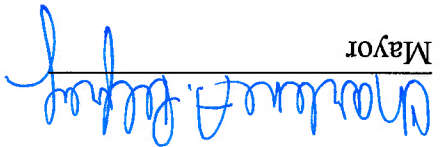
A motion to reconvene into regular session was made by Councilmember Osborne, seconded by Vice Mayor Grossmann. VOTE: ALL YEAS

ADJOURN

Councilmember Wurzbacher moved to adjourn, seconded by Councilmember Kline. VOTE: ALL YEAS
TIME: 10:07 p.m.



Clerk of Council



Mayor