

**CITY OF MASON
COUNCIL MEETING
OCTOBER 22, 2018**

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

ATTENDANCE

The following members of Council were present: Diana K. Nelson, Ashley Chance, Kathy Grossmann, T. J. Honerlaw, and Victor Kidd. Barbara Berry-Spaeth and Michael Gilb were absent.

APPROVAL OF MINUTES

A motion to approve the October 8, 2018 Council Meeting Minutes was made by Councilmember Nelson, seconded by Councilmember Gilb. VOTE: ALL YEAS.

CITY MANAGER'S REPORT

The next scheduled Council Meeting is Monday, November 12. A reception in honor of National Small Business Week will be held at 6:00 p.m. prior to the meeting.

A motion to offer a holiday gift certificate for Butcher Bill's, Kroger's, or the Community Center for each City employee was made by Councilmember Chance, seconded by Councilmember Grossmann. VOTE: ALL YEAS.

The 4th Annual Mason Corporate Challenge was held on Saturday, October 20 at Mason Golf Center. The event was well attended and shared an emphasis on community wellness and giving. Several major Mason employers raised funds for their selected charities. The funds raised from City employees will benefit the Mason Parks and Recreation Foundation.

Halloween will be celebrated on Wednesday, October 31 between 6:00 p.m. and 8:00 p.m. Rain or shine.

November 8, 9, and 10 are Member Appreciation Days at the Community Center. This is an opportunity for members to bring a friend free without using a guest pass and for several prizes, drawings, and activities.

A Veteran's Day Ceremony will be held at 6:00 p.m. on Sunday, November 11 at the Mason Municipal Center. The Community is encouraged to attend.

A motion to not request a public hearing for a C1, C2 liquor permit for Kings Mills Liquor LLC at 5271 Kings Mills Road was made by Councilmember Chance, seconded by Councilmember Nelson. VOTE: ALL YEAS.

A motion to not request a public hearing for a D2, D3 liquor permit for Pazzo Pazzo LLC at 5271 Kings Mills Road was made by Councilmember Honerlaw, seconded by Councilmember Chance. VOTE: ALL YEAS.

COMMITTEE REPORTS

Councilmember Grossmann stated the Arts and Entertainment Committee is gearing up for December events including the Tree Lighting Ceremony on December 7 at 6:30 p.m. on the Downtown Plaza. This is the 50th anniversary for the Mason Deerfield Chamber of Commerce and they encourage all businesses to light up downtown with lights. She encouraged the community to attend the Warren County Special Olympics games on Fridays in January at the Community Center.

Councilmember Nelson said the FCC announced they issued a declaratory ruling and order regarding how municipalities will regulate small cell wireless infrastructure. This overrides sections of HB 478. However, the Ohio Municipal League, AT&T, and other cell companies agreed to keep within the regulations of HB 478, following the rules set forth by the City of Mason.

COMMON GROUND CONTRIBUTIONS PRESENTATION

Chrissy Avery, Parks and Recreation Director, said there has been a significant amount of momentum and support towards making Common Ground Playground a reality. She recognized organizations for their recent contributions towards the project and invited members of those organizations to present checks to Rachel Kopfler, President of the Mason Parks and Recreation Foundation. Zephyr Wheel Sports raised \$1,000 during their School Yard Rumble at Mason High School, Crossroads Church raised \$10,000 during their second annual We Run 5K/10K event, and HiFive Architects generously donated \$5,000. The City of Mason raised funds in the amount of \$6,000 during the annual Mason Tri-Umpant Triathlon and over \$4,000 from the annual Corporate Challenge. Mayor added it's not the government officials that make the community great, it's the volunteers, quality businesses and organizations, and good-hearted residents.

RECOGNITION OF VISITORS – None.

ORDINANCE 2018-123 AN ORDINANCE ACCEPTING THE LOWEST AND BEST BID FOR THE COMMON GROUND PARK – PHASE 1A – SITE WORK, FROM FORD DEVELOPMENT CORPORATION, IN THE AMOUNT OF \$593,083 AND AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT DOCUMENTS

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

Eric Hansen stated with increasing contributions, a grant from the State, and the City's matching program to match dollars raised privately, the City is preparing for the construction phase of Common Ground Park. The first phase of construction is the general site work which includes grading the site, installing underground utilities such as storm and sewer, and installation of the

parking lot. The first phase of the project was bid for the site work portion and an alternate bid was requested to allow a reduced price through a vendor donation for a portion of the piping. The Parks Foundation will reimburse 50% of the cost of this phase as part of the matching funds allotted in the City's 2017 and 2018 budget. He said once completed, the park will be owned and operated by the City of Mason. Some construction is anticipated to occur over the winter but the most significant work will occur in the spring of 2019.

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

Councilmember Chance shared enthusiasm of the park providing the opportunity for children to play with siblings and friends. He read a statement for Vice Mayor Spaeth who was not able to attend. This is a landmark initiative that will serve the entire region and country. She is excited to see this project coming to fruition and each part of this process bringing the City closer to their goal. Vice Mayor Spaeth expressed gratitude towards Rachel Kopfler for her tenacity, perseverance, faith, and dedication and thanked those in the community who have volunteered or contributed to this project, City employees, and Council members for their support.

