

**CITY OF MASON
COUNCIL MEETING
NOVEMBER 18, 2019**

The meeting was called to order at 7:01 p.m. Reverend Terry Kidd opened the meeting in prayer. Posting of Colors was provided by American Legion Post 194 and Austin Chance led all those present in reciting the Pledge of Allegiance.

ATTENDANCE

The following members of Council were present: Barbara Berry-Spaeth, Ashley Chance, Kathy Grossmann, Michael Gilb, T. J. Honerlaw, and Victor Kidd. Diana K. Nelson was absent.

Mayor Kidd requested Jeff Forbes chair the meeting until the brief recess.

RESOLUTION 2019-21 COMMENDING VICTOR KIDD FOR HIS OUTSTANDING DEDICATION AND SERVICE TO THE CITY OF MASON, OHIO

Jeff Forbes read Resolution 2019-21.

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 Resolution 2019-21 was made by Councilmember Chance, seconded by Vice Mayor Spaeth. VOTE: 5 YEAS, 1 ABSTAIN (Kidd).

Vice Mayor Spaeth presented Mayor Kidd with the resolution.

RESOLUTION 2019-22 COMMENDING BARBARA BERRY-SPAETH FOR HER OUTSTANDING DEDICATION AND SERVICE TO THE CITY OF MASON, OHIO

Jeff Forbes read Resolution 2019-22.

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

A motion to adopt Resolution 2019-22 was made by Councilmember Chance, seconded by Mayor Kidd. VOTE: 5 YEAS, 1 ABSTAIN (Spaeth).

Mayor Kidd presented Vice Mayor Spaeth with the resolution.

FAREWELL COMMENTS

Vice Mayor Spaeth thanked her family for their support, her good friends Sallie and Herb Nally for encouraging her to run for Council, and Mayor Kidd for his kind words, trust, and friendship. She is grateful to have served the City of Mason, the City she grew up in. She is proud of the

accomplishments over the past eight years on Council and the outlook for future endeavors for the City. Vice Mayor Spaeth said she served honest and trustworthy in consideration for what was best for the City.

Mayor Kidd thanked the citizens for electing him to City Council, Council for electing him to two terms as Vice Mayor and two terms as Mayor, Vice Mayor Spaeth for her friendship and support, City staff for their professionalism, cooperation and support, his family, and the relationships built while serving the community that have greatly improved his life. He said serving 16 years has been gratifying and a great investment. He asked for forgiveness for interactions and conflicts of passion for Mason. He congratulated new and returning Council members.

Eric Hansen announced a brief recess at 7:41 p.m.

RECONVENE COUNCIL MEETING

Council Meeting reconvened at 7:58 p.m.

APPROVAL OF MINUTES

A motion to approve the October 28 Council Meeting Minutes and November 12 Work Session Minutes was made by Vice Mayor Spaeth, seconded by Councilmember Chance. VOTE: ALL YEAS.

CITY MANAGER'S REPORT

The next regularly scheduled Council Meeting is Monday, December 9, 2019. Per City Charter, Council will need to meet on Sunday, December 1 for a reorganizational meeting. Newly elected Council members will be sworn in and Council will elect Mayor and Vice Mayor. A motion for the reorganizational meeting to begin at 4:00 p.m. on Sunday, December 1 was made by Councilmember Gilb, seconded by Councilmember Grossmann. VOTE: ALL YEAS.

The regularly scheduled second meeting in December falls on December 23. Staff is working to have all remaining business ready for Council action on December 9 and with adoption of the 2020 Budget, no additional meetings apart from the December 9 meeting should be necessary. A motion eliminating the December 23 meeting was made by Councilmember Chance. VOTE: ALL YEAS.

City offices will be closed on Thursday, November 28 and Friday, November 29 in observance of Thanksgiving. The Community Center will be open on Thanksgiving Day from 6:00 a.m. to 12:00 p.m. with limited access. The Center will resume normal operating hours on that Friday, Saturday, and Sunday.

