

**CITY OF MASON
COUNCIL MEETING
MARCH 23, 2015**

The meeting was called to order at 7:03 p.m. Mayor Nichols introduced Honorary Mayor Claire Patton. Mayor Patton stated that she is a 5th grade student at Mason Intermediate and listed the many things that she has done as Honorary Mayor of the Day. Chaplain DeArco opened the meeting in prayer. All those present recited the Pledge of Allegiance. One Knight Only vocalists sang the National Anthem.

ATTENDANCE

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

APPROVAL OF MINUTES

A motion to approve the March 9, 2015 Council Meeting Minutes was made by Vice Mayor Kidd, seconded by Councilmember Cox. VOTE: 5 YEAS, 2 ABSTAIN (Kidd, Pelfrey).

A motion to approve the March 17, 2015 Special Council Meeting Minutes was made by Councilmember Spaeth, seconded by Vice Mayor Kidd. VOTE: 6 YEAS, 1 ABSTAIN (Pelfrey).

CITY MANAGER'S REPORT

The Bicentennial Committee, in partnership with the Mason Kiwanis Club, invites groups to participate in Community Service Day. Volunteers will meet at the Mason Community Center on April 11 at 9:00 a.m. for refreshments and assignments and then groups will go out into the community to perform various services. There will be a list of projects available or organizations can pursue community service projects of their own. Email the Bicentennial Committee with questions, project suggestions, or to volunteer.

The musical production, *Imagine! Mason, the Life and Times of William Mason* will be performed at the Mason Middle School Auditorium on April 9, 10, and 11 at 8:00 p.m. and April 12 at 3:00 p.m. Tickets are at a discount rate of \$12 to Mason residents. All proceeds from the production will benefit the Common Ground Playground Project. Premier members of the Community Center can receive four free tickets per household by visiting Symbiosis to obtain a voucher.

Mason City Tax Returns are due Wednesday, April 15. Mason Tax Office offers assistance to residents in completing their Mason tax return. Residents can file online by visiting the City's website or visit the Tax Office at the Mason Municipal Center. The Tax Office is offering residents extended office hours on Saturday, April 11 and Wednesday, April 15.

On April 25, the Mason Community Center is hosting "One Community, One Cause, One Child" - a food packing event as part of Make a Difference Day. The goal is to provide over 50,000

protein meals to hungry children in Haiti. Volunteers can register online to participate in one of three packaging sessions.

The Lindner Center of HOPE, partnering with Live Well in Mason, will host a Community Outreach Series on Wednesday, May 13 from 6:30 p.m. to 7:30 p.m. A clinician will speak on Behavioral Addictions. The third and fourth presentations will be August 12 and November 11.

Mason Community Center hit a benchmark with 3643 members registered in January. This number exceeds the target goal of 3637 members that was set at the time of the Center's expansion and an additional 60 household memberships were added in February. During Membership Appreciation Days, professional football players Preston Brown of the Buffalo Bills and John Conner of the New York Jets were available to sign autographs.

Jeff Forbes responded to questions raised in print media regarding the legality of last week's Special Council Meeting by stating that Mason's City Charter specifically permits Council to add items to the agenda of a special meeting that were not identified in the original notice. Even with this response given, *The Enquirer* has not accepted this explanation and continues to question the legality of the meeting. He stated that Mason City Council has a long history of affording its citizens the opportunity to participate in its Council meetings and legislative process. While many see last Tuesday's action for the historic announcement that it was, he expressed the desire for absolutely no procedural concerns hanging over an otherwise exciting step forward for the region and Mason business partners. He explained that in an abundance of caution to alleviate any lingering concerns, Council may wish to place the tax incentive agreement on this regular Council Meeting Agenda for reconsideration. A motion to add Ordinance 2015-33 to the agenda for reconsideration would be appropriate at Council's discretion, but not necessary.

A motion to add Ordinance 2015-33 to the agenda for reconsideration was made by Councilmember Pelfrey, seconded by Councilmember Prince. VOTE: ALL YEAS.

Council discussed the value that Procter and Gamble brings to the City. They expressed support for the incentive agreement with P&G and confidence in the legality of action taken at the Special Council Meeting on March 17th.

COMMITTEE REPORTS

Councilmember Spaeth reported that the Parks and Recreation Board met in March. She listed many activities and events scheduled through May at the Community Center and in the parks. She stated that with a change in the 2015 inclement weather policy, classes at the Community Center were cancelled only once this season. The Snow Days program had an average of 7-15 participants at each event.

