

**CITY OF MASON  
COUNCIL MEETING  
December 11, 2023**

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: Ashley Chance, Barbara Spaeth, Joy Bennett, Mark Haake, Scott Gibson, Joshua Styrcula, and Diana Nelson.

**APPROVAL OF MINUTES**

A motion to approve the November 13 Council Meeting minutes and December 1 reorganization meeting minutes was made by Vice Mayor Chance, seconded by Councilmember Haake. VOTE: ALL YEAS.

**CITY MANAGER'S REPORT**

A motioned to appoint Dan Chambers as the elected official designee for all Councilmembers for public records law training was made by Councilmember Spaeth, seconded by Vice Mayor Chance. VOTE: ALL YEAS.

On December 1, the City of Mason took several significant actions that impacted the City's outstanding debt. \$4.3 million of outstanding debt was paid. This payment continues the City's aggressive reduction in outstanding debt. the City's outstanding debt is reduced from \$53.8 million to \$49.5 million. This is much lower than the outstanding debt in 2009 of \$100 million. The proposed 2024 budget plans for outstanding debt to be reduced to \$45.2 million at the end of 2024.

To conclude the year-long celebration recognizing Mason as the 4<sup>th</sup> Best Place to Live for Families throughout 2023, the City of Mason will be highlighting opportunities to Shop Local throughout December. As the holiday season approaches, residents are encouraged to support Mason's small business community. The City of Mason has created the Shop Small Holiday Passport to encourage the community to support small businesses as part of their Holiday shopping. Community members who patronize five small businesses in Mason from each unique sector can submit their completed passport to receive a Come Together Mason e-gift card. The City of Mason's Shop Small Holiday Passport Program will be available through December 31, 2023.

Santa will be making one final stop at the Mason Community Center on Thursday, December 14 from 6 p.m. to 8 p.m. The community is invited to visit with Santa and take pictures in the decorated lobby of the Mason Community Center. A holiday themed craft for kids will also be offered as part of the event. The event is free and open for the public to enjoy.

The City has received compliments on the lights throughout Downtown Mason. In an effort to continue lighting through East Main Street, battery powered lights have been installed to continue lights through Downtown as there is not the same electric infrastructure on East Main Street.

City offices will be closed Monday, December 25 and Monday, January 1. The Mason Community Center will be open both days with limited services and adjusted hours.

Rumpke waste and recycling services will not occur on Monday, December 25 and Monday, January 1. Service will be delayed one day for the week of December 25 through December 31 and the week of January 1 through January 7. Saturday pick-ups will occur for Friday routes.

The City will begin Christmas tree pick-up the first week in January. Residents should place their trees at curbside for pickup. Trees placed in bags at the curb will be removed by Rumpke.

A motion to not request a hearing for a Class A liquor permit for CAPL Retail LLC, DBA Joe's Kiwk Marts was made by Vice Mayor Chance, seconded by Councilmember Bennett. VOTE: ALL YEAS.

A motion to not request a hearing for a Class A liquor permit for DLM Springboro LLC, DBA Dorthy Lane Market was made by Vice Mayor Chance, seconded by Councilmember Styracula. VOTE: ALL YEAS.

A motion to move up Resolution 2023-34 on the agenda was made by Councilmember Styracula, seconded by Vice Mayor Chance. VOTE: ALL YEAS.

Char Pelfrey thanked Council and City staff for their support of Gould Park and the official naming of the park. Char Pelfrey recognized members of the Gould and Averbeck families.

Barbara Averbeck introduced her family and thanked Council for honoring Eleanor Gould by preserving Gould Park.

Ted Averbeck thanked Council for their support of Gould Park.

**RESOLUTION 2023-34 ESTABLISHING THE NAME OF GOULD PARK AS THE PROPER DESIGNATION FOR 50.74 ACRES LOCATED AT 5475 MASON ROAD**

Mayor Nelson read Resolution 2023-34.

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

A motion to adopt Resolution 2023-34 was made by Councilmember Spaeth, seconded by Councilmember Styracula. VOTE: ALL YEAS.

A motion to move up Resolution 2023-35 on the agenda was made by Councilmember Styracula, seconded by Councilmember Gibson. VOTE: ALL YEAS.

