

**CITY OF MASON  
COUNCIL MEETING  
FEBRUARY 13, 2017**

The meeting was called to order at 6:34 p.m. Chaplain Marc Champagne opened the meeting in prayer. All those present recited the Pledge of Allegiance.

**ATTENDANCE**

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

**RESOLUTION 2017-2 COMMENDING RICHARD J. FAIR FOR HIS OUTSTANDING DEDICATION AND SERVICE TO THE CITY OF MASON, OHIO**

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

A motion to adopt Resolution 2017-2 was made by Councilmember Chance, seconded by Councilmember Prince. VOTE: ALL YEAS.

**RETIREMENT RECOGNITION FOR SERVICE DIRECTOR RICHARD FAIR**

Council expressed their appreciation and thanked Richard Fair for his service. Mayor Kidd presented Resolution 2017-2 and Vice Mayor Spaeth presented Richard with a Key to the City of Mason. Councilmember Pelfrey presented a framed collage of projects completed with Richard's leadership, Councilmember Prince gave Richard a "7<sup>th</sup> Best City" road sign, and Councilmember Grossmann presented a folder of Bicentennial Coins. Councilmember Nelson gave flowers to Gloria Fair and Councilmember Chance gave him the nameplate "Richard Fair, Service Director" used at City Council Meetings. Eric Hansen read a letter from former Mayor John McCurley and family. Ken Schneider thanked Richard for his service. Tom Grossmann stated he enjoyed working with Richard while serving on Council.

**APPROVAL OF MINUTES**

A motion to approve the January 23, 2017 Council Meeting Minutes was made by Councilmember Chance, seconded by Vice Mayor Spaeth. VOTE: 6 YEAS, 1 ABSTAIN (Pelfrey).

**CITY MANAGER'S REPORT**

City offices will be closed on Monday, February 20 in observance of President's Day. Mason Community Center will be open with normal operating hours.

Due to scheduling conflicts, a quorum of Council is unlikely at the March 13 meeting and the March 27 meeting falls during Mason spring break. If Council wishes, a motion to cancel the March 13 and March 27 Council meetings and schedule a meeting on March 20 would be appropriate. A motion to cancel the March 13 and March 27 Council Meetings and schedule a March 20 meeting was made by Vice Mayor Spaeth, seconded by Councilmember Grossmann. VOTE: ALL YEAS.

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 25. This event promotes overall lifestyle health and wellness through exhibits, games, activities, and informational presentations. This is a free family friendly event for the Community.

After coordinating with the schools and other calendar events, staff is planning the annual Heritage Festival and parade for Saturday, September 16. Mason School’s Homecoming Game is October 6 and they are considering a parade on a separate date.

On March 17 at 6:00 p.m. at the Manor House, One City Against Heroin is holding a St. Patrick’s Day Gala to raise funds and awareness to continue their efforts battling the Heroin epidemic. Council members are encouraged to attend.

A motion to authorize the City Manager to sign and submit the endorsement of a TREX liquor permit transfer (Casual Pint) for economic development purposes was made by Councilmember Nelson, seconded by Councilmember Grossmann. VOTE: ALL YEAS.

### **COMMITTEE REPORTS**

Councilmember Chance stated Mason Park Board’s focus is to work with Mason Parks Foundation President Rachel Kopfler on building Common Ground Park, an all-inclusive playground for all children.

Councilmember Pelfrey reported the 2017 summer concert series features four concerts on Fridays in June on the Downtown Plaza and four concerts on Sundays in July at the Golf Center.

### **RECOGNITION OF VISITORS**

Sandra McMillan of 1010 Reading Road addressed Council regarding noise coming from Crossroads Church impacting the peace and quiet of neighbors in the area.

State Senator Steve Wilson of 4905 Water Stone Lane in Maineville introduced himself and encouraged citizens to contact him with any concerns.

### **ORDINANCE 2016-127 2<sup>ND</sup> READING: APPROVAL OF A REVISED CONCEPT PLANNED UNIT DEVELOPMENT PLAN FOR THE GREENLAND PARK MASON TOWNHOMES DEVELOPMENT LOCATED AT 228 MASON-MONTGOMERY ROAD (GREENLAND PARK)**

The Public Hearing was opened at 7:46 p.m.

