

**CITY OF MASON
COUNCIL MEETING
SEPTEMBER 9, 2019**

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

APPROVAL OF MINUTES

A motion to approve the August 12 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, September 23, 2019 at 7:00 p.m.

The annual Heritage Festival will take place on Saturday, September 14 at the Mason Municipal Campus. The City is partnering with American Legion Post 194 to celebrate their 100th anniversary. The American Legion is hosting a breakfast located at 401 Reading Road from 8:00 a.m. until 12:00 p.m. The Heritage Festival parade will begin at 10:00 a.m. in Downtown Mason making its way towards the Mason Municipal Center. For the second year, the City is partnering with Mitsubishi Electronics to host the “Rev it Up 5K” throughout Corwin M. Nixon Park and Pine Hill Lakes Park. The City of Mason will be introducing a fun scavenger hunt activity aimed at continuing Mason’s mission of building a culture of wellness in the community. Clues will be provided through social media outlets.

The Cincinnati Zoo owns property on Mason-Montgomery Road, just north of the City which is known as Bowyer Farm. Bowyer Farm is used to grow plant material that is used in landscaping at the Zoo and as food for the Zoo animals. In partnership with the Zoo, City services including brush chipping and leaf pick-up can be used for tree plantings and “browse” for the animals. “Browse” can also be collected from trees that have recently been trimmed or cut down. The Zoo has offered to come pick up limbs from these type of trees when cut throughout the City. As City staff are cutting tree limbs from right-of-ways or removing a tree, the City coordinates with Zoo officials who then remove the limbs for use as food at the Zoo. The City is excited about this initial partnership and is working to grow additional programming opportunities and the partnership.

A motion to not request a public hearing for a D5A liquor permit for American Hospitality Management Inc. was made by Councilmember Chance, seconded by Vice Mayor Spaeth. VOTE: ALL YEAS.

A motion to not request a public hearing for a D5 and D6 liquor permit for Mason Boggs LLC was made by Councilmember Honerlaw, seconded by Councilmember Chance. VOTE: ALL YEAS.

COMMITTEE REPORTS

Councilmember Gilb stated the Employee Relations Committee has met and will provide recommendations in Executive Session.

Councilmember Nelson reported on current credit metrics and stated the City continues to maintain a Aaa bond rating, which is higher than the State of Ohio and most municipalities within the state.

Vice Mayor Spaeth advised the Safety Committee will be meeting Monday, September 16 at 5:00 p.m.

2020 CALENDAR PHOTO CONTEST WINNERS

Mayor Kidd presented awards to the 2020 City calendar photo contest winners: Annie Ye, Warren Spreng, Kiley Doyle, Anna Radke, Anshu Prabhani, Jim Simpson, Arianna Gomes, Praba Sundararajan, and Jacob Burress. Frank Hatten, Courtney Schulz, Tony Napier, and Jack Cole were unable to attend.

A motion to move Ordinance 2019-107 up on the agenda was made by Councilmember Nelson, seconded by Councilmember Chance. VOTE: ALL YEAS.

ORDINANCE 2019-107 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR SALE AND PURCHASE WITH MORED 1, LLC AND RHINESTAHL CORPORATION AND AUTHORIZING CERTAIN ECONOMIC DEVELOPMENT INCENTIVES

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

Eric Hansen invited Michele Blair, Economic Development Director, to introduce a significant announcement. Michele Blair introduced Tom Johnston, Corporate Director of Rhinestahl, and recognized Dieter Moeller, President and CEO, who was unable to attend. She gave a brief overview of Rhinestahl and the expansion of their footprint in Mason. She said Rhinestahl has the opportunity to grow utilizing the City-owned Mason Research and Development Park through the development of a 50-acre corporate headquarters campus that would double the size of their current headquarters, from 100,000 to 200,000 square feet, and maximize the ability for Rhinestahl's long-term outlook. Without the R&D Park development option, Rhinestahl Headquarters would need to relocate outside of the City of Mason. Michele said this campus location will position the company to build up to 500,000 square feet across future expansions and also secure Rhinestahl operations in the City for decades to come. The project will retain 65 fulltime headquarters employees, 91 jobs at the time of opening, and 102 jobs within a five-year ramp-up with a payroll of \$14 million at this location. Rhinestahl will commit to retaining the

Western Row AMG Company division, 93 fulltime employees with a payroll of \$6.7 million. Also, Rhinestahl will enter into an extended “New Jobs and Payroll Guarantee,” for the Innovation Way location which they will vacate. This requires Rhinestahl to guarantee at least \$4 million in payroll at this location for a period of five years. This type of unique agreement fosters a partnership between Rhinestahl and the City to seek a similar advanced technology, headquarters tenant, or owner for the property consistent with the City’s economic goals for the I-71 corridor and dis-incentivizes leasing the property to a user that does not fit this profile. Tom Johnston said Mason’s proactive communications and economic development brought them to Mason and with a commitment to the community, they are proud to stay in Mason. Rhinestahl has seen unprecedented growth and had to relook at their facilities to sustain their growth. He thanked Mason for their continued partnership and is excited for this opportunity.