**RESOLUTION 2023-35 ENCOURAGING SANTA TO VISIT ALL CHILDREN IN MASON TO SPREAD CHRISTMAS JOY, MAGIC, AND CHEER**

Councilmember's children read Resolution 2023-35.

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

A motion to adopt Resolution 2023-35 was made by Councilmember Spaeth, seconded by Councilmember Styrcula. VOTE: ALL YEAS.

**MASON MILE UPDATE – MADE CDC**

Kacey Richards of the Mason Mile Project provided a summary of the project and said the final reports are currently being finalized. Information on phase three of the project will be available after the reports are available.

**RECOGNITION OF VISITORS**

John Thompson of 590 Cocinda Lane discussed the current state of the Federal Government and discussed support of the Convention of States.

Roger Gibb of 5155 Farmridge Way discussed the support of the Convention of States, Federal Government spending, and urged Council to consider a resolution to support Convention of States.

John Looker of 111 E. Main Street discussed House Bill 254 and reduction of property tax for disabled veterans.

**ORDINANCE 2023-108 FIRST READING AMENDING THE ZONING CODE AND ZONING MAP OF THE CITY OF MASON, OHIO TO PROVIDE FOR THE REZONING OF APPROXIMATELY 30.13 ACRES FROM B-4 (COMMERCIAL RECREATION) TO R-1 (SINGLE FAMILY RESIDENTIAL) LOCATED ON THE EAST SIDE OF COLUMBIA ROAD, NORTH OF KINGS ISLAND AND SOUTH OF KINGS HIGH SCHOOL.**

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

A Public Hearing date was set for Monday, January 8.

**ORDINANCE 2023-109 FIRST READING APPROVAL OF A MAJOR MODIFICATION TO A CONCEPT PLANNED UNIT DEVELOPMENT PLAN FOR THE TOWER PARK DEVELOPMENT LOCATED AT 710 TYLERSVILLE ROAD (TOWER PARK)**

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

A Public Hearing date was set for Monday, January 8.

**ORDINANCE 2023-110 APPROVAL OF THE GREATER CINCINNATI WATER WORKS (GCWW) EASEMENT PLAT FOR WRLD SUBDIVISION**

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

Kurt Seiler said the applicant is requesting approval of an easement plat for the WRLD Subdivision located at the corner of Western Row Road and Mason-Montgomery Road. This plat will establish a GCWW easement on Open Space Lot B. This is a public water main easement requested by GCWW which will provide water services for two of the muti-family buildings as well as for the future hotel site.

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

A motion to adopt Ordinance 2023-110 was made by Councilmember Haake, seconded by Councilmember Bennett. VOTE: ALL YEAS.

**ORDINANCE 2023-111 AN ORDINANCE AMENDING ORDINANCE 2003-137 TO EXTEND THE TERM OF THE EXEMPTION PERIOD AND DECLARING AN EMERGENCY**

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

Kurt Seiler said the Commerce West TIF District was for 20 years, State law allows for a TIF to continue for 30 years. Extending the term of the TIF to 30 years will allow for additional public improvements to be funded through the TIF funding structure. This extension would continue the TIF for 10 years to the time allowed by State law. Future projects that need funding include \$2.2 million for widening Snider Road between US 42 and Western Row Road, \$1.7 million for a northbound dual left turn lane for Snider at Tylersville Road, as well as street resurfacing. While the Commerce West TIF will not generate all of the funds needed to complete these projects, it will help fill the funding gaps. Commerce West has paid \$4.9 million of full reimbursement to Mason City Schools as part of the Everybody's Farm project. Mason City School District has received notification of the extension and approved amending the compensation agreement on November 14<sup>th</sup>.

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

A motion to adopt Ordinance 2023-111 was made by Councilmember Styrcula, seconded by Vice Mayor Chance. VOTE: ALL YEAS.

**ORDINANCE 2023-112 ESTABLISHING THE 2024 FEE SCHEDULE FOR THE CITY OF MASON AND DECLARING AN EMERGENCY**

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

Jennifer Heft said at the November 13 Council meeting, Council adopted Ordinance 2023–104 authorizing a 2.75% Cost of Living Adjustment (COLA) effective January 1, 2024. The COLA increase applies to wages for non-union employees that are in good standing with the City, hiring ranges, and is applied to all City fees and charges for service in order to cover the cost of City services. The existing Fee Schedule is updated to reflect 2024 fees and charges for service as outlined in Exhibit A. Often the annual increases to fees are nominal with adjustments of a few cents each year. As such, actual increases for many fees may be delayed until they can reflect a whole dollar, or several dollars increase. This 2024 Fee Schedule continues to include annual cost of living adjustments to Mason Community Center Membership rates.

