

**CITY OF MASON
COUNCIL MEETING
JUNE 10, 2019**

The meeting was called to order at 7:06 p.m. Imam Ihab Mohammed 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 April 22, 2019 Council Meeting, May 13 Worksession, May 13 Council Meeting, and June 4 Special Council Meeting Minutes was made by Vice Mayor Spaeth, seconded by Councilmember Chance. VOTE: ALL YEAS.

CITY MANAGER'S REPORT

The next regularly scheduled City Council meeting is Monday, July 8. A Special Council Meeting will be held on Thursday, June 20 at 5:30 p.m. located at Basil's on Market.

The 2019 Music in Mason series kicked off on Friday, June 7 with over 2,000 people. Friday evening concerts are scheduled through July 26 at the Downtown Plaza. Live music is also available at The Mason Golf Center on Friday and Saturday evenings.

The Mason Historical Society is hosting their Annual Ice Cream Social on Monday, June 17 beginning at 4:30 p.m. at the Museum.

The Lindner Center of HOPE Live Well in Mason 2019 Series will be held Wednesday, June 19 from 6:00 p.m. to 7:30 p.m. at the Manor House.

The Red, Rhythm and Boom event taking place on Wednesday, July 3 begins at 4:00 p.m. with access to kids' zone activities and attractions as well as food and non-food vendors. At 5:45 p.m. stage entertainment will kick off with the national anthem and a flyover exhibit. At 6:00 p.m. the concert will begin with opening act Echosmith followed by an American Legion & Veterans recognition and a skydiving presentation. Headlining artist, Daughtry will begin at 8:30 p.m. The event will conclude with a fireworks display by Rozzi's Famous Fireworks at 10:00 p.m. The City's Incident Command Team, consisting of employees from various City departments, has been meeting and adjusting schedules to deliver a high quality event as cost-effectively as possible.

On Wednesday, July 3, City offices will be closed due to City staff preparing for the Red, Rhythm and Boom event. Employees will be shifting schedules to accommodate the evening to reduce overtime hours. The Community Center will be open from 5:00 a.m. to 12:00 p.m. On

Thursday, July 4, City offices will be closed in observance of Independence Day. The Community Center will be open from 6:00 a.m. to 12:00 p.m. with limited services.

COMMITTEE REPORTS

Councilmember Grossmann advised the Community Center Committee continues to study the redevelopment of the Lou Eves Municipal Pool related to capital and operating costs as well as impact on regional and local communities.

Councilmember Chance said the Downtown Committee is discussing parking concerns and creating a successful approach in Downtown Mason.

Councilmember Nelson encouraged the community to continue to contact State Representatives to restore local government funding. She discussed pulling centralized tax collection for a standalone Bill, House Bill 80 including provisions for police and fire worker's compensation benefits for work-related post-traumatic stress disorder, and integrating a celebration for Ohio's centennial of ratification of the 19th amendment in a future Mason event.

Vice Mayor Spaeth reported The Center for Public Safety Excellence provided Fire Chief Bryan Brumagen with a Chief Fire Officer Designation.

RECOGNITION OF VISITORS

Josh Wills of 1010 Reading Road raised noise violation concerns for his neighborhood residing beside Crossroads Church. Council and staff discussed previous concerns and resolutions, Crossroads investing in equipment to reduce the sound travel, and encouraging good will efforts and compromise between neighbors.

RESOLUTION 2019-9 ADOPTING THE BUDGET OF THE CITY OF MASON FOR THE YEAR JANUARY 1, 2020 THROUGH DECEMBER 31, 2020

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

Public Hearing was opened at 7:46 p.m.

Eric Hansen stated this is not the annual budget for the City of Mason. It is a mechanism of the Tax Budget process the State of Ohio requires to justify receipt of local government funds through the State. The Tax Budget is the mechanism through which Council can annually adjust the property tax rate. Through economic development and good management of resources, a 4.4 millage can remain again for 2020. A 4.4 millage is below the 5-mills allowed by Charter, below the previous 5-mill levy amount, and less than neighboring municipal jurisdictions.

Public Hearing was closed at 7:48 p.m.

A motion to adopt Resolution 2019-9 was made by Councilmember Nelson, seconded by Councilmember Vice Mayor Spaeth. VOTE: ALL YEAS.

