

**CITY OF MASON  
COUNCIL MEETING  
JANUARY 12, 2009**

Mayor Grossmann called the meeting to order at 7:08 p.m. Pastor Rick Huff opened the meeting with prayer. Those in attendance recited the pledge of allegiance.

**ATTENDANCE**

The following members of Council were present: Victor Kidd, Christine Shimrock, Don Prince, Tony Bradburn, David Nichols, Pete Beck and Tom Grossmann.

**APPROVAL OF MINUTES**

A motion to approve the minutes of the December 15, 2008 Council meeting was made by Councilmember Kidd, seconded by Councilmember Shimrock. VOTE: ALL YEAS

**RECOGNITION OF VISITORS**

Judy Cox, President of the Mason Historical Society located at 207 W. Church Street addressed Council and invited them to the January 28, 2009 meeting to be held at 7:00 p.m. in the Community Room of the Municipal Building. She said a special guest speaker, Gary Kersey, will be there to talk about Abraham Lincoln as it is approaching the 200<sup>th</sup> anniversary of his birthday.

Eric Routenberg addressed Council and asked the City to endorse the "Green Drinks Mason" organization he is starting. He said he would like to utilize the City's endorsement for advertising purposes. He stated meetings will be held the fourth Wednesday of each month at the Fox and Hound with the purpose of providing an environment for individuals to be educated and network for green initiatives. He stated this is a not-for-profit organization. Mayor Grossmann referred Mr. Routenberg to Eric Hansen. He asked him to look into the matter and make a recommendation to Council at the next meeting.

**RESOLUTION 2009-01 PROCLAIMING FEBRUARY 6, 2009 AS NATIONAL WEAR RED DAY, IN SUPPORT OF THE AMERICAN HEART ASSOCIATION'S EFFORT TO PROMOTE AWARENESS OF HEART DISEASE IN WOMEN**

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

Lori Slusser, Dana Maidenberg and Rene James addressed Council and provided information on the activities planned for the month of February for the benefit of Mason residents.

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

A motion to adopt Resolution 2009-01 was made by Councilmember Kidd, seconded by Vice Mayor Beck. VOTE: ALL YEAS

**RESOLUTION 2009-02 COMMENDING PROSECUTOR ROBERT PEELER FOR HIS OUTSTANDING DEDICATION AND 25 YEARS OF SERVICE TO THE CITY OF MASON, OHIO**

Mayor Grossmann read the Resolution.

Robert Peeler accepted the framed Resolution and introduced members of his family that were present.

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

Councilmember Kidd and Mayor Grossmann commented on their personal experience in working with Robert Peeler and the Court Liaison Committee noting he always worked with dignity and honor.

A motion to adopt Resolution 2009-02 was made by Councilmember Shimrock, seconded by Councilmember Kidd. VOTE: ALL YEAS

**NEW BUSINESS INCENTIVE AGREEMENT: ARMOR METAL GROUP, INC.**

Beth Gottfried addressed Council and explained, in mid-December Armor Metal Group was contemplating consolidation operations from Madison, Indiana to the Mason, Ohio plant and moving 110 jobs. Armor made the announcement on Wednesday, January 7, 2009 confirming the relocation based on the state and local incentive proposals.

Beth stated as part of the recruitment proposal to attract the investment and jobs to Mason, the Economic Development Committee recommended the City provide assistance with infrastructure improvements to Mason-Montgomery Road through the City's 2009 resurfacing program. In exchange for the city infrastructure assistance, Armor will also dedicate 10 feet of additional right-of-way along Mason-Montgomery Road for future city capital projects and provide a 50-foot easement at the rear of their property to the City, which could be useful with access to both railroad and Heritage Oak Park. The total estimated value of the city's contribution would be approximately \$75,000, which is anticipated to be recouped within a two-year period based on Armor's new investment of \$1.3 million and new payroll of \$4.6 million. Beth reported the Economic Development of Council recommends approving a tax incentive agreement committing Mason to make roadway improvements to Mason-Montgomery Road and committing Armor to assist with right-of-way and easement dedication to secure the relocation. She introduced Kirk Wilhelm, Chief Financial Officer, of Armor who provided an overview of their current

activities. He reported their Madison facility relocating to Mason, fulfills government orders.

