

**CITY OF MASON
COUNCIL MEETING
JANUARY 11, 2016**

The meeting was called to order at 7:00 p.m. Chaplain Rick Huff opened the meeting in prayer. All those present recited the Pledge of Allegiance.

ATTENDANCE

The following members of Council were present: Barbara Spaeth, Ashley Chance, Kathy Grossmann, Charlene Pelfrey, Don Prince, and Victor Kidd.

APPROVAL OF MINUTES

A motion to approve the December 14, 2015 Council Meeting Minutes was made by Councilmember Pelfrey, seconded by Councilmember Prince. VOTE: ALL YEAS.

CITY MANAGER'S REPORT

A motion to appoint Clerk of Council Nancy Hickey as the "elected official designee" for all council members for public records law training as required by Ohio Revised Code 149.43 (E)(1) was made by Vice Mayor Spaeth, seconded by Councilmember Chance. VOTE: ALL YEAS.

Council will be hosting the Bicentennial Time Capsule Closing at the January 25 Council Meeting.

The City will begin Christmas tree pick-up the first week in January with services ending on January 29. Residents should place their trees at curbside for pickup. Trees placed in bags at the curb will be removed by Rumpke.

In an effort to promote the City's mission of "Building a Culture of Wellness" the Community Center is hosting A Community Wellness Expo on February 20. This event promotes overall lifestyle health and wellness through exhibits, games, activities, and informational presentations. This family-friendly event is free to the Community.

The Mason Community Center in partnership with the Leukemia & Lymphoma Society will host the Race to Anyplace on Saturday, March 12 from 8:00 a.m. to 2:00 p.m. Contact the Community Center if you are interested in participating as a rider, team, or sponsor.

A motion to not request a hearing for a D5 D6 liquor permit for James Third Base at 1079 Reading Road was made by Vice Mayor Spaeth, seconded by Councilmember Chance. VOTE: ALL YEAS.

COMMITTEE REPORTS

Councilmember Prince stated that the Veterans Memorial Committee has made plans to engrave on existing columns of the Mason Veterans Memorial the names of Mason Veterans Killed in Action. The engraving is expected to be complete for this year's Memorial Day event. Councilmember Pelfrey thanked Councilmember Prince for his dedication to the Veterans Committee and Mason Veterans Memorial.

Councilmember Pelfrey stated that 20 amazing volunteers have worked hard for over two years planning and implementing events for Mason's Bicentennial Year. She encouraged everyone to attend the next Council Meeting for the closing of the time capsule and playing of a 30 minute video documenting the Mason Bicentennial year that was produced by ICRC.

SWEARING-IN POLICE OFFICERS NICHOLAS MOTLEY AND JONATHAN STAFFORD

Chief Ferrell introduced Nicholas Motley and Jonathan Stafford. Officer Motley graduated from Amelia High School, served in the Air Force, and graduated from the University of Cincinnati. Officer Stafford grew up in Centerville and graduated from the University of Toledo. Officer Stafford and Officer Motley were sworn-in by Mayor Kidd. The new officers introduced their families.

RECOGNITION OF VISITORS - none

COMMUNITY REINVESTMENT AREA # 10: CINCINNATI FAN

Michele Blair introduced Dale Bishop, Cincinnati Fan President and CEO. Michele stated that Cincinnati Fan has been in Mason since 1992 and is considering an expansion of their facility on Snider Road. This proposed \$3.5 million, 75,000 square foot expansion to the existing 75,000 square foot facility will create an additional 63 jobs over three years. Dale Bishop stated that in August 2015, Cincinnati Fan acquired another fan manufacturer based in Wales, United Kingdom. This U.K. manufacturer has a technology that Cincinnati Fan would like to bring to the North American market and in order to do this, Cincinnati Fan leadership has decided to expand the Mason facility. Mr. Bishop explained that growth is expected to be rapid, with projections of \$5 million in 2017 and \$10 million in 2018. Cincinnati Fan is currently a \$40 million company. Michele Blair stated that over the 15-year term of the abatement, the estimated benefits include over \$350,000 to the company, over \$850,000 to the schools, almost \$2 million to the entire community, and additionally \$2 million in annual payroll to the City of Mason.

