

**CITY OF MASON
COUNCIL MEETING
SEPTEMBER 14, 2020**

The meeting was called to order at 5:05 p.m.

ATTENDANCE

The following members of Council were present: Diana K. Nelson, Tony Bradburn, Joshua Styrcula, Michael Gilb. T. J. Honerlaw arrived at 5:07 p.m. Ashley Chance arrived at 5:08 p.m. Kathy Grossmann arrived at 5:11 p.m.

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

Councilmember Styrcula and Councilmember Nelson stated Executive Sessions are a great tool to help protect taxpayers and recommended some of tonight's Executive Session topics be a work session to allow for more transparency.

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 Bradburn, seconded by Vice Mayor Gilb. VOTE: 4 YEAS, 2 NAYS (Nelson, Styrcula). TIME: 5:10 p.m.

A motion to reconvene into Regular Session was made by Councilmember Honerlaw, seconded by Councilmember Styrcula. VOTE: ALL YEAS. TIME: 7:03 p.m.

Chaplain Kyle Linville opened the regular meeting in prayer. All those present recited the Pledge of Allegiance.

APPROVAL OF MINUTES

A motion to approve the September 14 Council Meeting minutes was made by Councilmember Chance, seconded by Councilmember Styrcula. VOTE: ALL YEAS.

Council and Jeff Forbes discussed a temporary rule for six months excusing Council at the end of a meeting during prepared statements, no business being conducted if there is less than a quorum (four Council members), limiting individual commentary and prepared statements to ten minutes, and creating a new agenda item for Comments from Council.

A motion to add Comments from Council Members Outside of their Committee to the agenda prior to adjournment where any Council member is free to leave as excused was made by Vice Mayor

Gilb, seconded by Councilmember Chance. VOTE: 4 YEAS, 3 NAYS (Bradburn, Honerlaw, Grossmann).

A motion to limit commentary in Old and New Business to ten minutes per member was made by Councilmember Nelson, seconded by Vice Mayor Gilb. VOTE: 6 YEAS, 1 NAY (Bradburn).

CITY MANAGER'S REPORT

This year's Heritage Festival event will feature several virtual programs to celebrate Mason's heritage and incorporates raffles to support local businesses. A video summarizing the virtual Heritage Festival events was displayed.

The Business Recovery Team has been active in finalizing program participation and has prepared a summary report. The City has distributed 10,500 gift cards to residents at a total valuation of about \$470,000. The initial round of gift cards expires the end of September and residents are encouraged to support local businesses by redeeming their cards. Seventy-five businesses are currently participating in the Mason Come Together e-Gift Card program.

Despite ongoing concerns with COVID-19 and social distancing, interest in new Community Center memberships is returning. In August 2019, 155 new memberships joined the Center. This August, 170 new memberships were added. Last September, 74 Premier members were added and this September, 36 have already been added. Staff have been very active in membership promotions and ensuring the Center is a safe and healthy experience for members to return.

Halloween takes place on October 31 from 6:00 p.m. to 8:00 p.m. Participation is voluntary, information will be provided on www.imaginemason.org for safety tips as well as additional COVID-19 tips. Residents are asked to turn on their lights if they are participating.

A MATTER OF 50 METERS UPDATE

Eric Hansen introduced Kathy Fish, the chair of A Matter of 50 Meters. Kathy shared her background and passion for her interest in the Aquatics Center project. Kathy discussed the benefits of the new facility in the community including new programs, being a retail draw for downtown, and being a positive financial impact. A Matter of 50 Meters raised approximately \$1 million in donations before fundraising was put on hold due to COVID-19. A Matter of 50 Meters remains excited about partnering with the City and continuing fundraising efforts.

Councilmember Nelson thanked A Matter of 50 Meters on their fundraising efforts.

Mayor Grossmann encouraged residents to visit AMatterof50Meters.org for more information and thanked the Mason Historical Society for their involvement with Heritage Festival. She confirmed Mason Youth Basketball will be taking place at Mason Community Center this year.

RECOGNITION OF VISITORS - None.

RESOLUTION 2020-10 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 Chance, seconded by Councilmember Styrcula. VOTE: ALL YEAS.

Jennifer Heft said City Council approved the City's tax budget earlier this year. The tax budget is used to establish property tax rates and local government distribution to communities within the county. In 2012 the Budget Commission and Ohio Department of Taxation had a finding that any inside millage with a type two annexation was equally split between the Township and the City. The City's legal counsel acknowledged Budget Commission should continue to uphold a 1935 standard that allocates funds into the City.

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

Councilmember Nelson and Eric Hansen discussed a type two annexation being an annexation where partial property comes into the City, but does not leave the Township. That jurisdiction is subject to both City and Township property taxes and share responsibility to maintain the road.