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 provide an abatement under the Community Reinvestment Area Program of 100% of real property improvements for a period of 15-years on the value of the new building improvements, for Rhineshtahl, as authorized by the State of Ohio Community Reinvestment Area Program and contingent upon the company making an annual compensation payment to the Mason City School District for the term of the abatement period was made by Councilmember Grossmann, seconded by Councilmember Nelson. VOTE: ALL YEAS.

Council noted the importance of the value of the relationship with and investment in Rhinetsahl. Council thanked the City’s Economic Development team for their hard work and thanked Rhinestahl for choosing Mason and strengthening Mason’s schools.

A motion to adopt Ordinance 2019-107 was made by Councilmember Nelson, seconded by Vice Mayor Spaeth. VOTE: ALL YEAS.

RECOGNITION OF VISITORS

Jack Flaherty of 490 David Lane recapped an incident that happened to him in December 2018 and commended Mason’s Police and Fire Department for their quick response to his incident and for their continued service to the community. Mayor Kidd presented Jack with a proclamation and key to the City for being a prominent leader to the community and his devotion to Mason.

Kelly Sakalas of 4094 Stone Ridge Drive stated difficulties she experienced with filing for Council election, mistreatment during campaigns, inconsistency with Mason’s Charter section 7.31, and encouraged recognizing Home Rule Authority. She recommended Mason’s City Charter clarify in Section 7.31 what part of the Ohio Revised Code the Charter refers to. Council discussed Kelly’s courage to come forth with concerns, encouraged Kelly to run in 2021, disheartening community interactions during elections, Warren County Board of Elections supporting the City’s Home Rule Authority, and Council condemning bullying.

Caryn Weckstein of 4239 Serpentine Way said prayer at the beginning of Council Meetings goes against freedom of religion.

**RESOLUTION 2019-12 SUPPORTING WARREN COUNTY HEALTH DEPARTMENT
TEN YEAR 0.5 MILL REPLACEMENT TAX LEVY**

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

Eric stated every ten years the Warren County 0.5 Mill tax levy comes up for replacement. This is not new millage. The Warren County Health Department provides services to the City including inspections, plumbing, and public nuisance resolutions. This resolution indicates support in their tax levy campaign.

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 Resolution 2019-12 was made by Councilmember Nelson, seconded by Councilmember Chance. VOTE: 6 YEAS.

**RESOLUTION 2019-13 A RESOLUTION ACCEPTING THE AMOUNTS AND RATES
AS DETERMINED BY THE WARREN COUNTY BUDGET COMMISSION AND
AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE
COUNTY AUDITOR**

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

Eric Hansen said this item is completed annually as required by the State of Ohio. The Tax Budget shows the City's need for State supported funding of local services and allocates the property tax inside millage between the general fund and debt service fund. The Tax Budget is then submitted to the County Auditor who then sets property tax rates. The City in turn must officially accept the property tax rates. Resolution 2019-13 formally accepts the property tax rates that are effective for the 2019 property tax collection year collected in 2020. The rate continues to be 4.40 mills, lower than the tax rate needed.

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

A motion to adopt Resolution 2019-13 was made by Vice Mayor Spaeth, seconded by Councilmember Grossmann. VOTE: ALL YEAS.

**RESOLUTION 2019-14 DECLARING THE NECESSITY AND INTENTION TO
APPROPRIATE PROPERTY FOR THE SR 741/PARKSIDE DRIVE INTERSECTION
IMPROVEMENT PROJECT AND DECLARING AN EMERGENCY (UNITED DAIRY
FARMERS)**

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

Kurt Seiler stated this appropriation acquires the remaining right-of-way needed for the improvement of SR 741 and Parkside Drive Intersection. Five of the six properties have signed the easements required for the project with United Dairy Farmers, Inc. (UDF) being the remaining parcel. Staff has been in contact with UDF to resolve the acquisition before the appropriation is finalized. However, the project timeline requires the City to take this step in order to keep the project on schedule. UDF is aware and understands the need for this resolution of intent to appropriate.

