

**CITY OF MASON
COUNCIL MEETING
APRIL 8, 2019**

The meeting was called to order at 7:01 p.m. Chaplain Jerry Pelfrey 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, Kathy Grossmann, Michael Gilb, T. J. Honerlaw, and Victor Kidd. Ashley Chance was absent.

APPROVAL OF MINUTES

A motion to approve the March 25, 2019 Council Meeting Minutes and March 25, 2019 Council Worksession Minutes was made by Councilmember Nelson, seconded by Vice Mayor Spaeth. VOTE: ALL YEAS.

PRESENTATION BY DUKE ENERGY – COMMON GROUND

Tim Abbott, Director of System Operations Services at Duke Energy, complimented Mason's prospering community and represented Duke Energy in gifting \$5,000 towards the Common Ground Park. Rachel Kopfler, President of Mason Parks and Recreation Foundation, thanked Duke Energy for their generous gift.

CITY MANAGER'S REPORT

As part of the Music in Mason concerts taking place on the Mason Downtown Plaza, the American Legion is requesting a temporary liquor permit from the State of Ohio and approval from the City of Mason to allow alcohol on the Plaza for concerts on June 7, 14, 21, 28 as well as July 12, 19, and 26 from 5:00 p.m. to 11:00 p.m. The Legion will split profits from sales with the Parks Foundation. A motion to allow the American Legion to move forward with their plans for the event was made by Vice Mayor Speath, seconded by Councilmember Nelson. VOTE: ALL YEAS.

As part of Red, Rhythm and Boom, the American Legion is also requesting a temporary liquor permit from the State of Ohio and approval from the City of Mason to allow for alcohol on the Municipal Center Campus on Wednesday, July 3 from 3:00 p.m. to 11:30 p.m. A motion to approve alcohol sales and consumption on campus was made by Councilmember Honerlaw, seconded by Councilmember Nelson. VOTE: ALL YEAS.

A motion to not request a public hearing for a transfer C2, C2X, D6 liquor permit from Thorntons Inc to Thorntons LLC at 1030 Reading Road was made by Vice Mayor Spaeth, seconded by Councilmember Honerlaw. VOTE: ALL YEAS.

City of Mason offices will be closed Friday, April 19 in observance of Good Friday. Mason Community Center will be open regular hours on Friday and will be open from 12:00 p.m. to 4:00 p.m. with limited access on Easter Sunday.

The Community Center's Spring Shop Local event will be held on Wednesday, April 24 from 9:00 a.m. to 4:00 p.m., featuring Mason area merchants that sell a variety of gift items.

The City was provided the opportunity to expand Mason Community Center through partnership with the schools, TriHealth, and Assurex now Myriad. The City recently reviewed the benefits of refinancing debt from the expansion and was able to secure an interest rate of 2.372%, saving almost \$1 million more than anticipated.

2019 RED, RHYTHM & BOOM ENTERTAINMENT ANNOUNCEMENT

Council encouraged audience involvement and announced the 2019 Red, Rhythm and Boom will feature grammy-nominated band, Daughtry with an opening performance by alternative-pop band Echosmith.

CO:LAB FOR SCIENCE & INNOVATION PRESENTATION TO THE SCHOOLS – A CITY ECONOMIC DEVELOPMENT INITIATIVE WITH MYRIAD NEUROSCIENCE

Michele Blair reviewed partnering with science leadership critical to the City's economic development strategy and introduced Mark Verratti, President of Myriad Neuroscience, and Kavita Bot, Executive Director of Myriad Lab Operations, with their role in educating the community on genomics. Dr. Neil Lamb has been invited again for this economic development initiative in collaboration with Mason City Schools, Kings Schools, and Myriad. Michele said through a life science industry partnership established over four years ago between the City and Myriad (then Assurex health), this event helps leverage the City's partners, showcases the strength of the science community in Mason, and generates an exceptional value to the community. Mr. Verratti said Myriad's belief and help for their patients has aided over 300,000 patients over the past year and one billion over the accumulative lifetime of the company. He spoke about having a united team for pioneering science and continuing to foster engagement with students. Jonathan Cooper with Mason City Schools and Michael Hewitt with Kings High School thanked the City and Myriad for the opportunity to be a collaborative partner connecting science with the community. Mr. Verratti noted Myriad Genetics discovered genes 25 years ago showing how hereditary cancer is not random and provided the schools with discovery kits to better understand hereditary cancer and how the hereditary cancer tests work.