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

A motion to adopt Ordinance 2023-112 was made by Councilmember Styrcula, seconded by Councilmember Bennett. VOTE: ALL YEAS.

**ORDINANCE 2023-113 AN ORDINANCE AUTHORIZING THE SUPPLEMENTAL APPROPRIATIONS OF MONIES: THEREFORE AMENDING THE ANNUAL APPROPRIATION ORDINANCE NO. 2022-129 OF THE CITY OF MASON, OHIO, PASSED BY THE COUNCIL OF THE CITY OF MASON, OHIO ON DECEMBER 12, 2022 FOR THE YEAR 2023**

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

Jennifer Heft discussed Ordinance 2023-113 and Ordinance 2023-114 together. Jennifer said both ordinances are housekeeping items to adjust and correct various line items within the City’s funds. Department heads are responsible for reviewing their appropriation accounts and maintaining positive balances in all line items. In order to maintain positive balances within their appropriation accounts they may transfer appropriation amounts within their legal level of control or request approval from Council for transfers outside of their legal level of control. After these transfers, if

there remains a negative balance in any appropriation account, additional funds will need to be appropriated to cover these negative balances.

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

A motion to adopt Ordinance 2023-113 was made by Vice Mayor Chance, seconded by Councilmember Styrcula. VOTE: ALL YEAS.

**ORDINANCE 2023-114 AN ORDINANCE AUTHORIZING THE RE-APPROPRIATION AND TRANSFER OF MONIES AND TRANSFERRING OTHER FUNDS AND APPROPRIATIONS FOR THE CURRENT EXPENSES OF THE CITY OF MASON: THEREFORE AMENDING THE ANNUAL APPROPRIATION ORDINANCE NO. 2022-129 OF THE CITY OF MASON, OHIO, PASSED BY THE COUNCIL OF THE CITY OF MASON, OHIO ON DECEMBER 12, 2022 FOR THE YEAR 2023.**

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

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

A motion to adopt Ordinance 2023-114 was made by Councilmember Styrcula, seconded by Councilmember Haake. VOTE: ALL YEAS.

**ORDINANCE 2023-115 2024 ANNUAL APPROPRIATION ORDINANCE**

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

Eric Hansen said the budget continues to reflect conservative financial assumptions and flexibility to accommodate any changes that may occur to priorities throughout the year. The City has a strong track record of conservative financial practices that have led to healthy fund balances and accumulation of set-aside amounts to provide for future budget stabilization. This strategy has proven beneficial as the City continues to navigate challenges of the current economic environment such as inflation and global supply chain disruptions. At its core, the budget is a planning document that outlines likely projects and initiatives for the coming year. For many years, the annual budget placed significant emphasis on capital projects with less attention on operational needs including maintenance and resources to support City assets. Over the past few years, as a result of workload demands and resulting time constraints, many projects included in the annual budget were unable to be moved forward. The City has reached its capacity to continue its historical emphasis on capital projects while sustaining current service levels and assets. Similar to the 2023 Budget, the 2024 budget emphasis is to realign operations with completion of projects as well as maintenance of existing assets and service levels.

Eric said \$25 million is included in the 2024 budget to include the City’s maximum financial exposure committed to retaining the Western and Southern Tennis tournament (Ordinance 2023-78) in addition to the \$15 million that was encumbered in 2023 for the purchase of the tennis stadium property (Ordinance 2023-73). The City continues to work closely with the State to maximize reimbursement opportunities through capital grant funding that is intended to reduce the City’s overall financial contribution to the tournament.

In addition, the City continues to monitor the impact that work from home policies have generated on the City’s income tax revenue. Staff anticipate this fluctuation to stabilize in 2024 but the City are cautious in predicting income tax revenues due to the rise in refund requests as a result of employees working from home.

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

A motion to adopt Ordinance 2023-115 was made by Councilmember Styrcula, seconded by Vice Mayor Chance. VOTE: ALL YEAS.