A motion to adopt Resolution 2020-10 was made by Councilmember Bradburn, seconded by Councilmember Styrcula. VOTE: ALL YEAS.

ORDINANCE 2020-78 AMENDING COMMUNITY REINVESTMENT AREA NO. 7, DESIGNATING A HOUSING OFFICER, ESTABLISHING A COMMUNITY REINVESTMENT AREA HOUSING COUNCIL

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

Jennifer Heft said the Community Reinvestment Area is a tool for economic development used for recruiting and retaining businesses in Mason. There are 13 current CRA districts and this ordinance relates to district seven. CRA district seven was developed in 1990 and is currently 828 acres zoned for light industrial development in the Mason Research & Development Park.

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

A motion to adopt Ordinance 2020-78 was made by Councilmember Chance, seconded by Councilmember Styrcula. VOTE: ALL YEAS.

ORDINANCE 2020-79 AUTHORIZING TO PREPAY LEASE PAYMENTS AND DIRECT THE TRUSTEE TO CALL AND PAY OUTSTANDING CERTIFICATES OF PARTICIPATION (CITY OF MASON MUNICIPAL FACILITIES REFUNDING PROJECT) DATED NOVEMBER 17, 2010.

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

Eric Hansen stated this ordinance would pay off the Mason Municipal Center seven years earlier than anticipated. With the advance refunding in 2010 and utilizing the lower level of the Municipal Center beginning in 2015 as a source of economic development, along with the City's Aaa credit rating and strong reserves have led to the ability to pay off the building. The City will own the Mason Municipal Center by the end of the year.

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.

Council congratulated staff and discussed money saved by refinancing and holding a ceremony to celebrate this accomplishment.

A motion to adopt Ordinance 2020-79 was made by Councilmember Nelson, seconded by Councilmember Honerlaw. VOTE: ALL YEAS.

ORDINANCE 2020-80 AUTHORIZING THE CITY MANAGER TO APPROVE A CHANGE ORDER TO THE CONTRACT WITH CONGER CONSTRUCTION GROUP, INC. FOR THE MASON MUNICIPAL AQUATIC CENTER IN THE AMOUNT OF \$3,000,000

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

Eric Hansen provided a recap of the 50-meter pool construction in conjunction with the new outdoor leisure pool. In November 2019, Council authorized a contract for a pre-engineered building. The City was able to save \$300,000 by rebidding the project and identified value engineering to help lessen costs in the future. The leisure pool is currently under budget. A Matter of 50 Meters has ambitions to raise another \$1 million before the 50-meter pool opens along with a long-term commitment to raise funds equivalent to simplified debt service on the payment of the pool. He said the Wellness Committee recommends moving forward with the pre-engineered metal building and recommends a change order with \$2 million in value engineering for smart spend options and \$1 million for permeant seating to maximize future revenue opportunities due to low financing costs vs. construction inflation. The enclosed portion of the 50-meter pool is anticipated to be complete in fall of 2021. Eric stated ordinance 2020-81 authorizes bonds for the construction costs.

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.

Council and Eric discussed keeping operating costs low, Deerfield Township contributions, Corporate memberships, and the Mason Municipal Aquatics Center achieving its maximum potential to generate revenue and stimulating the local economy.

A motion to adopt Ordinance 2020-80 was made by Councilmember Chance, seconded by Councilmember Honerlaw. VOTE: 6 YEAS, 1 NAY (Nelson).

ORDINANCE 2020-81 AN ORDINANCE PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$8,000,000 OF BONDS BY THE CITY OF MASON, OHIO, FOR THE CONSTRUCTION OF A MUNICIPAL AQUATIC CENTER IN THE CITY.

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

A motion to adopt Ordinance 2020-81 was made by Councilmember Bradburn, seconded by Councilmember Chance. VOTE: ALL YEAS.

ORDINANCE 2020-82 AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT, NOT TO EXCEED \$38,995, WITH WARREN COUNTY SOIL AND WATER CONSERVATION DISTRICT FOR THE 2021 EDUCATION, INSPECTION AND ASSOCIATED SERVICES NECESSARY TO MEET THE NATIONAL POLLUTANT DISCHARGE ELIMINATION (NPDES) PHASE II REQUIREMENTS

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

Jennifer Heft stated this ordinance reaffirms a partnership with the Warren County Soil and Water Conservation District to help the City meet the Ohio EPA standards for stormwater by providing inspection and educational services.

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

A motion to adopt Ordinance 2020-82 was made by Councilmember Bradburn, seconded by Councilmember Chance. VOTE: ALL YEAS.

