

**CITY OF MASON
COUNCIL MEETING
JANUARY 9, 2023**

The meeting was called to order at 7:03 p.m. Posting of Colors was provided by the Mason Police Department. All those present recited the Pledge of Allegiance.

ATTENDANCE

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

APPROVAL OF MINUTES

A motion to approve the December 12, 2022 Council Meeting minutes was made by Councilmember Chance, seconded by Councilmember Haake. VOTE: 4 YEAS, 1 ABSTAIN (Nelson).

CITY MANAGER'S REPORT

Eric Hansen introduced new Police Chief Levi Wells who will oversee the growth of the department and growth of the individuals in the department. He welcomed Chief Wells and thanked Chief Ferrell for his guidance through the transition. Chief Ferrell offered the pins for the pinning ceremony, a long-standing law enforcement tradition. Chief Wells thanked his friends and family in Mason for their continued support. Council congratulated Chief Wells and discussed his long connection to the Mason community and being impressed with his professionalism and skills. They expressed gratitude to all police officers.

In honor of the City's recent ranking as 4th Best Place to Live for Families, the City will be celebrating throughout 2023 with monthly activities aimed at building a healthier and stronger community, in partnership with TriHealth. January's activities include the annual Wellness Expo on Saturday, January 28 and a free community swim clinic on Wednesday, January 18 at the Municipal Aquatic Center. TriHealth will provide video presentations as well as various resources for residents. In addition, the City of Mason is encouraging residents to take advantage of all the Mason businesses that provide services to help residents achieve their highest potential. A detailed list of programs and offerings is available on the City's website.

Photos were contributed to the City highlighting why Mason is a great place to live and gave indication of how well Mason does with snow removal. Eric thanked staff who came in over the Christmas holiday weekend to get the roads cleared for safe travel.

For most of 2022, Council has held a single regular Council meeting a month. This has allowed more time for working meetings such as committee meetings and work sessions. Council is encouraged to keep the fourth Mondays open should timeframes or workload make another meeting advisable. A motion to hold a single regular Council Meeting each month, the second

Monday of the month was made by Councilmember Chance, seconded by Vice Mayor Spaeth. VOTE: ALL YEAS.

The City will continue Christmas tree pickup through January. Residents should place their trees at curbside for pickup. Trees placed in bags at the curb will be removed by Rumpke.

The Community Center is hosting a Wellness Expo on Saturday, January 28 from 9:00 a.m. to 12:00 p.m. This free and family-friendly event promotes overall lifestyle health and wellness through exhibits and informational presentations from vendors. Health and wellness businesses and organizations interested in participating in the event are encouraged to contact the City for more information.

MASON MILE UPDATE – MADE CDC

Kacey Richards of 216 Short Street and MADE CDC representative encouraged residents to attend upcoming meetings. Activator meetings are the third Tuesday of each month at the American Legion. The next meeting is Tuesday, January 17 at 6:00 p.m. The next neighborhood quarterly meet-up is on Thursday, February 2 at 6:00 p.m. located at the American Legion.

RECOGNITION OF VISITORS

Paul Nelson of 1223 Anthony Lane said beavers and beaver dams are a concern and creating water overflow problems in the creek near him.

RESOLUTION 2023-1 RECOGNIZING MASON COMMUNITY PLAYERS' 50TH ANNIVERSARY

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

Jeff Forbes read the full resolution per request from the Mason Community Players.

Linda Wilt Geering, representative of the Mason Community Players, said the organization is 100 members strong with over 1,000 individuals who have helped the Community Players with events and activities. She introduced Mason Community Players president, Lara Gonzalez, and the member with the most years of community service, Becca McLaughlin. She thanked Council for the resolution honoring the Mason Community Players, their financial support, and community advocacy. She is pleased to have collaborated with the City for events and activities for over 50 years including last year with the new theatre on Mason Road.

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.

Council thanked Mason Community Players for their partnership and for investing in the Mason community. They discussed the story of the creation of the Mason Community Players beginning with five Mason High School students.

A motion to adopt Resolution 2023-1 was made by Vice Mayor Nelson, seconded by Councilmember Chance. VOTE: ALL YEAS.

