

**CITY OF MASON  
COUNCIL MEETING  
SEPTEMBER 20, 2022**

The meeting was called to order at 7:00 p.m. 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 August 8 Council Meeting minutes; August 22 Special Council Meeting minutes, and September 6 Special Council Meeting minutes was made by Councilmember Chance, seconded by Councilmember Haake. VOTE: 5 YEAS, 1 NAY. (Bradburn)

Councilmember Bradburn said at the September 6 Special Council Meeting, he voted “present” and not “yes” during the motion to approve the Council Committee chart as outlined.

**CITY MANAGER’S REPORT**

Each year, the City promotes the annual Calendar Photo Contest to encourage residents to submit photos to be included in the City Calendar.

The 2022 City Calendar winners were announced and recognized.

September is National Self Improvement Month. September’s small business initiative involves promoting Mason businesses that focus on improving lifestyle, such as starting a new fitness routine, decluttering your surroundings, or taking preventative measures to maintain or improve health. October is International Coffee Month, and the City will be celebrating by highlighting all the unique coffee shops that call Mason home.

Membership Appreciation Days will take place at the Mason Community Center on October 6 through October 8. On Saturday, October 8, a “Fall Fun” event for members only will be held from 11:00 a.m. to 1:00 p.m. at the Mason Municipal Aquatic Center. Guests are invited to wear a Halloween costume to be entered to win a free month of membership. The event will include family games, fall themed inflatables, pumpkin crafts, face painting, balloon artists, and lunch provided by Taste Great Concessions.

The Mason Historical Society’s Annual Cemetery Walk is scheduled for Tuesday, October 11 at 7:00 p.m. at Rose Hill Cemetery. Tickets will be available at the Mason Historical Society Museum.

A motion to not request a hearing for a liquor permit for Baysal LLC, DBA Beerhead Bar and Eatery for a D1, D2, and D3 liquor permit was made by Councilmember Chance, seconded by Councilmember Bradburn. VOTE: ALL YEAS.

A motion to not request a hearing for a liquor permit for Baysal LLC, DBA Beerhead Bar and Eatery for a D3A and D6 liquor permit was made by Councilmember Chance, seconded by Councilmember Bradburn. VOTE: ALL YEAS.

Eric Hansen and Kurt Seiler discussed the US Route 42 Roundabouts Project.

A motion to move up Item 18 on the agenda was made by Vice Mayor Nelson, seconded by Councilmember Haake. VOTE: ALL YEAS.

**COMMUNITY REINVESTMENT AREA #13: CM PAULA-REMTEC**

Eric Hansen introduced Michele Blair.

Michele Blair discussed the history of CM Paula in Mason and plans for expansion and the growth of manufacturing in the City.

Michele Blair introduced CM Paula CEO George White.

George White discussed the history of CM Paula, current and future operations for the business, and future expansion in Mason.

A motion to grant to CM Paula-Remtec an abatement under the Community Reinvestment Area (CRA) Program of 100% of real property improvements for seven years on the value of the new building expansion as authorized by the State of Ohio CRA Program and contingent upon the company making an annual compensation payment to the Mason City School District for the term of the abatement period. An additional motion to activate a City of Mason PACE energy incentive made available by the State of Ohio, between CM Paula and Mason, for this project at such time it becomes available during the construction period was made by Councilmember Chance, seconded by Councilmember Styrcula. VOTE: ALL YEAS.

**MASON MILE UPDATE – MADE CDC**

Sidney Hayes of the MADE CDC provided an update on the Mason Mile Project and said activator volunteers have been collecting data from addresses on East Main Street, West Main Street, and Reading Road. Activator volunteers have been connecting with property owners and business owners to discuss the Mason Mile Project.

## **RECOGNITION OF VISITORS**

Rosemary Haddad of 5900 Fairway Drive discussed upcoming changes to The Grizzly and property lines of the golf course.

Ben Shapiro of 5331 Wheatmore Court discussed not supporting The Regional Center for the Arts in Mason.

Kim Ward of 5505 Mason Road discussed the deed restrictions of the Gould Property.

Frank Kudlaz of 5383 Wheatmore Court thanked Council for continued improvements to the City. Frank discussed safety concerns for developing the Gould Property.

Lori Shutrump of 5347 Wheatmore Court discussed concerns with safety and not supporting development of the Gould Property.

John Milazzo of 5365 Wheatmore Court discussed support of Resolution 2022-23.

Chris Wyckoff of 5370 Wheatmore Court discussed wanting more information regarding plans for the future of the Gould Property.

Liz Eichler of 5877 Running Fox Lane discussed wanting a feasibility study for The Regional Center for the Arts.

Michelle Ashley of 4758 Manorlake Drive discussed the Arts & Culture Committee Meeting at the Downtown Plaza and the deed restrictions for the Gould Property.

Emmy Callahan-Smith of 5535 Wheatmore Court discussed safety concerns with traffic near the Gould Property.

Lisa Wallner of 5347 Harvestdale Drive discussed concerns with traffic and noise for the development of the Gould Property.