Kurt Seiler stated this request is for approval of a revised concept plan. He explained the last concept plan approved in 2012, included 17 single-family lots. The property, located at 228 Mason-Montgomery Road, is approximately 5.5 acres in size and currently zoned R-PUD, Residential Planned Unit Development. Kurt said the 2016 proposed development includes 44 townhome units located in eight separate buildings. Buildings include between four and eight units a piece, all of which either have a one or two-car garage per the zoning ordinance. The development includes a central amenity area and 1.81 acres of open space (33% of the property), all located outside of required setbacks. He stated comparisons of impervious surfaces between the 2012 and 2016 developments are calculated to be about the same. The plan utilizes the same general location of the existing access point for entrance to the development and an access point will be retained for the single family lot to the south. Kurt said the proposed development requests flexing setback regulations for PUDs as the development proposes a 10' front yard setback (50' required), a 10' side yard setback on the north property line adjacent to the railroad tracks (40' required), and a 35' side yard setback on the south property line (40' required). He said this is a unique property in Downtown Mason and the type of development desired in this location. The City of Mason Comprehensive Plan identifies this property as High Intensity Residential to "encourage low-maintenance, high-density housing that supports activity nodes and the downtown district and provides a transition between commercial or office and single-family development." The proposed development fits in this category as it is a higher-density product, organized with a walkable neighborhood design and with units fronting Mason-Montgomery, bringing life and energy to the street.

Patricia Moehring of 110 E. North Street stated her property currently experiences flooding and is concerned that an additional 44 units built adjacent to her property will intensify the problem. She also had traffic concerns and said that most residents in her neighborhood avoid exiting on Mason-Montgomery Road and choose to exit on Reading Road. She would like the City to purchase the property and build a park.

Josh Blatt of John Henry Homes introduced Mason Oaks Townhomes Development. A goal of this high-end suburban/urban development is to transform an abandoned 5-acre site into a gateway to downtown Mason. He explained high-end townhomes will appeal to empty nesters and young professionals and act as a catalyst bringing new residents, new business, and new development to the downtown. Units will be finished like a house with 9-foot ceilings, granite countertops, hardwood floors, attached garages, and large kitchens. Developers are hoping to offer membership to Mason Community Center as part of rent agreements. Mr. Blatt stated they are confident of the project's success and are taking on 100% of the risk - the project is not subsidized in any way. He presented other successful projects developed by John Henry Homes in Milford and Loveland.

Bob Garlock of Bayer Becker at 6900 Tylersville Road said the community will be pedestrian friendly with walkways and a trail system, exceeds the open space requirement by 50%, and increased density will be a positive for downtown business. He addressed traffic concerns and stated this 44-unit townhome development compared to the 17 single-family home development approved in 2012 is expected to have a negligible impact on peak-hour traffic. The speed limit near the entrance to the development is 25 mph and a left turn lane will be provided. Bob said they will

work with City staff to address drainage issues during the final plan approval process. The development will not encroach on the existing easement and landscape buffer will be provided outside of the easement. He explained set-back variances involve buildings that front Mason-Montgomery Road, to provide a more urban feel, and a corner of two buildings - one setback 10 feet to the railroad tracks and one setback 35 feet to an easement.

C.J. Lindberg, architect with Reztark, stated Mason Townhomes exteriors fronting Mason-Montgomery Road will be built of brick and the entire development will have a varied traditional style built with high-end materials inside and out. He referenced Loveland Station, Oakley Station, and Latitude in Deerfield Township as examples of projects with similar architecture.

Greg Land of CMC Properties stated Mason Townhomes tenants will pay \$1600 - \$2000 per month in rent and will be required to undergo background and credit checks. He explained this development is the type of upscale housing millennials and empty nesters are most interested in and provides a boost to downtown business communities.

Joe Cowan stated his mother's property is adjacent to the proposed development. He expressed concerns regarding decreased property values, the lack of destinations to walk to, increased traffic, no room to add a turn lane, no secondary egress, and problems with the easement.

Stuart Cowan of 104 E. North Street distributed revisions to a packet he sent earlier to Council. He expressed concerns regarding increased density, traffic, the flood plain and easement, the detention pond draining across private property to the creek, and annual rainfall amounts. He pointed out the proposed development does not offer any amenities.

Bob Garlock addressed concerns regarding runoff and detention basin issues.

The Public Hearing was closed at 8:45 p.m.