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 Resolution 2019-14 was made by Vice Mayor Spaeth, seconded by Councilmember Grossmann. VOTE: ALL YEAS.

ORDINANCE 2019-99 APPROVAL OF THE REPLAT FOR KINGS ISLAND TECHNICAL CENTER, BLOCK "C"

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

Kurt Seiler discussed Ordinance 2019-99 and Ordinance 2019-100 together. This replat will split the existing lot into two lots: Lot 15 includes the Fujitec facility and Lot 16 is currently undeveloped. The property is zoned I-1 and both lots meet the City of Mason zoning regulations. The properties will share a common access off of Innovation Way as well as a private drainage easement located between the lots. Neyer Properties Acquisitions, Ltd. (Neyer) sold the entire property in 2014, but retained an option to purchase back approximately 3 acres for \$1. After several years of marketing the property, Neyer is now willing to donate the property to the City of Mason. The property could be combined with adjacent City owned property to the north and has potential to be used for detention, parking, aesthetic improvements or other uses in the future. Ordinance 2019-100 accepts the donation of this property.

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 2019-99 as amended was made by Councilmember Nelson, seconded by Vice Mayor Spaeth. VOTE: ALL YEAS.

ORDINANCE 2019-100 ACCEPTING THE DONATION OF APPROXIMATELY 2.85 ACRES OF LAND TO THE CITY OF MASON, OHIO

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

A motion to adopt Ordinance 2019-100 as amended was made by Councilmember Nelson, seconded by Councilmember Honerlaw. VOTE: ALL YEAS.

ORDINANCE 2019-101 AUTHORIZING THE CITY MANAGER TO ENTER INTO A PRE-ANNEXATION AGREEMENT WITH MICHAEL SCHNEIDER AND DONNA DAVIS

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

Kurt Seiler stated a pre-annexation agreement has been submitted by Michael Schneider and Donna Davis, owners of property located at 4570 Cox-Smith Road in Union Township. The property is not contiguous to the City of Mason and the property owners are requesting to tap into the City of Mason's water system prior to annexation. The pre-annexation agreement allows them access to the water system. They plan to tie into the waterline currently being extended along Cox-Smith Road and continue to utilize their septic system.

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 2019-101 was made by Councilmember Nelson, seconded by Councilmember Chance. VOTE: ALL YEAS.

ORDINANCE 2019-102 APPROVAL OF THE DEDICATION PLAT FOR MASON-MONTGOMERY ROAD (3051 MASON-MONTGOMERY ROAD)

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

Kurt Seiler said Daniel and Jenna Lee Tanase, property owners, are requesting approval of the 0.08 acre dedication plat for 3051 Mason Montgomery Road for potential lot split. This plat will dedicate the right of way necessary to meet the City of Mason Thoroughfare requirements.

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 Ordinance 2019-102 was made by Councilmember Nelson, seconded by Councilmember Chance. VOTE: ALL YEAS.

ORDINANCE 2019-103 ACCEPTING THE PUBLIC IMPROVEMENTS FOR AMBLESIDE MEADOWS PHASES 3A, 5A, 5B AND 5C AND RELEASING THE PERFORMANCE BONDS

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

Kurt Seiler said Public Utilities, Public Works and Engineering and Building staff, along with Greater Cincinnati Water Works, have inspected the public improvements and recommends accepting the public improvements. The utilities and other improvements will become the City's responsibility upon acceptance.

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 Ordinance 2019-103 was made by Councilmember Chance, seconded by Councilmember Honerlaw. VOTE: ALL YEAS.

ORDINANCE 2019-104 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH JOHN TUMLIN AND SONS IN THE AMOUNT OF \$30,740 FOR LABOR AND MATERIAL RELATED TO THE BUILDING RENOVATION AND INSTALLATION OF AN OVERHEAD DOOR IN BUILDING #2 AT THE SAFETY AND SERVICE CENTER ANNEX

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

Jennifer Heft said in 2006, the City relocated waste water treatment operations to the new Water Reclamation Plant located on Mason-Morrow-Millgrove Road. At that time, the former plant became vacant and was used as a storage site as well as office space for the City's Parks Maintenance Department prior to the Service Center being built. The facility has become valuable with the installation of a street sweeper cleanout pad, a fire hydrant for fire training, a bulk storage location for items such as mulch and gravel, as well as a space used for training by multiple departments. She said as part of the site improvements and increased usage capability, staff recommend turning Building #2 into a vehicle impound facility. Installation of an overhead door is necessary to allow for the appropriate amount of space for a tow truck to enter or exit the building.