The City is partnering with Mason Schools again for the Hope for the Holidays program which has been rebranded to "Mason Cares" program. Residents, businesses, and the community may

adopt families in need or donate new and unwrapped toys, clothes, or gift cards at collection barrels located at City facilities.

The Community Center's Shop Local event will be held on Wednesday, December 4, from 9:00 a.m. to 4:00 p.m., featuring Mason area merchants with jewelry, kitchen items, and other gift items.

The City will host the annual Tree Lighting Ceremony on Friday, December 6 at the Mason Downtown Plaza. This event is free and open to the public. The annual Tree Lighting Ceremony will take place at 6:30 p.m. on the Downtown Plaza. This annual event will feature complimentary photos with Santa, iceless ice skating, train rides for kids, food, beverages, and cookie decorating stations. Christmas stockings will be available where downtown merchants have the opportunity to provide a treat or giveaway in the stocking. The 2019 Christmas in Mason Calendars will be available at this event which will include holiday events, activities, and programs taking place during the month of December throughout the City.

The City will host the Breakfast with Santa event on Sunday, December 8 from 9:00 a.m. to 11:00 a.m. at the Golf Center Pavilion. Residents may register through imaginemason.org.

The City Manager anticipates traveling during the holidays and being out of the office. A motion appointing Jennifer Heft as Acting City Manager during the City Manager's absence was made by Councilmember Grossmann, seconded by Councilmember Honerlaw. VOTE: ALL YEAS.

COMMITTEE REPORTS – None.

RESOLUTION 2019-20 RESOLUTION TO ADOPT AND ALLOCATE FUNDS FOR AN OUTDOOR FITNESS COURT® AS PART OF THE 2020 NATIONAL FITNESS CAMPAIGN

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

Eric Hansen said this resolution was first read at the October 28 Council Meeting with implementation timing concerns in regards to current fundraising initiatives and projects in the City. The Fitness Court, done in conjunction with the National Fitness Campaign (NFC), is an outdoor exercise area with an opportunity to receive a grant that can be applied towards installation. City Staff revisited to check the status of the grant and advised there is an option to return and reapply for a grant at a later date.

A motion to adopt Resolution 2019-20 was made by Councilmember Grossmann, seconded by Councilmember Honerlaw. VOTE: ALL NAYS.

ORDINANCE 2019-123 SECOND READING ADOPTING THE REVISION, CODIFICATION, RECODIFICATION, REARRANGEMENT AND PUBLICATION OF THE ORDINANCES AND RESOLUTIONS OF THE CITY OF MASON, IN BOOK FORM, FOR THE CURRENT SUPPLEMENT

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

Jennifer Heft said the supplemental codification takes all of the City's legislation that Council has approved, since the previous supplemental, and updates the codification. Some of the changes include amending Section 963.10-Firearms and Weapons in City Parks, adding Chapter 93-Small Cell Facilities, amending Chapter 125-Standards of Best Practice for Real Property Transactions, and amending Chapter 949-Industrial Pretreatment Regulations and Administrative Procedures.

A motion to adopt Ordinance 2019-123 was made by Councilmember Honerlaw, seconded by Councilmember Grossmann. VOTE: ALL YEAS.

ORDINANCE 2019-135 AN ORDINANCE ACCEPTING THE LOW AND BEST BID FOR THE SNIDER ROAD ROUNDABOUTS PROJECT FROM FORD DEVELOPMENT CORP. AND AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT DOCUMENTS

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

Kurt Seiler said this project involves the traffic improvement of two intersections, Mason Road and Thornberry Drive, at Snider Road. In 2014, Council authorized a grant submittal for the Snider Road Roundabouts project to the Ohio Statewide Urban CMAQ grant program, which is a federally funded, OKI administered program through ODOT. The grant was approved for \$1.7 million in funding toward the project cost. Staff was also successful in obtaining Ohio Public Works Commission (OPWC) grant funds for this project in the amount of \$767,767. Together these grants will cover over 90% of the project's construction costs. He said seven bids were provided with Ford Development as the low bidder. Ford Development Corporation has constructed numerous projects for the City of Mason including the Mason Road Roundabout, the Bethany Road Roundabout and the Kings Island Drive Safety Improvement Project. Construction is expected to start early next year and last approximately one year.