Motion to provide abatement under the Community Reinvestment Area Program of 100% real property improvements for a period of 15 years on the value of the new building improvements, for Cincinnati Fan, 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 Prince, seconded by Councilmember Pelfrey. VOTE: ALL YEAS.

RESOLUTION 2016-1 REQUESTING THE COUNTY AUDITOR TO MAKE TAX ADVANCES DURING THE YEAR 2016 PURSUANT TO SECTION 321.34 OF THE OHIO REVISED CODE

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

Eric Hansen explained that when taxes are collected by the County, the County Auditor has several months after the due date to distribute funds owed to local governments. State law allows local governments to request payments of taxes prior to the required settlement. In many cases, it helps improve the cash flow for the local government and allows the local government to earn additional interest for itself rather than the County.

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

A motion to adopt Resolution 2016-1 was made by Councilmember Pelfrey, seconded by Councilmember Chance. VOTE: ALL YEAS.

ORDINANCE 2016-1 ACCEPTING THE APPLICATION FOR THE ANNEXATION OF 414.0822 ACRES, MORE OR LESS, IN UNION TOWNSHIP, WARREN COUNTY, OHIO TO THE CITY OF MASON, OHIO FILED UNDER THE SPECIAL PROCEDURE OF ANNEXING LAND WITH CONSENT OF ALL PARTIES (OHIO REVISED CODE SECTION 709.022, et seq.), AND DECLARING AN EMERGENCY

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

Eric Hansen stated that the Todorov farm, adjacent to the City of Mason off of US-42, consists of 414 acres. The City has worked with many partners and he gave credit to the developer, property owners, Mason City Schools, Warren County, and Union Township for working cooperatively together to bring this to a successful conclusion. With annexation of this property, the impact to tax payers and the school district was protected by lowering expected residential densities. Eric stated that the City worked to purchase a portion of the property for anticipated business development. This 172 acres, west of US-42, will be preserved and incorporated into the City's north industrial area for future office and corporate development. He said that 224 acres, east of US-42, will be maintained for high quality residential development. Eric explained that Ordinance 2016-1 accepts the annexation of the territory and Ordinance 2016-2 authorizes a petition to detach the territory from Union Township into the City of Mason. These two ordinances together permit the property owners in this territory to avoid double taxation. Eric explained that this unique model developed by staff, primarily Kurt Seiler and Joe Reigelsperger, has successfully been used in the Boxwood Farms subdivision to assist with appropriate development, allow access to City Services, compensate the Township without relying on Mason tax dollars or placing future residents at risk of double taxation that current annexation law anticipates.

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

Mayor Kidd complimented city staff for excellent work.

A motion to adopt Ordinance 2016-1 was made by Councilmember Prince, seconded by Councilmember Chance. VOTE: ALL YEAS.

ORDINANCE 2016-2 AUTHORIZING THE FILING OF A PETITION WITH THE BOARD OF COUNTY COMMISSIONERS OF WARREN COUNTY, OHIO TO CHANGE THE UNION TOWNSHIP LINES OF 414.00822 ACRES LOCATED IN UNION TOWNSHIP AND THE CITY OF MASON IN ORDER TO REMOVE THE TERRITORY FROM UNION TOWNSHIP, PLACE IT IN MASON TOWNSHIP AND MAKE THE TOWNSHIP LINES IDENTICAL WITH THE LIMITS OF THE CITY OF MASON, OHIO, AND DECLARING AN EMERGENCY

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

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

Councilmember Prince thanked staff for protecting homeowners from double taxation.