COMMITTEE REPORTS

Vice Mayor Spaeth provided a brief Downtown Committee update from Councilmember Chance. The committee met with several Downtown business owners and will be reaching out for professional help to execute the long-term strategy for downtown revitalization.

Councilmember Grossmann advised Music in Mason begins June 7 on Friday nights at the Downtown Plaza and encouraged Downtown businesses to get involved. A block party to kick-off the series is on June 7 and a block party will close out the summer series on July 26.

Councilmember Nelson stated the motor fuel tax increase is estimated to bring Mason an additional \$721,392 in 2020. She provided updates to the State Operating Budget, centralized tax collection, and a proposed increase in local government funding.

Councilmember Honerlaw advised State Representative Candice Keller, co-sponsor of Ohio's "Heartbeat" Bill, is providing a speech Wednesday, April 10 on the importance of preventing an abortion when a fetal heartbeat is detected.

RECOGNITION OF VISITORS

Steve Jones of 913 Leslie Court shared concerns with Chapter 125 proposed updates.

Zerlina Dubois of 4900 Laurel Wood Court provided feedback and benefits in regards to adding a 50-meter outdoor pool. Council and staff discussed providing conservative projections and the economic impact through revenue and expenses.

Zach Greeves and Sean Spurlock with Two Cities Pizza expressed parking concerns for downtown visitors and asked for City support in placing public parking on City property.. Council and staff discussed previous development opportunities, appreciation for Two Cities Pizza joining the Downtown District, and the opportunity for analysis of Downtown to assist with revitalization interests.

RESOLUTION 2019-2 PROCLAIMING MAY 12-18, 2019 AS NATIONAL POLICE WEEK AND MAY 15 AS PEACE OFFICERS' MEMORIAL DAY

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

Jennifer Heft said this time of year the City recognizes service recognition weeks to generate public attention and show appreciation to employees of the City of Mason. On May 15, flags will be flown at half-staff in honor of Police Memorial Day. During the week, all Mason Police Officers will wear a black band across their badges in memory of all the law enforcement officers who have given their lives in the line of duty. Each year, an average of 145 American police officers are killed in the line of duty in the United States and an average of over 59,000 officers are assaulted in the performance of their duties. This year 32 officers have been killed across the United States, two in Ohio. Several events are planned throughout the county for National Police Week and Mason Police Officers will be attending those events in lieu of hosting an event in the City.

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

Council complimented the City setting an exemplary culture with the quality of officers Mason develops.

A motion to adopt Resolution 2019-2 was made by Councilmember Nelson, seconded by Councilmember Vice Mayor Spaeth. VOTE: ALL YEAS.

RESOLUTION 2019-3 PROCLAIMING APRIL 26, 2019 AS ARBOR DAY

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

Jennifer Heft stated in honor of Arbor Day on April 26, the City will be hosting multiple activities throughout the month of April. Public Works and Community Center staff will visit the Goddard School in Mason to help educate the students on the importance of trees to the environment, create a seed planting, and provide an Arbor Day related craft. The City will also offer a seedling plant activity for all children in Kids Korner at Mason Community Center on Friday, April 26. On Saturday, April 27, City staff will assist a local Girl Scout troop in planting tree seedlings at Pine Hill Lakes Park and educate participants on how to care for and maintain trees. She said unfortunately the City of Mason was unable to meet the requirements for the Tree City USA program for 2018. Staff has been working with a representative from Tree City USA to implement changes that should put the City on a path to receive the award for 2019.