PRESENTATION OF WARREN COUNTY SHERIFF'S OFFICE YEAR-END REPORT BY LARRY SIMS

Sheriff Sims reported that the Sheriff's Office responded to over 71,000 calls in 2014. He stated that an increase in drug related crimes continue to impact the jail which was at or over capacity about one-third of the year. Visitations at the jail are now available through video, which saves time, provides better security, and allows visitors to visit from home. Sheriff Sims listed other programs and trainings provided in 2014 through the Sheriff's Office.

PRESENTATION OF WARREN COUNTY UNITED WAY CAMPAIGN COORDINATOR OF THE YEAR AWARD – KENDRA TAYLOR

Eric Hansen stated that contributions tripled in Kendra Taylor's first year as coordinator for the City of Mason United Way campaign. She has coordinated the campaign since 1998 and during her tenure the City of Mason has raised \$200,000 to benefit the Warren County United Way. Mayor Nichols presented the award and congratulated Ms. Taylor. Kendra thanked the City Manager and City staff for all their contributions to the annual campaign. She said that it is an honor to receive this award.

RECOGNITION OF VISITORS

Rick Inskeep of 6352 Butler-Warren Road explained his opposition to tax abatements.

Debbie Harbatkin of 5126 Spire Oaks Drive expressed her concerns regarding modifications to the conditional use permit for Bethany Green Circle in Ordinance 2015-34.

Sharon Poe of 4667 Angeline Lane expressed her belief that tax abatements should not be discussed in Executive Session and that the City protects companies. She considers Council's vote last week illegal without input from residents and is opposed to tax abatements.

Ben McNary of 3934 Top Flite Lane requested that agendas be made available one week before meetings. He explained that residents had only a weekend to prepare for the March 9th Council Meeting with approval of the preliminary plat of Crooked Tree Preserve on the agenda. He referred to the general notes of the preliminary plat regarding lot sizes, retention/detention pond maintenance, and annexation of a 4.6 acre parcel. He requested that PUD requirements be amended to include a precedent statement regarding placement of a 70-foot lot next to R-3 zoning.

ORDINANCE 2015-33 AUTHORIZING THE CITY MANAGER TO EXECUTE AN ECONOMIC PARTICIPATION AGREEMENT AND AUTHORIZING CERTAIN ECONOMIC DEVELOPMENT INCENTIVES

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

Eric Hansen stated that with this ordinance, Council has the opportunity to solidify Procter and Gamble's decision to relocate their Sharon Woods facility by expanding the Mason Business Center. He explained that Procter and Gamble will bring to the community a \$300-350 million new investment and over 1300 jobs with estimated new payroll of \$160 million. In exchange,

the City of Mason has authorized a traditional incentive package that consists of a Community Reinvestment Area 15-year tax abatement, reimbursement to the schools, access to Port Authority financing, and a \$500,000 re-use grant. Eric acknowledged Warren County and Mason City Schools for their cooperation in facilitating this expansion. Past and present City Councils made choices that prepared the City for this expansion, including the latest project announcement of a full I-71 interchange at Western Row Road. Mason has worked with Warren County TID to secure funding of other infrastructure projects at Innovation Way and Socialville-Fosters Road. Eric explained that when P&G built in Mason 20 years ago, many residual effects such as property values, income, quality of life, bond ratings, and services were enhanced. Every business that locates or expands in the City reduces the tax burden for Mason residents.

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

During Council discussion, Councilmembers expressed frustration that persons in opposition to tax incentives left the room during the City Manager's explanation. Council discussed benefits that top quality businesses bring to the City and agreed that these benefits far exceed any incentive given. They appreciate the intelligence of the majority of Mason citizens in understanding the economic benefits of a strong business community and stated that property taxes in the City of Mason were reduced last year. Mayor Nichols welcomed P&G to Mason.

A motion to adopt Ordinance 2015-33 was made by Councilmember Prince, seconded by Councilmember Cox. VOTE: ALL YEAS.

ORDINANCE 2015-34 FIRST READING: APPROVING A MODIFICATION OF AN EXISTING CONDITIONAL USE PERMIT FOR PROPERTY LOCATED AT THE NORTH WEST CORNER OF BETHANY ROAD AND MASON-MONTGOMERY ROAD (BETHANY GREEN CIRCLE)

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

Eric Hansen announced that a public hearing will be held on April 27, 2015.

ORDINANCE 2015-35 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 Spaeth. VOTE: ALL YEAS.

