

**CITY OF MASON  
COUNCIL MEETING  
AUGUST 9, 2021**

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

**ATTENDANCE**

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

**EXECUTIVE SESSION: ACQUISITION/DISPOSITION OF PROPERTY**

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 Councilmember Honerlaw. VOTE: ALL YEAS. TIME: 6:05 p.m.

A motion to reconvene into Regular Session was made by Councilmember Nelson, seconded by Councilmember Chance. VOTE: ALL YEAS. TIME: 7:05 p.m.

Chaplain Bob Moertle opened the regular meeting in prayer, all those present recited the Pledge of Allegiance.

**APPROVAL OF MINUTES**

A motion to transcribe the April 26, 2021 Council Meeting minutes from after recognition of visitors was made by Councilmember Nelson, seconded by Councilmember Bradburn. VOTE: ALL YEAS.

A motion to approve the July 12, 2021 Council Meeting minutes was made by Councilmember Nelson, seconded by Councilmember Bradburn. VOTE: 6 YEAS, 1 ABSTAIN. (Chance)

**CITY MANAGER'S REPORT**

The Mason Aquatic Center continues to be a popular destination. For example, the facility had 13,053 guests in June 2021 which is significant compared to June 2019 when the previous outdoor pool had 5,323 visitors. Total pool concessions revenue (via Tastes Great Concessions) for the month of June exceeded total revenues for the entire 2019 pool season. 519 guests attended the City's Shop Local event on Saturday, August 7. The City will have extended hours into the month of October.

The 2021 Western & Southern Open will begin in Mason on Saturday, August 14 at the Lindner Family Tennis Center. This year, the tournament features the world's top ten ranked men and women in this combined week of tennis. The City of Mason will be hosting our economic development partners and governmental partners at different events during the tournament to

strengthen our regional relationships and maximize our opportunity to promote Mason as a place to do business.

Wednesday, August 18 the Warren County Municipal League will host a dinner meeting at the Golden Lamb in Lebanon beginning at 6:00 p.m. Please let Jennifer or Kendra know if you wish to attend.

City offices will be closed on Monday, September 6 in observance of the Labor Day holiday. The Community Center will have normal operating hours Friday, September 3 through Sunday, September 5. On Monday, September 6, the Community Center will be open from 6:00 a.m. to 12:00 p.m. with limited services.

Mason Police Department will be hosting a Citizens Police Academy starting on Tuesday, September 14 and will run for 10 weeks with participants graduating on Tuesday, November 9. The program covers various topics including the role of a police officer, criminal investigations, court system, self-defense, traffic enforcement, domestic violence, OVI, and firearm safety. Past alumni of the program have assisted the City with speed surveys, festivals, and interview panels.

The City's Red, Rhythm and Boom event will be hosted along with the City's traditional annual Heritage Festival on Saturday, September 18. A parade will be held beginning at 10:00 a.m. at Grace Chapel Church making its way through Downtown Mason towards the Mason Municipal Center. Parade viewers are encouraged to gather near the Mason Municipal Center for short performances.

Access to kid zone activities and attractions as well as food and non-food vendors will begin at 4:00 p.m. American Legion, 16 Lots, Common Beer Company, and Sonder Brewing will provide adult beverages with 50% of sales going to Mason Parks Foundation. Stage entertainment will begin 6:00 p.m. opening with country singer Craig Campbell and then Grammy award winner, Clint Black will perform at 8:00 p.m. A fireworks display presented by Rozzi's Famous Firework will conclude the evening at 10:00 p.m.

The City's newest bike path opened in the lower area of the Mason Sports Park connecting riders to the Little Miami Scenic Bike Trail via the City's partnership with the City of Lebanon.

Pine Hill Lakes Park playground opened and features new amenities, inclusive play structures similar to Makino Park including turf and a fenced in playground.

