

**CITY OF MASON
COUNCIL MEETING
JANUARY 28, 2019**

The meeting was called to order at 7:00 p.m. Pastor 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, Michael Gilb, and T. J. Honerlaw. Victor Kidd was absent.

APPROVAL OF MINUTES

A motion to approve the January 14, 2019 Council Meeting Minutes was made by Councilmember Chance, seconded by Councilmember Honerlaw. VOTE: ALL YEAS.

CITY MANAGER'S REPORT

Child Advocacy Center of Warren County will be hosting the 11th Annual Blue Ribbon Nite Gala on Saturday, February 2 from 5:00 p.m. to 11:00 p.m. at the Great Wolf Lodge. This organization provides specialized services to children who have suffered trauma or abuse. A motion to purchase a table of 10 for City staff and Council was made by Councilmember Honerlaw, seconded by Councilmember Chance. VOTE: ALL YEAS.

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 be open with normal operating hours.

Member Appreciation Days are April 4, 5 and 6 at Mason Community Center. There will be prize drawings, premier member savings at Symbiosis, bring a friend free without a guest pass, and a basketball Shoot for Premier for members.

Steve Mumbach, TriHealth Senior Vice President of Ambulatory Services and Network Development, presented TriHealth's significant contribution towards the Common Ground Playground. He stated the contribution is another step towards TriHealth's commitment to healthy living in the community. He advised they are proud of what the partnership and TriHealth has brought to Mason over the last 15 years and is thankful for the growing and collaborative partnership with the City. He commended Mason's Police and Fire Departments. Jennifer Heft said TriHealth's significant investment to Common Ground goes beyond any public/private partnership and commends TriHealth's continuous relationship and support of Mason's culture. Ron Ferrell stated Rachel Kopfler, President of Mason Parks and Recreation Foundation, has been working on the Common Ground Playground project since 2006. This is a project that will help showcase the City of Mason and completion is expected fall 2019. Vice

Mayor Spaeth said Mason and TriHealth's partnership was the first public/private partnership developed in the City and has been an example leading our community. She noted this is TriHealth's second large contribution, with the first provided during Mason's Bicentennial year. Rachel Kopfler said she is excited to see the progress of Common Ground Playground and thanked TriHealth for their ongoing support.

COMMITTEE REPORTS

Councilmember Nelson reported on the financial activity for year 2018. Revenue figures are up 17% compared to 2017 and income tax collection is 19% higher due to the higher net profit tax and withholding tax collected from Mason's businesses. Revenue collected from residents was down 19% and business collection of net profit tax was up 104%. Taxes paid by businesses are estimated payments and actual amounts will not be known until tax returns are filed. 2018 expenditures were up 9% and overall Department operating expenditures were up 6%. Department operating expenses are within or close to the 2018 operating budget with the exception of a few Departments. Parks and services increased due to additional repairs and maintenance, Public Works increased due to increase in costs to maintain landscaping medians, and transfer to the Golf Course increased by \$135,000. The City's net activity was about \$4 million higher than last year allowing \$14 million to be transferred in to the General Capital Fund. This is \$3 million more than transferred in 2017 plus an additional \$1 million increase in net activity. Overall, the City's finances are healthy and exceeding expectations. She mentioned Community Development and Economic Development funds are expenditures that put Mason on the map and make the quality of life in Mason superior to other cities. She stated American Legion Post 194 is celebrating their 100th Anniversary in 2019. They will be partnering with the City for events throughout the year.

Councilmember Chance commended Michele Blair and the Economic Development teams' extensive work in retaining and bringing new businesses to Mason. He stated a Veteran's golf outing will be occurring at the Golf Center in June and additional information will be announced as details finalize. He met with residents that live contiguous to the Golf Course to brainstorm ideas of enhancing the quality of wellness provided to the community and quality of the course.

Councilmember Grossmann stated a Community Center Committee meeting is being planned brainstorming ideas for the swim community.

RECOGNITION OF VISITORS

Steve Jones of 913 Leslie Court complimented and thanked City staff for their perseverance and tenacity on New Year's Eve when a storm drain backed up in his neighborhood. He supports Ordinance 2019-7 for the purchase of a Vactor Combination Sewer Cleaning Vac Truck, the same equipment that helped him and his neighbors during an emergency. Vice Mayor Spaeth reminded residents to call non-emergency Police & Fire after hours to send staff out to assist with emergencies.

ORDINANCE 2019-4 APPROVAL OF THE MASON OAKS TOWNHOMES EASEMENT PLAT

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

Kurt Seiler stated this is a record plat for the Mason Oaks Townhomes on Mason-Montgomery Road, just south of the railroad overpass. The plat will dedicate a new 15' wide public access easement that will run from the property line adjacent to Mason-Montgomery Road to the eastern property line for future pedestrian access to Sundin Fields at Heritage Oak Park. The plat also includes the dedication of a sanitary sewer easement that will serve the property and a public access easement. Planning Commission recommended approval of the easement 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 Nelson. VOTE: ALL YEAS.