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 Resolution 2019-3 was made by Councilmember Nelson, seconded by Councilmember Honerlaw. VOTE: ALL YEAS.

ORDINANCE 2019-40 FIRST READING - AMENDING CHAPTER 125 OF THE CODIFIED ORDINANCES OF THE CITY OF MASON REGARDING STANDARDS OF BEST PRACTICE FOR REAL PROPERTY TRANSACTIONS

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

Eric Hansen set a Public Hearing for Monday, April 22.

ORDINANCE 2019-41 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ROZZI'S FAMOUS FIREWORKS IN AN AMOUNT NOT TO EXCEED \$34,350 TO PROVIDE FIREWORKS FOR THE 2019 RED, RHYTHM AND BOOM EVENT AND DECLARING AN EMERGENCY

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

Jennifer Heft discussed Ordinance 2019-41, Ordinance 2019-42, and Ordinance 2019-43 related to the 2019 Red, Rhythm and Boom event. Jennifer said in 2016, as part of the Request for Proposal process, Rozzi's Famous Fireworks was selected as the vendor to provide fireworks with the option to renew the contract for up to four additional years. The City renewed the contract in previous years and this year's cost includes a 3% increase due to increased labor costs. Jennifer explained in response to significant wait lines during the 2018 event, staff recommends expanding the footprint of the Kids Zone and adding additional activities that allow more participation at one time in 2019. Some of the activities include an American Ninja Obstacle Course, 9-hole putt-putt course, two lane bungee basketball, Warped Wall, and trackless train. Wristbands will again be \$5 pre-sale and \$10 the day of the event. SuperGames coordinates Kid Zone activities and the City will manage all non-food vendor applications. Ordinance 2019-43 is for waste and recycling services. As the event has grown, the need for these services has increased. Additional restrooms, dumpsters, and waste receptacles have been added this year.

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 recommended the price be stated in the contract for food vendors so prices do not increase the day of the event. She also recommended additional food and drink vendors this year versus last year.

A motion to adopt Ordinance 2019-35 was made by Councilmember Nelson, seconded by Councilmember Grossmann. VOTE: ALL YEAS.

ORDINANCE 2019-42 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH SUPERGAMES IN AN AMOUNT NOT TO EXCEED \$49,000 FOR KIDS ENTERTAINMENT ATTRACTIONS FOR THE 2019 RED, RHYTHM AND BOOM EVENT AND DECLARING AN EMERGENCY

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

A motion to adopt Ordinance 2019-42 was made by Councilmember Nelson, seconded by Vice Mayor Spaeth. VOTE: ALL YEAS.

ORDINANCE 2019-43 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH RUMPKE IN AN AMOUNT NOT TO EXCEED \$16,008 TO PROVIDE TRASH DISPOSAL SERVICES AND PORTABLE BATHROOMS FOR THE 2019 RED, RHYTHM AND BOOM EVENT AND DECLARING AN EMERGENCY

A motion to read by title only was made by Councilmember Gilb, seconded by Councilmember Grossmann. 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 2019-43 was made by Councilmember Nelson, seconded by Councilmember Grossmann. VOTE: ALL YEAS.

ORDINANCE 2019-44 AN ORDINANCE ACCEPTING THE PROPOSAL FROM STAUFFER SITE SERVICES LLC FOR THE BETHANY ROAD DRAINAGE IMPROVEMENT PROJECT IN AN AMOUNT NOT TO EXCEED FEE OF \$85,155 AND AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT DOCUMENTS

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

Kurt Seiler said this project corrects an existing issue with standing water in the right-of-way and drainage along the north side of Bethany Road. This project will re-establish drainage along an existing ditch between the Pioneer Glazing Property and Windemere subdivision. This project will also include minor modifications to the outlet of the drainage basin on the Pioneer Glazing property. The proposed project will improve water quality and reduce erosion in the downstream channels which Ohio EPA has approved as off-site mitigation to meet the ODOT requirements for the Snider Road Roundabout Project. The City has selected Stauffer Site Services to complete the work based on previous positive experiences with the company as well as providing the lowest quote for the project.

