

**CITY OF MASON  
COUNCIL MEETING  
AUGUST 23, 2010**

Mayor Prince called the meeting to order at 7:10 p.m. Jake McGowan of Boy Scout Troop 194 led those present in reciting the pledge of allegiance.

**ATTENDANCE**

The following members of Council were present: Christine Shimrock, Rich Cox, Tony Bradburn, Charlene Pelfrey, David Nichols, and Don Prince. Michael Gilb was absent.

**APPROVAL OF MINUTES**

A motion to approve the minutes of the July 26, 2010 Council Meeting was made by Vice Mayor Nichols, seconded by Councilmember Pelfrey. VOTE: 5 YEAS, 1 ABSTAIN (Shimrock)

**RECOGNITION OF 2011 CALENDAR PHOTO CONTEST WINNERS**

Mayor Prince and Vice Mayor Nichols presented to each contest winner a framed copy of their photo and thanked them for their participation. Jennifer Heft announced that 2011 Calendars will be available in the City's booth at Heritage Festival this Saturday, August 28. Contest Winners are as follows:

Mike Greenstone "Mason6" – Cover photo  
Diane Shapiro "Sam and Ripley at Pine Hill" – January  
Kim Richardson "A Little Color in the Dead of Winter" – February  
Barbara Lokar "Morning Dew" – March  
Nina Lokar "Potential" – April  
Justin Sodano "Stampede" – May  
Colleen Van Blaricom "Hungry Dog? Angry Kid? Homerun?" – June  
Kim Alcorn – July  
Shannon O'Connor "A Riot of Sunflowers" – August  
Xander Wells "Flowers at Sunset" – September  
Jim Simpson "Driftwood in Autumn" – October  
Peggy Mussman "Deer Crossing" – November  
Rosemary Wells "Winter Warrior" – December

**RECOGNITION OF BOY SCOUT TROOPS 500 AND 194 FOR RED, RHYTHM AND BOOM CLEAN UP**

Mayor Prince and Vice Mayor Nichols presented the Leaders of each Troop with a plaque expressing the City's appreciation for their participation during the Red, Rhythm and Boom event. Mayor Prince explained that the hard work from these Scouts earned money for their troops and, in the process, saved money for the City. Eric Hansen estimated that there were about 100 Scouts at the park early Sunday morning and stated how impressed he was with how energetically the scout volunteers worked, cleaning and organizing the event site by noon.

## RECOGNITION OF VISITORS

Marty Heide, from Congressman Mike Turner's office, made a short presentation on Federal Agency Contacts. She stated that official government websites always end in ".gov". She also encouraged residents when they have questions or concerns to contact the Dayton District Office at (937) 225-2843.

Mayor Prince publically thanked Congressman Turner for making the arrangements with the Captain of the USS Mason to participate in the City of Mason's Memorial Day event in May.

### ORDINANCE 2010-99 AMENDING THE ZONING CODE AND ZONING MAP OF THE CITY OF MASON, OHIO, TO PROVIDE FOR THE REZONING OF APPROXIMATELY 9.986 ACRES LOCATED ON THE SOUTH SIDE OF BETHANY ROAD, EAST OF THE PARKSIDE SUBDIVISION FROM R-1 TO R-2 (RESERVES OF BETHANY)

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

The public hearing date was set for September 13, 2010.

### ORDINANCE 2010-100 PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$700,000 OF TAX INCREMENT FINANCING REVENUE REFUNDING BONDS (CENTRAL PARKE OF MASON 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; AUTHORIZING A PLEDGE OF AND LIEN ON CERTAIN SERVICE PAYMENTS TO SECURE SUCH BONDS; AND AUTHORIZING AN AMENDMENT TO THE SERVICE AGREEMENT SECURING SUCH BONDS.

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

Eric Hansen spoke on both Ordinance 2010-100 and 2010-101. He explained that Tax Increment Financing (TIF) provides communities with a creative economic tool to overcome development disadvantages that exist when infrastructure is needed to accomplish a project. Eric explained that under a TIF arrangement the City issues bonds to pay for the public improvements, 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. An irrevocable letter of credit provides protection to bond holders and the City against developer failure.

Eric further explained that the City has had good experience with this tool. There are two particular TIFs: Central Parke of Mason issued in 1999 and Tylersville Crossing in 2004. Both improvements are performing quite well but based on the larger economic climate and credit markets it has become difficult for the developer to maintain the letter of credit obligation. The City over the last 18 months has been working to assist the developer to insure that they remain in the position to keep the TIF functioning. Eric stated that finally the developer has asked the City to consider an option that would eliminate the letter of credit with Fifth Third Bank. The developer will purchase bonds issued to refinance the debt and contractually agrees to keep the bonds until maturity. These bonds are issued by the City of Mason but not backed by the full faith and credit of the City. If funds are not sufficient to pay the debt, the developer is responsible for paying the debt. Eric explained that the City's General

Fund is not at risk. The City and bond counsel have evaluated several options and feel that this action accommodates the need of the developer while protecting the City.

The Finance Committee has reviewed these ordinances and is recommending Ordinance 2010-100 and Ordinance 2010-101 for adoption.

