

**CITY OF MASON  
COUNCIL MEETING  
SEPTEMBER 27, 2021**

**ATTENDANCE**

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

**DISCUSSION**

Mayor Grossmann said the Policy and Legislation Committee has been working with SanctuaryCity.org for drafted legislation for Council to review and updates continue to be made. She reviewed details about Sanctuary City ordinances in general and how Mason's will be geared to protect the health and wellness of Mason. A motion to authorize the law director to disclose information discussed regarding municipalities authority in creating a right of action was made by Councilmember Honerlaw, seconded by Councilmember Bradburn. VOTE: ALL YEAS. Jeff Forbes stated in Ohio, municipalities do not have the authority to create a private right of action and only the State has that authority. Council discussed a private right of action authority being at the State level, legislation aligning with the Ohio Heartbeat Protection Act, accessibility not changing due to no abortion facilities currently located in Mason, preventing future abortions from taking place in Mason, addressing end of life concerns within the legislation, having more time to see how Lebanon has fared with legal action, the purpose of an emergency measure in the legislation, and effective date with an emergency clause.

Mayor Grossmann reviewed the current downtown Keystone Lot Project and concept designs. She addressed concerns raised including the value of raw land, tax abatement, utility overhead relocation, corridor analysis, developer providing twenty parking spaces for public use, stormwater fees, permit fees the Downtown Development Fund being controlled by the City, Keystone Lot LLC having a five-year strong foundation to succeed, access roadway allowing developer to reconfigure the footprint, and no conflict of interests between Council, City staff and the developer. Council discussed walkability to businesses, Chapter 125 and transparency, community input opportunities, and looking at what is best for the City. Keystone Lot LLC will host a Downtown Mason Town Hall meeting Monday, October 4 from 7:00 to 9:00 p.m. at the Mason High School Commons.

Mayor Grossmann reviewed the history of extensive studies, plans, and recommendations in Mason from 2001 to present. She said this development is a result of recommendations from these plans. Council discussed Char Pelfrey being instrumental over a 16-year period developing Downtown plans and density adjustments being a breakthrough for Downtown revitalization.

The MADE Chamber and MADE CDC were not able to attend to discuss collaboration. A work session will be held on either October 11 or October 25 prior to the Council Meeting. Councilmember Bradburn said questions are still not answered regarding a letter sent to Deerfield Township.

Mayor Grossmann stated all Council members completed Chapter 125 disclosures. She read an additional affidavit she will complete stating she has no relationships with any entity related to Keystone Lot LLC and reviews dates and meetings leading up to the development. She stated Jim Cohen and the previous owner signed an option for the property now owned by Keystone Lot LLC. Jeff Forbes said an options contract is a private agreement between an owner and a party that is interested in buying the property which includes paying a small amount of money until full payment is figured out, so the property becomes unavailable to anyone else. Mayor Grossmann said false assumptions hurt the public and Councilmember Honerlaw offered to sign an additional affidavit.

### **ADJOURN**

A motion to adjourn was made by Councilmember Honerlaw, seconded by Councilmember Bradburn. VOTE: ALL YEAS. TIME: 6:05 p.m.

The regular Council Meeting convened at 7:02 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.

Pastor Marc Champagne opened the regular meeting in prayer. All those present recited the Pledge of Allegiance.

### **APPROVAL OF MINUTES**

A motion to approve the September 13 Council Meeting minutes was made by Councilmember Nelson, seconded by Councilmember Honerlaw. VOTE: ALL YEAS.

### **CITY MANAGER'S REPORT**

Meet Me on Main Café is now open weekdays from 7:00 a.m. to 2:00 p.m. and Saturdays from 9:00 a.m. to 1:00 p.m. Taste Great Concessions will plan for a grand opening at a later date and is located along Main Street inside Mason Community Center.

On Saturday, October 2 from 10:00 a.m. to 1:00 p.m., Warren County is hosting a shred and electronic recycling day at 406 Justice Drive, Lebanon 45036. Shredding is first come, first serve, with a 5-box limit. Electronic donations will be accepted as well.

