

**CITY OF MASON
COUNCIL MEETING
APRIL 12, 2021**

The meeting was called to order at 7:02 p.m. Rabbi Sruli Bronstein opened the meeting in prayer. All those present recited the Pledge of Allegiance.

ATTENDANCE

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

APPROVAL OF MINUTES

A motion to approve the March 22, 2021 Council Meeting minutes was made by Councilmember Chance, seconded by Councilmember Bradburn. VOTE: ALL YEAS.

CITY MANAGER'S REPORT

The next regularly scheduled Council Meeting is Monday, April 26. There are several projects in progress that could alter the time and venue for the next Council meeting including the opening ceremony for Makino Park and opportunities for other tours. A motion to be flexible on starting time and location was made by Councilmember Chance, seconded by Councilmember Honerlaw. VOTE: ALL YEAS.

As part of the Music in Mason concerts taking place this season on the Mason Downtown Plaza, the American Legion is requesting a temporary liquor permit from the State of Ohio and approval from Council to allow alcohol on the Plaza for concerts on June 4, 11, 18, 25 as well as July 3, 9, 16, 23 and 30. The permit will allow alcohol sales and consumption from 5:00 p.m. to 11:00 p.m. The Legion will split profits from sales with the Parks Foundation. As part of Heritage Festival/Red, Rhythm and Boom, the American Legion is also requesting a temporary liquor permit from the State of Ohio and approval from Council to allow for alcohol on the Municipal Center Campus on Saturday, September 18 from 3:00 p.m. to 11:30 p.m. A motion is needed to approve alcohol sales and consumption on campus. Profits from this event will also be split with the Parks Foundation. A motion to approve alcohol sales and consumption on campus and at the Downtown Plaza for these events was made by Councilmember Chance, seconded by Councilmember Nelson. VOTE: ALL YEAS.

The Annual Warren County Prayer Breakfast will take place on Thursday, May 6 from 7:00 a.m. to 8:30 a.m.

Friends of the Frontline is hosting a blood drive at the Mason Municipal Center on Friday, May 7 from 12:00 p.m. to 6:00 p.m. The blood drive is being held in honor of Rick Easter, a Mason resident and dedicated member of the Mason Fire Auxiliary. Rick passed away on December 31, 2020. The blood drive will aim to honor all first responders.

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 no admittance charge.

Mason City Tax Returns are due Monday, May 17. Residents are encouraged to file early before the deadline.

RECOGNITION OF VISITORS

Don Williams of 214 W. Church Street provided definitions of the difference in an Ordinance and Resolution. Jeff Forbes added Ordinances and Resolutions both essentially have the same procedural requirements, and have legislative control in the City of Mason's Charter.

John Looker of 111 E. Main Street announced yard signs and banners are ordered for display Memorial Day weekend and thanked the City for help getting the banner program going. Councilmember Chance congratulated John on his presence on Grainworks Brewing beer can.

EXECUTIVE SESSION

A motion to adjourn into Executive Session for the purpose of discussing acquisition of property for consideration of possible expansion of Mason Research & Development Park made by Councilmember Honerlaw, seconded by Councilmember Bradburn. VOTE: ALL YEAS. TIME: 7:21 p.m.

A motion to reconvene into Regular Session was made by Councilmember Styrcula, seconded by Councilmember Chance. VOTE: ALL YEAS. TIME: 7:36 p.m.

A motion to add Ordinance 2021-57 and Ordinance 2021-58 to the agenda was made by Councilmember Chance, seconded by Councilmember Bradburn. VOTE: ALL YEAS.

ORDINANCE 2021-57 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR SALE AND PURCHASE WITH A&M S, LLC (SCHAPPACHER PROPERTY)

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

Eric Hansen said over twenty years ago the City began purchase of 105 acres on SR 741. The City's long-term strategy of investment in real estate for future economic development has proven successful. The Vega Americas project is now under construction on 50 acres of the original 1999 purchase area. Atricure, Rhinestahl, Master's Pharmaceutical, PCC Aerostructures and SPS Technologies are other economic development success stories that speak to the long-term vision the City had for this area. Additional acreage is available for sale that would be strategic to future expansion and development of the Mason R&D Park. The City was approached by the residents for purchase. He said it is anticipated that the eventual sale of the land for industrial/office purposes will be a positive return on the City's current investment and align with the City's long-term economic development strategy. It further protects taxpayers throughout the school district by

limiting encroachment of residential development at the expense of revenue enhancing corporate development.