A motion to adopt Ordinance 2019-4 was made by Councilmember Nelson, seconded by Councilmember Honerlaw. VOTE: ALL YEAS.

ORDINANCE 2019-5 APPROVAL OF THE FINAL PLAT FOR CROOKED TREE PRESERVE SUBDIVISION PHASE 3B

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

Kurt Seiler stated this final plat for Crooked Tree Preserve Phase 3B is about a 40 acre section containing 16 single family lots and includes the extension of Sentinel Oak Drive to Bethany Road. The plat will dedicate the right-of-way, utilities, storm, and sewer easements. 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 Councilmember Chance. VOTE: ALL YEAS.

A motion to adopt Ordinance 2019-5 was made by Councilmember Nelson, seconded by Councilmember Chance. VOTE: ALL YEAS.

ORDINANCE 2019-6 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 Nelson, seconded by Councilmember Chance. VOTE: ALL YEAS.

Jennifer Heft said in 2006, the Finance Committee developed a policy to guide contributions to local non-profit organizations. The policy recommends limiting City contributions to \$8,000 and no more than a third of a group's budget. This was accomplished through a matching program where the City contributes one dollar for every two dollars raised by the non-profit group. The City received five requests for participation in the program. As a result, the Finance Committee recommended re-evaluating the current program in 2019. The Committee met on January 22 and began exploring options for an application process and procedures for considering participation in the program. Staff is compiling information and research and will be drafting revisions to the current program for consideration by the Finance Committee. She said the Finance Committee is recommending moving forward with contribution for the Mason Historical Society. The City began partnering with the Mason Historical Society in 1993. Since 2014, the City has contributed \$8,000 as part of the matching program.

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 Nelson is in favor of supporting the Mason Historical Society. She reiterated the City has been contributing to the Historical Society since 1993 and they are embedded in Mason's history. Councilmember Honerlaw gave four reasons why he disagrees with Council's current practice of donating public funds to private charities, stating it is (one) not the role of government to collect tax dollars and then give to the charities it deems most worthy, (two) taxpayers do not select charities they may personally support and there are local charities who may not be selected, (three) charitable giving would become like Pandora's box, causing more charities than we can handle to get in line for a hand out, (four) it could create the appearance of corruption with elected officials if ever they would receive campaign donations from people associated with the charities who receive tax dollars. Councilmember Honerlaw recollected previous requests for work sessions to be scheduled to discuss the practice of charitable giving in 2018. Councilmember Grossmann would like to discuss ideas in a work session on how to partner with these organizations and enhance what the City is currently doing. Councilmember Chance is not in favor of tabling approval for the Mason Historical Society and reviewed the in-depth discussion Finance Committee had regarding contributions. Vice Mayor Spaeth is not in favor of tabling approval for the Mason Historical Society and communicated concerns with donating to a table for the Gala, but not donating to the Mason Historical Society and bringing up concerns at Council Meetings without addressing disquieting items year round in Committee meetings or requesting work sessions. A motion to table Ordinance 2019-6 to allow time to consider changes to procedures was made by Councilmember Honerlaw, seconded by Councilmember Grossmann. VOTE: 2 YEAS, 4 NAYS (Nelson, Spaeth, Chance, Gilb).

Council discussed the contribution being in the approved 2019 Budget, drafting additional qualifications to ensure structure for contributions has begun in the Finance Committee, having a work session to brainstorm ideas to implement the Historical Society into more programming through the Community Center, continuing the preservation of the community, contributing as a public service and not a charity, and supporting organizations that provide support and a service to Mason residents.

A motion to adopt Ordinance 2019-6 was made by Councilmember Chance, seconded by Councilmember Nelson. VOTE: 5 YEAS, 1 NAY (Honerlaw).

ORDINANCE 2019-7 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH JACK DOHENEY COMPANIES INC. FOR THE PURCHASE OF ONE 2019 VACTOR COMBINATION SEWER CLEANING VAC TRUCK IN THE AMOUNT OF \$423,876

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

Jennifer Heft discussed Ordinance 2019-7, Ordinance 2019-8, Ordinance 2019-9, Ordinance 2019-10, Ordinance 2019-11, Ordinance 2019-12, and Ordinance 2019-13 together. She stated the City allots contingency funds for equipment needs throughout the City. The City utilizes older equipment first to get as much use out of it before repairs and replacements are needed. Ordinance 2019-7 is a sewer cleaning vac truck and replaces a 2004 model with a failing vac system and corroded tank. Ordinance 2019-8 is for the purchase of a front line vehicle, a 2019 Chevrolet Tahoe Special Services Vehicle, for the Fire Department Battalion Supervisor and Campus Safety Fire Fighter/Paramedic position. The City is currently using a 2004 Ford Expedition as a recycled vehicle to temporarily satisfy the need. Additional equipment is needed in the amount of \$13,125 for light, sirens, etc. She said Ordinance 2019-9 and Ordinance 2019-10 are replacing older pieces of equipment that are versatile and used for many operations within the City. Ordinance 2019-11 is for the purchase of a crack seal machine to protect and extend the life of roadways and bike paths. The City has previously rented the machine for free through a contractor and then purchased material needed. After research, purchasing material is more costly than owning the machine. Ordinance 2019-12 replaces a current mower in poor condition at the Golf Center. The current mower has not been in use recently due to costly repairs. This mower will also be used in Mason's parks. Ordinance 2019-13 is for an additional message board used for special events, detouring traffic, and roadway announcements. The City currently has five message boards. She said this sign provides the option for longer messages and clearer communication. \$1 million was set aside as part of the Contingency Fund in the 2019 Budget in addition to over \$1 million from the previous year for purchase and replacement equipment funds. Money in the Contingency Fund will be carried over in to the next year if not needed.