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 2019-44 was made by Councilmember Nelson, seconded by Councilmember Grossmann. VOTE: ALL YEAS.

ORDINANCE 2019-45 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH BARRETT PAVING MATERIALS, INC. FOR THE 2019 STREET MAINTENANCE PROGRAM IN THE AMOUNT OF \$1,292,732

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

Eric Hansen discussed Ordinance 2019-45 and Ordinance 2019-46 together. Annually, the City of Mason pursues a street maintenance and resurfacing program to proactively repair and rebuild failing roadways. Maintenance of roadways aging at different rates is very dynamic due to growth of the City, acceptance of roadways with new development, roadway expansion or improvement projects, traffic, detours, and weather. The City has begun setting aside additional funds during budget preparation for street maintenance and resurfacing to allow for more strategic planning. Kurt Seiler stated the contract with Barrett Paving Materials includes arterial bike path repairs and maintenance, maintenance of parking lots and bike paths in Pine Hill Lakes Park, and paving at the Service Center Annex. By working with Greater Cincinnati Water Works

(GCWW), some streets will be repaved as part of water main work and reimbursed by GCWW. Two alternates were included with the bid requests this year. Alternate #1 includes resurfacing cart paths on holes two and three of the Academy Course at the Golf Center. Resurfacing these two holes will complete the cart path resurfacing work and is currently offered at a good rate. Alternate #2 is to expand the Community Center parking lot just east of the Senior Center by adding 38 parking spaces. The bid for this project is high and staff recommends waiting on this portion of the project until next year's paving program. Kurt said Ordinance 2019-46 is for the use of Poly Patch to provide a structural fill, improving the rideability of roads and pavement preservation. Poly Patch is used for repairing cracks that are too large for crack seal but too small for repaving. J & A Construction has performed the City's crack sealing and poly patch work for the past few years and offers competitive pricing just below state bid pricing.

A motion to amend Ordinance 2019-45 to include the Base bid and Alternate #1 was made by Vice Mayor Spaeth, seconded by Councilmember Nelson. VOTE: ALL YEAS.

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

Councilmember Honerlaw commended the priority of raising roads to the standard of other priorities in Mason as roads play a critical role every day.

A motion to adopt Ordinance 2019-45 as amended was made by Councilmember Nelson, seconded by Councilmember Grossmann. VOTE: ALL YEAS.

ORDINANCE 2019-46 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH J & A CONSTRUCTION, INC. FOR POLY PATCHING IN THE AMOUNT OF \$50,000

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

A motion to adopt Ordinance 2019-46 was made by Councilmember Gilb, seconded by Councilmember Nelson. VOTE: ALL YEAS.

ORDINANCE 2019-47 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE LEBANON ELECTRIC SUPPLY, INC. FOR THE PURCHASE OF LED LUMINAIRES AND ASSOCIATED EQUIPMENT FOR THE MASON COMMUNITY CENTER PARKING LOT IN THE AMOUNT OF \$20,300

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

Kurt Seiler stated there are currently ten luminaries in the Community Center lot. The existing fixtures had matched the fixtures used for the rest of the parking areas around the entire high school/Community Center building. This project would replace the existing high pressure sodium lights to LED technology. This ordinance is for material only and replacements are to be completed by City staff.

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.

Councilmember Honerlaw appreciates the City saving money by utilizing City staff for work when the opportunity is available.

A motion to adopt Ordinance 2019-47 was made by Councilmember Grossmann, seconded by Councilmember Honerlaw. VOTE: ALL YEAS.