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

A motion to adopt Ordinance 2021-57 was made by Councilmember Nelson, seconded by Councilmember Chance. VOTE: ALL YEAS.

ORDINANCE 2021-58 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR SALE AND PURCHASE WITH PROMARK DEVELOPMENT, INC.; TRI-STATE LANDSCAPE SUPPLY, INC.; AND MICHAEL JASON BRUNK (BRUNK PROPERTY)

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

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

A motion to adopt Ordinance 2021-58 was made by Councilmember Bradburn, seconded by Councilmember Honerlaw. VOTE: ALL YEAS.

RESOLUTION 2021-5 DECLARING MAY 2021 AS BUILDING SAFETY MONTH

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

Kurt Seiler said Building Safety Month is an annual event to raise awareness about building safety. This year's theme is "Prevent, Prepare, Protect. Building Codes Save," in order to raise awareness of the importance of building safe and resilient construction. Each week has sub-themes: Energy and Innovation; Training the Next Generation; Water Safety and Disaster Preparedness. The Building Department offers valuable informational sheets available to residents to provide building specifications that can be used during the planning process when adding improvements to their home such as decks, basement finishes, swimming pool electrical components and fencing.

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

Councilmember Honerlaw said as a residential contractor, Mason is the most helpful and the handouts make projects proceed with ease.

A motion to adopt Resolution 2021-5 was made by Councilmember Nelson, seconded by Councilmember Chance. VOTE: ALL YEAS.

ORDINANCE 2021-49 FIRST READING APPROVAL OF A REVISED CONCEPT PLANNED UNIT DEVELOPMENT PLAN FOR THE MERCY HEALTH MEDICAL CAMPUS GENERALLY BOUNDED BY KINGS ISLAND DRIVE, KINGS MILLS ROAD, COLUMBIA ROAD AND WILSON AVENUE (MERCY HEALTH)

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

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

ORDINANCE 2021-50 AN ORDINANCE ACCEPTING THE PROPOSAL FOR CONSTRUCTION INSPECTION FOR THE BUTLER-WARREN ROAD AND WESTERN ROW ROAD ROUNDABOUT PROJECT FROM PRIME AE GROUP, IN AN AMOUNT NOT TO EXCEED FEE OF \$93,173 AND AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT DOCUMENTS AND DECLARING AN EMERGENCY

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

Kurt Seiler stated right of way acquisition for the proposed roundabout at the Butler-Warren Road and Western Row Road intersection was much less than anticipated and staff successfully requested the remaining grant funds be transferred to construction. The revised grant total for construction is \$1,364,190. Staff also successfully received OPWC funding for this project in an amount of \$662,151, which will go towards the City's local share contribution for construction. The City will also be reimbursed for a portion of the design costs with remaining OPWC funds. Butler County will reimburse 50% of any remaining local share in accordance with the cooperation agreement. He said an emergency clause has been added in order to start the inspection work as soon as possible so the construction can be completed this fall.

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

A motion to adopt Ordinance 2021-50 was made by Councilmember Chance, seconded by Councilmember Honerlaw. VOTE: ALL YEAS.

ORDINANCE 2021-51 AN ORDINANCE ACCEPTING THE PROPOSAL FOR MASON REGIONAL CENTER FOR THE ARTS SITE DUE DILIGENCE FROM IBI GROUP, IN THE AMOUNT NOT TO EXCEED FEE OF \$30,000 AND AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT DOCUMENTS

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

Eric Hansen said the Mason Arts Council presented a plan for the development of the Mason Regional Center for the Arts and requested Council's support for the project. The organization's vision identifies two phases of development for the Center. Phase I would include a performing

arts center and Phase II focuses on visual arts and would complete the facility. In partnership with the City, the Mason Arts Council hopes to raise funds for construction of the facility. Per Resolution 2020-18, the City is pursuing securing property while the City and Arts Council develop a partnership that furthers success of the Center and enhances City amenities and community quality of life. He stated the City has identified two possible locations for the Center: the former Gould property located at the western end of W. Main Street; and Corwin Nixon Park, east of the baseball fields. Each site location has its challenges, and the goal of this engineering work is to aid in the selection of a site by better identifying these challenges and related development costs. He said this information is needed to develop an agreement to include further commitments, timelines, and action steps including identifying property that best positions the partnership's success.