Councilmember Kidd moved to approve the recommendation from the Committee. Vice Mayor Beck seconded the motion. VOTE: ALL YEAS

**ORDINANCE 2008-134 AMENDING THE CODIFIED ORDINANCES OF THE CITY OF MASON TO ENACT SECTION 1301.121 REGARDING SECURING OF VACANT BUILDINGS**

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

Kurt Seiler explained to Council, the proposed addition to the building code would provide more specific language on how minimum protection of vacant properties must be installed. He said the proposed boarding requirements seek to address two concerns, the first being to secure the building. This reduces vandalism and also risk of entry by unauthorized individuals,. Second the building needs to be protected from animal infestation, weathering and advanced deterioration. Kurt reported the Public Works Committee has discussed this issue and is recommending adoption.

Mayor Grossmann opened the public hearing at 7:41 p.m Seeing no comments regarding this legislation, he closed the public hearing at 7:42 p.m.

Councilmember Shimrock asked how the area around a vacant building was protected. Kurt replied the City has ordinances addressing grass and weed control and the Warren County Health Department controls issues such as stagnant water. Eric stated the enforcement will be done by the City if necessary and billed to the property owner.

A motion to adopt Ordinance 2008-134 was made by Councilmember Bradburn, seconded by Councilmember Kidd. VOTE: ALL YEAS

**ORDINANCE 2009-01 APPROVAL OF THE FINAL PLAT FOR CARMELLE SUBDIVISION SECTION 4**

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

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

Kurt Seiler reported Section 4 of the Carmelle Subdivision, is located on the east side of SR 741, approximately 0.4 miles south of U.S. 42 and is zoned R-3, single-family residential. Section 4 is located in the southeast quadrant of the subdivision and contains a total of 22 buildable lots on 10.7 acres. He said this is the last section of the subdivision to be platted. This final plat will dedicate the right of way, landscaping, utility, and

sanitary and storm sewer easements for the subdivision. Kurt reported Planning Commission recommends approval of the final plat contingent on the following:

1. Rename Belbrooke Place to Riverside Drive.
2. Submittal of a Subdivider's Contract and performance bond in the amount of \$235,000.

A motion to adopt Ordinance 2009-01 was made by Councilmember Kidd, seconded by Councilmember Shimrock. VOTE: 6 YEAS, 1 ABSTAIN (Beck)

**ORDINANCE 2009-02 AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION FOR AN OHIO SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT FOR REMOVAL AND REPLACEMENT OF HANDICAP ACCESSIBLE CURB RAMPS IN THE BAY MEADOWS SUBDIVISION**

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

Kurt Seiler explained to Council, Mason's previous applications for FY2004 through FY2008 were not approved for funding through the CDGB process due to the status change and lack of funds for cities that are not considered "acquired". However, Warren County has recently been deemed a "HUD Urban County", which means the county will now get CDBG funding directly from HUD. This will also increase the total amount the county receives from \$430,000 in recent years to \$740,000 in 2009. Although Mason is still not guaranteed funding, the county has informed us there is a better chance of being approved as more funds are available.

Kurt stated between 1990 and 2003, nearly \$520,000 in CDBG funds had been used for the replacement of curb and gutters, sidewalks, driveway approaches, and street resurfacing in the Meadows Subdivision. In 2003, Mason received its largest CDBG allocation ever, \$52,700, which was used to replace handicap accessible curb ramps along U.S. 42 and various other locations. The FY 2009 grant application is for replacement of handicap accessible curb ramps in the Bay Meadows Subdivision. This subdivision was developed in 1975 and the existing curb ramps in this subdivision do not meet the current ADA standards.

A motion to adopt Ordinance 2009-02 was made by Councilmember Kidd, seconded by Vice Mayor Beck. VOTE: ALL YEAS

**ORDINANCE 2009-03 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE URBAN PAVING PROJECT TO PLANE AND RESURFACE PORTIONS OF U.S. 42 THROUGH THE CITY OF MASON**

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

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

Eric Hansen reported to Council, on July 9, 2008, as preliminary legislation for the project to resurface US 42 from Fox Drive to Mason-Montgomery Road and from First Avenue to near Tylersville Road, Ordinance 2008-70 was approved. This allowed the City Manager to enter into a contact with ODOT committing to the project. He said ODOT is requesting the City approve a final ordinance authorizing a contract with the Ohio Department of Transportation for the actual paving of the road. The estimated value of ODOT's share is approximately \$205,000. Contract language requires the City to cooperate with ODOT to pay for the non-federal share of the construction costs and 100% of items not paid for by ODOT. ODOT has estimated the City's share is approximately \$113,848, and includes those items not paid for by ODOT such as pavement returns, raising manholes and valve boxes, curb repairs, full depth repairs, sidewalk repairs, street lights, storm sewer repairs and the City's share of construction inspection services. The City's actual share of the project will be determined by ODOT once the project is completed. Eric reported staff will work closely with ODOT officials to monitor these costs. Currently ODOT plans to bid the project February 25, 2009 with construction occurring in Spring 2009.

