

**CITY OF MASON
COUNCIL MEETING
SEPTEMBER 23, 2019**

The meeting was called to order at 7:00 p.m. Mayor Kidd introduced Honorary Mayor Aron Olegnowicz. 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 edited September 9 Council Meeting Minutes was made by Vice Mayor Speath, seconded by Councilmember Nelson. VOTE: ALL YEAS.

CITY MANAGER'S REPORT

The next regularly scheduled City Council meeting is Monday, October 14, 2019 at 7:00 p.m. With upcoming activities, it is anticipated a rescheduled Council Meeting will be on Monday, November 18 for the month of November with Work Sessions held earlier in the month.

MADE Chamber will host a Decision MADE 2019: Candidates forum on Thursday, October 3 from 6:00 p.m. to 9:00 p.m. at the Mason Middle School. Candidates will be featured that are running for Mason City Council, Mason City School Board, Deerfield Township Fiscal Officer, Deerfield Township Trustee, and Kings Local School Board.

The Community Center will host a Trunk-N-Treat on Saturday, October 12 from 2:00 p.m. to 4:00 p.m. in partnership with Mason Public Library. Guests are admitted free. Register a car for Trunk-N-Treat and receive complimentary gifts.

The 5th Annual Mason Corporate Challenge will be held on Saturday, October 19 at 9:00 a.m. at the Mason Golf Center. This 5k walk/run engages the Mason corporate community and select charities. Each company forms a team comprised of employees and their families to compete and support charities selected by each company.

Halloween will be celebrated on Thursday, October 31 between 6:00 p.m. and 8:00 p.m. Rain or shine.

A fleet truck used for brush removal, chipping, and snow removal, went for repairs and is in need of an engine rebuild with a cost of \$29,000. Legislation will be provided next Council Meeting, however moving forward today saves costs on towing and storage. The cost for a replacement engine would be about \$200,000, however with the ability to store this vehicle inside, the truck has five more years on the front line and an additional five years of use as a backup vehicle. A

motion for repair was made by Councilmember Nelson, seconded by Councilmember Grossmann. VOTE: ALL YEAS.

A motion to not request a public hearing for a D2 liquor permit for Adesso Coffee was made by Vice Mayor Spaeth, seconded by Councilmember Honerlaw. VOTE: ALL YEAS.

Scams targeting residents where callers have been able to spoof City phone numbers have recently occurred. Take caution with phone calls giving a sense of urgency and seeking cash, gift cards or other non-traceable payment. It is recommended to verify the caller by calling the City at 229.8500 to confirm the identity of City representatives, report concerns to the police and take caution when compensation through gift cards is requested.

One of the City's many amenities is the tax benefit of living in Mason. The combination of earnings tax and less of a reliance on property tax, benefits Mason residents through the growth of businesses carrying most of the tax burden.

COMMITTEE REPORTS

Vice Mayor Spaeth advised short and long term solutions to alleviate concerns on Church Street will be implemented in the near future. She said Jim Cohen of CMC Properties, Mason Deerfield Chamber of Commerce members and Community Development Corporation presented at the Downtown Committee meeting in September to assist the vision to support and revitalize Downtown Mason.

Councilmember Nelson stated the U.S. Department of Health and Human Services announced the distribution of \$1.8 billion in grants to state and local agencies to address addiction treatment and data collection regarding the opioid crisis. She also invited the community to enjoy the Southwest Ohio Philharmonic event on Saturday, November 9.

FIREFIGHTERS SWEARING-IN

Chief Bryan Brumagen recognized three firefighter/paramedics recently hired with the City of Mason and Mayor conducted the ceremonial swearing-in of Tyler Burnside, Niles Rosner, and Bryan Shaw.

A motion to move Resolution 2019-16 up on the agenda was made by Councilmember Grossmann, seconded by Vice Mayor Spaeth. VOTE: ALL YEAS.

RESOLUTION 2019-16 PROCLAIMING THE WEEK OF OCTOBER 6-12, 2019 AS NATIONAL FIRE PREVENTION WEEK

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

Chief Bryan Brumagen stated Fire Prevention Week is observed this year the week of October 6-12, the anniversary week of the Great Chicago Fire and the fire in northern Wisconsin. The

National Fire Prevention Association theme for 2019 is “Not every hero wears a cape. Plan and Practice your Escape.” This year’s theme is aimed at educating the public about the basic yet essential steps to take to reduce the likelihood of having a fire and how to escape safely if one were to occur. The Mason Fire Department encourages families to plan your escape route, test your smoke alarms, choose an outside meeting place, and practice home fire drills. Station 51 will host an open house on Sunday, October 6 from 1 p.m. to 3 p.m. On Saturday, October 12, Station 52 will host an open house from 1 p.m. to 3 p.m. On October 8, 9, and 10 firefighters will be participating in “Smoke Alarm Blitz”, which includes fire personnel going door to door in the community to check, install or replace smoke alarm batteries. These checks will occur on between the hours of 6:00 p.m. and 8:00 p.m. in Broadview Farms and Olympia Fields subdivisions.