RESOLUTION 2023-2 REQUESTING THE COUNTY AUDITOR TO MAKE TAX ADVANCES DURING THE YEAR 2023 PURSUANT TO SECTION 321.34 OF THE OHIO REVISED CODE

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

Jennifer Heft said when taxes are collected by the County, the County Auditor has several months after the due date to distribute the funds owed to local governments. During this delay, the County will earn interest from funds owed to local governments. State law allows local governments to request payments of the taxes prior to the required settlement. In many cases, it helps improve the cash flow for the local government and allows the local government to earn additional interest for itself rather than the County. This resolution will authorize to request tax payments prior to the settlement date required by state law and will increase investment opportunities for taxes owed to the City.

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 2023-2 was made by Vice Mayor Nelson, seconded by Councilmember Chance. VOTE: ALL YEAS.

ORDINANCE 2023-1 AN ORDINANCE ACCEPTING THE APPLICATION FOR THE ANNEXATION OF 137.419 ACRES, MORE OR LESS, IN UNION TOWNSHIP, WARREN COUNTY, OHIO TO THE CITY OF MASON, OHIO FILED UNDER THE SPECIAL PROCEDURE OF ANNEXING LAND WITH CONSENT OF ALL PARTIES (OHIO REVISED CODE SECTION 709.022, ET SEQ.), AND DECLARING AN EMERGENCY

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

Kurt Seiler discussed Ordinance 2023-1 and Ordinance 2023-2 together. Current annexation law provides for special ‘expedited’ proceedings to annex territory into the City when all of the owners desire annexation. When the special ‘expedited’ proceedings are used, annexed territory must remain in the Township unless the Township formally agrees to detach the territory in the special proceeding known as an ‘Expedited Type 1’ proceeding. The annexation agreement authorized by City Council in 2015 between the City of Mason and Union Township allows the territory to be annexed and then detached from Union Township and placed in Mason. Ordinance 2023-1 accepts the annexation of the territory. An emergency clause has been included to provide the annexed area with City services at the earliest possible date and to make services available immediately after the annexation becomes effective as required by the Annexation Agreement. Ordinance 2023-2 authorizes a petition to detach the territory from Union Township into Mason and is

recommended for adoption by emergency to relieve Union Township of any obligation to serve the territory, to allow for the immediate change of Township boundaries as provided by the Annexation Agreement of the parties, and to permit the inhabitants of the territory to receive City services, avoid double taxation, and vote in the appropriate jurisdiction. He said rezoning is likely in the future to bring the property to current zoning code aligned with the City.

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.

Councilmember Bradburn and Kurt discussed 1,200-1,400 feet of roadway assumed by the City and the 2015 maintenance agreement with Union Township stating the Township will maintain that roadway.

A motion to adopt Ordinance 2023-1 was made by Vice Mayor Nelson, seconded by Councilmember Haake. VOTE: ALL YEAS.

ORDINANCE 2023-2 AN ORDINANCE AUTHORIZING THE FILING OF A PETITION WITH THE BOARD OF COUNTY COMMISSIONERS OF WARREN COUNTY, OHIO TO CHANGE THE UNION TOWNSHIP LINES OF 137.419 ACRES LOCATED IN UNION TOWNSHIP AND THE CITY OF MASON IN ORDER TO REMOVE THE TERRITORY FROM UNION TOWNSHIP, PLACE IT IN MASON TOWNSHIP AND MAKE THE TOWNSHIP LINES IDENTICAL WITH THE LIMITS OF THE CITY OF MASON, OHIO, AND DECLARING AN EMERGENCY

A motion to read by title only was made by Vice Mayor Nelson, seconded by Councilmember Haake. 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 2023-2 was made by Councilmember Haake, seconded by Councilmember Chance. VOTE: ALL YEAS.

ORDINANCE 2023-3 FIRST READING: AMENDING THE ZONING CODE AND ZONING MAP OF THE CITY OF MASON, OHIO TO PROVIDE FOR THE REZONING OF APPROXIMATELY 10.58 ACRES FROM R-1 (SINGLE FAMILY RESIDENTIAL) TO RES-PUD (RESIDENTIAL PLANNED UNIT DEVELOPMENT) WITH APPROVAL OF THE CONCEPT PLANNED UNIT DEVELOPMENT PLAN LOCATED ON WESTERN ROW ROAD IMMEDIATELY EAST OF THE EXISTING MASON CHRISTIAN VILLAGE PROPERTY (MASON CHRISTIAN VILLAGE PUD)

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

A Public Hearing date was set for Monday, February 13.

ORDINANCE 2023-4 APPROVAL OF THE REPLAT FOR LOT 3 IN FALLING BROOK PHASE A-13

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

Kurt Seiler stated this project is located between Fairway Drive and The Grizzly Golf and Social Lodge. It is being developed as landminiums and the State of Ohio requires each unit to be recorded concurrently with the building's construction. This replat provides the individual building lots for Lot 3.