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

Vice Mayor Gilb and Eric discussed the timeline to complete the study being dependent on the start date of the engineering firm. After the work commences, it is anticipated to take 60-90 days.

A motion to adopt Ordinance 2021-51 was made by Councilmember Nelson, seconded by Councilmember Chance. VOTE: ALL YEAS.

ORDINANCE 2021-52 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH BARRETT PAVING MATERIALS, INC., FOR THE 2021 STREET MAINTENANCE PROGRAM IN THE AMOUNT OF \$3,971,540

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

Eric Hansen discussed Ordinance 2021-52, Ordinance 2021-53 and Ordinance 2021-54 together. Perhaps the largest investment the City is responsible for is the public roadways. The City's roadways require ongoing maintenance and reinvestment. Annually, the City of Mason pursues a Street Maintenance Program to proactively repair and resurface roadways, prolonging the life of this investment. He said as part of the annual budget process, funds have been authorized to advance a new approach to better prepare the Street Maintenance Program for the future, similar to how the City's approach to fleet equipment has progressed. The 2021 Budget includes a typical amount of annual funding along with a set-aside amount to add to a reserve balance used when pricing is attractive or to even out future budget cycles when larger roadways are in need of resurfacing. This year represents both good market price and timing of maintenance to increase investment in the Street Maintenance Program. For maximum impact, a total of \$4.5 million is recommended this year to take advantage of pricing, timing, and logistical efficiency. Eric stated filling and sealing the cracks in pavement is one of the cost-effective ways to maintain a roadway, extending the wearing surface life 5-8 years. With this year's attractive pricing we are proposing to nearly triple the usual amount of crack sealing/filling work. Increasing this component of the program will have a significant impact on preserving the life of the roadway at the best return on investment.

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

A motion to adopt Ordinance 2021-52 was made by Councilmember Chance, seconded by Councilmember Strycula. VOTE: ALL YEAS.

ORDINANCE 2021-53 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH J & A CONSTRUCTION, INC., FOR THE 2021 CRACK SEAL PROGRAM IN AN AMOUNT NOT TO EXCEED \$281,240

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

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

A motion to adopt Ordinance 2021-53 was made by Councilmember Strycula, seconded by Councilmember Nelson. VOTE: ALL YEAS.

ORDINANCE 2021-54 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH J & A CONSTRUCTION, INC., FOR THE 2021 CRACK FILL PROGRAM IN AN AMOUNT NOT TO EXCEED \$247,135

A motion to read by title only was made by Councilmember Bradburn, seconded by Councilmember Chance. 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 2021-54 was made by Councilmember Chance, seconded by Councilmember Honerlaw. VOTE: ALL YEAS.

ORDINANCE 2021-55 AUTHORIZING THE CITY MANAGER TO ENTER INTO CONTRACTS WITH ROZZI'S FAMOUS FIREWORKS IN AN AMOUNT NOT TO EXCEED \$70,760 TO PROVIDE FIREWORKS FOR THE 2021 DOWNTOWN BLOCK PARTY AND THE 2021 HERITAGE FESTIVAL/RED, RHYTHM AND BOOM EVENTS

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

Jennifer Heft discussed Ordinance 2021-55 and Ordinance 2021-56 together. She said there are current limitations of hosting the event in its typical format including lack of availability of national entertainment acts due to Covid-19, risk of making financial commitments despite unknowns of the pandemic and improvements to Mason City Schools parking lots that may impact

the event's layout. Options were discussed on how to provide a safe and successful event despite this year's circumstances while balancing Council's desire to maintain the Red, Rhythm and Boom (RRB) brand that the community recognizes and enjoys. Due to these challenges, Council recommended offering a Downtown Block Party event for the community at the Downtown Plaza on July 3 to continue the tradition of offering a patriotic themed event near Independence Day while also supporting the City's small business community. The Block Party would include music entertainment, food and beverages along with a fireworks display. In addition, Council recommended shifting the traditional larger scale RRB event to a later date to coincide with the annual Heritage Festival scheduled for Saturday, September 18. Hosting the large-scale event in September will allow additional time for the Covid-19 situation to improve, provide greater flexibility of the Mason Municipal Campus event footprint as well as potentially provide more options and better pricing to secure national entertainment acts. In order to successfully execute these events, legislation is needed to secure the contract for fireworks for both events as well as Rumpke restroom trailers and services for the September 18 event on the Mason Municipal Campus.