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 2019-7 was made by Councilmember Nelson, seconded by Councilmember Honerlaw. VOTE: ALL YEAS.

ORDINANCE 2019-8 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH GANLEY CHEVROLET OF AURORA, LLC FOR THE PURCHASE OF ONE 2019 CHEVROLET TAHOE SPECIAL SERVICES VEHICLE IN THE AMOUNT OF \$38,264

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 Councilmember Nelson, seconded by Councilmember Honerlaw. VOTE: ALL YEAS.

A motion to adopt Ordinance 2019-8 was made by Councilmember Nelson, seconded by Councilmember Honerlaw. VOTE: ALL YEAS.

ORDINANCE 2019-9 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH SOUTHEASTERN EQUIPMENT CO. INC. FOR THE PURCHASE OF ONE KOBELCO SK45SRX-6E COMPACT EXCAVATOR IN THE AMOUNT OF \$52,397

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 Councilmember Honerlaw, seconded by Councilmember Nelson. VOTE: ALL YEAS.

A motion to adopt Ordinance 2019-9 was made by Councilmember Nelson, seconded by Councilmember Grossmann. VOTE: ALL YEAS.

ORDINANCE 2019-10 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH SOUTHEASTERN EQUIPMENT CO. INC. FOR THE PURCHASE OF ONE SULLAIR PORTABLE AIR COMPRESSOR MODEL 185DPQ IN THE AMOUNT OF \$21,358

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

A motion to adopt Ordinance 2019-10 was made by Councilmember Nelson, seconded by Councilmember Chance. VOTE: ALL YEAS.

ORDINANCE 2019-11 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH BREWPRO PAVEMENT PRODUCTS FOR THE PURCHASE OF ONE STEPP MANUFACTURING CRACK SEAL MACHINE MODEL OJK 125D IN THE AMOUNT OF \$46,376

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

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 2019-11 was made by Councilmember Nelson, seconded by Councilmember Chance. VOTE: ALL YEAS.

ORDINANCE 2019-12 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH CENTURY EQUIPMENT FOR THE PURCHASE OF ONE TORO GROUNDSMASTER 3500-D MOWER IN THE AMOUNT OF \$31,457

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

A motion to adopt Ordinance 2019-12 was made by Councilmember Chance, seconded by Councilmember Honerlaw. VOTE: ALL YEAS.

ORDINANCE 2019-13 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH A&A SAFETY INC. FOR THE PURCHASE OF ONE VER-MAC MODEL PCMS 320 PORTABLE MESSAGE BOARD IN THE AMOUNT OF \$17,690

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

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 2019-13 was made by Councilmember Chance, seconded by Councilmember Honerlaw. VOTE: ALL YEAS.

OLD AND NEW BUSINESS

Councilmember Grossmann encouraged Council to attend the Child Advocacy Center Gala and reviewed how the Child Advocacy Center of Warren County coordinates resources from many disciplines to manage and provide services to abused and neglected children. She also complimented and thanked the Public Works Department for their snow removal success.

Jeff Forbes advised the Ohio Open Meetings Act states a public Council meeting is a prearranged gathering of a majority of the members of the public body for the purpose of discussing public business. Three Council members are assigned to a Committee and Committee meetings are open to the public. If a fourth Council member attends a Committee meeting, he/she is attending as a member of the public and cannot participate, including Committee meeting executive sessions. If the fourth Council member participates, the Committee meeting could then be seen as a violation by becoming a public Council meeting.

Councilmember Nelson said the Board of Ohio Municipal League meeting is Friday and she will update residents in regards to local government funding at the next Council Meeting. She advised residents are receiving general tax information mailers from the City and if residents do not want the mailer, call the City at 513.229.8535 to opt out of receiving it by mail.

Councilmember Honerlaw attended a Constitution bootcamp and recommended Council review the Constitution pamphlets he provided as a great resource. Councilmember Nelson thanked Councilmember Honerlaw and requested additional information be shared for Council to attend upcoming classes.

Vice Mayor Spaeth praised the opening of the I-71N ramps and said she can already notice a difference.

RECOGNITION OF VISITORS – None

ADJOURN

A motion to adjourn was made by Councilmember Nelson, seconded by Councilmember Grossmann. VOTE: ALL YEAS. TIME: 8:25 p.m.