

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

The meeting was called to order at 7:05 p.m. Chaplain Jeff Perkins 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, Jim Fox, Charlene Pelfrey, Don Prince, and David Nichols.

**SWEARING-IN OF COUNCIL MEMBER JIM FOX**

The Oath of Office was taken by Councilmember Jim Fox, administered by Law Director Jeff Forbes. Councilmember Fox introduced his wife, Helen. Mayor Nichols invited everyone to join in a reception welcoming Jim Fox to Council. The meeting reconvened after the reception. Mayor Nichols welcomed Councilmember Fox to Council and Councilmember Fox expressed his appreciation and looks forward to the opportunity to serve the City again.

**APPROVAL OF MINUTES**

A motion to approve the January 12, 2015 Council Meeting Minutes was made by Vice Mayor Kidd, seconded by Councilmember Spaeth. VOTE: ALL YEAS.

A motion to approve the January 26, 2015 Council Meeting Minutes was made by Councilmember Pelfrey, seconded by Councilmember Cox. VOTE: ALL YEAS.

A motion to approve the January 27, 2015 Special Council Meeting Minutes was made by Councilmember Spaeth, seconded by Councilmember Pelfrey. VOTE: ALL YEAS.

A motion to approve the January 30, 2015 Special Council Meeting Minutes was made by Vice Mayor Kidd, seconded by Councilmember Prince. VOTE: ALL YEAS.

**CITY MANAGER'S REPORT**

- ▶ City offices will be closed on Monday, February 16 in observance of Presidents' Day.
  
- ▶ The City of Mason, in partnership with local veterans and Pillars of Honor, Inc., will host a Day of Honor & Unveiling of the original scale-model of the National World War II Memorial on Saturday, February 21 at 1:00 p.m. at the Mason Community Center. This exhibit and event is designed to honor veterans and their families. Pillars of Honor is a non-profit organization dedicated to honoring WWII Veterans unable to travel to Washington DC to see their memorial in person.

- ▶ The Community Center partnered with *Warm Welcomes* for an event on February 7 to provide enrichment opportunities to help foster children become integrated into the community.
- ▶ The Lindner Center of HOPE partnering with Live Well in Mason will host a Community Outreach Series on Wednesday, February 11 at the Mason Community Center to discuss topics related to mental health.
- ▶ Paintings by the Picasso Painters artists are being displayed at the Mason Community Center through March 1. The artwork is themed for the bicentennial with historic scenes of the City.
- ▶ The Mason Community Center will host the 6<sup>th</sup> Annual Race to Anyplace on March 7<sup>th</sup> in support of blood cancer research. Over 400 people are expected to attend with teams riding stationary bikes in honor or in memory of those who battle blood cancers. Honored Heroes are featured during a “Hero Heat” at the top of each hour on the “Ken Murawski Memorial Hero Bike.” Ken was a longtime Mason resident and long-term member of Mason’s Planning Commission.
- ▶ March 20, 21, and 22 are Member Appreciation Days at the Mason Community Center. There will a variety of benefits and special offers available for Community Center members.
- ▶ Representative Paul Zeltwanger will be available at the Mason Municipal Center in the atrium conference room on May 1, August 7, and November 6 from 3:00 p.m. to 5:00 p.m. to personally listen to constituent issues.

### **COMMITTEE REPORTS**

Councilmember Spaeth invited Councilmembers to attend the February 18 Warren County Municipal League meeting. Judge Robert Peeler and Vice Mayor Kidd will be speaking on the topic of “Fighting Heroin in Today’s World.”

Councilmember Pelfrey announced that Mason Manor House has decided to be one of Mason’s four major Bicentennial sponsors. She expressed appreciation for their generosity. Councilmember Pelfrey stated that the Bicentennial Opening Ceremony was a huge success and thanked City staff, the Bicentennial Committee and team, Mayor Nichols, City Council, Les Spaeth, Jim Scott, and residents for their participation.