Lindy Powell of 105 Carnell Place urged City Council to listen to residents.

Julie Langer of 608 W. Church Street discussed preferring The Regional Center for the Arts at Corwin Nixon Park.

**RESOLUTION 2022-21 A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE WARREN COUNTY BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR**

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

Jennifer Heft said as required by the State of Ohio, a budget to justify receipt of local government monies is required to be adopted prior to July 15 of each year. The Tax Budget is then submitted to the County Auditor who then sets property tax rates, and the City in turn must officially accept the property tax rates.

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 Resolution 2022-21 was made by Councilmember Chance, seconded by Councilmember Styracula. VOTE: ALL YEAS.

**RESOLUTION 2022-22 APPROVING PARTICIPATION IN REGION 14 GOVERNANCE STRUCTURE UNDER ONEOHIO MEMORANDUM OF UNDERSTANDING**

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

Eric Hansen said in response to the increasing number of overdoses and unintentional overdose deaths, the Ohio Attorney General filed a lawsuit against opioid drug manufacturers and distributors for the damages caused by opioids in the State. OneOhio is a collaborative effort that provides funding for the prevention, treatment, and long-term recovery of overdose patients. This program is designed to ensure that the funds are preserved and distributed in an equitable manner to promote the overall health and well-being of Ohio residents. The City of Mason is designated as part of Region 14 along with the counties of Butler, Clermont, Clinton, Greene, Clark, and Madison. As settlement funds are paid out, this will allow the City to lead collaborative efforts with neighboring communities and counties to make progress and positive change in prevention, treatment, and recovery support services.

Councilmember Chance discussed overdose issues in Warren County and support of the City's participation in OneOhio.

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 Resolution 2022-22 was made by Councilmember Styracula, seconded by Councilmember Haake. VOTE: ALL YEAS.

**RESOLUTION 2022-23 REAFFIRMING COUNCIL’S COMMITMENT TO DEVELOP THE GOULD PROPERTY AS A PARK CONSISTENT WITH THE INTENTIONS OF ORDINANCE 2003-130**

Jeff Forbes read Resolution 2022-23.

Eric Hansen said conversations are continuing with the co-executor of the trust of the Gould Property to seek a mutual understanding to be aligned with the deed restrictions of the property and address the expectations and concerns of the Gould family and neighbors.

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

A motion to adopt Resolution 2022-23 was made by Councilmember Grossmann, seconded by Councilmember Bradburn.

A motion to table Resolution 2022-23 was made by Vice Mayor Nelson, seconded by Councilmember Haake.

Councilmember Bradburn discussed the possibilities of breach of contract regarding the deed restrictions of the Gould Property.

Councilmember Haake discussed having a committee tasked with finding a location for the Regional Center for the Arts.

Councilmember Grossmann discussed concerns with tabling Ordinance 2022-23.

Council discussed concerns including Ordinance 2003-130 in Resolution 2022-23.

A motion to amend the original motion to table Resolution 2022-23 to the October 10 Council Meeting was made by Councilmember Grossmann, seconded by Councilmember Bradburn. VOTE: 2 YEAS, 5 NAYS. (Styracula, Spaeth, Nelson, Chance, Haake)

A motion to table Resolution 2022-23 was made by Vice Mayor Nelson, seconded by Councilmember Haake. VOTE: 5 YEAS, 2 NAYS. (Bradburn, Grossmann)

**ORDINANCE 2022-93 APPROVAL OF THE RECORD PLAT FOR YOUNG SUBDIVISION**

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

Kurt Seiler said this plat will consolidate the existing two parcels that the residential building currently sits on into one. It will also dedicate the necessary right-of-way along East Street as required by the City of Mason Thoroughfare Plan.

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

A motion to adopt Ordinance 2022-93 was made by Councilmember Bradburn, seconded by Councilmember Styracula. VOTE: ALL YEAS.

**ORDINANCE 2022-94 APPROVAL OF THE RECORD PLAT FOR TWAS PROPERTIES LLC**

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

Kurt Seiler said this plat will consolidate the existing two lots 7A and 8A into one lot. This is the future lot of the Tidal Wave Carwash facility, and this consolidation of the lots was a condition of the final development plan along with contingencies from Planning Commission.

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 2022-94 was made by Councilmember Bradburn, seconded by Councilmember Haake. VOTE: ALL YEAS.

**ORDINANCE 2022-95 AUTHORIZING THE CITY LAW DIRECTOR TO FILE A PETITION FOR APPROPRIATION OF PROPERTY NECESSARY FOR THE SR 741 WIDENING PROJECT, DETERMINING PUBLIC EXIGENCY AND DECLARING AN EMERGENCY (SANDEEP BASU AND PREETI BASU)**

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

Kurt Seiler said this action allows the road project to continue and remain on schedule even before the appropriation is completed. The City will continue to negotiate with each property owner. Staff expects to reach a reasonable settlement with the property owner before filing. Authorizing the Ordinance of Intent will allow the City to file for appropriation in case negotiations with any property owner do not succeed and allows for all of the needed right-of-way to be acquired in a timely manner.

