

**CITY OF MASON
COUNCIL MEETING
APRIL 26, 2021**

The meeting was called to order at 6:13 p.m. at Makino Park. Chaplain Marc Champagne opened the meeting in prayer. Posting of Colors was presented by American Legion Color Guard and All those present recited the Pledge of Allegiance.

ATTENDANCE

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

MAKINO PARK CEREMONY

Council welcomed guests to Makino Park. Eric Hansen acknowledged key stakeholders and partners that have been integral in the development of Makino Park. Emily Larsh with Makino, Senator Steve Wilson, Steve Mombach with TriHealth, Kate Solomon with FCC Foundation, and Rachel Kopfler with the Mason Parks Foundation spoke in regard to valuable partnerships and enhancing the quality of life in Mason. The Butterfly Wall displaying monetary donors was unveiled and Makino Park is set to open in May.

A motion to recess and reconvene in Council Chambers was made by Councilmember Honerlaw, seconded by Councilmember Chance. VOTE: ALL YEAS. TIME: 6:43 p.m.

Councilmember Bradburn arrived.

A motion to reconvene into Regular Session was made by Councilmember Honerlaw, seconded by Vice Mayor Gilb. VOTE: ALL YEAS. TIME: 7:30 p.m.

APPROVAL OF MINUTES

A motion to approve the April 12, 2021 Council Meeting minutes was made by Councilmember Chance, seconded by Councilmember Bradburn. VOTE: ALL YEAS.

CITY MANAGER'S REPORT

Makino Park opening ceremonies have begun and special events for stakeholders will be throughout the week before Makino Park opens to the public.

The leisure pool and splash pad at the new Mason Municipal Aquatic Center will be ready to open in May. Open Houses are planned for Saturday, May 8, 15 and 22 with free admittance for the community.

The 2022 City of Mason calendar photo entries are due Friday, May 28. Photos must have been taken in Mason City limits. The calendars will be available in September.

RECOGNITION OF VISITORS

John Gomez of 2320 Equestrian Drive in Miamisburg with Congressman Steve Chabot's office stated he provides help with federal services by contacting 513.421.8704. Events currently held are a congressional art contest and congressional app contest.

Mark Haake of 3620 Dunlop Court shared concerns with Resolution 2021-16.

Anne Droege of 4509 Estate Court and Mayor discussed resident input of downtown property negotiations when appearing before Council to vote, the vision for Downtown and choosing the best recommendation for Downtown Mason. Jeff Forbes discussed the development of current negotiations and direction from Council.

Chris Coffaro of 4886 Elizabeth Court stated concerns with not having bright flashing lights at roundabout crosswalks and encouraged collaborative teamwork for Downtown development. Kurt Seiler stated the City has three Rectangular Rapid Flashing Beacon's at crosswalks that are paid for by HOA's. Mayor and Councilmember Nelson said the November 17, 2020 Council Meeting video recording displays a visual for the current Downtown Mason proposal. Councilmember Chance briefly discussed Master Plans from communities in the region.

RESOLUTION 2021-7 PROCLAIMING THE WEEK OF MAY 16-22, 2021 AS NATIONAL PUBLIC WORKS WEEK

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

Jennifer Heft said the Public Works area of the Service Department includes items such as street maintenance, snow and ice removal, brush chipping, leaf collection, street sweeping, mowing public right-of-way, litter control, and maintaining guard rails and traffic signs. The City's Service Department has a collaborative approach for sharing equipment and personnel resources to accomplish overall organizational priorities. The theme for this year's event is "Stronger Together", highlighting the role that public works plays in creating a great place to live.

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.

A motion to adopt Resolution 2021-7 was made by Councilmember Nelson, seconded by Councilmember Chance. VOTE: ALL YEAS.

RESOLUTION 2021-8 FIRST READING – ADOPTING THE BUDGET OF THE CITY OF MASON FOR THE YEAR JANUARY 1, 2022 THROUGH DECEMBER 31, 2022

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

A Public Hearing date was set for May 10, 2021.

ORDINANCE 2021-59 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH SUNESIS CONSTRUCTION CO. FOR THE SR741 WIDENING AND ROUNDABOUT PROJECT (WELDEN DRIVE TO AVALON TRAIL) IN THE AMOUNT OF \$4,897,175

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

Kurt Seiler discussed Ordinance 2021-59 and Ordinance 2021-60 together. The SR741 Widening and Roundabout Project will be a signature gateway to the Mason Research & Development Park and the City of Mason. The project will widen SR741 between Welden Drive and Avalon Trail to include two lanes of travel in each direction. The project will also include a multilane roundabout at the new R&D Park collector road that eventually will connect SR741 to US42 and to Mason-Montgomery Road. Sunesis is an ODOT prequalified contractor with extensive experience with projects in our area. Construction is anticipated to start spring 2021 and should be completed in the fall of 2022 with traffic on SR741 being maintained during construction.

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 2021-59 was made by Councilmember Bradburn, seconded by Councilmember Honerlaw. VOTE: ALL YEAS.