**ORDINANCE 2021 – 71 AMENDING THE ZONING CODE AND ZONING MAP OF THE CITY OF MASON, OHIO TO PROVIDE FOR THE REZONING OF APPROXIMATELY 13.31 ACRES FROM R-1 (SINGLE FAMILY RESIDENTIAL) TO R-PUD (RESIDENTIAL PLANNED UNIT DEVELOPMENT) WITH APPROVAL OF THE CONCEPT PLANNED UNIT DEVELOPMENT PLAN LOCATED AT 6369, 6429 AND 6465 MASON ROAD (AINSLEY PUD)**

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

Kurt Seiler introduced City Planner Jordie Bacon to discuss Ordinance 2021-71. Jordie said the subject property is approximately 13 acres on the southside of Mason Road between the Whispering Springs and Sunset Ridge subdivisions. The property is currently zoned R-1 Single Family Residential to Residential Planned Unit Development with 22 patio homes. Jordie said Planning Commission did not recommend rezoning the property at the July 6 Planning Commission Meeting.

Public Hearing was opened at 7:20 p.m.

Mayor Grossmann introduced Matt Mains from Drees Homes. Matt Mains provided a presentation on the proposed rezoning and proposed Ainsley PUD.

Council and Matt Mains discussed landscaping, screening, and storm water for the property.

John Burrell of 6370 Caddies Way discussed concerns increased density, storm surge flooding, and silt build up in the Sunset Ridge pond.

Chris Kopulos of 5129 Sunset Ridge Drive shared concerns of increased density of the proposed development.

Jeff Allison of 21639 Boord Road in Marysville, Ohio discussed family owning the property of the proposed development.

Matt Mains answered residents' questions regarding, density of the proposed development, landscaping, and screening of the property.

A motion to continue the Public Hearing at the September 13 Council Meeting was made by Councilmember Bradburn, seconded by Councilmember Honerlaw. VOTE: ALL YEAS.

A recess was taken at 8:41 p.m.

The meeting resumed at 8:50 p.m.

## **RECOGNITION OF VISITORS**

A motion to limit Recognition of Visitors to three minutes per speaker was made by Councilmember Nelson, seconded by Councilmember Chance. VOTE: ALL YEAS.

A motion to limit the first Recognition of Visitors to thirty minutes was made by Vice Mayor Gilb, seconded by Councilmember Nelson.

Joseph Moser of 966 Sheffield Drive discussed ordinances regarding the Mason Municipal Aquatic Center scoreboard and timing equipment.

Randy Stegbauer of 5853 Hidden Creek Circle discussed Resolution 2021-17 and Resolution 2021-18.

James McMillian of 5195 Spendthrift Way shared concerns of any legislation against abortion.

Lori Viars of 41 Springhouse Court representing Warren County Right to Life discussed sanctuary city legislation not having a financial impact on residents.

Nichole Leporadi 6400 Amber Court read a statement from her daughter regarding support for abortion rights.

Jeni Keeler of 4321 Shore Drive discussed opposition to legislation limiting abortion access.

Alecia Lipton of 410 E. Mulberry Street discussed the impact of sanctuary city legislation in Lebanon, Ohio.

Cathy Elliott of 5322 Crestwood Drive discussed language and legality of sanctuary city legislation.

Moises Gomez Morante of 5671 Crestwood Drive shared concerns and urged Council to reject sanctuary city legislation.

Shranani Page of 7049 Middletown Way discussed concerns of legislation regarding abortion.

Abigail Sweinhart of 1718 Barn Owl Court discussed issues in Lebanon, Ohio after passing sanctuary city legislation.

## **RESOLUTION 2021 – 17 A RESOLUTION AMENDING A POLICY RELATED TO NON-PROFIT CORPORATIONS ENGAGED IN POLITICAL ACTIVITY AND DECLARING AN EMERGENCY**

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

Eric Hansen said at the July 12 Council Meeting, Council adopted Resolution 2021 – 16, amending the original resolution. These amendments were proposed after staff evaluated the scope of non-

profits the City engages with and the services they provide. At the August 4 Policy and Legislation Committee meeting, the Committee recommended removing the language in the policy that specifies that elected offices of Mason Council, Mason School Board, and Mason Municipal Court. The policy would still apply towards locally based non-profits but would not limit their involvement in political activity to only local political offices. Exhibit A outlines the proposed amendments to the policy. The Policy and Legislation Committee reviewed the changes and recommended moving forward.

Council discussed amendments made to the resolution in the Policy and Legislation Committee.