The Community Center is holding Member Appreciation Days on October 7, 8, and 9. On Saturday, October 9 a Pancake Breakfast for Premier members only from 10:00 a.m. to 11:00 a.m. at the Mason Municipal Aquatic Center. Those attending the event can also swim in the heated leisure pool from 10:00 a.m. to 2:00 p.m. Registration is required for the Pancake Breakfast.

On Sunday, October 10, the City will be hosting a World Inclusion Day event at Makino Park from 11:00 a.m. to 2:00 p.m. to celebrate people of all abilities, backgrounds, ages, religions, genders, etc. A variety of vendors and food trucks will be available.

Warren County is hosting a ribbon cutting ceremony for the new County Jail & Sheriff's Office on Tuesday, October 12 at 9:30 a.m. An open house and guided tours will follow the ribbon cutting ceremony.

The 7<sup>th</sup> Annual Mason Corporate Challenge will be held on Saturday, October 16 at 9:00 a.m. at the Mason Golf Center. Mason's Economic Development Office spearheads this is a 5k walk/run designed to engage the Mason corporate community. City employees joining Mason's Team have proceeds going to the Mason Parks and Recreation Foundation Common Ground Playground.

The Lindner Center of HOPE is hosting their fifth presentation as part of the 2021 Community Outreach Series on Wednesday, October 20 from 6:30 p.m. to 7:30 p.m. at the Manor House. The educational series discusses Anxiety Management and will conclude on December 15 with Family Boundaries as the topic. For additional information regarding the presentations, please visit [www.lindnercenterofhope.org](http://www.lindnercenterofhope.org).

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

A motion to not request a public hearing for a liquor agency contract and a D3 liquor permit for Arrow Wines Stores Inc. was made by Councilmember Chance, seconded by Councilmember Nelson. VOTE: ALL YEAS.

### **2022 CALENDAR WINNERS**

Each year, the City promotes the annual Calendar Photo Contest to encourage residents to submit photos to be included in the City Calendar. Participation in the contest is free and open to the public; the only requirement is that the photo must have been taken within the City limits of Mason. A PowerPoint presentation showcased the winners. The 2022 calendars are available at City buildings.

### **RECOGNITION OF VISITORS**

Susie Lirtzman of 7343 Red Oak Court said the government should not be involved in what goes on between her and doctor. She invited the community to join a Women's March on October 2.

Cathy Elliot of 5322 Crestwood Drive shared concerns with penalties to aid someone as a Sanctuary City and the emphasis on penalties instead of prevention of unplanned pregnancy. Mayor Grossmann said drafted legislation coincides with Ohio's Heartbeat Act and discussed empowering mothers, prevention education happening at home, and Warren County and Cincinnati providing multiple agencies for assistance.

Alan Lirtzman of 7343 Red Oak Court had concerns with no changes since the 2010 study of Downtown and Keystone Lot LLC purchasing the property anticipating working with the City. Mayor Grossmann stated the developer took a risk in purchasing the property.

Kim Alcorn of 7931 Meadowbrook Drive shared her life story with abortion and crisis centers and said Mason needs to fight for life.

Char Pelfrey of 5499 Mason Road said during her 16 years of service to the City, monthly meetings with open forum and over ninety partners occurred to revitalize Downtown and plans.

Jim Fox of 136 Kings Mills Road advocates for public input and said development consideration is needed for current and future residents. He encouraged Council to rescind Ordinance 2021-92. Mayor Grossmann said a phone call may be best to discuss possible Pause, Plan, Grow website misleading information.

Helen Fox of 136 Kings Mills Road said the cost of a special election to rescind Ordinance 2021-92 is much less compared to the cost of the Downtown development project. Mayor Grossmann said she has carefully studied the project and Council is executing plans recommended through studied plans. Mayor Grossmann and Councilmember Chance discussed the project being contingent on a PILOT agreement with the schools.

Joshua Beckmann of 422 Lake Front Drive in Lebanon recommended an ordinance prohibiting the City to mandate vaccines and said Planned Parenthood has a racist history.