ORDINANCE 2021-60 AN ORDINANCE PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$10,000,000 OF BONDS BY THE CITY OF MASON, OHIO, FOR MAKING ROAD IMPROVEMENTS

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 Chance, seconded by Vice Mayor Gilb. VOTE: ALL YEAS.

A motion to adopt Ordinance 2021-60 was made by Vice Mayor Gilb, seconded by Councilmember Honerlaw. VOTE: ALL YEAS.

RESOLUTION 2021-6 A RESOLUTION ESTABLISHING 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 Honerlaw, seconded by Councilmember Bradburn. VOTE: 6 YEAS, 1 NAY (Styracula).

Eric Hansen said Councilmember Bradburn requested this legislation be added to the April 12 Council agenda and the resolution received a First Reading. This resolution proposes a policy where non-profit organizations engaged in political activity may not be funded by the City. An emergency clause has been added.

Mayor relinquished the Chair to Vice Mayor Gilb.

A motion to adopt Resolution 2021-6 was made by Councilmember Bradburn, seconded by Councilmember Honerlaw.

Council discussed clarity in political action, service agreements, contributing public money to non-profit organizations, welcoming feedback from residents, MADE Chamber as advocates for small businesses and residents, and having a sound policy in place. A motion to amend Section 1 and Section 2 of Resolution 2021-6 was made by Mayor Grossmann, seconded by Councilmember Honerlaw. A motion to amend the amendment and add “direct and indirect” political activity to Section 2 was made by Councilmember Nelson, seconded by Mayor Grossmann. VOTE: 5 YEAS, 2 NAYS (Chance, Styracula).

Councilmember Nelson said the City should not engage in providing funds to any 501C-3 because by law, those organizations cannot engage in political activity and 501C-6 is the MADE Chamber. Council discussed the Chamber being lobbyists for Mason businesses, sponsorship agreements, the difference in 501C-3, 501C-4 and 501C-6 organizations and which are subject by law not to engage in political activity, Council making decisions in regard to City funds going to organizations, and resident feedback. A motion to include 501C-3 organizations only and not 501C-6 organizations was made by Councilmember Nelson, seconded by Councilmember Styracula. VOTE: 2 YEAS, 5 NAYS (Chance, Bradburn, Gilb, Honerlaw, Grossmann).

Councilmember Nelson stated residents should have the opportunity to review legislation and large changes to the Resolution before Council votes. She said the policy should be more detailed and not open to interpretation. A motion to table Resolution 2021-6 was made by Vice Mayor Gilb, seconded by Councilmember Honerlaw. VOTE: 3 YEAS, 4 NAYS (Bradburn, Gilb, Honerlaw, Grossmann).

Council discussed amendments providing more detail, organizations engaging in political activity, relationship with the MADE Chamber, vague language in the policy, and candidate forums. A vote to adopt the amendments to Resolution 2021-6 was had. VOTE: 4 YEAS, 3 NAYS (Chance, Nelson, Styracula).

A motion to amend the amended Resolution 2021-6 to include “defined as” instead of “i.e.” in Section 1 was made by Councilmember Honerlaw, seconded by Mayor Grossmann. VOTE: 5 YEAS, 2 NAYS (Chance, Styracula).

Councilmember Styracula stated concerns with the ambiguity of Section 1 and the importance of partnerships and sponsorships as resources for economic development incentives. A motion to amend Resolution 2021-6 title to “A resolution establishing a policy for government intimidation to non-profit corporations who may engage in political activity and declaring an emergency” was made by Councilmember Styracula, seconded by Councilmember Chance. VOTE: 3 YEAS, 4 NAYS (Bradburn, Gilb, Honerlaw, Grossmann).

A vote to adopt Resolution 2021-6 as amended was had. VOTE: 4 YEAS, 3 NAYS (Chance, Nelson, Styracula). Five affirmative votes were needed to pass with an emergency clause.

Vice Mayor relinquished the Chair to Mayor Grossmann.

COMMITTEE REPORTS

Councilmember Bradburn reported on the Safety Committee meeting. The Committee discussed Incident Command Team response, emergency communications, drug task force overview, warning sirens, additional salt storage and addition of another wing plow, electrical distribution and the Water Reclamation Plant and Mason Community Center, and faster response times with a third squad in the Fire Department.

Councilmember Nelson said the Board of Veterans Affairs has a variety of projects including a Women's Memorial, Never Forget Garden, Military Banner Program, and a Gold Star recipients' bench.

Councilmember Honerlaw said the Downtown Committee discussed the Downtown development process. Councilmember Nelson discussed the need for a development idea for all of Downtown Mason and not just certain areas. Councilmember Honerlaw and Councilmember Nelson discussed monthly meetings.

Mayor Grossmann said the Policy and Legislation Committee discussed non-profit partnerships, ways to amend Resolution 2021-6 and reaching out to engage the MADE Chamber. Mayor Grossmann and Councilmember Styrcula discussed Resolution 2021-6.

