

**CITY OF MASON
COUNCIL MEETING
JULY 10, 2017**

The meeting was called to order at 7:07 p.m. Chaplain Kyle Linville 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.

APPROVAL OF MINUTES

A motion to approve the June 12, 2017 Council Work Session Minutes and June 12, 2017 Council Meeting Minutes was made by Councilmember Chance, seconded by Councilmember Pelfrey. VOTE: 5 YEAS, 2 ABSTAIN (Spaeth, Prince).

A motion to approve the June 21 Council Work Session Minutes was made by Councilmember Chance, seconded by Councilmember Pelfrey. VOTE: 6 YEAS, 1 ABSTAIN (Prince).

CITY MANAGER'S REPORT

The next regularly scheduled Council meeting is August 14 at 7:00 p.m.

Music in Mason continues at The Golf Center on Sunday evenings—July 16, 23 and 30.

The Mason TRI-Umphant Triathlon will be held on Sunday, July 23. The Women's event will start at 7:30 a.m. Both Women's and Men's events will begin with a swim in the Lou Eves Municipal Pool, a bike ride through the streets of Mason, and ends with a run through Pine Hill Lakes and Corwin M. Nixon Parks.

Premier members of the Community Center are invited to the Lou Eves Municipal Pool on Friday, August 5 from 6:00 p.m. to 8:00 p.m. for the annual Premier Member Pool Party.

The 2017 Western & Southern Open will begin in Mason on Saturday, August 12 at the Lindner Family Tennis Center. The City of Mason will be hosting our economic development partners and governmental partners at different events during the tournament.

Mason City Schools have secured over \$30 million in State funding to make significant improvements, renovations and additions to Schools within the City. The School District has continued to be an enthusiastic partner with the City in promoting economic development and growth to the benefit of the entire community. In previous years, the Schools received waivers from the City for permit fees associated with construction. The Schools are requesting an immediate waiver of building permit fees of approximately \$44,000 and approximately \$193,000

over the next several months. A motion to approve these waivers, less the 3% OBBS fee was made by Councilmember Chance, seconded by Councilmember Grossman. VOTE: ALL YEAS.

A motion to appoint Jennifer Heft as the Acting City Manager July 24 through August 4 was made by Councilmember Prince, seconded by Vice Mayor Spaeth. VOT: ALL YEAS.

The Mason Police Department implemented a new program geared at recognizing good behavior in Mason's youth. The "Good Choices Youth Recognition" program involves police officers issuing "Good Choice" tickets to children and teenagers demonstrating good citizenship, safety, and well-being through their good choices. Some of the choices officers will look for include wearing a bicycle helmet, using the crosswalk, greeting a police officer and wearing a seatbelt. Each recipient of a Good Choice Ticket will have the opportunity to present their ticket at one of five locations listed on the back of the ticket for a FREE reward. Reward redemption locations include: the Mason Police Department, Mason Community Center, Mason Golf Center, Culver's Restaurant, and Jansen's Sweet Sensations Bakery.

Gratitude was expressed for Council, visitors, vendors, volunteers, city staff and those who helped make Red, Rhythm and Boom on July 3 a success for 25,000 visitors and residents.

COMMITTEE REPORTS - None

RHINESTAHL'S 50TH ANNIVERSARY PRESENTATION

Michele Blair introduced CEO Dieter Moeller, Dave Rettenmaier, Amy Meyer and John Thompson, representatives of Rhinestahl. Dieter thanked the City and Council in keeping Mason safe, efficient and in the forefront of residential and business relationships. Dieter said after learning of the initiative for the redevelopment of the Technology Suite for the City of Mason Emergency Operations Center (EOC), Rhinestahl and its family of employees committed to donating to the project. The City's renewed EOC is being developed in partnership with Mason City Schools and will assist in protecting community operations during natural disasters and other times of crisis. The facility will allow for redundancies for security purposes for both the City and School District especially during critical incidents and serve as backup EOC for Warren County. Dieter said Rhinestahl is committed to help in continuing to improve the infrastructure of the City.

Mayor Kidd thanked Dieter and the Rhinestahl team in assisting with business recruitment for Mason and expressed appreciation for the generosity of their donation.

ROBIN HUNSUCKER LIVE'N LEARN EXPERIENCE PRESENTATION

Vice Mayor Spaeth explained her daughter's experience through Mason's Live 'n Learn program and the importance of this program to enable students and families to learn about another culture and generosity. She then introduced Robin Hunsucker, Co-Founder and Director of Live 'n learn U.S. Operations.