### **SWEARING-IN OF POLICE OFFICERS TYLER NETHERS AND MATT KIMBRELL**

Chief Ferrell introduced Officer Charles Matt Kimbrell and Officer Tyler Nethers, the newest officers to the Mason Police Department. He stated that Officer Kimbrell grew up in Hamilton, attended Ball State, and was a conductor for Norfolk Southern Railroad. Chief Ferrell stated that Officer Nethers graduated from Fairfield High School, is currently in the United States Marine Corp as a Military Policeman, and is stationed in the reserve unit in Dayton, Ohio. Mayor Nichols swore in Officer Nethers and Officer Kimbrell. He thanked them and stated that the City of Mason appreciates the challenging role that Mason Police Officers and Firefighters play in serving the community.

**ARTIS SENIOR LIVING OF MASON PRESENTATION**

Mayor Nichols and Councilmember Pelfrey presented a proclamation welcoming Artis Senior Living to the City of Mason. Diane Kloenne, Artis Executive Director and Jerry Craft, Artis Marketing Director, accepted the recognition, thanked the City and stated that Artis Senior Living of Mason will admit their first two residents on February 10<sup>th</sup>.

**PREVENT TEXTING WHILE DRIVING PRESENTATION BY ATHARVA “ART” KUMTHEKAR AND ALEC GIBBS**

Art stated that the organization was created to educate fellow teenage drivers and he presented statistics related to texting and driving. Three ways to improve safety includes increased awareness, regulations, and technology. They directed others to the Safe Teen Driving website and encouraged them to take the pledge.

**RECOGNITION OF VISITORS**

Reneé Collins-Vogler of 3376 Paddock Lane introduced herself and encouraged others to set and pursue their goals. She thanked Council for the opportunity to be considered for the open position in Council and congratulated Jim Fox on his appointment to Council.

Jeff McIntire of Lebanon, Ohio and Safari Club International stated that he has taken photographs of trees in the park and offered to share them with the City. He suggested that the trees be wrapped and protected from the beaver. The beaver would then be forced to eat and reduce the amount of honeysuckle in the woods, which is an invasive species. Mayor Nichols stated that the City is considering all options in an effort to make the right decision regarding this complex issue.

Bob Reiff of 570 Apache Lane stated that he spoke with zoo personnel in an effort to move the beaver to former wetlands property being restored. Unfortunately this option could not work. He expressed his desire for the beaver to remain.

**ORDINANCE 2015-1 SECOND READING: AMENDING THE ZONING CODE AND ZONING MAP OF THE CITY OF MASON OHIO TO PROVIDE FOR THE REZONING OF APPROXIMATELY 34.3 ACRES FROM O-1 OFFICE PARK TO R-3 SINGLE FAMILY RESIDENTIAL (A PORTION OF THE FORMER CROOKED TREE GOLF COURSE, NEAR THE INTERSECTION OF SENTINEL OAK DRIVE AND BENTLEY OAK DRIVE)**

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

Kurt Seiler stated that this request is for the rezoning of approximately 34.3 acres of land located near the intersection of Sentinel Oak Drive and Bentley Oak Drive from O-1 (Office Park) to R-3 (Single Family Residential). He explained that in 2014, the subject property was part of an

application to change the former golf course into a Residential Planned Unit Development, which was ultimately not approved. With the current application, the property owner is pursuing a zoning classification that is consistent with existing zoning of the majority of the former course. He stated that Planning Commission recommended approval of the rezoning based on the fact that the R-3 zoning district is consistent with surrounding land uses and zoning designations. The Future Land Use Plan for the City of Mason shows this area as a Green Resource. The recommended secondary land uses for this designation includes single family detached structures, which is consistent with proposed R-3 zoning district.

The Public Hearing was opened at 8:16 p.m.

Bob Garlock of Bayer Becker explained the history of this project and stated that it became clear that residents adjacent to this project desired R-3 zoning consistent with their properties. The request to rezone O-1 spot-zoning to R-3 would provide this result. He said that the traffic impact study has been approved by the Warren County Engineer's Office. A variance was granted by Warren County Commissioners on November 14<sup>th</sup> regarding access management criteria. He explained that rezoning from O-1 to R-3 was unanimously approved by Planning Commission, and if approved by Council, the next step would be submission of the preliminary plat in March to Planning Commission. Mr. Garlock explained advantages of R-3 over O-1 in this area. He spoke about drainage issues and stated that Bayer Becker engineers have looked at drainage and met with staff. He stated that when the Little Muddy Creek comes onto Golf Course property it is draining approximately 2600 acres and as it proceeds towards the northeast corner there is approximately 3700 acres of drainage as it exits the property. Any drainage that development adds to this volume is expected to be 4.5% and in conformance to City criteria. Councilmember Prince asked about the traffic study, and Bob responded that traffic studies looked at both the southern entrance at Bethany Road and Sentinal Oak at Mason-Montgomery Road entrance. Kurt explained that consideration regarding a performance bond for the building of the bridge and roadway to Bethany Road will be on the March Planning Commission agenda.

