

**CITY OF MASON
COUNCIL MEETING
JANUARY 8, 2018**

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: Diana K. Nelson, Barbara Berry-Spaeth, Ashley Chance, Kathy Grossmann, Michael E. Gilb, T.J. Honerlaw, and Victor Kidd.

APPROVAL OF MINUTES

A motion to approve the December 11, 2017 Council Work Session and Council Meeting Minutes was made by Councilmember Chance, seconded by Vice Mayor Spaeth. VOTE: ALL YEAS.

CITY MANAGER'S REPORT

The City began Christmas tree pick-up on January 2. Residents should place their live trees without ornaments at curbside for pickup to divert trees from going to the landfill and keeping Rumpke rates low. 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 Saturday, February 17 from 9:00 a.m. to 12:00 p.m. This free event promotes overall lifestyle health and wellness through exhibits, activities, and information presentations.

One of the City's signature services is snow and ice removal provided by crews across all City departments. There are 17 snow plow routes throughout the City. Maximizing the City's trucks and crews takes 12-18 hours to clear routes of snow from curb to curb. Per one inch of snowfall, approximately 200 tons or more of salt, 1,000 gallons of calcium chloride, 125 labor hours to operate the equipment, and 200 gallons of fuel are used. The typical winter season brings 12-15 snow events and approximately 5,000 tons of salt and 8,000 gallons of calcium will be used. The new Service Center provides an area for the salt to stay dry and trucks warmed up to be ready to go. Safety during snow and ice events is priority and the City strives to keep roads open, prevent accidents, and help keep schools open. This service preserves an estimated amount of \$1 million in maintained commercial activity.

COMMITTEE REPORTS

Councilmember Nelson congratulated the City in receiving the highest credit rating available from Moody's Investor Service. The City's General Obligation Bond rating at AAA is higher than the State of Ohio and most municipalities within the state. She pointed out a few positive

comments including Mason's excellent credit position, Mason's robust financial position, the economy and tax base of Mason being very strong, and current management doing a great job. Economic development, healthy financial operations, fund balance reserves, stable income taxes, and manageable debt burden were recognized. She thanked City staff for their leadership and hard work.

Vice Mayor Spaeth reviewed Common Ground Playground's Rainbow of Hope graph which shows the seven phases to be completed for the project. Currently, three of the seven phases have been completed. She also encouraged attendance at the Comets for Common Ground fundraising event on Saturday, January 27. SIBS, Students Involving and Befriending Students, coordinated Mason City Schools' staff competing in wheelchairs against the Cincinnati Royals basketball team. Student groups will perform during breaks throughout the game.

Councilmember Chance introduced Mason High School students as part of a new internship program assisting Councilmembers.

RECOGNITION OF VISITORS – None

RESOLUTION 2018-1 REQUESTING THE COUNTY AUDITOR TO MAKE TAX ADVANCES DURING THE YEAR 2018 PURSUANT TO SECTION 321.34 OF THE OHIO REVISED CODE

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

Jennifer Heft stated when property taxes are collected by the County, the County Auditor has several months after the due date to distribute funds owed to local governments. During this time, the County will earn interest from the funds. State law allows local governments to request payments of the taxes prior to the required settlement date which helps improve cash flow for the local government and allows the local government to earn additional interest for itself rather than the County. This resolution will authorize the Finance Director to request tax payments return to the City.

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 2018-1 was made by Councilmember Chance, seconded by Councilmember Nelson. VOTE: ALL YEAS.

ORDINANCE 2018-1 FIRST READING: AMENDING THE ZONING CODE AND ZONING MAP OF THE CITY OF MASON, OHIO TO PROVIDE FOR THE REZONING OF APPROXIMATELY 10.88 ACRES FROM I-1 LIGHT INDUSTRIAL TO I-PUD (INDUSTRIAL PLANNED UNITED DEVELOPMENT) WITH APPROVAL OF THE CONCEPT PLANNED UNIT DEVELOPMENT PLAN LOCATED ON CASTLE DRIVE, ADJACENT TO 1224 CASTLE DRIVE (KHAN NOOR SUBDIVISION)

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

Kurt Seiler set the Public Hearing date for Monday, February 12, 2018.

ORDINANCE 2018-2 APPROVAL OF THE FINAL PLAT FOR AMBLESIDE MEADOWS, PHASE 5A

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

Kurt Seiler stated phase 5A is a 5 ½ acre section of the development which contains 10 single family lots. This subdivision consists of 314 buildable lots. Planning Commission recommended approval of the final plat contingent upon the submittal of the Performance Bond and the Subdivider's contract.

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 2018-2 was made by Vice Mayor Spaeth, seconded by Councilmember Nelson. VOTE: ALL YEAS.

ORDINANCE 2018-3 APPROVAL OF THE DEDICATION PLAT FOR MASON-MONTGOMERY ROAD (UDF)

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

Kurt Seiler said the dedication plat for Mason-Montgomery Road will dedicate the additional right-of-way necessary to meet the requirements of the City of Mason Thoroughfare Plan.

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

A motion to adopt Ordinance 2018-3 was made by Vice Mayor Spaeth, seconded by Councilmember Gilb. VOTE: ALL YEAS.