**ORDINANCE 2023-116 AUTHORIZING THE CITY MANAGER TO APPROVE A CHANGE ORDER TO THE CONTRACT WITH SUNESIS CONSTRUCTION COMPANY TO THE US 42 ROUNDABOUTS PROJECT IN THE AMOUNT OF \$125,000**

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

Kurt Seiler said the US 42 Roundabouts project required several overhead and underground utilities to be relocated. The City was able to control the timing of relocating the water main and force mains. However, gas, phone, fiber optic and cables lines were required to be relocated by each owner. Staff had proactively been in constant contact with these utility providers prior to construction to coordinate this relocation work that had to occur in sequential order to keep the construction on schedule. As the end of year approached and the temperatures began to fall, the roadway began settling and became quite unstable. Staff worked with Sunesis to modify the maintenance of traffic plan and construct structural asphalt pavement in lieu of temporary pavement to ensure the roadway would provide safe access over the winter months, ultimately costing more money than originally anticipated. This change required increasing the areas of soil stabilization, adding an asphalt base to provide a more durable roadway, and providing a temporary connection to Bethany Road. Ordinance 2023–116 authorizes a change order in the amount of \$125,000 to the original contract with Sunesis Construction Company for the US 42 Roundabout Project.

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

Councilmember Haake thanked Kurt for his work on the US 42 Roundabout Project.

Vice Mayor Chance discussed how the City utilized grants to help offset project costs.

A motion to adopt Ordinance 2023-116 was made by Councilmember Bennett, seconded by Vice Mayor Chance. VOTE: ALL YEAS.

### **COMMITTEE REPORTS**

Mayor Nelson thanked Councilmember Haake and Councilmember Styrcula for their work on the Downtown Development Project with the MADE CDC Advisory Board.

A motion to approve appointing of Council committees and boards was made by Councilmember Bennett, seconded by Councilmember Haake. VOTE: ALL YEAS.

### **OLD AND NEW BUSINESS**

A motion to add Ordinance 2023-117 to the agenda was made by Councilmember Spaeth, seconded by Vice Mayor Chance. VOTE: ALL YEAS.

### **ORDINANCE 2023-117 IMPOSING A MORATORIUM FOR A PERIOD OF 360 DAYS ON THE GRANTING OF ANY PERMIT ALLOWING ADULT USE CANNABIS OPERATORS WITHIN THE CITY OF MASON, OHIO AND DECLARING AN EMERGENCY**

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

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

Councilmember Spaeth discussed placing a hold on moving forward with any permitting regarding adult use cannabis operators until more information is available.

Mayor Nelson said the Rules Committee of Council could discuss the issue.

Councilmember Haake discussed the unknowns of adult use cannabis operators throughout the State.

A motion to adopt Ordinance 2023-116 was made by Councilmember Spaeth, seconded by Vice Mayor Chance. VOTE: ALL YEAS.

Mayor Nelson said the National League of Cities Small Cities Council met to discuss supporting and retaining small businesses, ways to connect small businesses with resources, and business creation within the community.

Mayor Nelson said there will be a Small Business Committee. Mayor Nelson, Councilmember Haake, and Councilmember Bennett will serve on the committee.



Mayor Nelson said One Nation, One Project presented during the National League of Small Cities Council discussing the health benefits associated with the arts.

**RECOGNITION OF VISITORS**

John Looker of 111 E. Main Street thanked Council and City staff for the Veterans Day Ceremony.

**EXECUTIVE SESSION: ACQUISITION/DISPOSITION OF PROPERTY**

A motion to adjourn into Executive Session for the purpose of discussing Acquisition/Disposition of Property/Consider confidential information related to the marketing plans, specific business strategy, production techniques, trade secrets, or personal financial statements of an applicant for economic development assistance or to negotiations with other political subdivisions respecting requests for economic development assistance provided that conditions of 121.22G A and B are both met was made by Vice Mayor Chance, seconded by Councilmember Styracula. VOTE: ALL YEAS. TIME: 8:36 p.m.

A motion to reconvene into Regular Session was made by Vice Mayor Chance, seconded by Councilmember Gibson. VOTE: ALL YEAS. TIME: 9:17 p.m.

**ADJOURN**

A motion to adjourn was made by Councilmember Bennett, seconded by Vice Mayor Chance. VOTE: ALL YEAS. TIME: 9:17 p.m.