RESOLUTION 2019-10 PROCLAIMING JULY AS NATIONAL PARKS & RECREATION MONTH

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

Jennifer Heft said July is the month the National Recreation and Park Association (NRPA) recognizes the importance of our nation's parks and recreation facilities. July 2019 represents 34 years of celebrating Parks and Recreation Month and this year's theme is "Game On!" Mason's staff and resources enhance recreational facilities and programs for Mason residents. There are three park projects in process this year including Common Ground Playground, redevelopment and Phase 1 of Sundin Fields at Heritage Oak Park, and evaluating a new Municipal pool for the community. This national recognition provides an opportunity to focus attention on how parks, recreational facilities and programming improve the quality of life, offer safer places to play and provides alternatives to building a culture of wellness in the community.

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

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

RESOLUTION 2019-11 STRONGLY URGING THE OHIO GOVERNOR AND MEMBERS OF THE OHIO GENERAL ASSEMBLY TO RESTORE THE LOCAL GOVERNMENT FUND TO PRE-RECESSION LEVELS

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

Eric Hansen stated concerns that the local funding lost during the recession ten years ago were never restored to pre-recession levels. The loss of revenue for local governments was not restored even after the long economic recovery, the state restoring its large rainy-day fund, and state tax reductions. The resolution encourages the state government to restore local government funding that was previously reduced back to the pre-recession level.

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 2019-11 was made by Councilmember Chance, seconded by Vice Mayor Spaeth. VOTE: ALL YEAS.

ORDINANCE 2019-68 AMENDING THE ZONING CODE AND ZONING MAP OF THE CITY OF MASON, OHIO TO PROVIDE FOR THE REZONING OF APPROXIMATELY 187.6 ACRES FROM WARREN COUNTY I-1 (LIGHT INDUSTRIAL MANUFACTURING) TO MASON I-1 (LIGHT INDUSTRIAL) LOCATED SOUTH OF BUNNELL ROAD, WEST OF US 42 AND EAST OF AVALON FARMS (MASON R&D PARK EAST)

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

Kurt Seiler set a Public Hearing for Monday, July 8.

ORDINANCE 2019-69 AMENDING THE ZONING CODE AND ZONING MAP OF THE CITY OF MASON, OHIO TO PROVIDE FOR THE REZONING OF APPROXIMATELY 2.7 ACRES FROM B-3 (ROAD SERVICE COMMERCIAL) TO R-6 (CONDOMINIUM AND LANDMINIUM RESIDENTIAL) LOCATED WEST OF 5525 PARKSIDE DRIVE

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

Kurt Seiler set a Public Hearing for Monday, July 8.

ORDINANCE 2019-70 APPROVAL OF THE FINAL PLAT FOR CROOKED TREE PRESERVE SUBDIVISION PHASE 1E

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

Kurt Seiler said this phase is located on Birchview Drive, south of Sentinel Oak Drive. The property is zoned R-3, Single Family Residential, and will contain 15 single-family lots. 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 Grossmann, seconded by Councilmember Chance. VOTE: ALL YEAS.

A motion to adopt Ordinance 2019-70 was made by Councilmember Honerlaw, seconded by Councilmember Nelson. VOTE: ALL YEAS.

ORDINANCE 2019-71 AUTHORIZING THE CITY MANAGER TO EXECUTE A PARTIAL RELEASE OF DECLARATION OF EASEMENT RELATED TO STRESS ENGINEERING SERVICES, INC.

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

Kurt Seiler said this ordinance is for the Partial Release of Declaration of Easement for the Stress Engineering site. When Stress Engineering first constructed their facility on Stress Engineering Way, they were required by the U.S. Army Corps of Engineers (USACE) to identify all wetland areas located on the site. In preparation for a new building expansion, Stress Engineering worked with the USACE to receive permission to fill one of the small wetland areas and now that fill is complete, this area can be revised.

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 2019-71 as amended was made by Councilmember Chance, seconded by Vice Mayor Spaeth. VOTE: ALL YEAS.

ORDINANCE 2019-72 AN ORDINANCE ACCEPTING THE PROPOSAL FOR INVENTORY, INSPECTION AND CONDITION ASSESSMENT SERVICES FROM PAVEMENT MANAGEMENT GROUP, IN THE AMOUNT NOT TO EXCEED FEE OF \$25,875 AND AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT DOCUMENTS

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

Eric Hansen said a significant investment the City is responsible for is public roadways that require ongoing maintenance and reinvestment. The Finance Committee has been diligent in setting aside money for strategically funding long-term. Growth of the City, acceptance of roadways with new development, roadway expansion or improvement projects as well as the aging of these roadways have resulted in a growing obligation to aggressively manage this program. Pavement Management Group (PMG) is a consulting firm providing the tools and resources necessary to update our inventory, inspect each street and update the condition assessment to provide a streamlined paving and maintenance program for present and future years. He said this firm provides the opportunity to review and strengthen internal skills to manage future paving services and expenses.

