

**CITY OF MASON  
COUNCIL MEETING  
JANUARY 14, 2019**

The meeting was called to order at 7:01 p.m. Chaplain Tom Moll 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 Gilb, T. J. Honerlaw, and Victor Kidd.

**APPROVAL OF MINUTES**

A motion to approve the December 10, 2018 Worksession Meeting Minutes and December 10, 2018 Council Meeting Minutes was made by Councilmember Nelson, seconded by Councilmember Chance. VOTE: ALL YEAS.

**CITY MANAGER'S REPORT**

Christmas tree collection continues through the end of January. Mason residents should place their trees at curbside for pickup. Trees placed in bags at the curb will be removed by Rumpke.

City offices will be closed on Monday, February 18 in observance of President's Day. Mason Community Center will remain open with normal operating hours.

The Community Center is hosting a Wellness Expo on Saturday, February 20 from 10:00 a.m. to 1:00 p.m. This event promotes overall lifestyle health and wellness through exhibits, games, activities and presentations and is free to the community.

A motion to not request a public hearing for a D5I, D6 liquor permit transfer from Sammys Management Group Mason LLC to Acapulcos Mexican Inc at 6691 Western Row Road and Patio was made by Vice Mayor Spaeth, seconded by Councilmember Honerlaw. VOTE: ALL YEAS.

A motion to not request a public hearing for a D5A liquor permit for Pristine Hospitality LLC at 2720 Waterpark Drive was made by Councilmember Chance, seconded by Vice Mayor Spaeth. VOTE: ALL YEAS.

A motion to not request a public hearing for a C1, C2, D6 liquor permit transfer from CFS 29097 Inc to Dhanvi Enterprise LLC at 5542 S SR741 was made by Vice Mayor Spaeth, seconded by Councilmember Nelson. VOTE: ALL YEAS.

## **COMMITTEE REPORTS**

Councilmember Chance expressed sympathy for Colerain Officer Woods who was laid to rest and asked the community to keep him in their prayers. He thanked Mason Police Officers for their service and Public Works and City staff for their outstanding work with snow removal. Mayor Kidd stated snow removal is a long standing proactive service to the community.

## **MASON CHALLENGER GROUP PRESENTATION**

Susan Murdock, Sandy Pierce, Steve Kelly, and Jamie Campbell represented Mason's Challenger League and presented on the success of the Ohio Challenger Jamboree this past July. The 3-day event at Sundin Fields at Heritage Oak Park hosted over 400 athletes and their families and friends. They thanked City and community volunteers for assisting leading up to and the day of the event and thanked local vendors and donors. They were grateful for the City partnering for the event and received overwhelming feedback on how beautiful and friendly Mason's community is. Mayor Kidd said Mason's residents are what make the community wonderful. Vice Mayor Spaeth said the Common Ground Playground will be a great addition for the Challenger League.

## **RECOGNITION OF VISITORS**

Perry Denehy of 4184 Fieldsedge Drive stated he receives responses from Council, but wanted to ensure the community understood the online form is not a direct contact to Council. Eric Hansen advised the online form allows sensitivity to public records, removing spam concerns, and providing the option for staff to answer general inquiries that can receive a quick reply. Mayor Kidd advised emailing all Council at the same time ensures every Councilmember receives the same information.

## **RESOLUTION 2019-1 REQUESTING THE COUNTY AUDITOR TO MAKE TAX ADVANCES DURING THE YEAR 2019 PURSUANT TO SECTION 321.34 OF THE OHIO REVISED CODE**

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

Jennifer Heft said 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. 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.

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 Resolution 2019-1 was made by Councilmember Nelson, seconded by Councilmember Chance. VOTE: ALL YEAS.

**ORDINANCE 2018-136 AMENDING THE ZONING CODE AND ZONING MAP OF THE CITY OF MASON, OHIO TO PROVIDE FOR THE REZONING OF APPROXIMATELY 3.19 ACRES FROM B-3 (ROAD SERVICE COMMERCIAL) TO B-PUD (BUSINESS PLANNED UNIT DEVELOPMENT) WITH APPROVAL OF THE CONCEPT PLANNED UNIT DEVELOPMENT PLAN LOCATED ADJACENT TO 6391 READING ROAD (BRIGHTSTAR PUD)**

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

The public hearing was opened at 7:27 p.m.