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 Resolution 2019-16 was made by Vice Mayor Spaeth, seconded by Councilmember Honerlaw. VOTE: ALL YEAS.

RED, RHYTHM AND BOOM RECOGNITIONS

Eric Hansen stated the City utilizes an Incident Command structure for Red, Rhythm and Boom where all departments in the City mobilize to provide assistance outside of what their department typically does throughout the year. He recognized the 2019 Incident Commander for the event, Fire Lieutenant Jason Graham and announced the 2020 Incident Commander, Dan Chambers. Jason Graham thanked City Council, City staff, and the amount of volunteers that helped make Red, Rhythm and Boom a success. Over 130 volunteers participated in the event totaling over 230 volunteer hours. The event had three organizations provide at least 20 volunteers and Mayor Kidd presented each of them with a \$200 check for their efforts. These organizations include Faith World Outreach Center, Mason High School Science Olympiad Team, and Mason High School Model UN. Jason also recognized the American Legion’s contribution to the Mason Parks and Recreation Foundation for the funds they raised through beverage sales at Red, Rhythm and Boom and the Music in Mason concerts. Commander Dave Charpentier and other American Legion members presented a check for \$12,760 to Mason Parks and Recreation Foundation President, Rachel Kopfler. The City presented a check for \$25,060 to the Parks Foundation for funds raised at various City events including Red, Rhythm and Boom, Mason Triumphant Triathlon, and Heritage Festival.

RECOGNITION OF VISITORS

Sai Siddabattula of 8005 Birchwood Court requested a traffic light outside his neighborhood for safety. Mayor Kidd encouraged him to attend a Deerfield Trustee meeting based on where the intersection is.

RESOLUTION 2019-15 PROCLAIMING SEPTEMBER 23, 2019 AS AMERICAN LEGION CENTENNIAL DAY IN MASON

Mayor presented the resolution to Commander Dave Charpentier and members of American Legion Post 194.

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 Resolution 2019-15 was made by Councilmember Nelson, seconded by Councilmember Honerlaw. VOTE: 5 YEAS.

ORDINANCE 2019-108 FIRST READING APPROVAL OF A REVISED CONCEPT PLANNED UNIT DEVELOPMENT PLAN FOR THE TOWER PARK DEVELOPMENT LOCATED AT 710 TYLERSVILLE ROAD (TOWER PARK)

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

A Public Hearing is set for Monday, October 28, 2019. Eric Hansen said the Public Hearing likely will not be advertised as the developer will be bringing a revised plan back to Planning Commission.

ORDINANCE 2019-109 AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE WARREN COUNTY TRANSPORTATION IMPROVEMENT DISTRICT

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

Kurt Seiler stated one of the City's significant corporate partners, Festo, is in the midst of a major expansion that nearly triples their existing footprint. The current configuration of Columbia Road causes traffic to weave as it passes the main entrance to the facility, leading to a less than ideal front door to one of Mason's corporate partners. Through the City's partnerships with REDI Cincinnati, the Ohio Development Services Agency (ODSA), the Ohio Department of Transportation (ODOT) and the WCTID, this roadway widening will be at zero cost to the company and to the City. Working with REDI Cincinnati, the City has been able to secure \$300,000 of grant funding from ODSA and the WCTID secured \$232,037 of grant funding through ODOT Division of Jobs and Commerce. He said the WCTID and the City will co-manage construction of the Columbia Road widening project, with the WCTID charged with administering the construction services contract and advancing payment to the contractor for construction services rendered.

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

A motion to adopt Ordinance 2019-109 was made by Vice Mayor Spaeth, seconded by Councilmember Nelson. VOTE: ALL YEAS.

