

**CITY OF MASON
COUNCIL MEETING
AUGUST 8, 2022**

The meeting was called to order at 7:00 p.m. Councilmember Chance led the meeting in prayer. All those present recited the Pledge of Allegiance.

ATTENDANCE

The following members of Council were present: Diana Nelson, Ashley Chance, Tony Bradburn, Mark Haake, Kathy Grossmann, Josh Strycula, and Barbara Spaeth.

APPROVAL OF MINUTES

A motion to approve the July 11 Council Meeting minutes was made by Councilmember Bradburn, seconded by Vice Mayor Nelson. VOTE: 6 YEAS, 1 ABSTAIN (Chance)

FIRE DEPARTMENT SWEARING-INS

Eric Hansen introduced Fire Chief Bryan Brumagen for Fire Department recognition and swearing-ins.

Chief Brumagen conducted a pin ceremony for promotions for Deputy Chief Nate Wyatt and Lieutenant Bryan Shaw.

Chief Brumagen introduced Craig Metzcar, Joe Steuer, and Gabe Yarber for swearing-ins to the City of Mason Fire Department.

CITY MANAGER'S REPORT

A motion to continue with one City Council meeting per month through the end of the year was made by Vice Mayor Nelson, seconded by Councilmember Chance. VOTE: 6 YAYS, 1 NAY (Grossmann)

As part of the Heritage Festival and the Christmas in Mason Tree Lighting, the American Legion is requesting a temporary liquor permit from the State of Ohio and approval from Council to allow for alcohol sales on the Downtown Plaza on Saturday, September 17 from 3:00 p.m. to 10:00 p.m. and on Friday, December 2 from 6:00 p.m. to 10:00 p.m.

A motion to allow for alcohol sales on the Downtown Plaza Saturday, September 17 from 3:00 p.m. to 10:00 p.m. and on Friday, December 2 from 6:00 p.m. to 10:00 p.m. was made by Councilmember Chance, seconded by Councilmember Bradburn. VOTE: ALL YEAS.

A motion to not request a hearing for a liquor permit for Thai Terrace LLC for a D2 liquor permit was made by Councilmember Bradburn, seconded by Councilmember Chance. VOTE: ALL YEAS.

The 2022 Western & Southern Open will begin in Mason on Saturday, August 13 at the Lindner Family Tennis Center. The tournament features the world's top ranked men and women in this combined week of tennis. The City of Mason will be hosting 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. Residents and businesses, as well as Community Center members will notice increased attention on the benefits of hosting this event.

As a host City to the Western and Southern Open Tennis Tournament, Mason takes the international stage to welcome players, coaches, and fans from around the world. In August, Mason celebrates this international event by highlighting small businesses in Mason who also bring international flavor offering diverse cuisine meals.

The Warren County Municipal League meeting will be held at the Grand Ole Opry House in Lebanon beginning at 6:00 p.m. on August 17. Speakers at the meeting include Walt Davis and Jenny Kilgore.

The Mason Municipal Aquatic Center will begin back to school hours. The Aquatic Center outdoor pool will be open daily through Sunday, August 14. Starting Monday, August 15 through Thursday, September 4, the outdoor pool and 50M pool will be open weekdays from 4:00 p.m. to 8:00 p.m. except for Fridays.

City offices will be closed on Monday, September 5 in observance of the Labor Day holiday. The Community Center will have normal operating hours Friday, September 2 through Sunday, September 5. On Monday, September 5, the Community Center will be open from 6:00 a.m. to 12:00 p.m. with limited services.

The City of Mason Police Department and Fire Department will conduct a Citizens Safety Academy starting Tuesday, September 6 through November 1. The program runs for 10 weeks and covers various topics including the role of a police officer and firefighter, drone, and K9 education along with CPR, stop the bleed, and firearm safety. Past alumni of the program have assisted the City with speed surveys, festivals, and interview panels. Registration is available on the City's website.

Eric Hansen said the City of Mason's Police Department has been accredited for the ninth time and being an accredited Police Department is a significant achievement for the City.

On Saturday, August 6, the City of Mason hosted the Southwest Ohio Philharmonic for a performance at the Mason Municipal Campus. The event had 1,000 attendees and was well received by those who attended.

The annual Heritage Festival will take place on Saturday, September 17 at the Mason Downtown Plaza. The parade will begin at 3:00 p.m. at the corner of Mason-Montgomery Road and Foxfield Drive, making its way downtown Mason and ending at Grace Chapel. Parade viewers are encouraged to gather near the Downtown Plaza to watch 30-second parade performances. Following the parade, activities will be open until 10:00 p.m. in the Mason downtown area. Activities for the event will include food and non-food vendors, kids' activities, and live music from 4:00 p.m. to 10:00 p.m.