ORDINANCE 2020-83 AUTHORIZING THE CITY MANAGER TO EXECUTE A CHANGE ORDER TO THE CONTRACT WITH BARRETT PAVING MATERIALS, INC., FOR THE 2020 STREET MAINTENANCE PROGRAM IN THE AMOUNT OF \$150,000 AND DECLARING AN EMERGENCY

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

Kurt Seiler said the deterioration of Welden Drive includes earth work operations by the subdivision developer. Geotechnical work was completed to take core samples of the pavement and subgrade to help investigate the cause of the failure. The subgrade will not need to be removed saving significant costs. Staff obtained bids from four paving contractors to remove and replace the entire roadway including a contingency if issues arise with the subgrade. An emergency clause is included to complete the work this weekend.

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

Councilmember Nelson and Eric Hansen discussed the length of the roadway and pinning the road deterioration to one person or timeframe would be difficult. Much of the damage to the roadway took place before the final course was put down.

A motion to adopt Ordinance 2020-83 was made by Councilmember Bradburn, seconded by Councilmember Styracula. VOTE: ALL YEAS.

ORDINANCE 2020-84 AUTHORIZING EXECUTION OF A CONSTRUCTION AND MAINTENANCE AGREEMENT WITH THE INDIANA & OHIO RAILWAY COMPANY FOR RAILROAD SURFACE CROSSING REPLACEMENT & SIGNAL RELOCATION WORK FOR THE SR 741 WIDENING IMPROVMENTS

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

Kurt Seiler said the SR 741 project from Spyglass Hill to Welden Drive received approved grants for a total of approximately \$6.5 million in funding, (including this ordinance for \$1.3 million towards railroad crossing improvements). The project requires widening and replacement of the two existing railroad crossings, one on SR 741 and one on Bethany Road. Kurt stated construction of the work by the railroad will be done in conjunction with the SR 741 widening roadway construction contract, which will be managed by the City. The \$1.3 million is grant eligible, and a portion of the grant funds could be reimbursed for the project. Kurt said Ordinance 2020-85 is standard reimbursement legislation of debt proceeds. In the future if the City bonds the SR 741 improvement project the City can reimburse itself for the expenses.

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 2020-84 was made by Councilmember Chance, seconded by Councilmember Honerlaw. VOTE: All Yeas.

ORDINANCE 2020-85 DELEGATING AUTHORITY TO MAKE DECLARATIONS OF OFFICIAL INTENT AND ALLOCATIONS WITH RESPECT TO REIMBURSEMENTS OF TEMPORARY ADVANCES DURING FISCAL YEARS 2020, 2021 AND 2022 MADE FOR CAPITAL IMPROVEMENTS FOR STATE ROUTE 741 STREET IMPROVEMENTS TO BE MADE FROM SUBSEQUENT BORROWINGS.

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

A motion to adopt Ordinance 2020-85 was made by Councilmember Nelson, seconded by Councilmember Honerlaw. VOTE: ALL YEAS.

COMMITTEE REPORTS

Councilmember Styrcula said the Board of Veterans Affairs Committee met and there is continued interest in the veterans' banner program and progress on the City of Mason becoming a Purple Heart City. An in-person ceremony is anticipated for the Purple Heart City celebration.

Councilmember Honerlaw stated the Wellness Committee met to discuss and tour the Mason Municipal Aquatics Center. Discussion of the golf course will take place at a future Wellness Committee meeting.

OLD AND NEW BUSINESS

Councilmember Nelson discussed Senate Bill 375 distributing \$1.2 million to the City, Ohio receiving \$96 million in federal funding for 21st Century Cures Act, and House Bill 606 providing civil immunity regarding COVID-19.

Mayor Grossmann recommended celebrating all City employees, that continue to adjust to difficult circumstances regarding COVID-19, in recognition of Labor Day by providing a Come Together Mason e-Gift Card. A motion to provide all City employees a \$50 Come Together Mason e-Gift was made by Councilmember Honerlaw, seconded by Councilmember Nelson. VOTE: ALL YEAS.

Mayor Grossmann discussed a commitment to study leadership and looking at where we have been, where we are at, and where we want to grow. Mayor Grossmann prepared and distributed a report for Council about the recall petitions.

RECOGNITION OF VISITORS

Perry Schwartz of 6309 Tarton Fields Lane attended the Wellness Committee meeting and urged Council to fix the irrigation system and bunkers at The Mason Golf Center. Council and Eric discussed projects at The Mason Golf Center being delayed due to COVID-19, work on irrigation and bunkers should take place now without waiting on future layout plans and starting now due to pending inflation rates.

ADJOURN

A motion to adjourn was made by Councilmember Chance, seconded by Councilmember Nelson.
VOTE: ALL YEAS. TIME: 8:40 p.m.