

**CITY OF MASON
COUNCIL MEETING
AUGUST 10, 2020**

The meeting was called to order at 6:03 p.m.

ATTENDANCE

The following members of Council were present: Diana K. Nelson, Ashley Chance, Tony Bradburn, Joshua Styracula, Michael Gilb, T. J. Honerlaw, and Kathy Grossmann.

Eric stated Council is anticipated to adjourn into Executive Session until approximately 7:00 p.m. when regular meeting will resume.

EXECUTIVE SESSION: ACQUISITION/DISPOSITION OF PROPERTY AND EMPLOYMENT/COMPENSATION OF PUBLIC EMPLOYEES

A motion to adjourn into Executive Session for the purpose of discussing acquisition/disposition of property and employment/compensation of public employees was made by Councilmember Honerlaw, seconded by Councilmember Styracula. VOTE: ALL YEAS. TIME: 6:05 p.m.

A motion to reconvene into Regular Session was made by Councilmember Styracula, seconded by Councilmember Bradburn. VOTE: ALL YEAS. TIME: 7:07 p.m.

Chaplain Rick Huff opened the regular meeting in prayer. All those present recited the Pledge of Allegiance.

APPROVAL OF MINUTES

A motion to approve the July 13 Council Meeting minutes was made by Councilmember Bradburn, seconded by Councilmember Styracula. VOTE: 6 YEAS, 1 ABSTAIN (Honerlaw).

CITY MANAGER'S REPORT

The Board of Veterans Affairs in partnership with the American Legion Post 194 and the VFW Post 9622 released a new program to honor Mason's veterans and active military. The new program provides residents the opportunity to purchase a street banner to honor a military family member, friend or neighbor. Since that time, the American Legion has received 20 applications to participate in the program. The City is working closely with John Looker and the American Legion to have these banners ready for Veterans Day. A video was shared with Council and the public to promote this special program.

The City has continued to use the Come Together Mason e-gift card as a tool to encourage the community to support small businesses during the pandemic. Since the establishment of the Come Together Mason e-gift card program, nearly a third of the e-gift cards have been redeemed with a total value of approximately \$100,000, including the Sewer e-gift cards. Expiration dates for the

first round of sewer residents is in September. Expiration dates were established to encourage a quick redemption and timely support of local business during the COVID-19 crisis. There are about 75 businesses currently participating.

The City is partnering with Warren County Children's Services and the Mason Schools Foundation for a virtual school supply drive to help families in need throughout the community and region this year. Residents can make a monetary donation or purchase school supplies through the Amazon Wish List. Donations can be made online through either agency through August 14.

The August 19 meeting of the Warren County Municipal League will be held at the Golden Lamb in Lebanon.

City offices will be closed on Monday, September 7 in observance of the Labor Day holiday. The Community Center will have normal operating hours Friday, September 4 through Sunday, September 6. On Monday, September 7, the Community Center will be open from 6:00 a.m. to noon with limited services.

RECOGNITION OF VISITORS

Joy Bennett of 1054 Willow Lane encouraged Councilmember Honerlaw and Vice Mayor Gilb to make a significant change in actions. She stated concerns with Council not setting aside personal ambitions to serve the community and inconsistent leadership throughout meetings. Mayor Grossmann and Joy discussed actions to make proactive changes for consistent community leadership and working in good faith for a City-run small business program.

Nicole Haake of 3620 Dunlap Court shared concerns with Council dysfunction while businesses continue to struggle, future small business struggles and development, and downtown area progress.

Sherry Taylor of 4833 Gallop Run and Mason Deerfield Chamber CEO provided a recap of the success of the small business voucher program, clarified the progress and accomplishments working with the City to assist small businesses, and timing and meeting concerns to help small businesses. She said the MADE Chamber has had a proactive relationship with Council for many years and continue to be open to communication and collaboration now and in the future.

John Looker of 111 East Main Street stated concerns with the Houston Inn closing during the pandemic and how the e-gift card program is unable to assist their ability to stay open. Council and John discussed Houston Inn partners wanting to sell, timing of the disbursement of funds to businesses, and putting stimulus back into the pockets of businesses through e-gift cards and the service and loan agreements. John stated the Veterans Board of Affairs is working to make Mason a Purple Heart City.

Glen Garvin of 4974 Lava Court thanked John Looker for his service and the banner program on behalf of veterans. He provided feedback to Mayor Grossmann regarding verbal and non-verbal actions not aligning with the communication wanting to be portrayed.

Councilmember Nelson apologized on behalf of Council to Sherry Taylor for the actions from Council to the Chamber and CDC. She thanked the Chamber for mobilizing quickly and looks forward to moving forward successfully. Mayor Grossmann requested Councilmember Nelson not apologize for all of Council.