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.

Councilmember Honerlaw and Kurt discussed the two roundabouts being bid together as one project with one completion date, traffic backing up at Thornberry Drive and Snider Road in the morning hours and providing a calming of traffic with congestion north of the Thornberry Drive roundabout.

A motion to adopt Ordinance 2019-135 was made by Vice Mayor Spaeth, seconded by Councilmember Grossmann. VOTE: ALL YEAS.

ORDINANCE 2019-136 AUTHORIZING THE CITY MANAGER TO EXECUTE A LETTER OF INTENT AND TO NEGOTIATE A RELATED PURCHASE AGREEMENT RELATED TO THE SALE OF APPROXIMATELY +/-50 ACRES OF LAND ON STATE ROUTE 741 AND DECLARING AN EMERGENCY

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

Eric Hansen said the City has been approached by a party interested in purchasing property from the City. This ordinance does not affect the purchase, but provides a non-binding letter of intent to continue negotiations and explore final terms while not accepting other potential offers.

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 2019-136 as amended was made by Councilmember Honerlaw, seconded by Councilmember Grossmann. VOTE: ALL YEAS.

ORDINANCE 2019-137 AN ORDINANCE ACCEPTING THE PROPOSAL FOR DESIGN OF THE MASON MUNICIPAL AQUATIC CENTER 50-METER ENCLOSURE BUILDING FROM CHAMPLIN ARCHITECTURE, FOR AN AMOUNT NOT TO EXCEED FEE OF \$242,500 AND AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT DOCUMENTS

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

Jennifer Heft stated earlier this year, City Council approved legislation for the construction of the Mason Municipal Aquatic Center that included construction of an enclosed 50-meter pool. The pool enclosure was originally identified as a tension fabric structure. Conger Construction identified that a pre-engineered building would provide more flexibility than the tension fabric structure that was originally planned. A pre-engineered steel structure would provide the ability to host events that would generate revenue but also provide the opportunity to expand the facility in the future. She said the next step in the process is to create the final design drawings for the facility and which requires architectural services. The City obtained a proposal from Champlin Architecture who provided the architectural services for the main pool facilities. Champlin will take the lead for coordinating the building, mechanical, electrical and structural services for the pool building with a cost of \$198,000 for providing those services. Staff also asked Champlin to provide a design cost for a future potential raised spectator seating and interior facility support rooms. The cost for the design is an additional \$44,500. Jennifer said it would be more cost beneficial to outline a strategic plan now for moving forward in the future if funding becomes available.

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

A motion to adopt Ordinance 2019-137 as amended was made by Councilmember Gilb, seconded by Councilmember Grossmann. VOTE: ALL YEAS.

ORDINANCE 2019-138 ESTABLISHING THE SALARY ADMINISTRATION PLAN, PROVIDING FOR CONSIDERATION OF INCREASES IN COMPENSATION ON AN ANNUAL BASIS, AND GRANTING A COST-OF-LIVING INCREASE