OLD AND NEW BUSINESS

Councilmember Chance presented downtown development processes and plans from surrounding communities. He reviewed processes including surveys, focus groups, and the importance of having a long-term plan to change the face of Downtown Mason. Councilmember Nelson and Mayor discussed the City's Comprehensive Plan, having a design planned, and communication with the MADE Chamber.

RECOGNITION OF VISITORS

Mayor Grossmann: Anybody from the house that would like to be recognized or online?

Jennifer Heft: Mayor, yes, we have three guests online. I'd just like to remind those guests that if you wish to address Council you need to hit your little raised hand icon. We do have an individual, Mr. Mark Lortz. If you do want to address Council, you may do so at this time.

JH: Mr. Lortz, you may address Council.

Mark Lortz: Can you hear me now?

JH: Yes, we can.

Mark Lortz: Okay, thank you. My name is Mark Lortz. I reside at 5145 Minuteman Court in Mason, Ohio. I'm also the owner of the Common Beer Company which is at 126 East Main Street in downtown. So, there's three things I would like to address to the Council and to the City, for that matter. First, I want to apologize for not being there in person. I know everyone likes to see the beard that I have been so avidly working on over the last three years. And Jeff, I do wanna also give you kudos for yours as you continue to let yours grow. So, all kidding aside, there are two points that I wanna make in regards to two things that were discussed this evening. The first one is about not having anybody approach the City for any of the property that is under discussion with the developer Cohen. I want to remind the City Council that over two years ago, the Common Beer Company did approach the City and did talk about an offer for that land and we have subsequently since the Cohen referendum also asked again. So, I want to make sure everyone's clear that there have been offers in the past and those offers were ignored until the referendum with Cohen came through. The last point I'd like to make is in direct, directly towards the topic about the current vote or referendum about non-profits. As a small business owner and as an avid member of the small business chamber, MADE chamber, I want to make it clear to the Mason residents that this is absolutely a resolution that was passed to silence the voice of your small business community. And I want to point out that the four that voted for this referendum to be passed, I feel as a small business owner and as a tax payer, have a clear directive as to the motive behind this referendum and that is to silence the small business community that you support and that supports the City of Mason. And that's all I have.

Mayor: Thank you Mr. Lortz. I saw a couple hands in the house. Sir in the black t-shirt, would you like to come on up? Thank you.

Nate Thieme: Nate Thieme at 5256 Greenhouse Drive in Mason. I wanted to address the whole property thing. I love the planned that you showed, Ms. Nelson, on Milford and Lebanon and all those kind of folks. I work for a company that, that's our job. We design stories for theme parks and amusement parks, corporations, and corporate branding and all that kind of fun stuff. But the whole thing has to start with a plan, has to start with a story. Not one little iconic thing. I've walked away from clients because they want to piecemeal stuff and I thought hey, time-out, lets wait a little bit and let's come up with a comprehensive plan and do it in phases if we don't have all the money to do it now. Do a little bit now, a little bit next time, and a little bit the next time after that. That gives you a comprehensive and cohesive plan of what the place is supposed to look like. I'm not saying anybody's been sitting on their hands. I've been in Mason since '99. Downtown hasn't changed, expect for the one little park over there by the Barber Shop. Which I'm not really sure what that was for, but that's okay. But yeah, we love all these other areas. We love all these other communities. It's not fair with, with I guess Loveland because they have the bike trail and the destination, and it makes it a little bit more easy to develop areas around that. But, we have such a cool area and everything is growing around Mason except Downtown. Nothing is happening. It's because we don't have a plan. And I haven't seen any of the ideas or the specific plans that the developer, however that came about, wants to put in there. But if there's not a longer term plan, I can almost guarantee it's not going to fit. So, why haven't we tried to do a plan like they've done at other places?

Mayor: We have done things in the past, but the thing is, and I really appreciate your comments, we don't own the district. It's owned by multiple property owners and so, to make a plan with

property that doesn't belong to us without doing some other things first—those things need to happen in executive session. And so, I can't, I can't explain-there's certain things that we can't explain just yet. And so, it's, it's the— frustrating for me, because you know, because people on council understand this but they're not admitting that we've got, we do have a process we have to go through but some of that has to happen in private before we can do it out in public. And that's in the public's interest because it controls costs. And when we're talking about a land acquisition and disposition, if we came out and drew a beautiful picture of the whole district on property that we don't own, all of a sudden we're in Manhattan, New York with prices. And that's not in the public interest and it may end up making it impossible to accomplish. And so, I know that's not what you guys want to hear, but you know, I'm really trying. I'm really trying to take steps in that direction and I'm trying to do it as group of seven in executive session. And I hear you, I really hear you. And I just can't wait for the day where we can come out in the open and really explain it. I just—I'm limited—

Nate Thieme: *mumble*

Mayor: I can't answer that sir.

Nate Thieme: You can't just say yes or no?

Mayor: But no, we don't have a public plan, no. Not a, not a, not a drawing. Not a, not a, not a layout or a drawing. We have written plan.

Nate Thieme: How do the business know? They have some input, they might have some say.