Councilmember Grossmann stated this park started with a dream and Rachel Kopfler navigated this project through dedication and diplomacy. She assured the community although this project is expensive, it is a unique private/public collaboration that provides the ability to offset costs. She encouraged residents and businesses to be confident in investing in this project.

A motion to adopt Ordinance 2018-123 was made by Councilmember Chance, seconded by Councilmember Nelson. VOTE: ALL YEAS.

ORDINANCE 2018-124 AN ORDINANCE ACCEPTING THE LOWEST AND BEST BID FOR THE INNOVATION WAY BRIDGE REHAB PROJECT FROM RACK AND BALLAUER EXCAVATING, INC., IN THE AMOUNT OF \$103,129 AND AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT DOCUMENTS

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

Kurt Seiler said two culverts, considered a bridge in the State of Ohio, are located beneath Innovation Way, just north of the Fujitec driveway. The rating from the last inspection was poor which allowed the option for grant funding. Upon further inspection by City and ODOT staff, it was determined that the culverts are in good condition and could be repaired by paving the inverts and welding rebar in cracked areas. The 2018 budget included \$300,000 for this project. This project is just over \$100,000 and 95% will be reimbursed with federal funds. Rack & Ballauer recently completed the Bethany Road and Mason-Montgomery Road Bike Path Project with satisfactory results.

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.

Councilmember Honerlaw and Kurt discussed the culverts being corrugated metal and put in over 30 years ago.

A motion to adopt Ordinance 2018-124 was made by Councilmember Nelson, seconded by Councilmember Honerlaw. VOTE: ALL YEAS.

ORDINANCE 2018-125 AN ORDINANCE ACCEPTING THE PROPOSAL FOR DESIGN OF THE SR 741 WIDENING PROJECT PART 2 FROM PALMER ENGINEERING COMPANY, IN THE AMOUNT NOT TO EXCEED FEE OF \$584,506, AND AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT DOCUMENTS

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

Kurt Seiler stated Phase 1 of this design was for preliminary engineering for the widening of SR 741 from Spyglass Hill to Welden Drive. Due to the length and complexity of the project, the engineering was split into two parts. This was done to save costs for engineering design by reducing assumptions and allowing the alignment, bridge widening and utility conflicts to be identified prior to authorizing the final design. Part 2 is the final design which will complete the right-of-way and final engineering tasks. Two grants sources were received for this project; one from OKI and one from Safety Funds. Palmer Engineering has done satisfactory work in completing part 1 of the contract. He said the 2018 budget included \$600,000 towards the design fee for this project.

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

A motion to adopt Ordinance 2018-125 as amended was made by Councilmember Nelson, seconded by Councilmember Chance. VOTE: ALL YEAS.

ORDINANCE 2018-126 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH HACH FOR THE PURCHASE OF DISSOLVED OXYGEN AND OXIDATION REDUCTION POTENTIAL SENSORS AND PROBES FOR THE WATER RECLAMATION PLANT IN AN AMOUNT NOT TO EXCEED \$40,000 AND DECLARING AN EMERGENCY

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

Jennifer Heft stated sensors and probes are used in oxidation ditches to monitor and provide oxygen needed to maintain the balance necessary for treatment operations. With the need to add two additional aerators to the Water Reclamation Plant, eight additional sensors and probes would be added to thoroughly monitor operations. The proposed equipment provided by Hach is consistent with the existing equipment at the plant allowing for spare probes and sensor to be interchangeable. An emergency clause has been added to enable installation with the addition of the new aerators in 2019.

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

A motion to adopt Ordinance 2018-126 was made by Councilmember Nelson, seconded by Councilmember Chance. VOTE: ALL YEAS.

ORDINANCE 2018-127 ESTABLISHING A POLICY FOR DECLARING CERTAIN PROPERTY AS SURPLUS PROPERTY, AUTHORIZING DISPOSING OF SAID SURPLUS PROPERTY AND THE LEASE OF PROPERTY

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

Eric Hansen said Ohio Revised Code Chapter 721 has very specific requirements for the sale and lease of municipal property. Certain requirements do not provide the flexibility the City of Mason utilizes without taking formal legislative action including items such as use of municipal meeting rooms at no charge to partners and donating older items no longer of use for the City to organizations. He said this ordinance will formalize the practice already established by the City and avoid unnecessary issues with the City's annual audit.

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

A motion to adopt Ordinance 2018-127 was made by Councilmember Nelson, seconded by Councilmember Grossmann. VOTE: ALL YEAS.

OLD AND NEW BUSINESS – None.

RECOGNITION OF VISITORS – None.

EXECUTIVE SESSION: EMPLOYMENT/COMPENSATION OF PUBLIC EMPLOYEES

A motion to adjourn into Executive Session for the purpose of employment/compensation of public employees was made by Councilmember Nelson, seconded by Councilmember Chance. VOTE: ALL YEAS. TIME: 7:38 p.m.

A motion to reconvene into Regular Session was made by Councilmember Chance, seconded by Councilmember Nelson. VOTE: ALL YEAS. TIME: 7:52 p.m.

ADJOURN

A motion to adjourn was made by Councilmember Nelson, seconded by Councilmember Chance. VOTE: ALL YEAS. TIME: 7:52 p.m.