Judy Cox of 3425 Broken Ridge Drive raised questions regarding the existing zoning of this property. She presented documentation from 20 to 40 years ago referring to PUD zoning in this area and she believes that the land should be treated as separate PUDs, that the Brookshire PUD is still in effect, and that the O-1 zoning does not exist.

Dan Scherbarth of 5392 Conifer Drive presented data on existing lot sizes near the O-1 zoning and stated that some are larger than R-3 zoning requirements. He voiced concerns regarding longer emergency response times to existing homes if the golf course property is developed.

Becky Milostan of 5389 Conifer Drive stated that her property backs up to the clubhouse and she would like plans for this property presented before making any zoning decision. She expressed her desire for PUD zoning in this area instead of R-3. Jeff Forbes explained that the application for PUD rezoning was denied in 2014 and that zoning from O-1 to R-3 proposed tonight is considered "straight rezoning," which is a different process that does not require preliminary plans. He explained that if the R-3 rezoning is approved tonight, any future public hearings would not be required as long as the preliminary plat meets code regulations pertaining to R-3 zoning.

Linda Delman of 3287 Mason-Montgomery Road stated that when she purchased her property 28 years ago, Crooked Tree was 512 acres of woods. She supports the claim that a preliminary PUD was approved in 1988 and suggested that the City investigate records before making any decision tonight.

David McAdams of 3469 Broken Ridge Drive stated that R-3 zoning has the same density issues as PUD zoning and suggested that R-2 or R-1 zoning be considered.

Eileen Pezzutti of 3504 Crooked Tree Drive asked about the process once the public hearing is closed.

Bob Garlock of Bayer Becker responded to concerns regarding the development plans. He said that density is 1.25 units/acre and there is a fair amount of open space not significantly different than the PUD plan. The open space density on the PUD was approximately 35% and existing properties surrounding the proposed development are calculated at approximately 2.25 units/acre density.

The Public Hearing was closed at 8:56 p.m.

Vice Mayor Kidd asked for clarification regarding PUD allegations. Jeff Forbes stated that current zoning for Crooked Tree was reviewed in 2011, and no legislation to approve PUD zoning was found. He explained that the PUD process and code was different in the 1980's, but that the letter written in 1992 by the Law Director defined the current zoning for this property (R-3, R-6, and O-1). If PUD zoning expires, the property reverts back to original zoning.

Joe Trauth, of Keating Muething & Klekamp stated that the City accepted Ken Schneider's legal opinion regarding zoning written in the letter 23 years ago and has acted upon that legal opinion since then. He stated that he has investigated the zoning and stated that the zoning is exactly as it appears on the zoning map with R-3, R-6 and O-1 spot zoning.

Councilmember Cox stated that he has no legal right to property in Crooked Tree. He stated that lots in the R-6 zoning district are between  $\frac{1}{3}$  to  $\frac{1}{2}$  acre lots. Kurt Seiler confirmed that they are built similar to R-3 zoning. Councilmember Cox stated that erosion has happened since the lakes were removed a year ago. Responding to Councilmember Cox's question regarding number of lots in the proposed development, Mr. Garlock stated that PUD plans presented to Council in September proposed 230 lots and that plans for this development, if the rezoning is approved, is expected to be for 212 lots. He explained that during discussions in September, it may have been stated that more homes could be built with existing zoning in place compared to PUD zoning. David Brooks, Crooked Tree Golf Course property owner, discussed the history of this property since he bought in 16 years ago. He stated that the owners have made the decision to not develop condominiums in the R-6 zoning but to build single family homes which would reduce the number of units from 64 to approximately 14 homes. There are contracts with six custom home builders with plans to build on lots larger than R-3 requirements. Councilmember Cox stated that he would like a third party to investigate the zoning issue.