MASON MILE UPDATE – MADE CDC

Annie Droegue of the MADE CDC provided an update to the Mason Mile Project and said the MADE CDC is expected to select a firm for the project in August. The Mason Mile Project hosted a neighborhood quarterly meeting at Common Beer Company to provide an update to the community. The next Mason Mile Project quarterly meeting is scheduled for Thursday, November 3 at Warped Wing Brewing Company.

RESOLUTION 2022-19 DECLARING THE NECESSITY AND INTENTION TO APPROPRIATE PROPERTY FOR THE SR741 IMPROVEMENT PROJECT FROM COX-SMITH ROAD TO SPYGLASS HILL AND DECLARING AN EMERGENCY (SANDEEP BASU AND PREETI BASU)

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

Kurt Seiler said as part of the State Route 741 Improvement Project, there are two properties remaining that require signed easements for the project. One of the two parcels remaining is owned by Carmelle Homeowners Association and the other is owned by Sandeep Basu and Preeti Basu. The Basu's and the Carmelle HOA have not come to an agreement regarding distribution of the compensation for this parcel, which is needed to complete the acquisition. Therefore, it is necessary for this resolution to begin the appropriation process and will allow for needed right-of-way to be acquired by the end of October 2022, as required for the project.

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

A motion to adopt Resolution 2022-19 was made by Vice Mayor Nelson, seconded by Councilmember Haake. VOTE: ALL YEAS.

ORDINANCE 2022-85 SECOND READING – REPEALING CHAPTER 125 OF THE CODIFIED ORDINANCES OF THE CITY OF MASON REGARDING STANDARDS OF BEST PRACTICE FOR REAL PROPERTY TRANSACTIONS

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

Eric Hansen said in 2018, Council adopted Ordinance 2018-81 which created Chapter 125 of the Mason Codified Ordinances and established standards for real property transactions. The intent of Chapter 125 was to establish a multi-step disclosure process for Council when considering property sales or purchases. In 2019, Council authorized amendments to Chapter 125. These amendments were made in response to the findings of an Ad Hoc committee that was established which included a structural modification that allowed for a minority of three members of Council to initiate the disclosure process for any property purchase or sale, as well as for a majority to modify or remove steps. Eric said in August of 2021, Council adopted legislation to place a Charter Amendment on the voting ballot. With adoption of Issue 14, this new section of the Charter requires Council to make written disclosures prior to a vote and supersedes the conditions and steps in Chapter 125. Given the redundant but conflicting language of Chapter 125 and the now controlling Charter language, it is appropriate to repeal Chapter 125.

Public Hearing was opened at 7:45 p.m.

Stuart Cowan of 110 Cowan Drive discussed maintaining transparency and the language included in the Charter regarding the adoption of Issue 14.

Public Hearing was closed at 7:47 p.m.

Council and Eric Hansen discussed language included in Chapter 125 and language included in the Charter as a result of the adoption of Issue 14.

A motion to amend Chapter 125.02 Section A and Section C and insert in Section 125.05 under “affidavit requested” the words “or action” after the word discussion, seconded by Councilmember Bradburn. VOTE: 2 YAYS, 5 NAYS (Styracula, Spaeth, Nelson, Chance, Haake)

A motion to adopt Resolution 2022-85 was made by Councilmember Haake, seconded by Councilmember Chance. VOTE: 5 YEAS, 2 NAYS (Bradburn, Grossmann)

ORDINANCE 2022-88 APPROVAL OF THE REPLAT FOR WRLD SUBDIVISION, SECTION 2

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

Kurt Seiler said WRLD Subdivision Section 2 is a replat of WRLD Subdivision, Section 1. This replat replaces a replat that was approved by Planning Commission and City Council in April 2022. This replat will split Lot 1 and the existing 0.447 acre lot into six separate lots. The plat

shows the dedication of Veterans Parkway, a public roadway, that runs through the site and connects Mason Montgomery Road to Freedom Way. The plat also shows the necessary dedication of right-of-way along Mason-Montgomery Road and Western Row Road.

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 Ordinance 2022-88 was made by Councilmember Chance, seconded by Vice Mayor Nelson. VOTE: ALL YEAS.

ORDINANCE 2022-89 APPROVAL OF THE REPLAT FOR THE BEACH SUBDIVISION, PHASE 4

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

Kurt Seiler said this replat will shift the property line between two lots and create Lot 2D being 1.7437 acres, and Lot 2E being 3.005 acres. Lot 2D is the future site for a Texas Roadhouse restaurant which was approved at the August Planning Commission meeting.

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

A motion to adopt Ordinance 2022-89 was made by Councilmember Bradburn, seconded by Councilmember Chance. VOTE: ALL YEAS.