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.

Vice Mayor Gilb and Jennifer restated the dates: July 3 Downtown Block Party and September 18 Red, Rhythm and Boom and Heritage Festival on the Mason Municipal Campus.

A motion to adopt Ordinance 2021-55 was made by Councilmember Chance, seconded by Councilmember Honerlaw. VOTE: ALL YEAS.

ORDINANCE 2021-56 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH RUMPKE IN AN AMOUNT NOT TO EXCEED \$17,000 TO PROVIDE TRASH DISPOSAL SERVICES AND PORTABLE BATHROOMS FOR THE 2021 HERITAGE FESTIVAL/RED, RHYTHM AND BOOM EVENT

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

A motion to adopt Ordinance 2021-56 was made by Councilmember Styrcula, 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 Bradburn, seconded by Councilmember Honerlaw. VOTE: 3 YEAS, 4 NAYS (Chance, Nelson, Bradburn, Styrcula). Jeff Forbes read the Resolution.

Eric Hansen said Councilmember Bradburn requested this legislation be added to the agenda.

A motion to suspend the rule and allow for adoption after the first reading was made by Mayor Grossmann, seconded by Councilmember Honerlaw. VOTE: 3 YEAS, 4 NAYS (Chance, Nelson, Styrcula, Gilb).

Motion failed therefore a second reading will be on an upcoming agenda.

COMMITTEE REPORTS

Mayor Grossmann advised the Policy and Legislation Committee Meeting was canceled and will be rescheduled. The committee intends to discuss communications with the MADE Chamber.

Councilmember Bradburn said a Safety Committee Meeting is tomorrow, April 13 at 1:00 p.m.

Councilmember Honerlaw said the Downtown Committee encourages residents be a part of discussions each month. The Committee and residents discussed views of downtown Mason development. Councilmember Nelson said the Committee reviewed the Downtown Mason revitalization plan created in 2002. Council discussed MADE Chamber attendees representing businesses and not representing the Chamber at the Committee Meeting, a lack of vision for Downtown Mason, engaging Downtown business stakeholders in revitalization ideas, gathering options from other developers, estimated tax abatement for the current development plan with CMC Properties Inc., and requesting an independent developer to propose ideas on revitalizing Downtown Mason. A motion on behalf of the Downtown Committee to instruct staff to discontinue communications with CMC Properties Inc. until the Downtown Committee can review the plan was made by Councilmember Nelson, seconded by Councilmember Styrcula. VOTE: 3 YEAS, 4 NAYS (Bradburn, Gilb, Honerlaw, Grossmann). The motion failed.

Councilmember Nelson said the Downtown Committee is designing a bench to add to the Mason Veterans Memorial for Gold Star recipients.

OLD AND NEW BUSINESS

Councilmember Nelson discussed centralized tax collection updates and Mason will be receiving \$6.6 million from American Rescue Plan.

Councilmember Bradburn said the State of Ohio will be completing lighting improvements on I-71 at SR 741. Councilmember Bradburn and Kurt discussed the Warren County TID Project to add a ramp from Mason-Montgomery Road to southbound I-71.

RECOGNITION OF VISITORS

John Looker of 111 E. Main Street said there are seven Gold Star families through the Blue Skies For The Good Guys and Gals Warrior Foundation and provided concerns with Resolution 2021-6.

Randy Stegbauer of 5358 Hidden Creek Circle and Jennifer discussed the billboards on I-71 being owned by the City and the City creates the artwork for those.

ADJOURN

A motion to adjourn was made by Councilmember Bradburn, seconded by Councilmember Chance. VOTE: ALL YEAS. TIME: 8:52 p.m.