Joseph Moser of 966 Sheffield Drive read the First Amendment and said he is not for abortion.

Grace Walter and Jordan Borman of 4766 Elizabeth Court said unborn children have rights, discouraged the use of Planned Parenthood, and encouraged standingwithyou.org for resources.

Minda Bower-Cornett of 5083 Concord Hills discussed providing sex education at home, safe haven resources, Council not listening to residents, and the Estates of Mason location. Kurt Seiler said the Estates of Mason will be located at Cox-Smith Road between Parkside Drive and SR 741.

Debbie Williams of 3500 Wrenwood Court thanked Council for being public servants and wants Mason to be a sanctuary city for humanity.

Mark Lortz of 5145 Minuteman Court said he spoke with 17 of the twenty small businesses on East Main Street who discourage currently moving forward with this development. Councilmember Honerlaw said businesses who are for development may not want to be on record that they support this development.

Tom Muennich of 206 Short Street said more printed information needs to be available to residents about this Downtown development project and he is not for abortion. Councilmember Honerlaw said he will bring Downtown development information to Tom.

Regina Brewer of 752 Maplewood Lane said Planned Parenthood is based on race extermination and there needs to be a voice for the unborn.

Julie Smith of 5219 Mason Grand Drive said she wants to keep abortion facilities out of Mason.

Mark Haake of 3620 Dunlop Court provided concern with staff transcribing notes from Deerfield Township. Councilmember Bradburn and Mark discussed how transcribing Deerfield Township meetings benefits the City and shows the intent of the organization.

Trisha Hilton-Mills of 535 Shawnee Lane said becoming a Sanctuary City is a political agenda and Mason is not protecting children in school systems. Mayor Grossmann and Councilmember Honerlaw discussed no intention of passing legislation during this meeting, this legislation is for keeping abortions out of Mason, and being positioned as elected officials to legislate legal protection for the unborn. Councilmember Chance read a private email and response clarifying he is pro-life, this topic should not be on the municipality political level, and he is action oriented for the City. Mayor Grossmann said she would like to be aware of community outreach regarding sanctuary city.

**RESOLUTION 2021-23 PROCLAIMING THE WEEK OF OCTOBER 3-9, 2021 AS NATIONAL FIRE PREVENTION WEEK**

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

Lieutenant Mike Breen said Fire Prevention Week is observed each year the week of October 9. He reviewed the Great Chicago Fire and the northern Wisconsin fire storm in 1871. National Fire Prevention Week was created to remember and learn from these tragic incidents. The theme for 2021 Fire Prevention Week is “Learn the Sounds of Fire Safety!” This year’s campaign works to educate everyone on the different sounds of smoke and carbon monoxide alarms. This year, the Fire Department will host open houses to showcase fire equipment and provide the opportunity for the public to interact with Fire/EMS personnel. He said Station 51 will host a tour on Sunday, October 3 from 1 p.m. to 3 p.m. and Station 52 will host a tour the following weekend on Saturday, October 9 from 1 p.m. to 3 p.m. Virtual fire station tours are also available to the public on the City’s website. Fire Department crews also plan to conduct smoke alarm checks in areas of the City.

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

A motion to adopt Resolution 2021-23 was made by Councilmember Bradburn, seconded by Councilmember Chance. VOTE: ALL YEAS.

A brief recess was held at 9:14 p.m.

The regular Council Meeting reconvened at 9:24 p.m.

**ORDINANCE 2021-97 APPROVING THE PRELIMINARY PLAT OF THE ESTATES OF MASON SUBDIVISION**

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

Kurt Seiler said this preliminary plat is located on the north side of Cox-Smith Road. The development, zoned R-3, Single Family Residential, will consist of six lots for single-family homes. The developer will be required to extend sanitary and water into the site for the proposed homes as well as sidewalks. As Cox-Smith Road is a primary collector street, access to these homes will be consolidated to shared driveways between Lots 1 and 2, Lots 3 and 4, and Lots 5 and 6. The preliminary plat includes a 10-foot utility easement running along the front and a proposed stormwater detention basin will be located on the eastern portion of the development. He said Planning Commission recommended for adoption.