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

A motion to adopt Resolution 2021-17 was made by Councilmember Bradburn, seconded by Vice Mayor Gilb. VOTE: 4 YEAS, 3 NAYS. (Styracula, Nelson, Chance)

A motion to remove Resolution 2021-18 from the agenda was made by Councilmember Bradburn, seconded by Councilmember Honerlaw. VOTE: ALL YEAS

**RESOLUTION 2021 – 19 A RESOLUTION TO ACCEPT THE MATERIAL TERMS OF THE ONE OHIO SUBDIVISION SETTLEMENT PURSUANT TO THE ONE OHIO MEMORANDUM OF UNDERSTANDING AND CONSISTENT WITH THE TERMS OF THE JULY 21, 2021 NATIONAL OPIOID SETTLEMENT AGREEMENT AND DECLARING AN EMERGENCY**

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

Eric Hansen said the State of Ohio has been involved in litigation with pharmaceutical companies related to the opioid epidemic. By August 13, 95% of Ohio municipalities with population over 10,000 need to have indicated participation to meet needed deadlines and to be included in the settlement. The Governor of Ohio, State Attorney General, and Ohio Municipal League are all strongly encouraging and recommending that local governments take action to move the settlement process forward.

Councilmember Nelson stated the distributors would pay an estimated \$805 million to Ohio over the next 18 years. Pre-approved uses of funds would include intervention, treatment, and education services regarding the opioid epidemic.

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 2021-19 was made by Councilmember Nelson, seconded by Vice Mayor Gilb. VOTE: ALL YEAS.

**ORDINANCE 2021 – 83 APPROVAL OF THE REPLAT FOR LOT 2 IN FALLING BROOK PHASE A-12**

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

Kurt Seiler said a replat is done as each building is constructed in the Fall Brook Subdivision. This replat is for a constructed building on Lot 2 in Phase A of the Falling Brook Subdivision.

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 2021-83 was made by Councilmember Chance, seconded by Councilmember Nelson. VOTE: ALL YEAS.

**ORDINANCE 2021 – 84 AUTHORIZING THE CITY MANAGER TO ENTER INTO A RIGHT OF FIRST OPTION TO PURCHASE AGREEMENT WITH AMSS 3, LLC AND DECLARING AN EMERGENCY (SMITH PROPERTY)**

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

Kurt Seiler said the triangular shaped property being considered for option to purchase is located on the west side of US 42 bounded by Bunnell Road on the north and the railroad on the south. Staff is reviewing this area as a possible location for a future lift station to service a portion of the Mason Research and Development Park area. The ordinance authorizes a \$25,000 non-refundable deposit and allows the City first option to purchase for three years and can be applied towards purchase price if the City negotiates with the property owner in the future.

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

A motion to adopt Ordinance 2021-84 was made by Councilmember Nelson, seconded by Councilmember Honerlaw. VOTE: ALL YEAS.

**ORDINANCE 2021 – 85 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH SAMECA USA FOR THE PURCHASE OF ONE (1) FERNO INTEGRATED PATIENT TRANSPORT AND LOADING SYSTEM (POWER STRETCHER) FOR USE BY THE CITY OF MASON FIRE DEPARTMENT**

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

Eric Hansen said the City transitioned from manual stretchers for EMS units to automated stretchers and has had a dramatic impact on patient care and safety and wellness of EMS providers. Eric said with the purchase of this power cot, the total project will remain under budget.

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

A motion to adopt Ordinance 2021-85 was made by Councilmember Bradburn, seconded by Councilmember Styracula. VOTE: ALL YEAS.

**ORDINANCE 2021 – 86 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH GARLAND/DBS INC. FOR ROOFING MAINTENANCE AND REPAIR IN THE AMOUNT OF \$59,480, AND DECLARING AN EMERGENCY**

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

Kurt Seiler said the City has approximately nine acres of roofing across all City owned facilities. The total asset value of this roofing is approximately \$9.9 million. Staff worked with a contractor to evaluate roofing on all City facilities and develop a one; five; and ten-year replacement program and budget. Kurt said the Municipal Center, Golf Center, and Fire Station 52 are all in need of maintenance and repairs this year. Based on Garland Company's estimate, repairs at the Golf Center total \$20,708 and includes application of a coating on all flat roof surfaces that will extend the life of the existing roofing by 3-5 years; Municipal Center maintenance and repairs total \$33,031 and include a coating on three flat roof areas, replacement of flashing, cleaning and resealing all control joints on the façade; maintenance and repairs at Fire Station 52 total \$5,741 and include resealing of all roofing penetrations, replacement of all worn or cracked caulking, resealing all flashing material, and sealing all open joints in the gutters. Kurt said this legislation covers all maintenance and repairs requiring immediate action before the end of the 2021 construction season, which usually runs through the end of October.