A motion to adopt Ordinance 2016-2 was made by Councilmember Prince, seconded by Councilmember Chance. VOTE: ALL YEAS.

ORDINANCE 2015-129 2ND READING: AMENDING THE ZONING CODE AND ZONING MAP OF THE CITY OF MASON, OHIO TO PROVIDE FOR THE REZONING OF APPROXIMATELY 224 ACRES FROM R-1 RESIDENTIAL (UNION TOWNSHIP) TO R-PUD RESIDENTIAL PLANNED UNIT DEVELOPMENT WITH APPROVAL OF THE CONCEPT PLANNED UNIT DEVELOPMENT PLAN LOCATED AT 3758 ROUTE 42 (AMBLESIDE MEADOWS SUBDIVISION)

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

The Public Hearing was opened at 7:42 p.m.

Kurt Seiler stated that the proposed rezoning from R-1 (Union Township Residential) to R-PUD is for 224 acres located on the east side of US-42 and owned by Terra Firma. Kurt explained that the concept plan for the proposed Residential PUD consists of 314 single family lots resulting in an overall density of 1.40 units per acre. Three different lot types are proposed: 60-foot wide, 80-foot wide and 100-foot wide. The minimum lots sizes range from 8,100 square feet to 15,000 square feet. He stated that site access will be via two separate locations on US-42

and standard deceleration and left turn lanes will be required. Open space is approximately 30% which exceeds PUD requirements by 10%. Proposed amenities include a clubhouse, pool, and activity area on the north side of the development. Sidewalks will be installed throughout the subdivision along with paved and natural trails. A bike path connection to the Mason Sports Park is planned on the south side of the development. Kurt explained that the City of Mason Comprehensive Plan identifies this property as Business Park; however Planning Commission and staff reviewed and feel that the proposed rezoning is compatible with the adjacent Sports Park and Willow Brooke Subdivision. Planning Commission recommends approval of the rezoning and concept plan as submitted.

The Public Hearing was closed at 7:47 p.m.

A motion to adopt Ordinance 2015-129 was made by Councilmember Prince, seconded by Vice Mayor Spaeth. VOTE: ALL YEAS.

ORDINANCE 2016-3 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH SITEWORX, LLC FOR THE TYLERSVILLE/US-42 SANITARY SEWER REHABILITATION PROJECT IN THE AMOUNT OF \$812,884.25 AND DECLARING AN EMERGENCY

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

Kurt Seiler stated that the project spans from Lindemann Lane to the Tylersville Road/US-42 intersection. He explained that this complex project will use several different construction methods to rehabilitate the existing sanitary sewer, including cured-in-placed-pipe, open-cut installation, jack and bore installation, and pipe-bursting. Four bids were received for the project with SiteWORX, LLC submitting the lowest and best bid. Kurt explained that this same team worked on a previous complicated sanitary sewer project in the City of Mason. The project has received approval for an OPWC reimbursement grant for 49% of project costs up to \$336,000.

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

During Council discussion, Vice Mayor Spaeth asked Kurt to explain upcoming changes to the OPWC grant application process. Kurt explained the recently revised scoring criteria and stated that the new process is geared more towards roads and bridges and will make sewer projects less competitive for funds. This project was scored under old criteria and may likely be the last OPWC grant for a sewer project that the City will receive, but is also the last trunk sewer to be rehabilitated in this problem area. Councilmember Prince requested presentation of an infiltration/inflow improvements report to the Utility Committee or Council.

A motion to adopt Ordinance 2016-3 was made by Councilmember Pelfrey, seconded by Councilmember Prince. VOTE: ALL YEAS.