Robin explained the progression of Live ‘n Learn over the past five years and thanked the generosity of Mason families to host students and Mason schools in promoting the program. Live ‘n Learn currently has 32 students/host families involved and 28 of those families are from Mason. Over 100 host families have been from Mason in the past five years. Robin had representatives share their experiences and said their goal for each student is to become global citizens and create lifelong friendships across borders.

RECOGNITION OF VISITORS

Eric Hansen introduced Brian Hodgett, Director of Community and Government Relations at Procter and Gamble and Vice Chair of REDI. Brian thanked Mason for the vision Mason has implemented and expressed respect for the work Mason has done in the field of economic development. Brian explained that both P&G and REDI values the relationship with Mason and looks forward to strengthening that relationship going forward.

RESOLUTION 2017-14 APPROVING THE SOLID WASTE MANAGEMENT PLAN OF THE WARREN COUNTY SOLID WASTE MANAGEMENT DISTRICT

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

Eric Hansen stated the City’s approval is necessary for this County-wide plan to be adopted by Solid Waste Districts throughout Ohio. Failure to have an approved plan can result in EPA mandated plans that can include onerous obligations on residents as well as businesses such as expensive generation fees on waste. The City’s brush-chipping, leaf pick-up and city-wide waste hauling and recycling contract have been key to both keeping waste collection rates low within the City as well as a commitment to the Solid Waste District’s plan.

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

A motion to adopt Resolution 2017-14 was made by Councilmember Prince, seconded by Councilmember Nelson. VOTE: ALL YEAS.

ORDINANCE 2017-64 PUBLIC HEARING: AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE LIBERTY TOWNSHIP JOINT ECONOMIC DEVELOPMENT DISTRICT 1 CONTRACT TO ADD CERTAIN PROPERTIES TO THE LIBERTY TOWNSHIP JOINT ECONOMIC DEVELOPMENT DISTRICT 1

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

Public Hearing was continued from June 12, 2017 Council Meeting.

Jennifer Heft said Ordinance 2017-64 amends the boundaries in place with the JEDD in partnership with Liberty Township, Mason and Middletown since 2006. This agreement has been amended twice, in 2010 and 2013. JEDD's are used to provide development assistance to unincorporated areas without pursuing annexation. Jennifer stated the new jurisdiction has the ability for an earnings tax to generate revenues that benefit the overall objectives of the JEDD. The property taxes remain in the township and new income tax dollars are shared between the cities and the JEDD District. The earnings tax is used to aid in business development through infrastructure improvements. To date the City of Mason has received \$1,263,190 for the current JEDD priorities including the Mason Road Widening, Mason Road/Hickory Woods Roundabout and Mason-Montgomery/Bethany Roads Roundabout. The proposed project includes 11 parcels adjacent to the JEDD district.

Public Hearing was closed at 8:30 p.m.

A motion to adopt ordinance 2017-64 was made by Councilmember Nelson, seconded by Councilmember Chance. VOTE: ALL YEAS.

ORDINANCE 2017-86 2ND READING: AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR PARTICIPATION IN THE REGIONAL ECONOMIC DEVELOPMENT INITIATIVE (REDI) CINCINNATI IN AN AMOUNT NOT TO EXCEED \$50,000 PER YEAR FOR THREE YEARS

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

Eric Hansen stated REDI is a collaborative economic development organization between the state of Ohio and Cincinnati region. With an increase in Mason's participation to a board level of \$50,000 per year contribution, this agreement solidifies Mason's leadership in the region with economic development and guiding international economic development efforts.

A motion to adopt Ordinance 2017-86 was made by Councilmember Pelfrey, seconded by Councilmember Chance. VOTE: ALL YEAS.

ORDINANCE 2017-87 2ND READING: AUTHORIZING THE CITY OF MASON TO REIMBURSE AMBLESIDE DEVELOPMENT, LLC FOR DESIGN AND ENGINEERING FEES FOR CERTAIN PUBLIC IMPROVEMENTS, IN AN AMOUNT NOT TO EXCEED \$72,606

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

Eric Hansen addressed Ordinance 2017-87 and Ordinance 2017-88. The property owner and the developer of the Ambleside Meadows subdivision have previously submitted a petition initiating the process for public improvements to be constructed by the City in accordance with the Development Agreement. The assessment district initiated by the property owner requires the City to complete the improvements then be paid back thru a property tax assessment. The assessment district is a mutual benefit because it accomplishes the public improvements needed

for the development and future Mason residents at the lowest cost to current taxpayers. Eric said future residents will have the benefit of being City of Mason residents without the burden of double taxation from remaining in Union Township, access to City utilities and services, and the developer will be able to deliver and market a housing product consistent with Mason standards without undue costs to current City of Mason residents. Ordinance 2017- 88 will authorize the issuance of General Obligation Special Assessment Bonds to pay for the public improvements. Ordinance 2017 -87 will authorize the reimbursement to the developer for the cost of designing the public improvements

A motion to adopt Ordinance 2017-87 was made by Councilmember Nelson, seconded by Councilmember Grossmann. VOTE: ALL YEAS.