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

A motion to adopt Ordinance 2022-95 was made by Vice Mayor Nelson, seconded by Councilmember Styracula. VOTE: ALL YEAS.

**ORDINANCE 2022-96 AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENT #38083 WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE PURPOSE OF CONSTRUCTING THE STATE ROUTE 741-0.19 STREETScape & URBAN PAVING PROJECT**

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

Kurt Seiler said the beautification of the SR 741 corridor and creating a more memorable gateway for drivers from I-71 has been a long-term goal of the City. ODOT has scheduled the resurfacing of SR 741 from Center Drive to the I-71 northbound ramps for the Summer of 2023 through the Urban Resurfacing Program. The project includes lighting improvements, a combination of City-owned and Duke maintained fixtures, and coordination with utility companies for the necessary relocation work and two traffic signal upgrades.

Vice Mayor Nelson discussed the project and the streetscape being viewed by visitors during the Western and Southern Open.

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

A motion to adopt Ordinance 2022-96 was made by Vice Mayor Nelson, seconded by Councilmember Chance. VOTE: ALL YEAS.

**ORDINANCE 2022-97 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH FORD DEVELOPMENT CORP. IN AN AMOUNT NOT TO EXCEED \$866,061 FOR THE INDIANWOOD DRIVE STORM SEWER IMPROVEMENTS PROJECT**

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

Kurt Seiler said in 2019, the City conducted a drainage study of the area to determine the recommended improvements to provide adequate drainage to this neighborhood. As part of the drainage study, several areas were identified that would greatly benefit from the addition and upsizing of storm sewers and improved drainage swales. The recommended improvements are expected to greatly lower the frequency and amount of street and yard flooding during the major rain events.

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 2022-97 was made by Vice Mayor Nelson, seconded by Councilmember Styracula. VOTE: ALL YEAS.

## **OVERVIEW AND FULL COUNCIL DISCUSSION OF PROPOSED CHAPTER 125: REAL PROPERTY TRANSACTION DISCLOSURES**

Mayor Spaeth discussed the history of Chapter 125 and discussed the possibility of Chapter 125 as a topic for a future work session.

A motion to remove Items 16 and 17 from the Agenda was made by Councilmember Haake, seconded by Councilmember Chance. VOTE: 5 YEAS, 2 NAYS. (Grossmann, Bradburn)

Councilmember Grossmann discussed concerns with removing Items 16 and 17 from the Agenda.

Council discussed concerns with Chapter 125 and discussing at a future work session.

Councilmember Grossmann said Chapter 125 provides written disclosures with counter parties for any real estate transactions.

## **COMMITTEE REPORTS**

Vice Mayor Nelson said the Arts & Culture Committee met and discussed an upcoming Mason Symphony Orchestra performance, the SWOP event, and future ideas for Heritage Festival including an arts display and a car show.

Councilmember Chance thanked staff for hosting Heritage Festival in Downtown Mason.

Councilmember Chance said the Golf Course Committee met and discussed the 50<sup>th</sup> Anniversary of The Grizzly and upgrades to the facility.

Councilmember Styracula said the City of Mason received the Auditor of State Award with Distinction and thanked staff.

Mayor Spaeth said the Ad Hoc Rules Committee met to discuss rules, Council conduct, and review codes of conduct from other municipalities.

Councilmember Grossmann discussed dissolving of the Community and Recreation Committee and the Committee discussing locations for The Regional Center for the Arts.

Councilmember Grossmann said Pawmyra Dog Park opens on Monday, October 10.



## **OLD AND NEW BUSINESS**

Mayor Spaeth thanked staff for hosting Heritage Festival.

Mayor Spaeth and Eric Hansen discussed the pickleball tournament at the Linder Family Tennis Center.

Vice Mayor Nelson discussed the Ohio EPA Drinking Water Assistant Fund Management Plan. Vice Mayor Nelson, Eric Hansen, and Kurt Seiler discussed testing for lead service lines.

Councilmember Grossmann read proposed Ordinance 2022-98.

Mayor Spaeth said Councilmember Grossmann did not honor her request to wait until a Council work session to discuss the proposed Chapter 125 update.

## **RECOGNITION OF VISITORS**

Lori Shutrump of 5347 Wheatmore Court said Council did not listen to the public's concerns.

Matt Guzman of 5495 Mason Road discussed concerns with accountability of Council.

Lindy Powell of 105 Carnell Place discussed developing the Gould Property into a park.

Kim Ward of 5505 Mason Road said residents can visit [savegouldpark.com](http://savegouldpark.com) to learn more about the Gould Property.

Eric Hansen discussed continuing conversations of the deed restriction with the owners of the trust of the Gould Property.

Julie Larger of 608 W. Church Street discussed the letter from the Mason Arts Council.

Matt Guzman of 5495 Mason Road urged Council to remove the Gould Property as an option for The Regional Center for the Arts.

## **ADJOURN**

A motion to adjourn was made by Councilmember Chance, seconded by Vice Mayor Nelson.  
VOTE: ALL YEAS. TIME: 10:00 p.m.