ORDINANCE 2022-90 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH CARGILL, INC. FOR THE PURCHASE OF APPROXIMATELY 5,500 TONS OF HIGHWAY ROCK SALT AT \$89.05 PER TON

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

Jennifer Heft said Mason purchases approximately 5,500 tons of rock salt on an annual basis to provide snow and ice control for an average of 12-14 snow events per year. For the past several years, the City has used two cooperative purchasing programs for the purchase of rock salt. Pricing for rock salt for the coming season is at an eight-year high. The City's intent is to purchase rock salt through the Warren County Engineer's contract at the lower rate of \$89.05 per ton and should there be any difficulties getting salt through Cargill Inc., the City could then purchase from multiple other suppliers through the alternate contract. Jennifer said Ordinance 2022-90 authorizes a contract with Cargill, Inc. in the amount of \$89.05 per ton and Ordinance 2022-91 authorizes alternate contracts in an aggregate amount not to exceed \$250,000 for the purchase of rock salt and both are recommended for adoption.

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

A motion to adopt Ordinance 2022-90 was made by Vice Mayor Nelson, seconded by Councilmember Bradburn. VOTE: ALL YEAS.

ORDINANCE 2022-91 AUTHORIZING THE CITY MANAGER TO ENTER INTO ALTERNATE CONTRACTS FOR THE PURCHASE OF HIGHWAY ROCK SALT IN AN AGGREGATE AMOUNT NOT TO EXCEED \$250,000

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

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

A motion to adopt Ordinance 2022-91 was made by Councilmember Chance, seconded by Councilmember Bradburn. VOTE: ALL YEAS.

ORDINANCE 2022-92 AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT WITH WARREN COUNTY FOR THE MAKINO PARK IMPROVEMENT PROJECT

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

Eric Hansen said The American Recovery Plan Act was passed by congress on March 11, 2021 which targets funds for recovery of the effects of the COVID-19 pandemic. These funds were allocated to U.S. states and then to counties for distribution. The City of Mason has been in discussions with Warren County for the best way for the County to use funds allocated while being mindful of The American Recovery Plan Act requirements and limitations, and it was identified that the Adaptive Fields at Makino Park would be an appropriate candidate for funding. Eric said Mason Challenger League has also raised approximately \$300,000 for the Adaptive Ballfields to date and continues to aggressively fundraise. Staff has started making final preparations of the construction plans and bid documents with the anticipation of going to bid later this year for the project.

Council thanked Warren County for support of the adaptive ballfields.

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

A motion to adopt Ordinance 2022-92 was made by Vice Mayor Nelson, seconded by Councilmember Chance. VOTE: ALL YEAS.

COMMITTEE REPORTS

Councilmember Chance discussed the update for the Mason Mile Project and said to visit madecdc.org for more information on the project.

Vice Mayor Nelson discussed the Southwest Ohio Philharmonic event at the Mason Municipal Campus.

Councilmember Styracula said the Finance Committee of Council met to discuss waiving permit fees for Deerfield Township for extending the road within Rose Hill Cemetery.

A motion to waive the fees for Deerfield Township associated with the Rose Hill Cemetery improvement project was made by Councilmember Styracula, seconded by Councilmember Grossmann. VOTE: 6 YEAS, 1 NAY (Nelson)

Councilmember Styracula discussed paying off sewer debt and the review of future sewer rates.

Vice Mayor Nelson said the Veterans Board met to discuss the progress of the Gold Star Family Memorial and updates to the Mason Veterans Memorial.

OLD AND NEW BUSINESS

Councilmember Haake thanked City staff and the American Legion for Music in Mason and Red, Rhythm & Boom. Councilmember Haake also thanked the MADE CDC for their efforts on the Mason Mile Project.

Councilmember Grossmann thanked City staff, American Legion, and volunteer organizations for Music in Mason and Red, Rhythm & Boom. Councilmember Grossmann congratulated City staff for the Mason Police Department accreditation.

Councilmember Grossmann discussed hosting a committee meeting to further discuss Chapter 125.

Mayor Spaeth thanked Kyle Anderson and his efforts as Incident Commander for the Southwest Ohio Philharmonic event and thanked the Mason Police Department for their accreditation.

Mayor Spaeth and Eric Hansen discussed the Arts & Culture Committee meeting scheduled for August 22 at the Downtown Plaza to discuss the future of the Gould Property.

EXECUTIVE SESSION

A motion to adjourn into Executive Session for the purpose of employment/compensation of public employees was made by Councilmember Bradburn, seconded by Vice Mayor Nelson. VOTE: ALL YEAS. TIME: 8:45 p.m.

A motion to reconvene into Regular Session was made by Councilmember Bradburn, seconded by Councilmember Chance. VOTE: ALL YEAS. TIME: 8:54 p.m.

A motion to increase City Manager compensation by a three percent merit increase and a nine percent bonus was made by Councilmember Grossmann, seconded by Vice Mayor Nelson. VOTE: ALL YEAS.

ADJOURN

A motion to adjourn was made by Councilmember Bradburn, seconded by Vice Mayor Nelson. VOTE: ALL YEAS. TIME: 8:55 p.m.