ORDINANCE 2017-88 2ND READING: AN ORDINANCE PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$2,100,000 OF BONDS BY THE CITY OF MASON, OHIO, FOR ROAD AND UTILITY IMPROVEMENT SPECIAL ASSESSMENTS IN THE CITY

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

A motion to adopt Ordinance 2017-88 was made by Councilmember Chance, seconded by Councilmember Pelfrey. VOTE: ALL YEAS.

ORDINANCE 2017-89 APPROVAL OF THE FINAL PLAT FOR AMBLESIDE MEADOWS, PHASE 1D

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

Kurt Seiler stated Phase 1D includes 18 buildable lots and 2 open space lots. These lots front on Ambleside Drive and Normandy Court. Planning Commission recommended approval of the final plat contingent upon the submittal of the performance bond and Subdivider's contract.

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.

Vice Mayor Spaeth and Kurt Seiler discussed creating a visual chart of lots added year-to-date and future lots added will be based on sales and market.

A motion to adopt Ordinance 2017-89 was made by Councilmember Pelfrey, seconded by Councilmember Prince. VOTE: ALL YEAS.

ORDINANCE 2017-90 APPROVAL OF THE FINAL PLAT FOR THE RESERVES OF CARMELLE, PHASE 4B

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

Kurt Seiler stated Phase 4B consists of 20 buildable lots that all front on Highland Green Drive. Planning Commission recommended approval of the final plat contingent upon the submittal of the performance bond and Subdivider's contract.

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 2017-90 was made by Councilmember Nelson, seconded by Councilmember Chance. VOTE: ALL YEAS.

ORDINANCE 2017-91 APPROVAL OF THE REPLAT OF LOTS 11, 12, 19 AND 20 OF THE P.W.WYCOFF'S ADDITION SUBDIVISION

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

Kurt Seiler stated the proposal combines several lots to create two new lots, lot 11A and lot 19A. Lot 11A will include the new OM Oil gas station and the mounding and landscaping that is located behind the business. Lot 19A is undeveloped and owned by Grace Chapel. The proposed replat solves a number of current issues that exist on the site today, but also causes a zoning issue for each property. Both lots required variances for not meeting the required minimum lot size, which is 40,000 square feet. Kurt said Planning Commission recommended approval of the replat contingent upon the variance approval from the Zoning Board of Appeals. On March 28, 2017 the variances were approved by the Zoning Board of Appeals for the reduced lot size.

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.

A motion to adopt Ordinance 2017-91 was made by Vice Mayor Spaeth, seconded by Councilmember Chance. VOTE: ALL YEAS.

ORDINANCE 2017-92 ACCEPTING THE PUBLIC IMPROVEMENTS FOR ALVERTA – SECTION 3, BLOCKS A AND B AND RELEASING THE PERFORMANCE BONDS

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

Kurt Seiler stated this acceptance covers the last two sections of the Alverta subdivision located on the south side of Western Row Road. The utilities and other improvements will become the

City's responsibility upon acceptance. Staff recommends accepting public improvements, contingent on the submission of a one-year maintenance bond and a performance bond for the remaining incomplete items such as sidewalks and street trees.

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.

Mayor Kidd and Kurt Seiler briefly discussed the resolved drainage that was previously a concern draining into the Oakwood Lakes Subdivision.

A motion to adopt Ordinance 2017-92 was made by Councilmember Grossmann, seconded by Councilmember Chance. VOTE: ALL YEAS.

ORDINANCE 2017-93 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH EVAPCO INC., IN THE AMOUNT OF \$72,013, TO FURNISH AND DELIVER A REPLACEMENT COOLING TOWER AND DECLARING AN EMERGENCY

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

Jennifer Heft discussed Ordinance 2017-93 and Ordinance 2017-94. She stated these contracts would authorize a contract with Evapco, Inc. for installation of the new cooling tower at the Municipal Center and Trane U.S. Inc. for removal of the existing 15 year old cooling tower. Earlier this year Council approved Ordinance 2017 – 7 authorizing a contract with Trane U.S. Inc. for replacement of the chiller control panel and two valves. Jennifer said staff has caulked numerous leaks over the past several years in an attempt to seal the unit to extend the useful life, but the unit is in extremely bad shape continuously losing water. The cost of the new unit includes an upgrade to stainless steel construction to provide a longer useful life. Pricing for the cooling tower was done using the U.S. Communities contract-a cooperative purchasing program. An emergency clause has been added to the Ordinances to allow time for fabrication, installation and testing this fall for the 2018 cooling season.