ORDINANCE 2018-4 AN ORDINANCE TO AMEND CHAPTER 182 OF THE CODIFIED ORDINANCES OF THE CITY OF MASON REGARDING MUNICIPAL INCOME TAX AND DECLARING AN EMERGENCY

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

Eric Hansen stated this Ordinance changes the due date for quarterly withholding from the 15th day of the month to the end of the month following the quarter. In the original ordinance passed

in 2015, the wording on the due date of the reporting said monthly versus quarterly. On September 25, 2017 City Council approved Ordinance 2017-117 to join a coalition of municipalities who were formed to initiate litigation challenging the amendments contained in HB 5 and HB 49 for municipal income tax centralized collection and other encroachment upon home-rule. City Law Director Jeff Forbes is coordinating the City's role with the coalition and special counsel. A stay on the January 31, 2018 deadline to adopt ordinances implementing HB49 municipal tax provisions until February 24, 2018 was granted. Jeff Forbes stated the case is scheduled for a hearing on an injunction on February 12 and 13, 2018.

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

A motion to adopt Ordinance 2018-4 was made by Councilmember Nelson, seconded by Councilmember Chance. VOTE: ALL YEAS.

ORDINANCE 2018-5 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 Chance, seconded by Councilmember Gilb. VOTE: ALL YEAS.

Jennifer Heft discussed Ordinance 2018-5, Ordinance 2018-6, and Ordinance 2018-7 together. She stated in 2006, the Finance Committee developed and Council approved a program to guide contributions to local non-profit organizations. The program limits the City contributions to \$8,000 and no more than a third of a group's budget through a matching program where the City contributes one dollar for every two dollars raised from other sources by the non-profit group. The Finance Committee also recommended a total cap on the program of \$50,000. The City received five requests for participation in the program in 2018 including The Mason Historical Society, The Warren County Humane Society, Blues Skies for the Good Guys and Gals Warrior Foundation, Project Rise Above, and Women Walking West. She said the Finance Committee requested to meet with representatives from Project Rise Above as well as Women Walking West to gain a better understanding of their current status and fundraising efforts prior to approving their participation in the program in 2018.

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

Councilmember Honerlaw stated although these are excellent charities to donate to, he does not suggest the City disperse monies to local non-profit organizations.

A motion to adopt Ordinance 2018-5 was made by Councilmember Chance, seconded by Vice Mayor Speath. VOTE: 6 YEAS, 1 NAY (Honerlaw).

ORDINANCE 2018-6 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.

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 2018-6 was made by Vice Mayor Spaeth, seconded by Councilmember Chance. VOTE: 6 YEAS, 1 NAY (Honerlaw).

ORDINANCE 2018-7 AUTHORIZING PAYMENT IN AN AMOUNT NOT-TO-EXCEED \$8,000 TO THE BLUE SKIES FOR THE GOOD GUYS AND GALS WARRIOR FOUNDATION, A PRIVATE NON-PROFIT ORGANIZATION

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

A motion to adopt Ordinance 2018-7 was made by Vice Mayor Spaeth, seconded by Councilmember Chance. VOTE: 5 YEAS, 1 NAY (Honerlaw), 1 ABSTAIN (Nelson).

OLD AND NEW BUSINESS – None

RECOGNITION OF VISITORS

Sheriff Larry Sims highlighted the importance of issue 3 from the November 2015 ballot. He stated he is concerned with how medical marijuana will impact our youth. Mayor Kidd advised Council agrees to place the issue on the ballot for citizens to vote on and Sheriff indicated he is pleased the intention is to let the voters make the decision. Mayor requested Sheriff Sims put information together to offer citizens the Sheriff's perspective. Councilmember Nelson clarified issue 3 was for legalizing marijuana for recreational use and does not pertain to this topic of the zoning of medical marijuana. Council and staff discussed how the Ordinance has not been voted on yet, a public hearing has already been set for January 22, 2018, clarifying that the vote will be for the zoning of marijuana and not use of medical marijuana. Councilmember Gilb requested Sheriff Sims research and provide information on the zoning of medical marijuana, not the use of marijuana. Councilmember Grossmann and Sheriff Sims discussed residents' options to petition for marijuana plant medication currently and marijuana on the black market.

EXECUTIVE SESSION: LAND ACQUISITION

A motion to adjourn into Executive Session for the purpose of land acquisition was made by Councilmember Chance, seconded by Councilmember Gilb. VOTE: ALL YEAS. TIME: 7:57 p.m.

A motion to reconvene into Regular Session was made by Councilmember Chance, seconded by Councilmember Grossmann. VOTE: ALL YEAS. TIME: 8:36 p.m.

Eric Hansen stated the Royal Theatre Company requested the City sponsor their Red Carpet Gala event to raise funds for their capital campaign on January 19, 2018 at 6:30 p.m. A motion to sponsor a table of 8 people for \$800 at the Royal Theatre Gala event was made by Vice Mayor Spaeth, seconded by Councilmember Chance. VOTE: 5 YEAS, 1 NAY (Honerlaw), 1 ABSTAIN (Kidd).

Councilmember Grossmann offered to contribute to the purchase of the table privately instead of through the City.

ADJOURN

A motion to adjourn was made by Councilmember Chance, seconded by Councilmember Nelson. VOTE: ALL YEAS. TIME: 8:40 p.m.