Councilmember Fox asked if an additional review of documents needs to be done and if current zoning is defensible. Jeff Forbes stated that the City Zoning Map is the legal document and that Council has the authority to rezone this property whether it is O-1 or PUD. To Councilmember Fox's question concerning density, Bob Garlock responded that the preliminary plat proposed to be submitted has lower density than the density of the existing homes surrounding this property.

Councilmember Spaeth asked about the need to review the documents. Kurt Seiler read from the minutes of the January 11, 1993 Council Meeting concerning the zoning history with a motion to affirm current zoning. In these minutes, the motion carried with 6 yeas, 0 nays, 1 abstain.

Vice Mayor Kidd stated that he understands the residents' desire for wooded areas to remain undeveloped, but the owner has the right to develop the property.

A motion to adopt Ordinance 2015-1 was made by Councilmember Prince, seconded by Councilmember Pelfrey. VOTE: 6 YEAS, 1 NAY (Cox).

**ORDINANCE 2015-9 ACCEPTING THE PUBLIC IMPROVEMENTS FOR WILLOW BROOKE SUBDIVISION THE MEADOWS SECTION 1 AND 2 AND RELEASING THE PERFORMANCE BOND**

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

Kurt Seiler stated that this ordinance is for the acceptance of Sections 1 and 2 of the Willow Brooke Subdivision, located near the intersection of Cox-Smith Road and Mason-Morrow-Millgrove Roads. The Public Utilities, Public Works and Engineering Departments, along with Greater Cincinnati Water Works, have inspected the public improvements. Staff recommends accepting the public improvements, contingent on submission of a one-year maintenance bond and a performance bond for remaining sidewalks and street trees.

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

A motion to adopt Ordinance 2015-9 was made by Councilmember Prince, seconded by Councilmember Spaeth. VOTE: ALL YEAS.

**ORDINANCE 2015-10 AUTHORIZING THE ACCEPTANCE OF CERTAIN DONATED EASEMENTS AND THE ACQUISITION OF EASEMENTS AS PART OF THE KINGS ISLAND DRIVE ROADWAY IMPROVEMENTS, AND DECLARING AN EMERGENCY**

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

Eric Hansen stated that this is a housekeeping measure to accept right-of-way and easement needed for the Kings Island Drive Improvement Project, expected in construction later this year.

He said that Kings Island has been a great partner on the project and will be consolidating their entrances into one entrance located near the existing north entrance. They have donated all of the necessary right-of-way and easements needed for the project.

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

A motion to adopt Ordinance 2015-10 was made by Councilmember Pelfrey, seconded by Councilmember Prince. VOTE: ALL YEAS.

**ORDINANCE 2015-11 AUTHORIZING A CONTRIBUTION OF \$31,000 TO THE WARREN COUNTY DRUG TASK FORCE**

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

Jennifer Heft stated that the City of Mason has participated in the Warren County Drug Task Force since its inception. County Prosecutor David Fornshell serves as the coordinating official for the program and funding of the Task Force. She explained that the City's contribution to the Task Force has been \$22,016 since 2004. Even though Mason's population increased during the 2010 census, the funding request remains at \$22,016. Jennifer stated that the Commissioners have used Mason's annual payment, along with other communities, as leverage for State and Federal monies. She introduced Commander John Burke to talk about the Task Force. Commander Burke talked about the important work that is done in cooperation with local, state and federal agencies. He discussed 2014 statistics with 600 drug tips, 207 cases, 164 arrests and \$2.4 million in currency seized. Commander Burke thanked the City of Mason and announced that he will be retiring after 15 years with the Drug Task Force and introduced Lt. Steve Arrasmith, Field Commander, as his successor.

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

Councilmember Prince asked how money seized is used. Commander Burke explained that a portion of the money goes back into funding Task Force operations after being divided between other state and federal agencies. Councilmember Prince suggested that the City should consider contributing the suggested amount of \$1 per resident. Vice Mayor Kidd requested that any additional contribution be directed to fight heroin. Mayor Nichols thanked the Drug Task Force for the important work that they do and wished Commander Burke the best in retirement.

A motion to amend the contribution amount to \$31,000 with the additional funds directed to the fight against heroin was made by Councilmember Prince, seconded by Councilmember Pelfrey. VOTE: ALL YEAS.