Michele Blair addressed Council and stated that Intelligrated is a logistics automation company, one of the five largest companies in the City of Mason, and one of the top twenty largest companies in the Cincinnati Region. Intelligrated located its Global Corporate Headquarters to Innovation Way in Mason in 2001 and doubled the size and workforce at this facility in 2012. She stated that the next expansion adds over 80,000 square feet of Class A office, 238 jobs, and

\$16.6 million in payroll. Michele explained how Intelligrated increases the reputation and visibility of Ohio and the City of Mason around the globe within select fields of research and development. Intelligrated attracts exceptional talent with average employee incomes of \$70,000. Michele explained that the Community Reinvestment Area (CRA) assessment is based on \$12 million of new investment and that over the 15-year term of the incentive the overall savings to the company is \$4.8 million, an additional \$1.3 million is generated for the school system, and \$2.5 million to the City of Mason based on new earnings tax. She explained that the \$400,000 grant, a companion grant to dollars leveraged through the state of Ohio Jobs Ohio program, is expected to be recouped in just over two years. Michele noted that within the past three months, City Council has voted on similar targeted companies that fit within the type of technology based category that the City of Mason actively recruits. These include projects with Assurex Health, the Mitsubishi Automotive Electric expansion, and the Procter and Gamble announcement.

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.

Michele Blair responded to Councilmember Cox by stating that the community benefit of \$3.8 million is based on conservative numbers and corporate net earnings and other items are not calculated into this number. Mayor Nichols complimented Intelligrated management and employees on their effective business model and stated that with facilities in other locations, Intelligrated has chosen to locate their scientific design team in Mason. Councilmembers discussed Intelligrated's success and the many benefits residents enjoy when the City works together with the business community including increased home values, quality of life, and peripheral businesses.

A motion to adopt Ordinance 2015-35 was made by Councilmember Cox, seconded by Vice Mayor Kidd. 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 15-years on the value of the new building improvements, for Intelligrated, as authorized by the State of Ohio Community Reinvestment Area Program and contingent upon the company making an annual compensation payment to the Kings Local School District for the term of the abatement period was made by Councilmember Prince, seconded by Councilmember Pelfrey. VOTE: ALL YEAS.

ORDINANCE 2015-36 PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$2,000,000 OF RENEWAL NOTES BY THE CITY OF MASON, OHIO, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF ACQUIRING REAL ESTATE IN THE CITY

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

Eric Hansen explained that in 2006, Council approved Ordinances 2006-70 and 2006-71, which authorized the purchase of 142 acres and issuance of \$4.5 million bond anticipation notes to provide funding for acquisition of property on SR-741. To date, \$2 million has been paid

towards the principal, the 2015 Budget includes \$500,000 to be paid towards the principal, which leaves an outstanding balance of \$2 million. Eric stated that the ordinance includes an interest rate not to exceed 5%. Based on current market conditions and the City's current bond rating, staff anticipates when the note is priced, a substantially lower interest rate of 2% or less.

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

A motion to adopt Ordinance 2015-36 was made by Councilmember Cox, seconded by Councilmember Prince. VOTE: ALL YEAS.

ORDINANCE 2015-37 AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT, NOT TO EXCEED \$24,000 WITH WARREN COUNTY SOIL AND WATER CONSERVATION DISTRICT FOR THE EDUCATION, INSPECTION AND ASSOCIATED SERVICES NECESSARY TO MEET THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PHASE II REQUIREMENTS

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

Kurt Seiler stated that since 2004, this partnership with Warren County Soil and Water Conservation District (SWCD) has helped the City meet NPDES Phase II requirements. The partnership is reviewed annually to assess its value. He stated that in 2014, inspection of 242 retention/detention basins generated 192 notification letters including directions on how to best maintain the basin. He explained how this proactive approach to basin maintenance reduces overall costs over time. The partnership also provides educational benefits to help the City meet requirements. The 2015 Budget included the City's contribution for this program which has stayed the same since 2011.

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 2015-37 was made by Councilmember Prince, seconded by Councilmember Pelfrey. VOTE: ALL YEAS.