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 2021-86 was made by Councilmember Nelson, seconded by Councilmember Bradburn. VOTE: ALL YEAS.

**ORDINANCE 2021 – 87 DECLARING CERTAIN CITY EQUIPMENT AND PROPERTY AS SURPLUS PROPERTY AND AUTHORIZING THE CITY MANAGER TO DISPOSE OF SAID EQUIPMENT AND PROPERTY**

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

Kurt Seiler said the City periodically disposes of surplus City property through auction. This surplus is generally comprised 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. Council will recall the City selling surplus items through internet

auction the last several years. This method has proven to be the most effective in auctioning surplus property to the largest audience and bringing market value for this property while doing so at the lowest possible administrative cost to the city.

Council, Eric Hansen, Jeff Forbes, and Kurt Seiler discussed how the useful life of items in surplus are determined and options for local residents bidding on surplus items.

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 2021-87 was made by Councilmember Nelson, seconded by Councilmember Bradburn. VOTE: ALL YEAS.

**ORDINANCE 2021 – 88 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR THE PURCHASE OF A VIDEO SCOREBOARD FOR THE MASON MUNICIPAL AQUATIC CENTER IN AN AMOUNT NOT TO EXCEED \$200,000**

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

Eric Hansen discussed Ordinance 2021-88 and Ordinance 2021-89 together. Eric said the original concept plan for the Aquatic Center’s enclosed 50-meter pool was designed at a basic level. That plan includes two LED numeric scoreboards and compatible timing equipment. Timing equipment includes touch pads and technology that connects the touch pads to swim meet management software to record swim times accurately. Eric said staff has looked at opportunities throughout the bid to save costs and maximize revenue for the project. Staff reached out to GameChangers Consulting about the potential for revenues from selecting a video scoreboard over a numeric scoreboard. GameChangers Consulting indicated that from their experience, facilities with video scoreboard capabilities had the potential for sponsorship revenues up to \$10,000 per year and additional potential advertisement sales ranging from \$15,000 - \$60,000 per year. Eric said the numeric scoreboard in the Conger contract can be non-performed with the potential for separate contracts for an upgraded video board and timing equipment.

Councilmember Nelson discussed the life span of the scoreboard and potential return on investment.

Council and Eric Hansen discussed the scoreboard being discussed in a Wellness Committee meeting, the capabilities of the video scoreboard, non-performing the scoreboard and timing equipment from the Conger contract, and revenue opportunities.

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 2021-88 was made by Councilmember Honerlaw, seconded by Councilmember Bradburn. VOTE: 6 YEAS, 1 NAY (Nelson).



**ORDINANCE 2021 – 89 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR THE PURCHASE OF TIMING EQUIPMENT FOR THE MASON MUNICIPAL AQUATIC CENTER IN AN AMOUNT NOT TO EXCEED \$100,000**

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

A motion to adopt Ordinance 2021-89 was made by Councilmember Chance, seconded by Councilmember Honerlaw. VOTE: 6 YEAS, 1 NAY (Nelson).

**ORDINANCE 2021 – 90 AUTHORIZING THE CITY MANAGER TO EXECUTE A SUPPLEMENTAL AGREEMENT FOR GOLF COURSE MARKETING AND REBRANDING SERVICES WITH RECREATION MANAGEMENT SERVICES, INC.**

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

Kurt Seiler said in 2022, the City of Mason Golf Center will celebrate its 50<sup>th</sup> anniversary. RMS's new management has a background and interest in helping the Golf Center optimize its history and bring together a collective brand with a goal to improve the top and bottom lines of the Golf Center that will help elevate this amenity to the level that citizens have come to expect. Kurt said the deliverables will allow a standard and consistent look that will be used within the Golf Center as well as the website. This newly developed brand will be considered as the City moves forward in addressing different improvements throughout the facility and golf course such as signage, building improvements, etc., as well as a new look in marketing the golf course and restaurant.

Councilmember Honerlaw said this is a great opportunity for the 50<sup>th</sup> anniversary.

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 2021-90 was made by Councilmember Chance, seconded by Councilmember Honerlaw. VOTE: ALL YEAS.