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

A motion to adopt Ordinance 2023-4 was made by Councilmember Haake, seconded by Councilmember Chance. VOTE: ALL YEAS.

RESOLUTION 2023-3 A RESOLUTION DECLARING THE NECESSITY OF CONSTRUCTING CERTAIN SEWER IMPROVEMENTS (COMMERCIAL DISTRICT) IN THE CITY OF MASON, WARREN COUNTY, OHIO

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

Eric Hansen discussed Resolution 2023-3, Resolution 2023-4 and Ordinances 2023-5 through Ordinance 2023-8 together. In 2021, City Council authorized a Purchase and Sale Agreement plus an Economic Participation Agreement for the Western Row Development Project including Dorothy Lane Market as the anchor. In addition to Dorothy Lane Market, the initial mixed-use project delivers a 22-acre development with an estimated \$75 million investment, 80,000 square feet of upscale neighborhood, retail, restaurants and a boutique hotel. He said as part of the Mason Special Assessment Incentive and the Economic Participation Agreement with WRLD and Traditions, the City of Mason will issue bonds for completion of public infrastructure improvements, which includes providing sewer service for future residents and businesses. Cost will be repaid through a residential and commercial special assessment. Resolution 2023-3 creates the commercial district and Resolution 2023-4 creates the residential district. Ordinance 2023-5 proceeds with the estimated assessment amounts for infrastructure improvements for the commercial district and Ordinance 2023-6 proceeds with the estimated assessment amounts for improvements for the residential district. Ordinance 2023-7 is in anticipation of future bond issuance and allows the City to be reimbursed for costs incurred prior to the bond issuance. Ordinance 2023-8 is a contract for the sanitary sewer installation and improvements. Most of the work will likely occur this spring with a completion date of June 2023. Eric said he anticipates additional ordinances throughout the summer to help maintain forward momentum on this project.

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 Resolution 2023-3 was made by Councilmember Bradburn, seconded by Councilmember Chance. VOTE: ALL YEAS.

RESOLUTION 2023-4 A RESOLUTION DECLARING THE NECESSITY OF CONSTRUCTING CERTAIN SEWER IMPROVEMENTS (RESIDENTIAL DISTRICT) IN THE CITY OF MASON, WARREN COUNTY, OHIO

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

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

A motion to adopt Resolution 2023-4 was made by Councilmember Chance, seconded by Vice Mayor Nelson. VOTE: 4 YEAS.

ORDINANCE 2023-5 AN ORDINANCE DETERMINING TO PROCEED WITH SEWER IMPROVEMENTS TO CERTAIN PROPERTY IN THE CITY OF MASON, COUNTY OF WARREN, OHIO, AS DESCRIBED IN RESOLUTION 2023-3

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

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 Ordinance 2023-5 was made by Vice Mayor Nelson, seconded by Councilmember Chance. VOTE: ALL YEAS.

ORDINANCE 2023-6 AN ORDINANCE DETERMINING TO PROCEED WITH SEWER IMPROVEMENTS TO CERTAIN PROPERTY IN THE CITY OF MASON, COUNTY OF WARREN, OHIO, AS DESCRIBED IN RESOLUTION 2023-4

A motion to read by title only was made by Councilmember Haake, seconded by Councilmember Chance. 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 2023-6 was made by Vice Mayor Nelson, seconded by Councilmember Haake. VOTE: ALL YEAS.

ORDINANCE 2023-7 DELEGATING AUTHORITY TO MAKE DECLARATIONS OF OFFICIAL INTENT AND ALLOCATIONS WITH RESPECT TO REIMBURSEMENTS OF TEMPORARY ADVANCES DURING FISCAL YEAR 2023 MADE FOR CAPITAL

IMPROVEMENTS FOR ROAD AND UTILITY IMPROVEMENTS TO BE MADE FROM SUBSEQUENT BORROWINGS

A motion to read by title only was made by Councilmember Bradburn, seconded by Councilmember Haake. 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 2023-7 was made by Vice Mayor Nelson, seconded by Councilmember Haake. VOTE: ALL YEAS.

ORDINANCE 2023-8 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH SITEWORX, LLC FOR THE CITY OF MASON WRLD SAF/WESTERN ROW PUD SANITARY SEWER PROJECT IN THE AMOUNT OF \$839,872

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

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 2023-8 was made by Vice Mayor Nelson, seconded by Councilmember Haake. VOTE: ALL YEAS.