Jordan Arnold of 989 Indianwood Drive thanked Mayor Grossmann for being assertive and said he would like to see more diversity represented on the MADE Chamber. Councilmember Chance and Mayor Grossmann discussed a previous candidate for Council and having a diverse representation for the community.

A motion to remove Ordinance 2020-64 from tabled was made by Councilmember Honerlaw, seconded by Councilmember Styrcula. VOTE: ALL YEAS.

ORDINANCE 2020-64 AMENDING PROVISIONS OF SECTION 1301.01 OF THE CODIFIED ORDINANCES OF THE CITY OF MASON REGARDING POOL BARRIER REGULATIONS FOR ONE-, TWO- AND THREE-FAMILY DWELLINGS

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

Kurt Seiler recapped discussion of pool barrier regulations from the July Council meeting and said the Safety Committee looked at several options before recommending an additional restriction where a lockable pool cover would only be allowed when the private residential pool is at least 100 feet away from the nearest adjacent dwelling.

Council discussed the dangers of not having a fence surrounding a pool, lot layout and zoning restricting more than half of the lots in Mason, several locations requesting already having open water hazards, and personal homeowner responsibility.

A motion to adopt Ordinance 2020-64 was made by Councilmember Bradburn, seconded by Councilmember Styrcula. VOTE: 6 YEAS,1 NAY (Nelson).

ORDINANCE 2020-68 APPROVAL OF THE REPLAT FOR KINGS MILLS PLAZA, SECTION 1D, LOT 1A

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

Kurt Seiler stated this lot is located on the southeast corner of Kings Mills Road and State Route 741. This replat will split lot 1A into lot 1B and lot 1C. The applicant received approval of a lot width variance from the Zoning Board of Appeals on July 28, 2020 for these lots being less than the required 200 feet.

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

Councilmember Honerlaw and Kurt discussed the right of way already taken off lot 1B for the SR 741 project.

A motion to adopt Ordinance 2020-68 was made by Councilmember Nelson, seconded by Councilmember Honerlaw. VOTE: ALL YEAS.

ORDINANCE 2020-69 AUTHORIZING CONTINUED PARTICIPATION IN THE AMENDED AND RESTATED WARREN COUNTY DRUG TASK FORCE COUNCIL OF GOVERNMENTS CONTRACT

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

Eric Hansen said the City of Mason has been a charter member and has remained very active with the Drug Task Force for almost thirty years. The Council of Governments agreement has not changed in substance but is being amended to include the addition of the Villages of Harveysburg and Carlisle in Warren County.

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

Councilmember Nelson and Councilmember Bradburn discussed the Safety Committee providing an update on heroin overdoses and usage concerns in Mason and Warren County.

A motion to adopt Ordinance 2020-69 was made by Councilmember Nelson, seconded by Councilmember Honerlaw. VOTE: ALL YEAS.

ORDINANCE 2020-70 ACCEPTING CERTAIN ROADWORK GRANTS, AUTHORIZING RELATED REIMBURSEMENT AGREEMENTS

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

Eric Hansen stated within the past year, Rhinestahl, Vega America and Precision Castparts Corporation (PCC) have purchased land within the Mason Research and Development Park in order to develop new campus facilities. To continue support of these companies and help put in infrastructure necessary for these companies and continued growth, the City received grant funds through the Ohio Development Services Agency (ODSA) and the Ohio Department of Transportation (ODOT) specific to road construction. The grants will assist the companies in constructing approximately 2,700 feet of the R&D Park roadway. He said the companies will be required to submit their qualified expenses to the City who will then work with the State on the reimbursement. The successful leveraging of these grants will help reduce the cost to two of Mason's newest corporate partners.

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

A motion to adopt Ordinance 2020-70 was made by Councilmember Nelson, seconded by Councilmember Styrcula. VOTE: ALL YEAS.

ORDINANCE 2020-71 AUTHORIZING THE CITY MANAGER TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE WARREN COUNTY BOARD OF COUNTY COMMISSIONERS AND THE WARREN COUNTY ENGINEER REGARDING REIMBURSEMENT WATER LINE RELOCATION

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

Jennfier Heft said the Warren County Engineer’s Office is in the process of finalizing plans to construct a new bridge over the Little Miami River to replace the deteriorating existing bridge on King Avenue. The project will eliminate the U-shaped curve and reduce road grade to improve safety for motorists and pedestrians. The improvements require the relocation of an eight-inch raw water line the City of Mason uses to provide irrigation water for the Golf Course and Kings Island Drive islands. Eight hundred and twenty-four linear feet of new ductile pipe will be installed, and four hundred and fifty linear feet of old pipe will be removed. This relocation directs the raw water line under the new bridge providing a gradual slope increase congruent to the existing configuration eliminating the need for air relief valves. The new road configuration will increase the existing elevation more than twenty-seven feet where the existing raw water line now crosses the road. She stated the anticipated cost is \$101,010 based upon the engineering estimate and \$126,000 is recommended for approval in order to cover any change orders or fluctuations in bid values based upon economic conditions as the project will not bid until the fall of 2021 with construction planned for 2022-2023.