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

A motion to adopt Ordinance 2019-72 was made by Councilmember Nelson, seconded by Councilmember Chance. VOTE: ALL YEAS.

ORDINANCE 2019-73 AN ORDINANCE ACCEPTING THE PROPOSAL FOR RIGHT OF WAY ACQUISITION SERVICES FOR SR 741 WIDENING PROJECT (SPYGLASS TO WELDEN) FROM PALMER ENGINEERING COMPANY, IN THE AMOUNT NOT TO EXCEED FEE OF \$133,550 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 discussed, Ordinance 2019-73, Ordinance 2019-74, Ordinance 2019-75 and Ordinance 2019-76 together. Ordinance 2019-73 authorizes a contract with Palmer Engineering for appraisals and R/W acquisition services. Ordinance 2019-74 authorizes a contract with Michael A. Cahill for appraisal review services. Federal guidelines require the city to contract this work separate from the appraisal contract for the project. Ordinance 2019-75 authorizes Palmer Engineering to complete the final engineering and R/W plans for the southern portion of the SR 741 Widening Project between Cox-Smith Road and Spyglass Hill. Staff has submitted another application for grant funds to OKI for this portion of the project. Advancing the design will help with scoring on future grant applications if necessary and increase the chance of constructing the projects concurrently. Ordinance 2019-76 authorizes payment for the permanent and temporary construction easements, accepts the easements making them the City's responsibility, and allows for construction of the project.

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 2019-73 was made by Vice Mayor Spaeth, seconded by Councilmember Nelson. VOTE: ALL YEAS.

ORDINANCE 2019-74 AN ORDINANCE ACCEPTING THE PROPOSAL FOR RIGHT OF WAY APPRAISAL REVIEW SERVICES FOR SR 741 WIDENING PROJECT (SPYGLASS TO WELDEN) FROM MICHAEL A. CAHILL, IN THE AMOUNT NOT TO EXCEED FEE OF \$20,050 AND AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT DOCUMENTS

A motion to read by title only was made by Councilmember Honerlaw, 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 2019-74 was made by Councilmember Chance, seconded by Councilmember Nelson. VOTE: ALL YEAS.

ORDINANCE 2019-75 AN ORDINANCE ACCEPTING THE PROPOSAL FOR FINAL ENGINEERING SERVICES FOR SR 741 WIDENING PROJECT (COX-SMITH TO SPYGLASS) FROM PALMER ENGINEERING COMPANY, IN THE AMOUNT NOT TO EXCEED FEE OF \$377,290 AND AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT DOCUMENTS

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 Vice Mayor Spaeth, seconded by Councilmember Grossmann. VOTE: ALL YEAS.

A motion to adopt Ordinance 2019-75 was made by Councilmember Grossmann, seconded by Councilmember Honerlaw. VOTE: ALL YEAS.

ORDINANCE 2019-76 AUTHORIZING THE ACCEPTANCE OF CERTAIN DONATED EASEMENTS AND THE ACQUISITION OF OTHER CERTAIN EASEMENTS AS PART OF THE SR 741 AND PARKSIDE INTERSECTION PROJECT

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

A motion to adopt Ordinance 2019-76 was made by Councilmember Chance, seconded by Councilmember Grossmann. VOTE: ALL YEAS.

ORDINANCE 2019-77 AUTHORIZING THE CITY MANAGER TO ENTER INTO VARIOUS AGREEMENTS WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE MAINTENANCE OF INTERCHANGE ENHANCEMENTS

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

Kurt Seiler said as part of the Western Row Road Interchange project, various improvements were made to the I-71 bridges over Western Row Road, signals at the Western Row Road / Kings Island Drive intersection and the Innovation Way / I-71 on/off ramp intersection. ODOT has provided maintenance agreements necessary for the City to both maintain these existing enhancements and add additional improvements in the future. Existing enhancements include the decorative concrete and backlit lettering mounted to the bridge bearing the City's name and logo, painted black poles and black signal heads on the traffic signals, pre-emption components on four ODOT signals, the City's fiber-optic interconnect to the four ODOT signals, and landscaping enhancements that will be located within ODOT maintained right of way. The City will be responsible only for the maintenance of each of the enhancement components.

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.

Council discussed Kings Mills landscape funding and bridge lighting investment.

A motion to adopt Ordinance 2019-77 was made by Councilmember Chance, seconded by Councilmember Nelson. VOTE: ALL YEAS.