A motion to adopt Ordinance 2009-03 was made by Councilmember Kidd, seconded by Vice Mayor Beck. VOTE: ALL YEAS

**ORDINANCE 2009-04 AUTHORIZING PAYMENT TO GAME DAY CHARITIES TO SUPPORT THE DURAMED CHAMPIONSHIP GOLF TOURNAMENT PROMOTING ECONOMIC DEVELOPMENT AND MASON TOURISM ACTIVITIES IN THE AMOUNT OF \$20,000**

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

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

Eric Hansen explained to Council in 2008, Game Day Charities approached the City proposing to move the Duramed Tournament from Clermont County to the Golf Center at Kings Island. He reported Game Day Charities were thrilled with the success of the

event at the Golf Center in 2008 and received positive feedback from sponsors, fans, the Tour, and players. The facility, combined with the hospitality received from staff at the Center, placed the tournament at the top of the rankings for all 2008 Duramed FUTURES Tour stops.

Eric stated the Duramed Championship is one of the stops on the Duramed FUTURES Tour (DFT). The DFT is one step below the LPGA and compares to the Nationwide Tour on the men's side of professional golf. Each year, the top 10 money winners on the DFT receive LPGA status with recent DFT graduates such as Lorena Ochoa, Christina Kim and Christie Kerr making the headlines on the LPGA circuit. The DFT has been in existence for over 20 years and has between 15 and 20 stops each year. The Championship is requesting a financial contribution in the amount of \$20,000 and in return, the City can leverage the partnership through the following incentives and promotional opportunities:

- 150 VIP Tickets for Community Center VIP members
- 100 Good Any Day tickets
- 2 ProAm Teams
- City of Mason's name displayed on all promotional collateral and communication for the event
- A spring golf event, with DFT players, hosted at the Community Center
- Filming of a video promotion for the Duramed Championship at the Community Center
- Filming of a video promotion for the Duramed Championship at the Golf Center
- A signage and logo package encompassing on-site, digital billboards, internet, email, and other media
- 100 hours of Game Day Communications consulting time

Eric reported the Finance Committee reviewed the contribution of \$20,000 and included it in the 2009 Budget.

Mayor Grossmann commented on the economic impact this has on the area. Eric stated the revenue generated for the golf course from this event is approximately \$86,000.

A motion to adopt Ordinance 2009-04 was made by Vice Mayor Beck, seconded by Councilmember Nichols. VOTE: ALL YEAS

**ORDINANCE 2009-05 AUTHORIZING PAYMENT OF \$50,000 TO FESTIVALS OF MASON, INC., IN SUPPORT OF THE 2009 HERITAGE FESTIVAL AND CHRISTMAS IN MASON**

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

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

Eric Hansen reported to Council, in 2004, the City entered into a formal agreement to provide funding for the community festivals held in Mason through the Festivals of Mason organization. This year, Festivals of Mason is again requesting funding in the amount of \$50,000 to support Heritage Festival and Christmas in Mason. This is the same amount the City paid in 2008. The City is the primary financial backer of these events in addition to providing other resources and significant labor hours to make the events successful. Eric stated Public Works, Police, Engineering and Building, Fire and Parks & Recreation all contribute staff support to Festivals of Mason events. Festivals of Mason also rely on sponsorship, sales, vendor fees and other revenues to offset the expenses of these events. The group also benefits from the volunteer efforts of a number of local residents.

Eric further explained, in 2007 the City was asked to help provide ongoing administrative support for Festivals. That year the city began providing on a trial basis a year-round contact point and business support. The intent was to see how well the arrangement worked and what impact it had on City operations. As a result, an member of City staff, was assigned to work with Festivals of Mason and spends between 80 and 130 hours of her time on Festivals business. Eric said Festivals of Mason representatives indicated they are pleased with the arrangement and would like it to continue and realize the employee's work schedule priority remains with her City of Mason duties. Eric said he believes that with Council's consent, staff will continue to be able to accommodate this additional responsibility.

Councilmember Prince commented it is gratifying to work with the Festivals of Mason organization as they take a very business like approach to their activities. He stated since he has become involved with the organization, they have gone from a balance in the red to one in the black. Councilmember Shimrock stated the Festivals of Mason and the Downtown Committee will be partnering to bring residents to the plaza.