ORDINANCE 2016-4 AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENT SBIG20160214 WITH THE OHIO DEVELOPMENT SERVICES AGENCY FOR THE PURPOSE OF CONSTRUCTING SR-741 ROAD IMPROVEMENTS RELATED TO THE MASTERS/360 PHARMA DEVELOPMENT

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

Eric Hansen stated that the City has been awarded two grants for required roadwork on SR-741 in support of the Masters Pharmaceutical Headquarters project, currently under construction. ODOT's agreement for up to \$90,000 was authorized by Council in November 2015. Ohio Development Services Agency (ODSA) support for the project comes through an \$180,000 matching grant that will assist with eligible costs associated with the road widening project. Eric stated that Masters Pharmaceutical will provide the local match of \$90,000.

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

A motion to adopt Ordinance 2016-4 was made by Councilmember Pelfrey, seconded by Councilmember Prince. VOTE: ALL YEAS.

ORDINANCE 2016-5 AUTHORIZING PAYMENT IN AN AMOUNT NOT-TO-EXCEED \$8,000 TO THE WARREN COUNTY HUMANE ASSOCIATION, A PRIVATE NON-PROFIT ORGANIZATION

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

Jennifer Heft discussed Ordinance 2016-5 and Ordinance 2016-6 together. She stated that in 2006, the Finance Committee developed and Council approved a policy to guide contributions to local non-profit organizations. A matching program where the City contributes one dollar for every two dollars raised from other sources by the non-profit group and City contributions are limited to \$8,000 was recommended. During the 2011-2013 budget processes, due to economic conditions of the City, the Finance Committee modified the policy to adjust the maximum contribution at \$4,000 for all groups. The amount was restored to the full maximum amount of \$8,000 during the 2014 budget process. Jennifer stated that the City began partnering with Mason Historical Society in 1993 and Warren County Humane Association in 2010.

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

Vice Mayor Spaeth asked how the City follows up to insure that the non-profit organization's match is valid. Jennifer stated that each organization submits a report of funds contributed to the non-profit organization and contributions are verified by Mason Finance Department before issuing payment.

A motion to adopt Ordinance 2016-5 was made by Councilmember Prince, seconded by Vice Mayor Spaeth. VOTE: ALL YEAS.

ORDINANCE 2016-6 AUTHORIZING PAYMENT IN AN AMOUNT NOT-TO-EXCEED \$8,000 TO THE MASON HISTORICAL SOCIETY, A PRIVATE NON-PROFIT ORGANIZATION

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

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

A motion to adopt Ordinance 2016-6 was made by Councilmember Pelfrey, seconded by Councilmember Prince. VOTE: ALL YEAS.

OLD AND NEW BUSINESS - none

RECOGNITION OF VISITORS - none

EXECUTIVE SESSION: LAND ACQUISITION, SECURITY, AND EMPLOYMENT / COMPENSATION OF PUBLIC EMPLOYEES

A motion to adjourn into Executive Session for the purpose of discussing land acquisition, security, and employment/compensation of public employees was made by Councilmember Prince, seconded by Councilmember Pelfrey. VOTE: ALL YEAS. TIME: 8:02 p.m.

A motion to reconvene into Regular Session was made by Councilmember Prince, seconded by Vice Mayor Spaeth. VOTE: ALL YEAS. TIME: 10:10 p.m.

A motion to authorize bonus compensation to City Manager Eric Hansen in the amount of \$10,000 was made by Councilmember Prince, seconded by Councilmember Pelfrey. VOTE: ALL YEAS.

Motion to add Ordinance 2016-7 to the Council Agenda was made by Councilmember Prince, seconded by Councilmember Chance. VOTE: ALL YEAS.

ORDINANCE 2015-7 MODIFYING THE CONTRACT FOR LEGAL SERVICES WITH WOOD & LAMPING LLP TO PROVIDE FOR UPDATED COMPENSATION

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

A motion to adopt Ordinance 2016-7 was made by Councilmember Prince, seconded by Councilmember Chance. VOTE: ALL YEAS.

ADJOURN

A motion to adjourn was made by Councilmember Prince, seconded by Councilmember Spaeth. VOTE: ALL YEAS. TIME: 10:13 p.m.

Clerk of Council

Mayor