ORDINANCE 2019-110 AMENDING THE CODIFIED ORDINANCES OF THE CITY OF MASON, OHIO, TO MODIFY CHAPTER 949 IN PART AND ADOPT MODIFICATIONS TO CHAPTER 949 PROVIDING FOR INDUSTRIAL PRETREATMENT REGULATIONS AND ADMINISTRATIVE PROCEDURES

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

Jennifer Heft said the Industrial Pretreatment Program is required by the U.S. EPA and Ohio EPA and is audited annually. In addition, City staff continually monitor this program to find ways to save companies in Mason money. All permitted industries and the City of Mason must follow the sampling and reporting program requirements that the OEPA approved for Mason's Industrial Pretreatment Program in conjunction with the legal authority of Chapter 949. A review of Chapter 949 identified provisions of the Code of Federal Regulations 40 (CFR 40) that could be added to potentially reduce sampling frequency and quantities from applicable categorical industries. She said Adding the required waiver language to Chapter 949 will enable Mason to submit for modification of its Pretreatment Program and be able to provide monitoring reduction opportunities to current and future industries that can meet waiver requirements. The federal language requiring notification of changes in industrial wastewater discharge properties will also be added to meet an Ohio EPA program review requirement.

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

A motion to adopt Ordinance 2019-110 as amended was made by Councilmember Grossmann, seconded by Councilmember Honerlaw. VOTE: ALL YEAS.

ORDINANCE 2019-111 AUTHORIZING THE CITY MANAGER TO ENTER INTO A REVOCABLE LICENSE AGREEMENT WITH FIFTH THIRD BANK REGARDING THE DEVELOPMENT OF DOWNTOWN PARKING

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

Kurt Seiler stated an agreement with Fifth Third for a public parking lot on City owned property adjacent to the Fifth Third Bank owned parking lot off of US Route 42 in Downtown Mason would make additional parking available for downtown businesses in the evening. He reviewed details included in the revocable license agreement provided by Fifth Third Bank corporate staff including granting permission to the City for use of the driveway for circulation and during non-business hours and use of their parking spaces, sharing costs of repair and maintenance to the Bank's parking and driveway, the City installing signage indicating that the bank parking spaces are reserved for Fifth Third customers during business hours, and the City providing evidence of commercial general liability insurance naming Fifth Third Bank as additional insured. Staff is in

the process of getting proposals from several contractors for construction of the 27-space parking lot and associated landscaping. The contract is for an undetermined period.

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.

Council and staff discussed using Fifth Third Bank and Mason's driveway to access parking lots, the condition of Fifth Third's current parking lot, appreciation for staff's ongoing work with Fifth Third and continuing the private/public partnership, and the termination policy.

A motion to adopt Ordinance 2019-111 as amended was made by Councilmember Nelson, seconded by Councilmember Grossmann. VOTE: ALL YEAS.

ORDINANCE 2019-112 AUTHORIZING THE CITY MANAGER TO ENTER INTO A SERVICE AGREEMENT IN THE AMOUNT OF \$8,000 WITH THE WARREN COUNTY ABUSE AND RAPE CRISIS SHELTER

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

Eric Hansen stated as part of the 2019 budget process the Finance Committee and Council recommended moving forward with a service agreement approach for contributions to organizations. Funds are provided to an organization in exchange for services provided as a demonstrable benefit to the City of Mason. Earlier this summer, the Abuse and Rape Crisis Shelter (ARCS) approached the City for funding support and Council recommended pursuing a service agreement. ARCS was established in 1984 with the mission of providing resources, safety, healing and empowerment to domestic violence and sexual assault survivors as well as prevention education throughout the communities in which they serve. The Shelter reaches over 8,000 individuals each year who have experienced this type of trauma. He highlighted a few services provided to the City as part of the service agreement including collaborating with the City of Mason Campus Safety Team in providing programs such as the Violence Free Coalition, teen dating awareness initiatives, human trafficking awareness, and empowerment classes, providing resources available at City facilities to inform Mason residents of their free available services and resources, and \$1,000 of the support will be allocated to provide Community Center passes and program fees to youth and single parents directly impacted by this type of trauma. He said as part of this service agreement, ARCS will demonstrate at least \$2 of funding from other sources for each \$1 the City provides. The City will continue to explore and be open to develop other shared programs and services that promote ARCS's mission.

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

Council and staff discussed finding a common understanding with service agreements, charitable giving not being the role of government, Finance Committee budgeting \$50,000 for service agreements for 2019, and the contracted services being worthwhile as well as contributing to families in Mason.

A motion to adopt Ordinance 2019-112 was made by Councilmember Nelson, seconded by Councilmember Grossmann. VOTE: ALL YEAS.

OLD AND NEW BUSINESS

Vice Mayor Spaeth thanked staff for the success of the 2019 Heritage Festival.

RECOGNITION OF VISITORS – None.

ADJOURN

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