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 2019-104 was made by Councilmember Nelson, seconded by Vice Mayor Spaeth. VOTE: ALL YEAS.

ORDINANCE 2019-105 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH CDW GOVERNMENT, INC. FOR THE PURCHASE OF AN UPGRADED STORAGE AREA NETWORK AND CAMERA STORAGE IN AND NOT TO EXCEED AMOUNT OF \$238,000 INCLUDING THE TRADE-IN OF AN OBSOLETE STORAGE AREA NETWORK

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

Jennifer Heft said the City purchased an EMC Storage Area Network (SAN) in 2014. A SAN is a critical component of the City's IT infrastructure. Annual maintenance cost to maintain the SAN has increased significantly. From 2014 to 2018 the annual maintenance cost of a SAN was approximately \$14,000. As the City enters into year 5 of operating the current SAN, the annual maintenance cost has increased to \$47,000 due to aging equipment. To keep the existing SAN system under maintenance for another 3 years, the City would be spending approximately \$140,000. The cost of purchasing a new SAN is \$83,000. This cost includes maintenance for the first 3 years of its operation. After 3 years, the annual maintenance cost would be locked in at \$12,450 per year. She said the City will receive a \$25,000 discount for trading in the existing SAN which will lower the cost of the initial equipment purchase to \$58,000. In addition, the City has eight security camera servers that will no longer receive Microsoft security updates beginning January 2020. An additional module option is available for the upgraded SAN that would allow all of the City's camera systems to be consolidated onto one centralized server. Purchasing this module would provide faster and more reliable storage and allow for growth as additional cameras are added at the new outdoor pool, Common Ground Playground at Makino Park, and other locations as the City's fiber project is brought online.

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.

Vice Mayor Spaeth and Councilmember Honerlaw thanked City staff for researching product and being cost efficient.

A motion to adopt Ordinance 2019-105 was made by Councilmember Nelson, seconded by Councilmember Chance. VOTE: ALL YEAS.

ORDINANCE 2019-106 DECLARING CERTAIN CITY EQUIPMENT AND PROPERTY AS SURPLUS PROPERTY AND AUTHORIZING THE CITY MANAGER TO DISPOSE OF SAID EQUIPMENT AND PROPERTY AND DECLARING AN EMERGENCY

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

Eric Hansen said the City periodically disposes of surplus City property through auction. This surplus is generally made up of vehicles and equipment that no longer serves a useful purpose in delivering public services. Surplus may also include unclaimed or forfeited property acquired through police related activity. Some surplus City property not needed for public use may be determined obsolete or unfit for the use for which it was originally acquired and therefore the property does not have value. He said some surplus City property not needed for City use may be used as a trade-in for a newer model when budgeted. Equipment and items from the Lou Eves Municipal Pool are included in this ordinance. The Village of Germantown provided labor and hauling of these items to be used in rehabbing their municipal pool. Germantown is also providing the City payment of \$7,500 for the pool items.

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 2019-106 was made by Councilmember Nelson, seconded by Councilmember Chance. VOTE: ALL YEAS.

OLD AND NEW BUSINESS

A motion to appoint Michael Hansen to Mason Port Authority was made by Councilmember Chance, seconded by Councilmember Nelson. VOTE: ALL YEAS.

Councilmember Chance recommended the Safety Committee look into flashing stop signs for the Church Street concerns.

Councilmember Grossmann stated she was disappointed by her experience during Recognition of Visitors.

Vice Mayor Spaeth complimented City staff in regards to the Lou Eves Municipal Pool closing event.

RECOGNITION OF VISITORS – None.

EXECUTIVE SESSION: LAND ACQUISITION AND EMPLOYMENT/COMPENSATION OF PUBLIC EMPLOYEES

A motion to adjourn into Executive Session for the purpose of discussing land acquisition and employment/compensation of public employees was made by Councilmember Nelson, seconded by Councilmember Chance. VOTE: ALL YEAS. TIME: 8:50 p.m.

A motion to reconvene into Regular Session was made by Councilmember Nelson, seconded by Vice Mayor Spaeth. VOTE: ALL YEAS. TIME: 9:43 p.m.

ADJOURN

A motion to adjourn was made by Vice Mayor Spaeth, seconded by Councilmember Nelson. VOTE: ALL YEAS. TIME: 9:43 p.m.