**ORDINANCE 2021 – 91 AMENDING SECTION 121.08 OF THE MASON CODIFIED ORDINANCES REGARDING PUBLIC PARTICIPATION AT COUNCIL MEETINGS**

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

Eric Hansen stated Councilmember Nelson had requested that the Policy and Legislation Committee consider an amendment to Section 121.08 to include the opportunity for the public to participate remotely at Council meetings. The opportunity for electronic participation by officials

ended on July 1, 2021. Eric said City Council Meetings are currently streamed online for viewing and this would allow for online participation from residents.

Council, Jeff Forbes, and Eric Hansen discussed online public participation for public meetings.

A motion to table Ordinance 2021-91 was made by Vice Mayor Gilb, seconded by Councilmember Honerlaw. VOTE: 2 YEAS, 5 NAYS (Grossmann, Nelson, Chance, Bradburn, Styracula)

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 2021-91 was made by Councilmember Nelson, seconded by Councilmember Honerlaw. VOTE: 3 YEAS, 4 NAYS (Grossmann, Bradburn, Gilb, Honerlaw).

A motion to remove Committee Reports and Old and New Business from the agenda was made by Councilmember Honerlaw, seconded by Councilmember Styracula. VOTE: 6 YEAS, 1 NAY (Styracula).

Councilmember Nelson stated Committee Reports are valuable for residents.

### **RECOGNITION OF VISITORS**

Robert Stewart 3868 Waynesville Road discussed news articles and support of sanctuary city legislation.

Gina Sanders of 221 Kings Mills Road shared an update regarding current projects of the MADE CDC, social media outreach for the MADE CDC, and a downtown Mason master plan.

Derrick Pridemore of 1302 Creighton Avenue representing the Party of Socialism and Liberation read a statement in favor of abortion rights.

Laura Fewell of 4659 White Blossom Boulevard stated support of sanctuary city legislation.

Liticia Walker of 5618 E. Fountain Circle discussed support of pro-life rights.

Courtney Tong of 4721 Country Downs Drive discussed sanctuary city legislation and right to access of medical care.

Don Prince of 4573 White Blossom Boulevard stated support for pro-life.

Gina Marrone of 1111 Deerfield Road discussed concerns of legislation limiting abortion and healthcare access.

Jose Contreras of 4618 Braid Lane stated financial concerns of adopting sanctuary city legislation.

Barbara Hogan of 5572 Crestwood Drive discussed Resolution 2021-17 and non-profit organizations receiving public funds that are engaging in political activity.

Sherry Taylor of 4833 Gallop Run discussed Resolution 2021-17 and language of the amendments to the resolution.

Joe Kramer of 4192 South Shore Drive stated support of protecting women and stated support of pro-life rights.

State Representative Paul Zeltwanger of 4607 White Blossom Boulevard discussed support of pro-life rights.

Ginger Lehman of 2122 N. Liberty Keuter Road discussed impact of sanctuary city legislation in Lebanon, Ohio.

Becky Titus of 208 Washington Way stated support of pro-life rights.

Nicole Foster of 5716 Running Fox Lane discussed healthcare rights.

Brian Westfall of 6237 Bona Vista Place discussed access to abortion in Mason, women's healthcare, and guidance from the State of Ohio for legislation regarding abortion.

Jason Mohr of 505 W. Church Street stated support sanctuary legislation.

Caleb Staller of 409 South Ohio Avenue discussed concerns with the organization Planned Parenthood.

Jordan Klose of Columbus Ohio stated support of abortion rights and legality of sanctuary city legislation.

Kaura Fuster 213 Lakeview Drive discussed concerns of economic implications of sanctuary city legislation.

Susie Lirtzman of 7343 Red Oak Court stated opposition of legislation limiting access to abortion and healthcare.

Della Johnson of 4175 Mackenzie Court stated opposition of sanctuary city legislation and abortion rights.

Sonia Milrod of 4270 Fontenay discussed religions freedom and abortion rights.

Allie Frazier of 88 E. Broad Street discussed Ohio Right to Life and support of pro-life rights and sanctuary city legislation.

A recess was taken at 11:31 p.m.

**ADJOURN**

Eric Hansen adjourned the meeting based on Campus Safety recommendation. TIME: 11:36 p.m.