Mayor: Well, there has been—there has—

Nate Thieme: Give them tax abatements. Whatever we've gotta do to help pay for the facades or whatever we wanna do with that kind of thing. I've heard the rumors of the 15-year tax break that the developer's going to supposedly get on the free property. Why does he get it and not the other folks?

Mayor: Well, that's another thing we need to work through. And I'm not opposed to that. To help stimulate new development. But we're talking about a district that's already developed. It's not raw land. And it has multiple property owners.

Nate Thieme: Neither was Lebanon, neither was Milford.

Ashley Chance: Yeah, thank you for bringing that up.

Nate Thieme: Everybody was the exact same way. If you have a plan, we can sell it to the people that are there.

Mayor: Well you may not know everything that went on in those jurisdictions because they may have had dialogues in executive session prior to coming out with those plans. We don't really—we don't really have enough facts. On that one, I have no idea. I'd have to call each one and ask

them ya know what was the processes that you went through. I know the Chamber has, has surveyed residents and has told us in the past they were going to share that with the City, but they don't have, they haven't given us that. And I think there was community input in the past with that Comprehensive Plan and there certainly was community input in the past with the plaza developments. Big time community input back then. And with the downtown Mason association. So I'm really trying sir, I really am. And I really care. And I know we can come up with something amazing for our residents. It's just going to take some time. And I'm sorry that we're moving so slow.

Councilmember Chance: Mayor?

Mayor: Do you have anything else sir?

Nate Thieme: No that was it.

Mayor: Okay, thank you. It sounds like you have a really neat job.

Nate Thieme: *mumble*

Mayor: Thank you.

Nate Thieme: It starts with a plan. Gotta have a middle, beginning and an end or you're never going to get there.

Mayor: Well— That's — I know, I know.

Councilmember Chance: Mayor?

Mayor: Yes.

Councilmember Chance: Thank you for — Is it Mr. Thieme? That's kind of fitting considering what you do, right? Yeah, I like that. Hey but, Mr. Thieme, I, you know, I'm glad you brought that up and I would like to make sure everybody heard that. That Loveland, Milford, Lebanon and Hamilton— it wasn't behind the scenes. It was community engagement. So that's— I hear you loud and clear. They didn't own all the property where they, ya know, Loveland didn't own it. Lebanon didn't own it. So, thank you for saying that. I just wanted to make sure that's loud and clear.

Mayor: I think they did a combination of both. And Lebanon and Loveland did own the land.

Councilmember Chance: all of the—

Mayor: Well the projects that Mr. Cohen did. Loveland's kind of piecemealed really. But I mean they have their study, but I mean their limit—you can't just, you can't just

Councilmember Chance: I was going to say, there's a 204 page—

Mayor: You can't just come through like a tornado and wipe the whole thing out. Like it's raw land. You can't do that. It's going to take time. Alright, anybody else from the audience? Sir, in the back. Do we have anybody else waiting online? Okay, thank you.

Chris Coffaro: Once again, my name is Chris Coffaro. I live at 4886 Elizabeth Court, Mason, Ohio. Mr. Thieme, I love good stories. I would love to hear a story about what Mason's going to look like. But I had a quick question about the Sunesis construction. Kurt, when—can you just explain the process when you selected Sunesis construction to do the work at the roundabout? Was it the bid process? Or how did that work?

Kurt Seiler: Yeah, actually this year we started using electronic bidding. So we do it through Bid Express and it is free for bidders to sign up and review all the plans and specifications. And then if you want to bid on a project, it's \$35. If you want to bid on unlimited projects, it's \$50 a month. So, contractors that do a lot of ODOT work will do the \$50, otherwise it's \$35 for every bid you want to submit on. On this one we had six bidders. They— Just to give you an idea, they range from—Sunesis was the lowest at \$4.897M and the high bidder was \$5.3M.

Chris Coffaro: Thank you for that information. You're really good. Not only did you give me you're name and number for the pedestrian, was great, but you're answering my next question which was how many bids were there. So if I heard you correctly, it only cost \$35 or \$50 to bid on a project.

Kurt: Right.

Chris Coffaro: And there were six bids on just that one project.

Kurt: Right.

Chris Coffaro: And we've had zero bids on the downtown development project. Is that correct?

Mayor: We have one proposal and we're analyzing that and trying to work on a piece of legislation that we can take through the legislative process. It hasn't been approved. What we approved was the ability for staff to negotiate a development agreement. We have some City owned land that is raw land along Mason Montgomery. And in the middle of it, this particular development owns a piece of property. So, and then, he's asking us to contribute the contiguous acreage around his piece so that he can put in this \$20M development. And so, we're trying to analyze it. It has not passed. What passed was the ability to analyze it which requires staff to enter a negotiation process to create a development agreement. And typically when someone comes to Mason that wants to develop, say it's a restaurant or a box store or whatever it may be, they'll approach the City first. You know, this situations unique. But it's not—I mean we're using the same procedures that we normally would. And we're doing it properly. By the book, I promise.

Chris Coffaro: I hope so. I just find it amusing that there were six bids on a roundabout, but there were none for the downtown development.

Mayor: Well, that's a whole different industry.