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

During Council discussion, Kurt Seiler explained property in this area is designated FEMA floodplain, with 530 acres upstream draining into this floodplain. The addition of this 5.5 acre development will have negligible impact on flooding in the area. He stated Ms. Moehring's shed is located in the flood way, which is the main channel of the floodplain. Building is not allowed in an established floodplain. Bob Garlock explained how the detention basin drains to the creek and stated a drain pipe will not be built to cross any property line. The design and drainage of the detention basin will meet City detention regulations and water flow will not alter from where it currently drains. Jeff Forbes addressed questions regarding who would be responsible for flood damage to property. He said riparian rights state "water flows where water flows" and City stormwater regulations dictate the release of water collected in a retention basin will be at the same rate and location as it has always been. Kurt addressed questions regarding traffic and stated room for a left turn lane exists, the roadway will need to be restriped. A right turn deceleration lane into the property is not required because the speed limit is 25 mph in this area. Vice Mayor Spaeth expressed safety concerns regarding traffic on Mason-Montgomery Road in this area and stated if

there was a secondary exit from this development, she could support the project. Councilmember Pelfrey asked how residents in this area will walk to Main Street with no sidewalk on the east side of Mason-Montgomery Road. Kurt and Bob Garlock responded that a crosswalk across Mason-Montgomery Road is an option. A sidewalk on the east side of the road is preferred but would require an easement from the Cowan property. Mayor Kidd commented the proposed development meets City requirements, fits the Comprehensive Plan, and may be just what the Downtown area needs.

A motion to adopt Ordinance 2016-127 was made by Councilmember Nelson, seconded by Councilmember Grossmann. VOTE: 6 YEAS, 1 NAY (Spaeth).

**ORDINANCE 2017-16 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH FREQUENCY CITY SOUND IN AN AMOUNT NOT TO EXCEED \$125,000 TO PROVIDE THE STAGE, SOUND, LIGHTS, AND VIDEO SCREENS FOR THE 2017 RED, RHYTHM & BOOM CONCERT**

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

Eric Hansen addressed Red Rhythm & Boom Ordinances 2017-16, 2017-17 and 2017-18 together. Due to time constraints, Eric stated stage entertainment will be revealed at the next council meeting. In Ordinance 2017-16, the City would enter a contract with Frequency City Sound to cover production expenses for stage, sound, lights and video for the selected artist. In Ordinance 2017-17, the City would enter a contract with Rozzi's Fireworks for a 25-minute firework display after the concert. In Ordinance 2017-18, the City would enter a contract with Supergames to provide Kidzone attractions including entertainment, games and administrative help during the RRB event on July 3.

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

A motion to adopt Ordinance 2017-16 was made by Councilmember Pelfrey, seconded by Councilmember Prince. VOTE: ALL YEAS.

**ORDINANCE 2017-17 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ROZZI'S FIREWORKS IN AN AMOUNT NOT TO EXCEED \$32,350 TO PROVIDE THE FIREWORKS FOR THE 2017 RED, RHYTHM & BOOM CONCERT**

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

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

A motion to adopt Ordinance 2016-17 was made by Councilmember Pelfrey, seconded by Councilmember Prince. VOTE: ALL YEAS.

**ORDINANCE 2017-18 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH SUPERGAMES IN AN AMOUNT NOT TO EXCEED \$39,475 FOR KIDS ENTERTAINMENT ATTRACTIONS FOR THE 2017 RED, RHYTHM & BOOM CONCERT**

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 Councilmember Nelson, seconded by Vice Mayor Spaeth. VOTE: ALL YEAS.

A motion to adopt Ordinance 2017-18 was made by Councilmember Chance, seconded by Councilmember Grossmann. VOTE: ALL YEAS.

**ORDINANCE 2017-19 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH LUMENATE FOR THE PURCHASE OF NETWORK INFRASTRUCTURE EQUIPMENT IN THE AMOUNT OF \$190,000**

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

Jennifer Heft explained the City has been working on upgrading the technological emergency operations preparedness systems. The City is currently updating the camera access system and the Emergency Operations Center located in the basement of the Municipal Center and Station 51. The City stores network backups offsite, however there is not a system in place that would allow the backups to be accessed online in case of an emergency. She explained this ordinance would allow servers and necessary hardware equipment to be purchased through the State Purchasing program for online access. The 2017 budget included \$250,000 for this project.

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

A motion to adopt Ordinance 2017-19 was made by Councilmember Pelfrey, seconded by Councilmember Prince. VOTE: ALL YEAS.