A motion to adopt Ordinance 2015-11 as amended was made by Councilmember Prince, seconded by Vice Mayor Kidd. VOTE: ALL YEAS.

**ORDINANCE 2015-12 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ALLIED BUILDERS, INC. (DBA ALLIED FENCE), FOR THE FENCING AND DUGOUTS AT HERITAGE OAK PARK BASEBALL FIELDS IN THE AMOUNT OF \$226,947, AND DECLARING AN EMERGENCY**

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

Kurt Seiler stated that this project is for replacement of aging fence at Heritage Oak baseball fields. He explained that in 2014, this project was bid in conjunction with similar work for Corwin Nixon Park. At that time, staff felt a better price could be obtained by combining the work needed at both parks. However the lowest bid came in at \$776,860, 200% over estimated and budgeted amounts. The Corwin Nixon portion of the project was rebid and is currently under construction at a cost of \$186,000. Heritage Oak Park improvements were rebid and Allied Builders was the lowest bidder at \$226,947. The total cost of both projects will be just over \$412,000 by splitting into two portions. Kurt said that improvements at Heritage include raising foul line fencing from 6' to 8', raising backstops from 12' cantilevered fence to 20' straight-up fence, and providing dugouts to all of the baseball fields. An emergency clause has been added so that work can be completed before the start of the baseball season.

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

During Council discussion, Kurt explained that it seems to have become a bonding issue for fencing contractors when the two projects were combined. Mayor Nichols commended staff for the way they resolved this safety issue at the baseball fields.

A motion to adopt Ordinance 2015-12 was made by Councilmember Pelfrey, seconded by Councilmember Prince. VOTE: ALL YEAS.

**ORDINANCE 2015-13 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH LEBANON FORD FOR THE PURCHASE OF FOUR (4) 2015 FORD F-250 TRUCKS IN THE AMOUNT OF \$114,556**

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

Jennifer Heft explained Ordinance 2015-13 and Ordinance 2015-14 together. She stated that the City has deferred replacement of City vehicles and set up contingency amounts for repair and maintenance of vehicles. She explained that with State bid pricing for pick-up trucks and vans received, the City is prepared to move forward with the purchase of four F-250 pick-up trucks and one cargo van to be used by the Engineering, Public Works, and Parks Departments. All vehicles will be purchased at below state purchasing program pricing.

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



During Council discussion, Kurt Seiler explained that the F-250 is equipped with 4WD, is “plow ready,” and less expensive than the F-350. Council discussed the possibility of converting city fleet vehicles from gasoline to propane or natural gas.

A motion to adopt Ordinance 2015-13 was made by Councilmember Prince, seconded by Vice Mayor Kidd. VOTE: ALL YEAS.

**ORDINANCE 2015-14 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH WALT SWEENEY FORD FOR THE PURCHASE OF ONE (1) 2015 FORD TRANSIT CARGO VAN IN THE AMOUNT OF \$28,120**

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

A motion to adopt Ordinance 2015-14 was made by Councilmember Cox, seconded by Councilmember Pelfrey. VOTE: ALL YEAS.

**ORDINANCE 2015-15 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH CENTURY EQUIPMENT FOR THE PURCHASE OF ONE-HUNDRED (100) 2015 CLUB CAR PRECEDENT i2 GOLF CARTS INCLUDING THE TRADE-IN OF NINETY-NINE (99) 2008 OBSOLETE GOLF CARTS, IN AN AMOUNT OF 323,130, AND DECLARING AN EMERGENCY**

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

Kurt Seiler discussed Ordinance 2015-15, Ordinance 2015-16, Ordinance 2015-17, and Ordinance 2015-18 together. Ordinance 2015-15 is for the purchase of 100 Club Car golf carts to replace the current fleet of EZ-GO carts purchased in 2008. He explained the reasons why staff recommends purchase of Club Car carts over the lower priced EZ-GO carts. Club Car offers a single point battery watering system and deionizer as standard equipment that prolongs battery life and reduces the amount of time spent adding water to each individual battery. Club Car carts have an aluminum frame which reduces the overall weight of the cart, therefore reducing wear on the batteries. The front and rear tires are offset which allows for less turf compaction when the carts are operated off the cart paths. Kurt stated that EZ-GO no longer has local service technicians in the area and maintenance work must go through a dealer near Cleveland. Century Equipment, the supplier for the Club Car, is located in Hamilton with four service technicians. Kurt explained that Ordinance 2015-16 authorizes purchase of a Toro Groundsmaster 4100-D rough mower from Century Equipment Company that will replace a 1993 model rough mower. He said that Ordinance 2015-17 authorizes purchase of two 2015 Toro model 3040 Sand Pros from Century Equipment Company to clean out sand traps at the golf course. These will replace equipment with blown engines that are over 20 years old.