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

A motion to adopt Ordinance 2020-71 was made by Councilmember Styrcula, seconded by Councilmember Honerlaw. VOTE: ALL YEAS.

A brief recess was held at 8:43 p.m.

The regular Council Meeting reconvened at 8:52 p.m.

A motion to add Ordinance 2020-72 to the agenda was made by Councilmember Bradburn, seconded by Councilmember Honerlaw. VOTE: ALL YEAS.

ORDINANCE 2020-72 APPROVING THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF MASON AND MASON PROFESSIONAL FIRE FIGHTERS, IAFF, LOCAL 4049, AUTHORIZING THE CITY TO EXECUTE THE AGREEMENT, AND DECLARING AN EMERGENCY

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

A motion to adopt Ordinance 2020-72 was made by Councilmember Nelson, seconded by Councilmember Honerlaw. VOTE: ALL YEAS.

COMMITTEE REPORTS

Mayor Grossmann stated the Policy and Legislation Committee met last week.

A motion to add Ordinance 2020-73 to the agenda was made by Councilmember Bradburn, seconded by Councilmember Honerlaw. VOTE: ALL YEAS.

ORDINANCE 2020-73 DIRECTING THE WARREN COUNTY BOARD OF ELECTIONS TO SUBMIT TO THE ELECTORS OF THE CITY OF MASON, OHIO, AT THE NOVEMBER 3, 2020, GENERAL ELECTION, A CHARTER REVISION TO SECTIONS 3.02, 3.07(k), 4.13, 4.15(B), 9.03, AND 11.04

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

A motion to adopt Ordinance 2020-73 was made by Councilmember Honerlaw, seconded by Councilmember Bradburn. VOTE: 4 YEAS, 3 NAYS (Nelson, Chance, Styrcula). Motion fails.

A motion to add Ordinance 2020-74 to the agenda was made by Vice Mayor Gilb, seconded by Councilmember Honerlaw. VOTE: ALL YEAS.

ORDINANCE 2020-74 DIRECTING THE WARREN COUNTY BOARD OF ELECTIONS TO SUBMIT TO THE ELECTORS OF THE CITY OF MASON, OHIO, AT THE NOVEMBER 3, 2020, GENERAL ELECTION, A CHARTER AMENDMENT TO SECTION 3.02 (COUNCIL QUALIFICATIONS)

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

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

Council and Jeff Forbes discussed removing the confusion of residency requirement concerns for Council elections and the phrase preceding election being the same verbiage as State law.

A motion to adopt Ordinance 2020-74 was made by Vice Mayor Gilb, seconded by Councilmember Honerlaw. VOTE: 5 YEAS, 2 NAYS (Nelson, Chance).

Jeff Forbes stated when Council submits a Charter amendment question to the ballot, five affirmative votes are required. Ordinance 2020-74 will be forwarded to the Board of Elections to be placed on the ballot for voters to decide.

A motion to add Ordinance 2020-75 to the agenda was made by Vice Mayor Gilb, seconded by Councilmember Honerlaw. VOTE: ALL YEAS.

ORDINANCE 2020-75 DIRECTING THE WARREN COUNTY BOARD OF ELECTIONS TO SUBMIT TO THE ELECTORS OF THE CITY OF MASON, OHIO, AT THE NOVEMBER 3, 2020, GENERAL ELECTION, A CHARTER AMENDMENT TO SECTION 3.07(K) (POWERS OF COUNCIL)

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

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

Council discussed providing any potential conflict of disclosure via written waiver, legislating through legislation instead of the Charter, already submitting similar amendments to the last election and failing to pass, Council already completing Ohio Ethics Commission forms, and financial disclosure forms being public records.

Jeff and Eric stated this is the last regular Council meeting to act on items and meet the deadline for submittal for the November 2020 election. A motion to table Ordinance 2020-75 was made by Vice Mayor Gilb, seconded by Councilmember Nelson. VOTE: 2 YEAS, 5 NAYS (Nelson, Chance, Bradburn, Honerlaw, Grossman). Motion fails.

Council discussed transparency. Councilmember Chance called the question.

A motion to adopt Ordinance 2020-75 was made by Councilmember Bradburn, seconded by Councilmember Honerlaw. VOTE: 3 YEAS, 4 NAYS (Nelson, Chance, Styracula, Gilb). Motion fails.

A motion to add Ordinance 2020-76 to the agenda was made by Councilmember Bradburn, seconded by Councilmember Styracula. VOTE: ALL YEAS.