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

Jennifer Heft discussed Ordinance 2019-138, Ordinance 2019-139, and Ordinance 2019-140 together. In 2004, the Employee Relations Committee reviews compensation and hiring ranges during the budget process and recommend inflationary adjustments to take effect January of each calendar year. Ordinance 2019-138 provides a 1.5% inflationary Cost Of Living Adjustment (COLA) to non-union City employee's in good standing effective the first full pay period following January 1, 2020. Ordinance 2019-138 also identifies a merit component consisting of a gross dollar amount equal to 3% of payroll available for distribution to those employees that demonstrate exceptional effort. The actual dollar amount available to individual employees depends on performance evaluations and eligibility is based on employees who are in good standing with the City. A special incentive rewards employees who participate and perform in the City's wellness program to reduce Health Care costs. She said Ordinance 2019-138 includes an Executive Leadership Benefits package that may be allocated to members of the Leadership Team. Ordinance 2019-139 adjusts hiring ranges to reflect the COLA increase amount, adjusts hiring ranges beyond the COLA increases as recommended, and to exceed hiring range amounts for recruiting and filling positions. Ordinance 2019-140 adjusts compensation for Wood & Lamping LLP based on the COLA increase. She said the COLA increase is also applied to all user fees within the City to stay in line with inflation.

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 2019-138 was made by Councilmember Chance, seconded by Vice Mayor Spaeth. VOTE: ALL YEAS.

ORDINANCE 2019-139 REPEALING ORDINANCE 2018-131 OF THE CITY OF MASON, OHIO, AND ESTABLISHING HIRING COMPENSATION RANGES FOR CITY OF MASON EMPLOYMENT POSITIONS

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

A motion to adopt Ordinance 2019-139 was made by Councilmember Grossmann, seconded by Vice Mayor Spaeth. VOTE: ALL YEAS.

ORDINANCE 2019-140 MODIFYING THE CONTRACT FOR LEGAL SERVICES WITH WOOD & LAMPING LLP TO PROVIDE FOR UPDATED COMPENSATION

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 Councilmember Gilb, seconded by Councilmember Chance. VOTE: ALL YEAS.

A motion to adopt Ordinance 2019-140 was made by Vice Mayor Spaeth, seconded by Councilmember Chance. VOTE: ALL YEAS.

ORDINANCE 2019-141 AMENDING ORDINANCE NO. 2018-133 ESTABLISHING THE POSITIONS AND RATES OF COMPENSATION FOR EMPLOYEES FOR THE MASON MUNICIPAL COURT

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

Jennifer Heft said individual pay rates for Court employees are set by the Municipal Court. However, since the City is responsible for providing the payroll for Municipal Court, Council authorization of pay rates is necessary for City staff to make the necessary payroll payments. Court is proposing a 4% increase to the maximum salary for each position. Vacant positions remain in Court with no current intentions to fill those positions.

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 2019-141 was made by Councilmember Hoenrlaw, seconded by Councilmember Gilb. VOTE: ALL YEAS.

ORDINANCE 2019-142 AMENDING SECTION 121.06 OF THE CODIFIED ORDINANCES OF THE CITY OF MASON REGARDING COUNCIL COMPENSATION

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

Eric Hansen stated the current compensation for Council is \$1,100 for Mayor and \$700 for Council members per month. The last time compensation was adjusted was 12 years ago and recently the Ohio Public Employees Retirement System (OPERS) issued a new schedule for the amounts a person needs to earn to be eligible for full-time service credit. Per City Charter, there is about a two year gap from action taken to actual compensation changes. The Employee

Relations Committee recommends an increase to \$1,200 for Mayor, \$1,000 for Vice Mayor, and \$800 for Council members per month. These increases would not take effect until December 1, 2021.

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

A motion to adopt Ordinance 2019-142 was made by Councilmember Gilb, seconded by Councilmember Honerlaw. VOTE: ALL YEAS.