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

A motion to adopt Ordinance 2017-93 was made by Councilmember Nelson, seconded by Councilmember Pelfrey. VOTE: ALL YEAS.

ORDINANCE 2017-94 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH TRANE U.S. INC., IN THE AMOUNT OF \$33,564, FOR INSTALLATION OF A COOLING TOWER

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

A motion to adopt Ordinance 2017-94 was made by Councilmember Chance, seconded by Councilmember Pelfrey. VOTE: ALL YEAS.

**ORDINANCE 2017-95 ADOPTING CHAPTER 168 OF THE CODIFIED
ORDINANCES OF THE CITY OF MASON ESTABLISHING THE MASON BOARD OF
VETERANS' AFFAIRS**

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

Eric Hansen stated in 2001, a Veterans Memorial Committee was created, included members of Council along with citizens and veterans, to memorialize and honor local veterans with the development of a Veterans Memorial. In 2012, a Veterans' Affairs Committee of Council was established for the continued support and promotion of veterans in the community. In 2016, discussions began between Board members of the Veterans Memorial Committee and the Veterans' Affairs Committee of Council that led to the proposal for the establishment of a Board of Veterans' Affairs. As proposed, the Board would consist of five members: two Board members nominated by the American Legion, Veterans of Foreign Wars, Disabled American Veterans, or a veteran residing in the City, and the three remaining would be Council members appointed by the Mayor on a bi-annual basis. Duties of the Board include providing advice and assistance revolving around care, promotion and support of veteran's. The expectation is that the non-profit committee will be dissolving and the new Board will replace existing Veteran's Affairs Committee of Council. The Veterans Committee has been meeting with veterans groups and is recommending adoption. The establishment of the Board of Veterans' Affairs demonstrates the cooperative partnership between the City and local veterans' organizations to ensure the continued support and commitment to Mason's veterans and the long-term preservation of the Mason's Veteran's Memorial.

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

Councilmember Prince thanked John Looker as well as Councilmember Pelfrey and Councilmember Nelson for their efforts to ensure the future of the Veteran's Memorial will be cared for.

Vice Mayor Spaeth was curious why more Councilmembers rather than veterans were on the committee. Councilmember Prince advised Council will remain in control of the funding and the City accepts maintenance and expenditures for the monuments.

A motion to adopt Ordinance 2017-95 was made by Councilmember Chance, seconded by Councilmember Pelfrey. VOTE: ALL YEAS.

Mayor appointed Councilmembers Pelfrey, Councilmember Prince and Councilmember Nelson as Council representatives and Roger Herron, Commander of the Disabled American Veterans Chapter 59 (2 year appointed) and George Lude, American Legion Executive Committee (1 year appointed) as the initial members of the Board.

A motion to confirm the initial members of the board was made by Councilmember Pelfrey, seconded by Councilmember Prince. VOTE: ALL YEAS.

OLD AND NEW BUSINESS

Councilmember Pelfrey stated the Downtown Committee will be conducting a walk-through of the Downtown Plaza for a visual of what a new shade structure could look like to get a better idea for pricing. Councilmember Prince suggested marking areas for dimensions.

Councilmember Pelfrey advised she was pleased with the overwhelming response for Music in Mason and inquired about adding one more encore event at the Downtown Plaza in August. Council and Eric Hansen discussed adding one more Music in Mason event, marketing details, possible dates, and the promotion of the community and engaging local businesses with these events.

RECOGNITION OF VISITORS - None

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

A motion to adjourn into Executive Session for the purpose of discussing land acquisition, employment/compensation of public employee and pending litigation was made by Councilmember Nelson, seconded by Vice Mayor Spaeth. VOTE: ALL YEAS. TIME: 8:45 p.m.

A motion to reconvene into Regular Session was made by Councilmember Pelfrey, seconded by Councilmember Prince. VOTE: ALL YEAS. TIME: 10:08 p.m.

A motion to add Ordinance 2017-96 to the agenda was made by Councilmember Nelson, seconded by Councilmember Pelfrey. VOTE: ALL YEAS.

ORDINANCE 2017-96 AUTHORIZING THE CITY MANAGER TO ENTER INTO A GROUND LEASE AGREEMENT WITH THE BOARD OF COUNTY COMMISSIONERS OF WARREN COUNTY RELATED TO THE COMMON GROUND PARK PROJECT

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 2017-96 was made by Councilmember Nelson, seconded by Councilmember Chance. VOTE: ALL YEAS.

ADJOURN

A motion to adjourn was made by Councilmember Nelson, seconded by Councilmember Chance. VOTE: ALL YEAS. TIME: 10:15 p.m.

Clerk of Council

Mayor