ORDINANCE 2023-9 ESTABLISHING THE 2023 FEE SCHEDULE FOR THE CITY OF MASON AND DECLARING AN EMERGENCY

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

Jennifer Heft said upon Council approval of the COLA increase, the existing Fee Schedule is updated to reflect 2023 fees and charges for service. This year's Fee Schedule also includes annual cost of living adjustments to Mason Community Center membership rates. Including the Aquatic Center and Community Center membership rates as part of the Fee Schedule and adjusting the rates annually based on the COLA will help align rates with increasing operational costs. An emergency clause has been added so that the fees can be effective immediately.

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 2023-9 was made by Councilmember Haake, seconded by Councilmember Chance. VOTE: ALL YEAS.

ORDINANCE 2023-10 AUTHORIZING THE CITY MANAGER TO ENTER INTO A DELINQUENT DEBT COLLECTION AGREEMENT WITH THE OHIO ATTORNEY GENERAL AND AUTHORIZING RELATED CONTRACTS

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

Eric Hansen stated the Tax Office offers free tax services for residents and educates tax preparers on preparation of Mason tax returns. Some customers inadvertently made mistakes when completing the return and with the assistance of staff, corrections are made that bring their account into compliance. He said a substantial amount of staff's time is dedicated to delinquent accounts. A method that many local governments use to assist with delinquent accounts is collection services offered by the Attorney General's Office. This service would be at no cost to the City since all of the costs are passed on to the debtor and this service is used by nearby jurisdictions such as Fairfield, Sharonville, Blue Ash, Delaware, Miamisburg, Kettering, and many others with great success. Eric stated staff is recommending moving forward with an agreement with the Ohio Attorney General's Office to assist in collection of delinquent tax accounts.

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.

Vice Mayor Nelson said she is in support of this program. There are no fees for Mason and it is a good opportunity to collect back taxes from individuals while allowing the Tax Department to remain efficient.

A motion to adopt Ordinance 2023-10 was made by Vice Mayor Nelson, seconded by Councilmember Haake. VOTE: ALL YEAS.

ORDINANCE 2023-11 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH CAPITOL ELECTRONICS IN THE AMOUNT OF \$65,092 FOR THE REPLACEMENT OF TWO OUTDOOR WARNING SIRENS

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

Jennifer Heft said the City of Mason currently has ten outdoor warning sirens located throughout the community which are activated by the Warren County Communications Center. Four were installed in 1994, one in 1995, one in 2000, one in 2004, one in 2018 and two in 2021. Two sirens were purchased in 2022 to replace two of the sirens installed in 1994. Due to supply chain issues and labor shortages, the City is still awaiting replacement of the two sirens purchased last year and anticipate installation to occur by February. Ordinance 2023-11 will purchase two additional outdoor warning sirens to replace the remaining two sirens originally installed in 1994. These two sirens are located at 200 Northcrest Drive and at 5350 Cox-Smith Road. Prior to the installation of the two sirens, additional work is needed. She said sirens are intended to alert individuals who are outside.

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 2023-11 was made by Councilmember Chance, seconded by Councilmember Haake. VOTE: ALL YEAS.

COMMITTEE REPORTS

Councilmember Chance encouraged residents to attend Mason Mile Project meetings on January 17 and February 2. The next Downtown Committee of Council is scheduled for Thursday, January 26 at 8:00 a.m.

Mayor Spaeth said the Ad hoc Rules Committee is continuing to review current Council rules for any revisions. Everyone on Council will have an option for input and the next committee meeting is Friday, January 13 at 9:30 a.m.

OLD AND NEW BUSINESS

Mayor Spaeth complimented the Christmas lights in Downtown Mason. Council discussed the length of displaying the lights and extending the area of lights.

Councilmember Haake said many residents have commended the City during snow emergencies.

RECOGNITION OF VISITORS

Randy Stegbauer of 5358 Hidden Creek Circle said LED lights in Downtown Mason could offer the opportunity to change colors throughout the year instead of putting up just for winter holidays.

John Looker of 111 East Main Street thanked the City for putting Veterans banners up in November and for the support of Mason's Veterans Memorial.

ADJOURN

A motion to adjourn was made by Vice Mayor Nelson, seconded by Councilmember Haake. VOTE: ALL YEAS. TIME: 8:26 p.m.