Ordinance 2015–18 authorizes purchase of a Toro Greensmaster 3150Q greens mower from Century Equipment Company replacing a 1984 model mower that has a broken frame. Kurt stated that emergency clauses have been added to legislation in order for purchases to be made and equipment delivered for the spring golf season.

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

A motion to adopt Ordinance 2015-15 was made by Councilmember Cox, seconded by Vice Mayor Kidd. VOTE: ALL YEAS.

**ORDINANCE 2015-16 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH CENTURY EQUIPMENT FOR THE PURCHASE OF ONE (1) TORO 4100-D ROUGH MOWER, IN THE AMOUNT OF \$55,986, AND DECLARING AN EMERGENCY**

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

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

A motion to adopt Ordinance 2015-16 was made by Vice Mayor Kidd, seconded by Councilmember Cox. VOTE: ALL YEAS.

**ORDINANCE 2015-17 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH CENTURY EQUIPMENT FOR THE PURCHASE OF TWO (2) TORO 3040 SAND PRO MOWERS, IN THE AMOUNT OF \$31,677, AND DECLARING AN EMERGENCY**

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

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

A motion to adopt Ordinance 2015-17 was made by Councilmember Cox, seconded by Councilmember Prince. VOTE: ALL YEAS.

**ORDINANCE 2015-18 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH CENTURY EQUIPMENT COMPANY FOR THE PURCHASE OF ONE (1) TORO GREENSMaster 3150-Q MOWER, IN THE AMOUNT OF \$28,468, AND DECLARING AN EMERGENCY**

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

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

Councilmember Cox and staff commented on the impressive ability of maintenance staff at the golf course to extend the life of equipment over the past 30 years.

A motion to adopt Ordinance 2015-18 was made by Councilmember Cox, seconded by Councilmember Spaeth. VOTE: ALL YEAS.

**ORDINANCE 2015-19 DELEGATING AUTHORITY TO MAKE DECLARATIONS OF OFFICIAL INTENT AND ALLOCATIONS WITH RESPECT TO REIMBURSEMENTS OF TEMPORARY ADVANCES DURING FISCAL YEARS 2015 AND 2016 MADE FOR CAPITAL IMPROVEMENTS FOR THE IMPROVEMENT OF THE WESTERN ROW INTERCHANGE TO BE MADE FROM SUBSEQUENT BORROWINGS**

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

Eric Hansen stated that in 2013 an intergovernmental agreement with the Warren County Transportation Improvement District (TID) was made for the Western Row Road Interchange Project. He explained that last year the TID, with the support of the City, was able to secure \$2.1 million in TRAC Tier 2 funding for the right-of-way phase of the project. In December 2014 TRAC voted to accept a draft funding list that recommended \$16.4 million in funding for the Western Row Road Interchange in 2017. The final vote should occur in February, at which time staff anticipates that both Phase 1 and Phase 2 will be approved for full funding. Eric explained that the agreement also outlines and commits local matching funds for the project including construction and right-of-way for property already owned by the City. The 2015 budget includes a plan to issue a short-term note for capital improvement. However, to keep the project moving forward and to increase flexibility, bond counsel has recommended reimbursing legislation to allow payments to be made in 2015 and 2016 before debt is issued. Eric explained that transportation improvements that drive economic development activities are easily promoted to potential bond investors.

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

Vice Mayor Kidd congratulated staff for preparing the excellent presentation requesting TRAC funding and Eric Hansen thanked Mason business leaders who supported the City with their attendance at the presentation.

A motion to adopt Ordinance 2015-19 was made by Councilmember Cox, seconded by Councilmember Spaeth. VOTE: ALL YEAS.