ORDINANCE 2019-78 AUTHORIZING THE CITY MANAGER TO PREPARE AND SUBMIT APPLICATIONS TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED

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

Kurt Seiler said the Ohio Public Works Commission (OPWC) grant program is a two year cycle with a one year re-application and then final application. City staff recommends submitting a pre-application for the following two projects, the US-42 Roundabouts Project and SR 741 Improvement Project (Cox-Smith to Spyglass Hill). He said the OKI grant was approved for \$2,751,535 in funding toward the estimated \$3,439,379 overall cost of the US-42 Roundabouts Project. OPWC funding request will be used to cover a portion of the City's match of \$687,844. SR 741 Improvement (Cox-Smith to Spyglass Hill) will complete the improvements between two funded projects along the SR 741 corridor. The OPWC application will be used to fund a portion of the 40% match required from the City. Last year, Council approved OPWC applications for two projects. The Butler-Warren at Western Row Roundabout Project joint grant application with Butler County will request an additional \$662,151 in funding for the project. As a result of the partnership, the OPWC grant will nearly fund the entire project with grant funds. Staff was successful in obtaining two federal grants for the widening of SR 741 from Welden Drive to Spyglass Hill. This OPWC grant application will request \$800,000 in additional funding.

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 2019-78 was made by Councilmember Nelson, seconded by Vice Mayor Spaeth. VOTE: ALL YEAS.

ORDINANCE 2019-79 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH JACKSON CONSTRUCTION, INC., IN THE AMOUNT OF \$90,000 FOR THE 2019 SIDEWALK REPLACEMENT PROGRAM

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

Kurt Seiler said repairs to various sidewalks and curbs are needed in the City. The 2019 Budget includes \$110,000 for the annual sidewalk program and curb patching with \$75,000 of the budgeted amount designated to work being done by a contractor. Due to the current priorities and work load of the City's service department staff, the City would not be able to utilize the entire remaining \$35,000 included in the budget. Staff recommends approval of a contract for \$90,000 with Jackson Construction to maximize the amount of replacement work. This will allow for the replacement of approximately 2,200 linear feet of 4' wide sidewalk and leaves \$20,000 for in house staff to purchase concrete and perform spot repairs throughout priority areas in the City.

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 2019-79 was made by Councilmember Nelson, seconded by Councilmember Grossmann. VOTE: ALL YEAS.

ORDINANCE 2019-80 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH COMPRESSED AIR TECHNOLOGIES FOR THE PURCHASE OF TWO NEW AIR COMPRESSORS, SUPPORT EQUIPMENT, AND A COMPRESSOR ROOM FOR THE WATER RECLAMATION PLANT IN AN AMOUNT NOT TO EXCEED \$45,500

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

Jennifer Heft said the City's two air compressors at the Water Reclamation Plant operate 24 hours a day since the opening of the Water Reclamation Plant in 2006 and have been running for 13 years. These compressors are located in the same facility as the Plant's hot oil boiler. Over time, staff has learned that having the air compressors in close proximity to the hot oil boiler creates additional wear. As part of the proposed purchase of the two new air compressors, they will be relocated to another area in the facility and a dedicated compressor room will be built which will protect the new equipment and prolong its lifetime.

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 2019-80 was made by Vice Mayor Spaeth, seconded by Councilmember Grossmann. VOTE: ALL YEAS.

OLD AND NEW BUSINESS

Councilmember Chance advised the lighting and lettering on the 741 bridge needs attention. He commended the Footloose theatre production supporting the local Shine Like Sable Foundation.

Councilmember Nelson stated the Warren County Municipal League is hosting the Ohio Municipal League Executive Director Kent Scarrett on June 19 at The City of Mason Golf Center at 6:00 p.m.

Councilmember Grossmann thanked Kings Mazda for attending the Music in Mason Block Party and presenting a \$12,500 gift to Mason Parks and Recreation Foundation for Common Ground Playground.

RECOGNITION OF VISITORS – None.

EXECUTIVE SESSION: LAND ACQUISITION

A motion to adjourn into Executive Session for the purpose of discussing land acquisition was made by Councilmember Chance, seconded by Councilmember Nelson. VOTE: ALL YEAS. TIME: 8:30 p.m.

A motion to reconvene into Regular Session was made by Councilmember Chance, seconded by Vice Mayor Spaeth. VOTE: ALL YEAS. TIME: 9:51 p.m.

Council discussed bringing Dr. Sweeten to a future Work Session.

ADJOURN

A motion to adjourn was made by Councilmember Chance, seconded by Councilmember Nelson. VOTE: ALL YEAS. TIME: 9:52 p.m.