**ORDINANCE 2017-20 PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$5,000,000 OF NOTES BY THE CITY OF MASON, OHIO, IN ANTICIPATION OF THE ISSUANCE OF REFUNDING BONDS, FOR THE PURPOSE OF ACQUIRING A GOLF COURSE IN THE CITY**

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

Eric Hansen explained this ordinance is not issuance of new debt or purchase of a new golf course, but an opportunity for the City to pay down existing debt issued just over 10 years ago for purchase

of the Golf Center. The City would pay \$500,000 on principal, reducing the remaining principal balance to \$5 million.

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

A motion to adopt Ordinance 2017-20 was made by Councilmember Prince, seconded by Councilmember Pelfrey. VOTE: ALL YEAS.

**ORDINANCE 2017-21 AUTHORIZING THE CITY MANAGER TO ENTER INTO A FIVE-YEAR CONTRACT WITH PLATTENBURG & ASSOCIATES INC., FOR ACCRUAL CONVERSION AND CAFR PREPARATION AND DECLARING AN EMERGENCY**

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

Eric Hansen stated the City undergoes an annual financial record audit required by the State of Ohio Auditor's Office. He said although not required, the City participates in a Comprehensive Annual Financial Report (CAFR), which provides information regarding how public resources are used, an explanation of financial transactions, the City's financial position, and is used by Moody's when determining credit ratings. Due to Mason's growth and ongoing regulations from the Governmental Accounting Standard Board (GASB), the City is requesting further support and expertise from Plattenburg & Associates with CAFR preparation and other necessary records. Plattenburg & Associates has assisted the City the past five years and has currently priced the City for an additional five-year contract at a significant discount, less than what was paid seven years ago. Eric explained this reflects Plattenburg & Associates' confidence in the City's financial recordkeeping and the desire to be associated with the City of Mason. The Finance Committee has reviewed and recommends adoption of Ordinance 2017-21.

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

Mayor Kidd asked if the City was mandated to use the State of Ohio Auditor's Office in 2011 and 2012. Eric stated that is correct, and explained the State of Ohio Auditor's Office on occasion mandates they perform the work and then dictates terms of the audit by setting the number of hours and rates, not necessarily competitive.

A motion to adopt Ordinance 2017-21 was made by Councilmember Pelfrey, seconded by Councilmember Nelson. VOTE: ALL YEAS.

**ORDINANCE 2017-22 AUTHORIZING THE CITY MANAGER TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH M2M COALITION**

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

Kurt Seiler explained in 2002, OKI lead the initiative Miami 2 Miami Trail to connect the Great Miami River Trail with the Little Miami Scenic Trail. Kurt stated Mason sits toward the eastern side of the trail and the City has closely followed the 2001 master bike and pedestrian plan. OKI would like to update and digitize their plan to include more details while also providing informational/mileage signage on the trail regarding Mason. OKI is trying to raise \$150,000 to \$180,000 from over 26 sources to update their plan. He explained OKI is asking Mason to contribute \$7,500 toward the plan.

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

A motion to adopt Ordinance 2017-22 was made by Councilmember Prince, seconded by Councilmember Chance. VOTE: ALL YEAS.

**OLD AND NEW BUSINESS** - none

**RECOGNITION OF VISITORS** - none

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

A motion to adjourn into Executive Session for the purpose of discussing land acquisition and employment/compensation of public employees was made by Councilmember Chance, seconded by Councilmember Nelson. VOTE: ALL YEAS. TIME: 9:47 p.m.

A motion to reconvene into Regular Session was made by Councilmember Prince, seconded by Councilmember Chance. VOTE: ALL YEAS. TIME: 10:40 p.m.

A motion to add Ordinance 2017-23 to the agenda was made by Councilmember Prince, seconded by Councilmember Chance. VOTE: ALL YEAS.

**ORDINANCE 2017-23 AUTHORIZING THE CITY MANAGER TO ESTABLISH A CAMPUS SECURITY PROGRAM AND ESTABLISHING CERTAIN ADDITIONAL RELATED EMPLOYMENT POSITIONS**

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

A motion to adopt Ordinance 2017-23 was made by Councilmember Chance, seconded by Councilmember Grossmann. VOTE: ALL YEAS.

**ADJOURN**

A motion to adjourn was made by Councilmember Chance, seconded by Councilmember Pelfrey.  
VOTE: ALL YEAS. TIME: 10:41 p.m.