Chris Coffaro: You're right. It's a lot smaller industry compared to developing this story that is Downtown Mason.

Councilmember Honerlaw: Can I try?

Chris Coffaro: Sure.

Councilmember Honerlaw: Thank you for your questions. So I think that's what people are getting confused on—the difference here is that the City, cuz they wouldn't be a part of this at all. Okay? The City owns the land. So the developer then came to the City and it went into executive session. We can't have a public meeting on it because then we're negotiating a deal. Otherwise, if they wanted to buy on, let's say—let's say they wanted to buy—let's see, pick a spot between Yost, let's say Yost pharmacy and Quatman's, okay. They wouldn't come to the City and we wouldn't take bids on that. They'd go to the owners of that and say hey, we want to buy your properties, demolish it and build a great big new thing and then put you back in it. Right? And then it comes to the City for zoning and planning. And we approve it as long as it fits. But other than that, the City doesn't take bids on it. Why would the City take bids on something, on a development program, on anything downtown if they don't own it, right? It's not our deal.

Chris Coffaro: It's a pretty hot real estate market right now. Would you not take bids on your house if it were for sale?

Councilmember Honerlaw: I've lived there my entire life.

Chris Coffaro: Great.

Councilmember Honerlaw: Okay. And so, I've seen this downtown my entire life just like this. I asked the City Manager, how many years has he been here. It's 25 years. I said have we ever had a developer come to the City to invest in our downtown like this, where he's willing to spend \$20M of his money to be able to have a situation right there. I think it's a game changer for our downtown. All the business are going to have walk-in—people that can walk— Common Beer, Yost. Everybody will be walking downtown because people will be living right in the downtown. I'm really excited about a development like this, just like I was for the Oak—what is it? What is it? Mason Oaks. You know what I mean, where we added property. Anytime we can add more residents right in downtown— If you look at the Liberty Center and you go over and see. They developed that area that was nothing, right. A developer came in what did they do? They added retail, they added restaurants, they added business, they added hotels. And what did they add? Residents. They created their own plans. They know people could walk to support those businesses. We're trying to add more residents to our Downtown. At least that's what I see is something that could really help our Downtown and could change it like it's never been changed before. This would just be one step of helping these businesses thrive downtown.

Chris Coffaro: Let that be step one of the story and go with it. But I'm confused. How long have you lived here?

Councilmember Honerlaw: All my life.

Chris Coffaro: Okay so how many years is that?

Councilmember Honerlaw: 57 years.

Chris Coffaro: Fifty-seven, okay. I've been here for 7 going on 8. We moved here from Davidson and Huntersville, North Carolina. Davidson, North Carolina, the downtown you should look at their website too. They've done an immaculate job and they probably have half the budget that the City of Mason has. So— I appreciate all the hard work. I want to see Downtown take off as well. I want to hear the story. But I'm just confused. I don't understand the secrecy behind the executive session when it comes to the story for Downtown Mason.

Councilmember Honerlaw: No, it was about the City owning the property downtown. And when somebody comes to us, if you came to us and said I want to buy a property, it goes into executive session. We cannot discuss it publicly.

Chris Coffaro: So, when Mark Lortz offered to buy the property, what happened?

Councilmember Honerlaw: It went into executive session. Am I allowed to admit that.

Chris Coffaro: And did you tell him no.

Mayor: He told us that.

Chris Coffaro: So, it went into executive session?

Councilmember Honerlaw: If anybody comes to the City about buying anything, the seven members of Council discuss it in executive session.

Councilmember Chance: Mayor?

Councilmember Nelson: Mayor, can I talk real quick? Sir—

Mayor: Hang on—

Councilmember Honerlaw: Can I finish my point? The only other thing I'd like to add—Eric does the City have a Comprehensive Plan?

Eric Hansen: *unheard*

Councilmember Honerlaw: Okay, how long have we had it? How many years have we had a Comprehensive Plan? Can residents go on the Comprehensive Plan and look and see and what—and compare it to what Loveland and Hamilton and the other cities? How does our Comprehensive Plan differ from the ones Councilmember Chance brought forward? Cuz I know we have one and we've had it, a master plan for quite some time.

Eric Hansen: We've gone through a conference of planning processes. I imagine the first one was probably in the '80's, maybe even something in the late '70's.

Councilmember Nelson: And it's for the whole City, correct? Is it for the whole entire City?

Eric: '63? Yes, it's a broad plan that tries to foresee development in the City and where—really rooted in zoning. The current Comprehensive Plan— doing a minor update. Probably is ready for a significant update. It's not—It treats downtown as one component of the Comprehensive Plan so it does speak to it, but it speaks to other areas. Comprehensive planning is fairly consistent throughout the growth of the City. It could be compared; I mean you could compare it to anything with other cities. I believe what was being shown, I've not read them all, but was specific to downtown. Looking at more of a master plan in the downtown area, the cities that were up there. And maybe one of them was a component of—I, I can't speak to those but yes you could compare them. They're all going to speak to the specifics of the community. It's—

Councilmember Chance: And Mayor, can I address Mr. Coffaro? Oh, I'm sorry.