ORDINANCE 2019-143 AN ORDINANCE AUTHORIZING THE RE-APPROPRIATION AND TRANSFER OF MONIES AND TRANSFERRING OTHER FUNDS AND APPROPRIATIONS FOR THE CURRENT EXPENSES OF THE CITY OF MASON; THEREFORE AMENDING THE ANNUAL APPROPRIATION ORDINANCE NO. 2018-150 OF THE CITY OF MASON, OHIO, PASSED BY THE COUNCIL OF THE CITY OF MASON, OHIO ON DECEMBER 10, 2018 FOR THE YEAR 2019

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

Eric Hansen discussed Ordinance 2019-143 and 2019-144 together. As the City's priorities change or are modified throughout the year, re-appropriating funds is necessary at years end to close the City's accounts and prepare for the upcoming years' investments. Department Heads review their budget line by line and transfer budget amounts to different line items as part of the re-appropriation process. There will be 16 fund transfers with the most significant being \$12 million re-appropriated from the General Fund to the General Capital Improvement Fund to provide for reinvestment back in to the community. There is also a \$1 million transfer to the Economic Sustainability Fund. He said there are some amounts that required alterations due to a significant sponsor for Common Ground, grants appropriated for police officer training, reductions in Community Center expansion fund, and safety reserve funds having more funds generated than expected. He stated there are 17 supplemental appropriations in Ordinance 2019-144.

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 Ordinance 2019-143 was made by Councilmember Grossmann, seconded by Councilmember Gilb. VOTE: ALL YEAS.

ORDINANCE 2019-144 AN ORDINANCE AUTHORIZING THE SUPPLEMENTAL APPROPRIATIONS OF MONIES; THEREFORE AMENDING THE ANNUAL APPROPRIATION ORDINANCE NO. 2018-150 OF THE CITY OF MASON, OHIO, PASSED BY THE COUNCIL OF THE CITY OF MASON, OHIO ON DECEMBER 10, 2018 FOR THE YEAR 2019

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

A motion to adopt Ordinance 2019-144 was made by Councilmember Chance, seconded by Councilmember Grossmann. VOTE: ALL YEAS.

ORDINANCE 2019-145 2020 ANNUAL APPROPRIATION ORDINANCE

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

Eric Hansen said this Ordinance approves the 2020 Annual City Budget, a planning document that sets broad guidelines and approves appropriations for the subsequent project year. The City has continued to keep a conservative budget allowing for significant investments in Capital. The 2020 Budget includes over \$23 million in Capital investment. The City budgets for an equipment maintenance reserve that will provide enough funds to replace fleet needs. He stated the City also has an Economic Sustainability Fund with an outlook for future years. He highlighted a few projects in 2020 including continued improvement and investment to SR 741, the extension of Central Park Boulevard, the bike path connection to the north and south of the City, continued improvements to landscaping at the Wester Row Road interchange, drainage improvements, right-of-way acquisitions for roundabouts, Makino Park improvements, Municipal Aquatic Center, Golf Course infrastructure, and street resurfacing. The Operating Budget will need adjustment in the coming year for the Mason Municipal Aquatic Center and Makino Park. He said this budget remains conservative with 19 full-time vacant positions which have helped the Operating Budget and moving additional funds into Capital. With the increase in projects and difficulties in the current work climate, these positions may need shifted to different areas or retitled and be filled. He thanked staff and the Finance Committee for the amount of work and thoughtful discussion given to the budget.

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

A motion to adopt Ordinance 2019-145 was made by Councilmember Honerlaw, seconded by Councilmember Grossmann. VOTE: ALL YEAS.

OLD AND NEW BUSINESS

Councilmember Chance stated Councilmember Nelson apologized for not being able to attend but sends her thoughts to Vice Mayor and Mayor.

Vice Mayor Spaeth thanked City staff for support through the past eight years. She commended the Southwest Ohio Philharmonic event and is looking forward to events with the Mason Arts Council.

RECOGNITION OF VISITORS

Amy Mercer of 5689 Crestwood Drive stated the Nutcracker performed by the Mason Dance Center will be on December 15 at 1:00 p.m. and 4:00 p.m. at the Mason High School. All ticket sale proceeds go to Mason High School's After Prom.

ADJOURN

A motion to adjourn was made by Councilmember Chance, seconded by Councilmember Honerlaw. VOTE: ALL YEAS. TIME: 8:53 p.m.