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 2021-97 was made by Councilmember Nelson, seconded by Councilmember Chance. VOTE: ALL YEAS.

**ORDINANCE 2021-98 AN ORDINANCE ACCEPTING THE PROPOSAL FOR RIGHT OF WAY ACQUISITION SERVICES FOR SR 741 WIDENING PROJECT (COX-SMITH ROAD TO SPYGLASS HILL) FROM PALMER ENGINEERING COMPANY, IN THE AMOUNT NOT TO EXCEED FEE OF \$74,785 AND AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT DOCUMENTS**

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

Kurt Seiler stated due to the length, cost, and complexity, the Gap Project was divided into two projects: north of Spyglass Hill and south of Spyglass Hill. The final engineering of the southern portion of the project determined that this project requires one permanent easement and 12 temporary construction easements on 13 parcels. The 2021 Budget included \$500,000 for the right-of-way acquisition and easements of this project. He said Ordinance 2021-98 authorizes a contract with Palmer Engineering Company for right-of-way acquisition services and appraisal work and negotiations for easements.

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.

Councilmember Nelson and Kurt discussed completion anticipated for 2023 and beginning of the northern section in 2023 due to federal funding of the project.

A motion to adopt Ordinance 2021-98 was made by Councilmember Nelson, seconded by Councilmember Honerlaw. VOTE: ALL YEAS.

**ORDINANCE 2021-99 AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT, NOT TO EXCEED \$39,399 WITH WARREN COUNTY SOIL AND WATER CONSERVATION DISTRICT FOR THE 2022 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 Chance, seconded by Councilmember Styrcula. VOTE: ALL YEAS.

Kurt Seiler said this is an annual contract the City has completed with Warrant County since 2004 for educational and inspection review services. The inspection services include generating violation letters, construction site inspection of Best Management Practices, compliance with federal, state and local regulations, proper installation of post construction Best Management Practices, and proper long-term operation and maintenance of these facilities based on the required updates to the Stormwater Manual. As per Ohio EPA's requirements, an inspection must be completed at least once a month. Kurt said partnering with Warren County SWCD has given the City an opportunity to consistently meet EPA Best Management Practice regulations at the most minimal cost to residents. Warren County SWCD has completed a financial evaluation of their fees and has requested fees in the amount of \$39,400. This is approximately \$500 more than the 2021 annual agreement.

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.

Councilmember Honerlaw recommended residents visit the Warren County SWCD educational trailer.

A motion to adopt Ordinance 2021-99 was made by Councilmember Bradburn, seconded by Councilmember Honerlaw. VOTE: ALL YEAS.

**ORDINANCE 2021-100 AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE PURCHASE AND INSTALLATION OF A COURT CASE MANAGEMENT SYSTEM PACKAGE FOR THE MASON MUNICIPAL COURT AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE PURCHASE AGREEMENT**

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

Jennifer Heft said Mason Municipal Court outlined a request to purchase a replacement for the court case management system. The last major upgrade was in 2007, and the current system will require either an upgrade or replacement to a new system. After evaluating various systems, a particular court management system offered by Henschen and Associates, Inc. is currently being used by 59 municipal courts and is recommended. The purchase will be paid equally from the Court Clerk Computer Fund and the Court Computer Fund which are special court funds from court costs paid by all court cases in order to fund the court's computer needs. She said no funds are needed from the City's General Fund for this purchase.

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.

Councilmember Nelson pointed out the system will be paid from court costs.

A motion to adopt Ordinance 2021-94 was made by Councilmember Bradburn, seconded by Councilmember Honerlaw. VOTE: ALL YEAS.