Councilmember Nelson: I just want to say, you're dead on correct. And this has been my problem from day one is that we really need to publish a request for proposal. Soliciting developers not only across the State, but across the nation. We haven't done that. No one's come to us because we've never said hey, we paid \$2M for this property to clear it and to buy it, we'll give it away for free. If we did that, we'll have a ton of developers in here saying hey, I'll take it. So you know, it constantly using Executive Session as a crutch is not the way to do it. We really shouldn't be having large—, which we normally don't, I would have to say this case is wrong. We shouldn't be having executive session unless it is just to buy the land or to not buy the land. We're not buying the land, we're giving the land away for free. So in my vision, we should've been in front of the public from day one and we didn't and we still don't do it. And I think we're actually in violation of executive session. So, I agree with you, it doesn't make sense to me. It doesn't make sense to a lot of the public. I wish the public would pay attention. Because if more of the public knew what we were doing they would not approve of it. They would be angry. But the problem is that people don't pay attention, therefore things happen.

Mayor Grossman: Councilmember Nelson, have we been in executive session illegally?

Councilmember Nelson: I believe we have, yes.

Mayor Grossman: Okay, you're wrong. And you know that. We announce it for the acquisition/disposition of property and you should never tell the public something like that, ever.

Councilmember Nelson: I believe strongly that—

Mayor Grossman: What you believe is different from the law and the facts. It's gaslighting and you should not be doing it.

Councilmember Bradburn: Miss Nelson, if you feel that there is a violation, I suggest you take it to the Ohio Ethics Commission.

Councilmember Nelson: I've already been in the process of looking into it.

Councilmember Bradburn: Well don't be in the process, do it.

Councilmember Nelson: I—

Councilmember Bradburn: Do it. Do it. Do it.

Councilmember Nelson: I am.

Councilmember Bradburn: Good.

Councilmember Chance: Real quick—

Councilmember Bradburn: Cuz I'm getting tired of the accusations.

Councilmember Chance: Mr. Coffaro—

Mayor Grossman: It's-one moment-we just need to be really, really clear because Councilmember Nelson accused this entire Council of doing something illegal. You are all on the executive session committee. It's not true. We were there under the guidance and direction of our law director. We were in there lawfully and you have to understand that acquisition, which is the purchase, or disposition, which is the sale or lease or whatever it is that we do there. It's important that we're in executive session. The law provides for that. It helps. It's in the public interest. It helps control costs. We can do a combination of both, but we almost always—

Chris Coffaro: I have—

Mayor Grossman: We start in executive session-one moment-we spent millions and millions of dollars on acreage at our last meeting. All of those conversations were in executive session. Okay, let's wrap it up.

Chris Coffaro: I'll be quick. I love controlling costs but I'd rather spend money on the story so we all understand what's going on. That's a- As a taxpayer, I don't mind spending the money on with a consultant or Mr. Thiemes company to create a vision. Mr. Honerlaw, Councilmember Honerlaw you said there is a plan, but I believe I heard Mr. Hansen say it needs a significant update, correct?

Councilmember Chance: Mayor?

Eric Hansen: Minor updates. It is coming due for a comprehensive planning process, yes.

Mayor Grossmann: And the reason we're confused, and the public is confused is because of reckless comments like you just heard. Accusing us of violating the law.

Mr. Coffaro: Did I make a reckless comment?

Mayor Grossmann: Okay.

Chris Coffaro: No, I'm asking a question. Did I make a reckless comment?

Mayor Grossmann: No not you. Councilmember Nelson. By leading the public to believe that we've been in violation of the law, or that we've been mistreating the public.

Chris Coffaro: It's my fault for not paying attention until COVID. I just started paying attention because I was bored and there was nothing else to do. And now I'm glad, but I'm embarrassed that I haven't been paying attention because there's a lot of interesting stuff to learn here. Provides a lot of laughter and amusement too.

Mayor Grossmann: Yeah. Well, I'm really glad you came. I really am. And it was very nice to meet you today.

Chris Coffaro: Can I mention one more thing?

Mayor Grossmann: Sure.

Chris Coffaro: In regards to-well, Councilmember Chance, were you going to say something?

Councilmember Chance: Yeah, just real quick, I want everyone to understand that, you know, Councilmember Honerlaw and we've talked about hey, Downtown hasn't been developed in so many amount of years. Let's keep something in consideration, in 2018, you guys have heard me talk about it before, it was a little thing called Issue 4. That the Chamber literally picked up the cross and ran it across the goal line. I think it was 78:22 was in favor. And you know what Issue 4 did? It took care of our density issue. We could have never ever developed what we're trying to develop right now unless we had Issue 4 passed. So first of all, I think we all need to collectively say thank you to the Chamber cuz that's what they did. So as of 2018, we were not able to do this type of development until Issue 4 was passed. Later of 2018, so November of '18. Secondly our narrative changes if you guys noticed that. It's like Loveland, well, they didn't own the land, Lebanon didn't own the land and then it's, and then it's like well if they own the land, well, we better go into executive session. Well again, that was- it's just not consistent. And, and Mr. Honerlaw I think you should understand and know this by now, our Comprehensive Plan looks at everything: our greenspace, commercial, residential, infrastructure. It's a balance of our City and I, I honestly tell people all the time, that is something we have done phenomenal with. I mean if you look at the surrounding area of Mason, Ohio, we're premier. Everybody looks at us and says major kudos to the City. The difference is we don't have a Comprehensive Downtown Plan and which we're all recognizing needs to happen. And that's all I'm saying. And I think that makes perfect sense.