ORDINANCE 2020-76 DIRECTING THE WARREN COUNTY BOARD OF ELECTIONS TO SUBMIT TO THE ELECTORS OF THE CITY OF MASON, OHIO, AT THE NOVEMBER 3, 2020, GENERAL ELECTION, A CHARTER AMENDMENT TO SECTIONS 4.13, 4.15(B), AND 9.03 (PUBLICATION ON WEBSITE)

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

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

Mayor Grossmann and Vice Mayor Gilb discussed the opportunity to provide up-to-date electronic notifications, proactive communication, and having notices published on the City's website.

A motion to adopt Ordinance 2020-76 was made by Councilmember Bradburn, seconded by Vice Mayor Gilb. VOTE: ALL YEAS.

A motion to add Ordinance 2020-77 to the agenda was made by Councilmember Styracula, seconded by Vice Mayor Gilb. VOTE: ALL YEAS.

ORDINANCE 2020-77 DIRECTING THE WARREN COUNTY BOARD OF ELECTIONS TO SUBMIT TO THE ELECTORS OF THE CITY OF MASON, OHIO, AT THE NOVEMBER 3, 2020, GENERAL ELECTION, A CHARTER AMENDMENT TO SECTION 11.04 (RECALL PROVISIONS)

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

Council and Jeff discussed this ordinance not being a conflict of interest to add to the ballot for voters to vote on, referendum versus recall, reasons for dismissal of Council, the community having a voice in Council members actions, the current division being driven by Council, and the process being more difficult for Council to recall members than for residents to recall Council members.

A motion to adopt Ordinance 2020-77 was made by Councilmember Bradburn, seconded by Vice Mayor Gilb. VOTE: 4 YEAS, 3 NAYS (Nelson, Chance, Styracula). Motion fails.

Councilmember Bradburn said the Safety Committee reviewed pool safety options and invited Fire Chief Brumagen to present about adding a third medic unit due to the increased run volume. He said a third medic unit would cover the most needed times and then adjust in 2021. An additional squad would not be needed. Eric Hansen said City staff would gather data and determine what time frames will receive the greatest impact in response time.

Vice Mayor Gilb stated the Finance Committee discussed Fire Department needs, financial projections, and the financial impact from the pandemic. Councilmember Bradburn said the community is doing well financially.

OLD AND NEW BUSINESS

Councilmember Bradburn and Eric Hansen discussed staff looking at alternate celebrations for this years' Heritage Festival events.

Councilmember Nelson said the CARES Act provided funds to Ohio municipalities to help with coronavirus expenditures. Money from the state distributions of CARES Act funding can be used to provide grants to businesses. The HEALS Act would allow coronavirus relief funds to be used to cover revenue short falls and a second round of PPE funding.

Councilmember Honerlaw said making a stand in politics makes him a target and personal financial concerns should not be an issue. He does not take actions against him personally due to politics.

Mayor Grossmann transcribed and read varied portions of the April 3, 2020 Council meeting. Council discussed the December 1, 2019 meeting, following Robert's Rules of Order, scenarios where some Council members have not followed the rules, the proposition to develop a stimulus package for small businesses in April 2020, recall petitions and a hearing for Council members, focusing on the agenda to better the community, and the Mason community being a great place to work, play, and raise a family.

RECOGNITION OF VISITORS

John Looker of 111 East Main Street recognized City staff for help with the banner program. Councilmember Honerlaw and John discussed receiving four to five calls a day regarding the banner program, already having twenty applicants interested, and banners being up for Veteran's Day.

Joy Bennett of 1054 Willow Lane shared concerns of Council assigning motive and Councilmember Honerlaw's debt. She encouraged Council to serve the community, listen, assume accountability, and be consistent. Council and Joy discussed utilizing rules against each other, collaborating together, being elected to decide if topics are good or bad for the community although it may not be what some people in the community want, and concerns with leadership and behavior versus legislation.

Jose Contreras of 4618 Braid Lane stated Councils lack of leadership is hindering the ability to take action.

Jordan Arnold of 989 Indianwood Drive stated the Mason community is welcoming, Council represents the community and is held to a higher standard, and he wants to form a chamber and be funded.

Glen Garvin of 4974 Lava Court said Vice Mayor Gilb's dialogue with Joy Bennett was commendable and Council needs to be held accountable instead of assigning motives to others.

Mark Haake of 3620 Dunlap Court said the recall petitions were a joint effort from varied beliefs and political persuasions. Councils communication and dialogue is not productive and working together is the message the community wants Council to hear. Vice Mayor Gilb reviewed how the City has helped with businesses as it seems the message got lost.

Councilmember Bradburn apologized for his choice of words expressing himself earlier in the meeting.

ADJOURN

A motion to adjourn was made by Vice Mayor Gilb, seconded by Councilmember Nelson. VOTE: ALL YEAS. TIME: 11:25 p.m.