A motion to adopt Ordinance 2009-05 was made by Councilmember Kidd, seconded by Councilmember Prince. VOTE: 6 YEAS, 1 ABSTAIN (Beck)

**ORDINANCE 2009-06 AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR THE ACQUISITION OF SEWER AND HIGHWAY EASEMENTS ACROSS CERTAIN REAL PROPERTY LOCATED AT 5269 BETHANY ROAD, IN THE CITY OF MASON**

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

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

Kurt Seiler explained to Council, construction of the proposed sanitary sewer in Bethany Road to eliminate the Parkside Lift Station requires acquisition of sewer easements from a total of six properties on the south side of Bethany Road between the lift station and Heartwood Lane. Shirley Oney, Right-of-Way Specialist, has been working with City staff to acquire these easements. Ms. Oney has also been instructed to obtain additional highway easement on these properties for future widening of Bethany Road.

Kurt reported Jonathan S. and Melissa L. Bartos, owners of the property at 5269 Bethany Road, have agreed to provide the requested sewer easement on their property as well as additional highway easement to accommodate future widening of Bethany Road to the City of Mason. Consideration is \$1.00 for each of the two easements.

A motion to adopt Ordinance 2009-06 was made by Councilmember Shimrock, seconded by Councilmember Prince. VOTE: ALL YEAS

**RESOLUTION 2009-03 COMMENDING VICTOR KIDD FOR HIS OUTSTANDING DEDICATION AND SERVICE TO THE CITY OF MASON, OHIO**

Mayor Grossmann read the Resolution.

Councilmembers all commented on how they have enjoyed working with Victor Kidd and what a positive impact he has had on Council and the City. Councilmember Kidd explained how he has been presented with this opportunity to pastor in Hawaii and he feels the way everything has fallen into place, it was destined for him to accept this offer. His resignation is effective at the closing of this meeting.

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

A motion to adopt Resolution 2009-03 was made by Vice Mayor Beck, seconded by Councilmember Shimrock. VOTE: 6 YEAS, 1 ABSTAIN (Kidd)

Mayor Grossmann stated a reception for Victor Kidd will be held immediately following the meeting.

Mayor Grossmann announced any resident interested in submitting a resume to fulfill Councilmember Kidd's term on Council, may do so by sending it to the City Manager. He said resumes will be accepted through January 26, 2009. After that date, Council will meet and interview those interested. He said the vacancy would be filled by the first meeting in February.

**CITY MANAGER'S REPORT**

Eric Hansen reported on the following items:



► The January 2009 issue of Mason Matters will be delivered in the Pulse-Journal on Thursday, January 15.

► Live Well in Mason Activities planned are as follows:

January 13 & 15, Nutrition Tips with Miriam Jackobs  
20, 22, 27, 29 Miriam Jackobs, a registered dietician, will be available from 10:45 a.m. to 11:45 a.m. to present nutrition tips focused on the Science & Art of Nutrition.

January 24 Yoga Day USA  
Meet the Community Center's Yoga team and participate in yoga demonstrations showing you the variety of classes offered at the Center.

February 4 Cholesterol & Blood Sugar Screenings  
FREE to the first 300 registered participants.

### **COMMITTEE REPORTS**

Councilmember Shimrock reported the Park Board will meet on Thursday and discuss the usage policy for the athletic fields.

Mayor Grossmann reported he will serve on Planning Commission and Vice Mayor Beck will now fill the seat previously held by Councilmember Kidd. Councilmember Bradburn moved to approve the appointment. Councilmembers Kidd seconded the motion. VOTE: ALL YEAS

Vice Mayor Beck reported the Economic Development committee of Council will meet in the near future.

### **OLD AND NEW BUSINESS**

Mayor Grossmann reported the anniversary of the Veillette family deaths is upon us. He noted it is a very sad event and one that has brought this community closer together. He said a memorial was established.

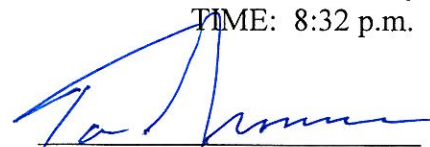
**RECOGNITION OF VISITORS** None

### **ADJOURN**

A motion to adjourn was made by Councilmember Bradburn, seconded by Councilmember Prince. VOTE ALL YEAS

TIME: 8:32 p.m.

  
Clerk of Council

  
Mayor