Chris Coffaro: Thank you. In regards to the non-profit referendum you guys passed, I think I heard the number, but how much does the City of Mason donate to the non-profits annually?

Mayor: It depends. We have an \$8,000 cap per non-profit which I think we've done about four this year. If you want to go ahead and address that. You look ready.

Eric Hansen: I'd probably change the language. We don't donate to non-profits, we enter into a service agreements with some non-profits based on the services they provide. So I believe this year the Humane Society has a service agreement, the Historical Society has a service agreement, and the ARCS Abuse and Rape Crisis Center, and Women Walking West. Those would typically be the four.

Chris Coffaro: Service agreements or donations, I'm sorry I'm using the improper terminology. Are they less than \$25,000? Less than \$50,000? How does that- Is there a number on that?

Eric: In theory they could vary based on the services. Typically, those four have been around \$8,000.

Chris Coffaro: Okay

Eric: And typically, the previous program the expectations often that they match. So, but we are trying to shift the last several years. It's more of a service agreement. In the past it has been more of a donation, which is why you may be-

Chris Coffaro: Okay.

Eric: We contribute funds to support their mission because it dovetails with ours. Increasingly it's a service agreement where we pay an amount of dollars based on services they provide.

Chris Coffaro: Thank you Mr. Hansen. So I guess my point is, why even a need for a referendum for such an insignificant amount? Couldn't you just say no on the front end instead of changing the definition of what the City- I've never heard of this. I'm just sitting here tonight trying to learn as much as I could, but why are we spending time and resources on something so small in the big picture of the City of Mason?

Councilmember Bradburn: Since I brought it up originally, I think it's just a matter of -there has to be a proper expenditure of public funds. And to spend public funds to go ahead and in political activities such as endorsements, ranking and ratings, of individuals is not proper. I don't care, I don't care if it's a buck. It's not right.

Chris Coffaro: Are you allowed to say no on the front end instead of retroactively taking it back? Vetting them on the front.

Councilmember Bradburn: It had never been vetted before.

Chris Coffaro: Okay.

Vice Mayor Gilb: If I could, if I could weigh in. So the resolution that we adopted just doesn't tell the organization what it can and can't do. It says if you want to come to the City and ask for tax dollars given or provided to your organization, you won't use those dollars to engage in political activity. And that's what, that's what the resolutions designed to do. So it's not, it's not-ask the

real question, you know. It's on the organization. Do you want to agree that you won't use our money for political activity? If you do, you can be funded.

Chris Coffaro: But they know what they're agreeing to. Whatever. It seems like a small amount of money to create a resolution for not a lot. Sorry. Just, Mayor Grossmann you said it was very, very clear I believe is what your statement was, but it was clear as mud to me listening in the audience. I don't know if anyone else understood the resolution. So, okay. Thank you.

Vice Mayor Gilb: Mr. Coffaro, just to further answer. So if it's \$1, the question is should you get-you know-question is does the organization receiving that \$1 from the City want to agree that they won't use it for political activity. If you do, we'll give you that dollar. If you don't, you don't get that dollar. So it's not us saying- We're willing to fund every non-profit organization if they will agree not to use our money for political activity.

Chris Coffaro: Right, but you're not even funding that many. Or sponsoring or- okay, thank you. I appreciate it.

Vice Mayor Gilb: Yeah so, the impetus is theirs, not us saying no we're not going to fund you. It is them saying whether they will or will not engage in political activity.

Chris Coffaro: Okay so my last question was-so, City of Mason doesn't have a plan like Milford, Loveland, what were the other ones? Help me out here.

Mayor: Not an artistic rendering. No not yet. That doesn't mean that's not gonna happen, but we don't have it yet.

Chris Coffaro: Okay. Thank you all. I appreciate it.

Mayor: Thank you. Alright-

Councilmember Strycula: Mayor? I just wanted to address a couple things real quick. I wanted to let Mr. Coffaro sit down though cuz he sat up there for so long.

Mayor: Yeah, we forgot to tell him about the five-minute limit. But that's okay because it's your first time. Thank you.

Councilmember Strycula: I think he spoke for less than five minutes. I think you took up his time though.

Mayor: He may have, he may have.