**ORDINANCE 2015-20 AUTHORIZING THE CITY MANAGER TO PROVIDE THAT FUNDS BE MADE AVAILABLE TO THE MASON PORT AUTHORITY TO FUND AN INCENTIVE LOAN FOR ECONOMIC DEVELOPMENT PURPOSES**

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

Michele Blair stated that Council has the opportunity to attract a sizable company expansion at the Mitsubishi Electric Automotive America (“MEAA”) headquarters for starters and alternators. Mitsubishi opened its Mason operations in 1987 and this project will mark their eighth physical expansion here in the City. She explained that the project will expand the current facility by 156,000 square feet to over 500,000 square feet of manufacturing space. With a proposed value of over \$80 million which includes over \$10 million in real estate, the project will create approximately 100 new full time jobs. Michele stated that the Economic Development Committee is recommending Ordinance 2015-20, granting a \$100,000 incentive loan, contingent on meeting job targets with the Mason Port Authority continuing economic development objectives. The Committee recommends a motion by Council to provide an abatement under the Community Reinvestment Area Program of 100% of real property improvements for a period of 15 years on the value of the new building improvements, for MEAA, as authorized by the State of Ohio Community Reinvestment Area Program and contingent upon the company making an annual compensation payment to the Mason City School District for the term of the abatement period. She said that during the term of the investment, a total value generated back to the community of nearly \$3 million is expected.

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

A motion to adopt Ordinance 2015-20 was made by Councilmember Fox, seconded by Councilmember Prince. VOTE: ALL YEAS.

A motion to provide an abatement under the Community Reinvestment Area Program of 100% of real property improvements for a period of fifteen years on the value of the new building improvements, for MEAA, as authorized by the State of Ohio Community Reinvestment Area Program and contingent upon the company making an annual compensation payment to the Mason City School District for the term of the abatement period was made by Councilmember Pelfrey, seconded by Councilmember Cox. VOTE: ALL YEAS.

**OLD AND NEW BUSINESS**

Vice Mayor Kidd welcomed Jim Fox to Council and commented on the impressive candidates that interviewed for this position. He invited Councilmembers to attend the OneCity event to be held on February 27 at Crossroads Church, catered by Mason Manor House. The money raised at this Gala will help support heroin addicts through recovery.

A motion to sponsor and attend the OneCity Mardi Gras Gala to Fight Heroin event was made by Councilmember Cox, seconded by Councilmember Spaeth. VOTE: ALL YEAS.

Councilmember Cox suggested that the Mason Port Authority approach the City of Lebanon as a possible partner in a natural gas/propane supply depot.

Councilmember Fox thanked Council for their support and stated that he feels fortunate to serve the City of Mason and Mason City Schools.

**RECOGNITION OF VISITORS** - none

**EXECUTIVE SESSION: LAND ACQUISITION**

A motion to adjourn into Executive Session for the purpose of discussing land acquisition was made by Vice Mayor Kidd, seconded by Councilmember Cox. VOTE: ALL YEAS. TIME: 10:36 p.m.

A motion to reconvene into Regular Session was made by Councilmember Cox, seconded by Councilmember Spaeth. VOTE: ALL YEAS. TIME: 11:00 p.m.

A motion to add Ordinance 2015-21 to the agenda was made by Councilmember Cox, seconded by Vice Mayor Kidd. VOTE: ALL YEAS.

**ORDINANCE 2015-21 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR SALE AND PURCHASE WITH 360 PHARMA GROUP, LLC, AND AUTHORIZING CERTAIN ECONOMIC DEVELOPMENT INCENTIVES AND DECLARING AN EMERGENCY**

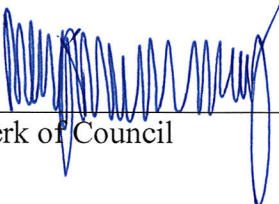
A motion to read by title only was made by Councilmember Cox, seconded by Councilmember Pelfrey. VOTE: ALL YEAS.


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

A motion to adopt Ordinance 2015-21 was made by Councilmember Spaeth, seconded by Councilmember Cox. VOTE: ALL YEAS.

**ADJOURN**

A motion to adjourn was made by Councilmember Cox, seconded by Councilmember Spaeth. VOTE: ALL YEAS. TIME: 11:01 p.m.

  
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Clerk of Council

  
\_\_\_\_\_  
Mayor