### **COMMITTEE REPORTS**

Councilmember Honerlaw said the Downtown Committee had a planner from Downtown Milford scheduled but was unable to attend. The Committee reviewed the pros and cons of a Master Plan and defining the scope of the plan. He would like to gather information on whether a Master Plan has promoted or hindered downtown development in Milford, Loveland, and Hamilton. Council discussed the revitalization plan from 2002, evaluating all the plans the City has to coincide with a Master Plan, having an outside planner create a Master Plan, knowing what the scope of services would be, and needing Downtown property owners to want change. A motion to authorize the City Manager to move forward with a Request for Proposal for a Downtown Master Development Plan was made by Councilmember Nelson, seconded by Councilmember Chance. VOTE: ALL YEAS.

Councilmember Styrcula said the Board of Veterans Affairs discussed improvements to the Mason Memorial, a Gold Star Family Memorial addition, upcoming Veterans Day events and the street banner program.

Councilmember Bradburn said the Wellness Committee is inviting feedback on dog park ideas at the next Wellness Committee meeting. The dog park is anticipated to be implemented in the summer of 2022 which would be a benefit to an underutilized park. Councilmember Bradburn and Kurt discussed receiving the mechanical and electrical plans for golf course irrigation and work anticipated to begin spring 2022. Councilmember Bradburn said additional street lighting on Bethany Road and Hamilton-Mason Road may be needed. Councilmember Chance said the Public Services Committee will review street and bridge lighting. Councilmember Nelson and Mayor Grossmann discussed not addressing Sanctuary City in the Wellness Committee and the focus being geared towards parks and wellness activities.

Mayor Grossmann and Jennifer Heft discussed participating in the Golf Center survey.

### **OLD AND NEW BUSINESS**

Mayor Grossmann said she will be reviewing the Sanctuary City draft with the law director.

### **RECOGNITION OF VISITORS**

Randy Stegbauer of 5358 Hidden Creek stated every person he contacted to sign the referendum signed it. Mayor Grossmann said there is a lot of potential and promise in Mason and the MADE CDC has been invited to multiple meetings.



Diane Altherr 6732 Bluefield Lane has not seen progress on Downtown plans in 42 years and has concerns with studies done years ago applying to today. She said to keep church and state separate.

Teresa Stanton of 6815 Lakewood Drive discussed an intentional Master Plan bringing all the data together and thinking about overriding strategies. Council should not be involved in women's reproductive decisions.

Nichol Leporati of 6400 Amber Court said Council should not try to force individuals to have abortions and Planned Parenthood offering additional services other than abortions.

Laura Alessi of Lebanon discouraged Mason to become a sanctuary city. She requested records from Lebanon and stated Mayor Grossmann provided edits to Lebanon's legislation document. Mayor Grossmann said she read the document and did not edit Lebanon's document.

Lori Viars of 41 Springhouse Court in Lebanon said Lebanon has not spent money in legal fees to defend the pro-life ordinance and reviewed legal counsel available.

Suzie Lirtzman of 7343 Red Oak Court said health care choices should be between the individual and their doctor. Mayor Grossmann said the legislation would prevent an abortion facility to be located in Mason.

Debbie Williams of 3500 Wrenwood Court said unborn children don't have the right to speak out and Council members should state where they stand on being a sanctuary city. Council discussed being a sanctuary city for the unborn, not stating a position on an ordinance that hasn't been read and isn't final, whether or not this decision is for local government, legal ramifications and challenges, and encouraging Debbie to also address concerns at the State level.

Al Lirtzman of 7343 Red Oak Court had concern with Council knowing a vote before voting and stated the City should not rule out exercising eminent domain if it benefits the City. Mayor Grossmann said Council discusses topics in open session and does not know decisions ahead of time. Councilmember Chance said the City owns a lot of the land Downtown.

Amy Mercer of 5689 Crestwood Drive invited residents to march to support women in Mason Saturday at Pine Hill Park. If the sanctuary city ordinance is changed, free legal assistance will not be provided. Mayor Grossmann said she is working with the organization for changes to adapt to Mason.

## **ADJOURN**

A motion to adjourn was made by Councilmember Chance, seconded by Councilmember Nelson.  
VOTE: ALL YEAS. TIME: 11:04 p.m.