Councilmember Strycula: I think he was just fine. Just a couple points. One, on the, the non-profit issue that was brought up and I think the Vice Mayor did an okay job explaining it, but it's not that that non-profit won't spend our dollar, it's that if we give them money and they spend any money on political activity. Right. The resolution was pretty vague, right. It's just not our money that's going cuz especially with the Chamber, our money wasn't going to fund political activity, but it

just makes sure the Chamber won't receive any of our money and engage in political activity. Alright, so, it's not that they're just certifying they won't spend our dollars or your dollars, really, cuz it's not ours, it's yours on political activity. Just any money or any political activity, right. That's just one clarification there. One, one question you asked was it's a hot real estate market so, you know, wouldn't you want to put your house up for sale? Councilmember Honerlaw actually didn't answer your question. He just said he lived here forever. Right. How many bids are you gonna get on your house if you don't put a for sale sign up? Probably zero, right. Not going to get a whole lot of people or not get enough. So that's why anything hasn't been done. Councilmember Chance, he did a great job. We couldn't have developed Downtown based on the density issues that were built into our Charter. We needed a Charter amendment to change that to open it up for these developments. Even- I mean we haven't even changed the zoning code yet. We don't even know that—the development that's on the table right now is still not — still wouldn't comply with our zoning code. Because we still haven't changed that yet. So, that's on there. And finally with executive session, we heard that an awful lot, there are reasons we need to go into executive session: acquisition/disposition of property, salaries, there was a safety briefing for Council, right. But there are certain reasons we go into executive session. But all of those reasons are to benefit the taxpayer. So, if it doesn't really benefit the taxpayer, right, if it wasn't in executive session that we are looking at a developer coming in offered or wants to do something with this land, and now that drives the price up which would be to your benefit, then we shouldn't be talking about it in executive session. And just because it's legal and we've done it and we've followed the reasons to go into executive session, just because we can, again, doesn't mean we should. Right, there's better ways we can be doing this, more open, more transparent ways. We use that word a lot. We don't actually really we do it. There's a lot more transparent ways. So, hopefully I addressed some of your concerns, but I wanted to let you sit down first. So, thanks. That's all I have.

Mayor: Mrs. Piening, you want to come on up?

Terry Piening: My name's Terry Piening. I live at 5056 Village Green Drive. Mayor Grossmann, I just want to say, I hope you hold Councilmember Nelson's feet to the fire on what she said tonight on record. And if there's no illegal activity found to be had in this Council, she should be removed. I cannot believe what you said tonight. That is really unprofessional to sit here and accuse this Council of doing illegal things. So, I hope that you go to the Ethics Committee. And I hope that they find that there's nothing that they did wrong. And if that's the case, I hope your removed. Thank you.

Mayor: Thank you, Mrs. Piening. Anyone else? Yes, ma'am

Gina Sanders: I know it's late, so I'll keep it short. My name's Gina Sanders and I live at 221 Kings Mills Road right in the heart of everything we're talking about tonight, which is why I'm here. I have been starting to pick up watching as I've gotten word that all of this stuff is starting to be talked about and— And you hear the words plan, and you hear the words master plan and all these different things going on and I guess the one thing I just feel is really important to say tonight, is that, your community looks to you to-to share with us how we can have input. And I know there's probably been opportunities that I don't know about. I know, I loved it that you said you were bored over COVID and started watching what's going on. Whatever the reason is, that fact that we're all getting here is really great. And I just think that it's so important that the community

trusts you to be transparent with us and keep it current. 2010 sounds like not that long ago, but wow, it's 11 years later. And specifically for Downtown, the thing I wanted to mention— My family has the benefit. We get to walk right down the path to Downtown and enjoy all the little treasures. And to see a plan of the community's plan that they can embody and embrace and feel like they had a say in what goes in Downtown, I think it would mean a lot to Mason. How do we know what we want if we're not given the opportunity? And all night I just kept thinking, oh my gosh, as a student of Mason's City, I've been asked by Jonathan Cooper and their school system over and over and over, what would you do? What would you do? Okay, what would this? Okay, we did this. What do you think about this? So much so I'm like oh my gosh sometimes. But I will tell you that creates a ton of trust with me. When they make a decision, I know they vetted it so fully that I'm like they have a reason. And I really trust them because they said it to me up front. And so, I just want to mention that and tuck it in your hat for whatever it is. Downtown's really precious land here in Mason. And I know everyone in our community cares deeply about what goes there. I know Mr. Lortz is on tonight, on the call and there are so many nights my husband and I have sat, well not so many that makes us sound like alcoholics— Many nights we've sat at all the places Downtown and dreamt about what would go down there that would benefit our family. I think a lot of people would like to say what they would like to see that be. So hopefully we can get to a place where a plan can come together that embodies everybody that lives here. Thanks.

Mayor: Thank you so much Mrs. Sanders. Alright, I didn't see any more hands. Is that everybody? Alright, Council I need a motion to adjourn please.

Councilmember Chance: So moved.

Councilmember Strycula: Second.

Mayor: All in favor?

Council: yes

Mayor: Any opposed? You're not in favor? Oh, okay he's just kidding us. Okay thank you everyone. Have a wonderful night.

ADJOURN

A motion to adjourn was made by Councilmember Chance, seconded by Councilmember Strycula.
VOTE: ALL YEAS. TIME: 9:51 p.m.