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

A motion to adopt Ordinance 2010-100 was made by Councilmember Shimrock, seconded by Councilmember Cox. VOTE: ALL YEAS

**ORDINANCE 2010-101 PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$850,000 OF TAX INCREMENT FINANCING REVENUE REFUNDING BONDS (TYLERSVILLE CROSSING 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; AUTHORIZING A PLEDGE OF AND LIEN ON CERTAIN SERVICE PAYMENTS TO SECURE SUCH BONDS; AND AUTHORIZING AN AMENDMENT TO THE SERVICE AGREEMENT SECURING SUCH BONDS.**

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

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

A motion to adopt Ordinance 2010-101 was made by Councilmember Shimrock, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

**ORDINANCE 2010-102 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT OR CONTRACTS IN A TOTAL AGGREGATE AMOUNT NOT TO EXCEED \$30,000.00 RELATED TO DRIVING RANGE IMPROVEMENTS AND DECLARING AN EMERGENCY**

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

Eric Hansen stated that prior to the City's purchase, the Golf Center had a driving range situated on property that was later sold for private housing development. As part of the City's due diligence, consultants including Global Golf Advisors and Championship Management Group, noted the absence of a driving range and recommended it as a capital improvement that would strengthen the financial position of the course. The estimated cost of this improvement was placed at \$500,000. More recently, Recreation Management Service (RMS) identified a dramatically less costly option on neighboring property owned by Tennis for Charity and used for parking during the annual Tennis Tournament. As discussions ensued regarding this option, an additional alternative was identified on City-owned property by situating the range on a portion of the existing academy course.

Eric explained that a Golf Course Committee of Council was formed and has met several times to more closely evaluate the different sites and options for situating a driving range. The cost estimates for initial improvements ranged from \$11,000 to \$42,000 with potential contingency or future costs ranging from \$30,000 to \$250,000 depending on the need for fencing or more extensive excavation. Discussion points in selecting a site and configuration included: access to the range, start-up costs and long-term contingencies, player capacity, no access time due to parking use, impacts on other amenities, and options for packaging to maximize revenue. He said that both site options have unique benefits as well as drawbacks, but all represent a positive financial impact to the Center in direct revenue as well as attracting memberships, tournaments, and other revenue generating activity at the Center. Estimates of the net positive financial impact to the Golf Center with driving range improvements are from \$52,000 to \$136,000.

Consequently, the Golf Course Committee recommended pursuing a parallel strategy for both sites. Work can begin soon on the southern site on City owned property while discussions with Tennis for Charity on possible driving range partnerships continue. Eric explained that the initial southern site will be located mid-way on the first Academy hole (which would be reconfigured) driving towards the east. During construction, opportunities to prepare for a tee on the opposite side driving towards the west will be pursued to increase future flexibility of the range. Adoption of Ordinance 2010-102 authorizes the City Manager to enter into agreements necessary to pursue driving range improvements at an amount not to exceed \$30,000 and is recommended by the Committee for adoption as part of this parallel strategy.

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

Council discussed the changes to the Academy Course which include altering one of the par 5 holes to a par 3. Vice Mayor Nichols also mentioned that the timing on the opening of a driving range is critical, as there is higher revenue depending on the season. Other considerations include accessibility and parking. It was clarified that passing this ordinance would authorize the funding and allow work to move forward on either location, but that the particulars would continue to be worked out through committee.

A motion to adopt Ordinance 2010-102 was made by Councilmember Pelfrey, seconded by Councilmember Cox. VOTE: ALL YEAS

### **CITY MANAGER'S REPORT**

Eric Hansen reported on the following items:

► Cucina Pitrelli, Inc. D3 liquor permit application. City Council has the option to request a public hearing or may elect to not request a hearing.

Councilmember Shimrock made a motion to not request a hearing, seconded by Councilmember Bradburn. VOTE: ALL YEAS

► Heritage Festival is Saturday, August 28. The City is staffing a booth featuring Mason's partnerships including the Golf Center at Kings Island, Western & Southern Tennis Series, and Mason Community Center.



► Group Health Associates (GHA) and Bethesda Physical Therapy is open for business. The Opening Ceremony took place at 7:00 a.m. this morning. Eric extended his compliments to all City Staff and Departments, especially Jennifer Heft and Richard Fair, who worked tirelessly to insure a successful opening of this facility. The extra effort put forth from these employees has saved tax payer dollars. Mayor Prince agreed and commented that these employees have demonstrated the City's motto to "Exceed the Need". Additional compliments and recognition to City Staff was extended by various Councilmembers.

### **COMMITTEE REPORTS**

Councilmember Cox reported that the Planning Commission has posted the Comprehensive Plan on the City's website and encourages residents to review this plan and make comments on-line.

### **OLD AND NEW BUSINESS**

Councilmember Pelfrey reminded Councilmembers to meet at the Municipal Center by 8:30 a.m. for the Heritage Festival Parade. She suggested that they all wear white City shirts and khaki shorts or slacks, and mentioned that the bags of candy for the parade are ready for them to pick up tonight.

### **EXECUTIVE SESSION: LAND ACQUISITION**

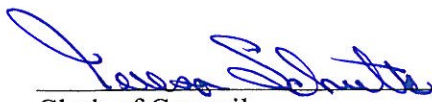
A motion to adjourn into executive session for the purpose of discussing land acquisition was made by Councilmember Cox, seconded by Vice Mayor Nichols. VOTE: ALL YEAS

A motion to reconvene into regular session was made by Councilmember Bradburn, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

A motion to waive the Right of First Refusal on the 9.34 acre Al Neyer-owned property (located on Innovation Way immediately north of Intelligrated) identified in the Al Neyer Real Estate Purchase Agreement dated December 23, 2009 was made by Councilmember Pelfrey, seconded by Vice Mayor Nichols. VOTE: ALL YEAS

### **ADJOURN**

A motion to adjourn was made by Councilmember Shimrock, seconded by Vice Mayor Nichols. VOTE: ALL YEAS TIME: 8:20 p.m.

  
Clerk of Council

  
Mayor