ORDINANCE 2015-38 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH SPECTRA ENTERTAINMENT, IN THE AMOUNT OF \$43,000 FOR AN ADDITIONAL ENTERTAINMENT ARTIST AND SOUND EQUIPMENT, AT THE BICENTENNIAL BIRTHDAY PARTY ON SEPTEMBER 18 & 19

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

Jennifer Heft stated that for over a year now, the City's Bicentennial Committee consisting of Barbara Berry-Spaeth, Rich Cox, and Chairperson Char Pelfrey along with a team of volunteers made up of community organizations and members have been working on a variety of events in

celebration of the City's Bicentennial. Two upcoming events include "Imagine, Mason"- a musical production about Mason's historical founder and Community Service Day. She explained that the goal of the Community Service Day on April 11th is to have volunteers provide 2015 service hours towards community projects on this day. Jennifer stated that on July 14, 2014, Council approved Ordinance 2014-60 which authorized a contract with Spectra Entertainment in the amount of \$150,000 for an entertainment artist, lighting, staging and sound at the Bicentennial Birthday Party on September 18 & 19, 2015. City staff has been preparing for this two day event by putting in place an incident command structure, submitting a request for proposal (RFP) for fireworks, and meeting with the Spectra Entertainment agent. The agent has secured a warm up band and stage, lighting and sound for the Friday and Saturday night events along with a headliner act for Saturday night. Recently the agent indicated that for an additional \$38,000 he would be able to secure a significant headliner act for Friday night. In addition, while 3 video screens are included in the original contract amount, additional sound equipment may be needed. The cost for the sound system is approximately \$5,000. Council authorized a budget in the amount of \$400,000 for this two day event. The additional \$38,000 for Friday night's headliner and \$5,000 is within the total event budget.

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

Councilmember Pelfrey stated that it has been her privilege working with the Bicentennial team and staff and stated that the additional cost for the Friday night headliner band is within the original \$400,000 budget for this event. She announced the Friday night opening band is the Jessie Brown Band (new country music) and the Friday night headliner band is the Orchestra (Electric Light Orchestra). The Saturday night opening band is Flynnville Train (country rock) and the Saturday night headliner band is REO Speedwagon. Councilmember Pelfrey stated that an emergency clause needs to be added to this ordinance so that the contract for the Friday night headliner band can be secured. Jennifer Heft stated that the staff incident command team is working closely with Festivals of Mason (FOM). FOM is providing activities for the festival such as food vendors, kid-zone area, and additional entertainment. She stated that the two-day event will be held on the Municipal campus with the stage, most likely, located along Lakeside Drive. Friday night will begin with a tailgate party before the high school football game, a parachutist will deliver the game ball, with festival activities, bands and fireworks on the municipal campus. Councilmember Pelfrey mentioned that they are considering a closure of Mason-Montgomery Road for the event.

A motion to add an emergency clause to Ordinance 2015-38 was made by Councilmember Cox, seconded by Vice Mayor Kidd. VOTE: ALL YEAS.

A motion to adopt Ordinance 2015-38 as amended was made by Councilmember Cox, seconded by Councilmember Fox. VOTE: ALL YEAS.

OLD AND NEW BUSINESS

Councilmember Spaeth stated that the "lunch ladies" have a project planned and she challenged everybody to participate in the Community Service Day on April 11th. Councilmember Cox

stated that he is involved in a number of projects planned for that day and that help is needed to achieve the goal of 2015 service hours in one day.

Vice Mayor Kidd thanked City staff and Council for attending the Gala that raised \$250,000. He is convinced that funds raised will save lives.

Honorary Mayor Clair Patton presented her Girl Scout Bronze Award project idea. She would like to build park benches to commemorate the City of Mason's Bicentennial. Each bench would cost \$157 in materials and when complete would be donated for use in the parks. Councilmember Cox offered to donate funds towards building the first bench.

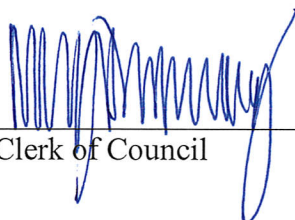
RECOGNITION OF VISITORS

Chloe Shepherd of 6943 Raceway Court stated that she supports Council's decision regarding Procter and Gamble.

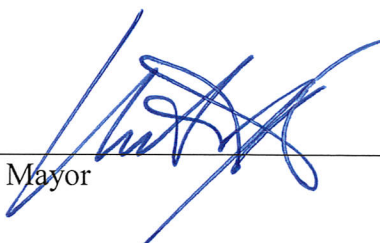
Carly Lorenz, a student at Mason High School, stated that she has done project research as part of a work study at P&G. She supports the P&G decision.

ADJOURN

A motion to adjourn was made by Vice Mayor Kidd, seconded by Councilmember Cox.
VOTE: ALL YEAS. TIME: 9:10 p.m.



Clerk of Council



Vice Mayor