Kurt Seiler stated the property is approximately 3.19 acres located adjacent to 6391 Reading Road and currently zoned B-3. The proposal is to rezone it to B-PUD, Business Planned Unit Development. The proposed facility is two stories and approximately 33,000 square feet including 41 senior living units that will cater to assisted living and memory care operations. The site includes 24 parking spaces and amenities for the residents including an outdoor patio and a pocket park. The site also includes approximately 28% of open space. Three variances for this project include a reduced minimum development area (from 5 acres to 3.19 acres), a reduced front yard setback (from 50 feet to 25 feet), and a reduced requirement for parking (from 47 to 24 spaces). There is not a concern with the applicant's requested variances due to the size of the proposed building and shape of the lot. He said Planning Commission recommended the rezoning and concept plan subject to the building being comprised of high-quality building materials including masonry, cement fiber siding, glass, wood, or other similar materials. The building shall not use vinyl siding. Furthermore, additional buffering would be needed above and beyond the City's Landscape Ordinance requirements along Reading Road to soften the building from the street due to the requested variances. Kurt stated the City of Mason Comprehensive Plan identifies this property as Neighborhood Mixed Use. The proposed development does not fit into this category; however, it is a good transitional use from the park to the east and the commercial properties along Reading Road.

Dan Sisel of Berengaria Development said this senior living community will be focused on residents with a higher level of acuity. With residents unable to drive, the parking is designed for visitors and staff. The size of the community is intimate with 23 units in assisted living and 12 residents in each unit providing an opportunity to build relationships.

Councilmember Nelson and Dan discussed current parking plans allowing for expansion. She stated this facility will be a great asset to our community.

Councilmember Grossmann and Dan discussed memory care residents living on the second floor with an outdoor area available.

The public hearing was closed at 7:33 p.m.

A motion to adopt Ordinance 2018-136 was made by Councilmember Nelson, seconded by Councilmember Chance. VOTE: ALL YEAS.

**ORDINANCE 2018-137 ADOPTING THE REVISION, CODIFICATION, RECODIFICATION, REARRANGEMENT AND PUBLICATION OF THE ORDINANCES AND RESOLUTIONS OF THE CITY OF MASON, IN BOOK FORM, FOR THE CURRENT SUPPLEMENT**

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

Eric Hansen said there are many ordinances throughout the year passed, such as developments or purchasing items, that do not constitute laws. Codification takes individual laws passed and places them in a formal format referred to as the Codified Ordinances. Staff's objective is to annually update the City's codification to accurately reflect the operations of the City. The new codification will reflect the voter-adopted Charter amendment that changed a section of the Charter.

A motion to adopt Ordinance 2018-137 was made by Councilmember Gilb, seconded by Councilmember Nelson. VOTE: ALL YEAS.

**ORDINANCE 2019-1 FIRST READING: AMENDING THE ZONING CODE AND ZONING MAP OF THE CITY OF MASON, OHIO TO PROVIDE FOR THE REZONING OF APPROXIMATELY 8.5 ACRES FROM B-3 (ROAD SERVICE COMMERCIAL) TO B-PUD (BUSINESS PLANNED UNIT DEVELOPMENT) WITH APPROVAL OF THE CONCEPT PLANNED UNIT DEVELOPMENT PLAN LOCATED ADJACENT AT 5579 S.R. 741 AND BEHIND 5571 S.R. 741 (741 PUD)**

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

A Public Hearing is scheduled for February 11, 2019.

**ORDINANCE 2019-2 APPROVAL OF THE REPLAT FOR KINGS MILLS PLAZA SECTION 1A**

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

Kurt Seiler stated this replat will shift the property line between Lots 1 and 2 to the west. Lot 1 will be reduced and will be renamed Lot 1A. Lot 2 will be increased and will be renamed Lot 2A.

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

A motion to adopt Ordinance 2019-2 was made by Councilmember Chance, seconded by Councilmember Honerlaw. VOTE: ALL YEAS.

**ORDINANCE 2019-3 APPROVAL OF THE COX-SMITH ROAD DEDICATION PLAT (S-K MASON AREA)**

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

Kurt Seiler stated this realignment is part of a Joint Economic Participation Agreement with Spectrum Retirement. The plat will dedicate 0.961 acres of right-of-way to accommodate the realignment of Cox-Smith Road.

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.

A motion to adopt Ordinance 2019-3 was made by Councilmember Nelson, seconded by Councilmember Honerlaw. VOTE: ALL YEAS.

**OLD AND NEW BUSINESS**

Councilmember Nelson and Kurt Seiler discussed the final PUD contract covering restrictions such as enforcing certain materials to be used and conditions to be followed.

**RECOGNITION OF VISITORS** – None.

**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 Honerlaw. VOTE: ALL YEAS. TIME: 7:40 p.m.

A motion to reconvene into Regular Session was made by Councilmember Chance, seconded by Councilmember Honerlaw. VOTE: ALL YEAS. TIME: 8:22 p.m.

A motion to appoint Jennifer Heft as acting City Manager January 28 through mid-February was made by Councilmember Chance, seconded by Councilmember Nelson. VOTE: ALL YEAS.

**ADJOURN**

A motion to adjourn was made by Councilmember Chance, seconded by Councilmember Nelson. VOTE: ALL YEAS. TIME: 8:22 p.m.