ORDINANCE 2019-48 AN ORDINANCE ACCEPTING THE PROPOSAL FOR PLANNING SERVICES TO REVIEW AND UPDATE THE DOWNTOWN ZONING REGULATIONS FROM MCBRIDE DALE ASSOCIATES INC. IN THE AMOUNT NOT TO EXCEED FEE OF \$60,000 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 said the last major update to Downtown Zoning took place in 2005 when the Downtown Overlay District and associated Design Guidelines were implemented. Since that time, there have been minor updates within the Overlay District. Last November, Mason residents passed Issue 4, which changed the Mason Charter to allow the density in multi-family dwellings to exceed eight units per acre in overlay areas. In order to implement this change, a plan that strategically lifts housing density restrictions must be created. McBride Dale Associates, Inc.'s proposal adopts new regulations to allow for updated Downtown and Downtown Overlay guidelines. The 2019 budget included \$200,000 for downtown related projects. The Downtown Committee of Council is recommending \$60,000 for the planning services to provide an opportunity for enhanced public engagement.

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.

Vice Mayor Spaeth and Eric Hansen discussed Phase 1 and Phase 2 of the planning services. Phase 1 involves public engagement gathering details on the strengths, weaknesses, and opportunities that currently exist in Downtown. This phase ensures the process has input from a wide variety of stakeholders and the general public. Phase 2 takes the information and recommendations from Phase 1 and turns them into zoning code documents.

A motion to adopt Ordinance 2019-48 was made by Councilmember Nelson, seconded by Councilmember Nelson. VOTE: ALL YEAS.

ORDINANCE 2019-49 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH CDW GOVERNMENT, INC. FOR THE PURCHASE OF THREE (3) PANASONIC ARBITRATOR IN-CAR VIDEO CAMERA SYSTEMS

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

Eric Hansen stated over the past several years, the Police Department cruisers have been outfitted with Panasonic Arbitrator In-Car Camera systems. Three additional in-car camera systems are being requested for 2019. One of the requested systems will replace an older analog camera system that is not working and two of the requested systems will be installed in new cruisers.

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 2019-49 was made by Councilmember Nelson, seconded by Councilmember Grossmann. VOTE: ALL YEAS.

ORDINANCE 2019-50 AMENDING ORDINANCE NO. 2018-133 RELATED TO THE POSITIONS AND RATES OF COMPENSATION FOR EMPLOYEES OF THE MASON MUNICIPAL COURT

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

Jennifer Heft said individual pay rates for Court employees and funds the pay rates are paid from are set by the Municipal Court. The City is responsible for processing the payroll for Municipal Court and Council authorizes pay rates to make the necessary payroll payments. Last year, Council approved Ordinance 2018-133 authorizing positions and compensation for Court employees as proposed by the Municipal Court for 2019. She said the Municipal Court recently identified an error with Exhibit A, which needed amended.

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

A motion to adopt Ordinance 2019-50 was made by Councilmember Grossmann, seconded by Councilmember Honerlaw. VOTE: ALL YEAS.

OLD AND NEW BUSINESS

Councilmember Grossmann provided a review of Chapter 125 and proposed amendments to Chapter 125. Council discussed inviting the community to engage during the Public Hearing, discussing this legislation during the second reading, and the Ad Hoc Committee's diligent work in providing Chapter 125 amendments.

A motion to add an Executive Session for the purpose of discussing land acquisition was made by Vice Mayor Spaeth, seconded by Councilmember Gilb. VOTE: ALL YEAS.

RECOGNITION OF VISITORS

Steve Jones of 913 Leslie Court requested Councilmember Grossmann's proposed amendments to review.

EXECUTIVE SESSION: LAND ACQUISITION

A motion to adjourn into Executive Session for the purpose of land acquisition was made by Councilmember Honerlaw, seconded by Councilmember Gilb. VOTE: ALL YEAS. TIME: 9:27 p.m.

A motion to reconvene into Regular Session was made by Vice Mayor Spaeth, seconded by Councilmember Gilb. VOTE: ALL YEAS. TIME: 9:38 p.m.

ADJOURN

A motion to adjourn was made by Vice Mayor Spaeth, seconded by Councilmember Gilb. VOTE: ALL YEAS. TIME: 9:38 p.m.