

**CITY OF MASON
COUNCIL MEETING
MARCH 13, 2000**

The meeting was called to order by Mayor McCurley at 7:07 p.m.

ROLL CALL

The following members of Council were present: Mayor John McCurley, Vice Mayor Jim Fox, Councilmember Dick Staten, Councilmember Betty Davis, Councilmember Charlene Pelfrey, Councilmember Tom Muennich, and Councilmember Pete Beck.

APPROVAL OF MINUTES

A motion to approve the minutes from the February 28, 2000 meeting was made by Councilmember Muennich, seconded by Councilmember Davis. VOTE: 6 YEAS, 1 ABSTAIN (Staten).

PRESENTATION OF UNITED WAY BRONZE AWARD TO KENDRA TAYLOR

Mayor McCurley presented a plaque to Kendra Taylor in recognition of her efforts in chairing the United Way Campaign for the city employees. Through her efforts, the City increased participation and the total contribution to \$7,000. The City received a Bronze Award from United Way for this level of contribution.

PRESENTATION OF BALANCE

Sue Griesinger of 4575 Wilderness Way addressed Council and stated the ABalance group was formed in the fall of 1999 to address the concerns of area residents on the rate of growth we are experiencing. The group includes residents from various townships and the City of Mason. They have expressed their concerns to the various governmental bodies such as the County Commissioners, Township Trustees and now Mason Council. She further stated their position is to see planned growth with adequate green space and park systems. The group suggested more be done to acquire park land and perhaps limit the number of building permits in a year such as the City of Hudson has done. They also suggested land trusts as a possible tool to help accomplish these goals. They stated this is a regional approach and they are hopeful the City Council will lead the area on this effort. Bob Austerman of 5350 Hidden Creek Circle addressed Council and stated density is something the City can control. Mayor McCurley stated the City has controlled density on property located within the City limits. The average units per acre approved the previous year in the city is 1.5. The City has also purchased 37 acres of additional park land and has purchased the Westerkamm property which will stop it from being used for additional homes. Mrs. Hilker donated ten acres to the City that will be maintained as park land. Helen Fox stated there is a meeting on March 15 in Monroe to discuss the new mega mall planned for that area. She encourages City

Councilmembers to attend as a project of this magnitude will affect all of us in areas such as traffic, air quality, and water usage. Council stated the City has had a Comprehensive Land Use Plan in effect since 1992. Christy Bowen of Manor Lake Drive addressed Council and asked what input will be allowed from the public in the review of the Comprehensive Land Use Plan. The plan does need to be reviewed and Council will see it is done. Public input will be welcome. Lana Strayer of 5166 Lakeside Drive asked what the City can do to slow down the number of new housing starts. Council replied an ordinance could be passed limiting the number of building permits each year but the City would then face legal action from property owners.

RECOGNITION OF VISITORS

None

ORDINANCE 2000-18- PUBLICHEARING- APPROVING THE CONCEPT PLANNED UNIT DEVELOPMENT PLAN FOR THE RESIDENTIAL SECTION OF THE RENNER FARM SUBDIVISION, NOW REFERRED TO AS MASON FIELDS SUBDIVISION

Mayor McCurley opened the public hearing at 7:58 p.m.

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

Richard Fair explained to Council the site is located on the north side of Western Row Road across from Oakwood Lakes subdivision and east of the Village Lakes subdivision. This property contains approximately 23.4 acres and the current plan reduces the density from 98 units to 58 units. The proposed density is 2.5 units per acres. Pat Moon of Ryland, addressed Council and stated he represented the developer and has worked extensively with the residents from the Village Lakes Subdivision to come up with a plan that was agreeable to them. Mrs. Deb Franke of 4668 Manor Lake Drive stated she represented the homeowners from the Village Lakes Subdivision and they are in favor of this plan. She stated they have two contingencies for this approval. First the trees along the shared property line remain and the allotted green space of 30 feet along the north and west boundary lines remain plus an additional 20 feet setback for any building. She also mentioned the drainage be reviewed in the area stating currently there is a lot of drainage in her back yard. Sally Alexander of 4648 Manor Lake Drive asked if sidewalks would be installed on Western Row Road. Richard Fair stated they are required. Mayor McCurley asked if there was anyone opposed to this plan. No one spoke. The public hearing was closed at 8:10 p.m.

A motion to adopt Ordinance 2000-18 was made by Councilmember Davis, seconded by Councilmember Pelfrey. VOTE: ALL YEAS.

ORDINANCE 2000-26 -APPROVAL OF FINAL PLAT OF SNIDER COVE, PHASE 6

A motion to read by title only was made by Councilmember Davis, seconded by Councilmember

Muennich. VOTE: ALL YEAS.

Richard Fair stated this phase is the last two buildings. It is located on the east side of Snider Road, between Reading Road and Western Row Road. A total of 39 units were approved for the site. The plan has been approved by Planning Commission and Staff.

A motion to suspend the rule was made by Councilmember Davis, seconded by Councilmember Staten. VOTE: ALL YEAS.

A motion to adopt Ordinance 2000-26 was made by Councilmember Staten, seconded by Councilmember Davis. VOTE: ALL YEAS.

ORDINANCE 2000-27 --1st READING-- AMENDING THE ZONING CODE AND ZONING MAP OF THE CITY OF MASON, OHIO, TO PROVIDE FOR THE COWAN SUBDIVISION LOTS 4-12 FROM R-6 TO R-7, LOCATED ON THE NORTH END OF EAST NORTH STREET.

A motion to read by title only was made by Councilmember Davis, seconded by Councilmember Muennich. ALL YEAS.

Mayor McCurley set the public hearing for April 10, 2000 at approximately 7:05 p.m.

ORDINANCE 2000-28 - 1ST READING - AMENDING THE ZONING CODE AND ZONING MAP OF THE CITY OF MASON, OHIO, TO PROVIDE FOR THE REZONING OF APPROXIMATELY 7.0 ACRES FROM HT-1 TO I-1 LOCATED ON THE NORTH SIDE OF CASTLE DRIVE, ADJACENT TO LIQUID CONTAINER CORP. (ASHLEY WARD)

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

Mayor McCurley set the public hearing for April 10, 2000 at approximately 7:10 p.m.

ORDINANCE 2000-29 - AUTHORIZING THE CITY MANAGER TO ENTER INTO A LEASE OF THE ACREAGE ON SR 741 SOUTH OF BUNNELL ROAD FOR FARMING

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

Eric Hansen stated to Council following the purchase of the property on SR741, it is prudent to lease the land for farming purposes pending the eventual development of the land. To accomplish this, legal notices will be advertised and the lease will go to the resulting highest bidder. It was clarified the City=s insurance carrier will review the contract and make certain the City is not held liable for the safety of the farmer and any EPA violations committed by the farmer.

A motion to suspend the rule was made by Councilmember Davis, seconded by Councilmember Pelfrey. VOTE: ALL YEAS.

A motion to adopt Ordinance 2000-29 was made by Councilmember Muennich, seconded by Vice Mayor Fox. VOTE: ALL YEAS.

ORDINANCE 2000-30 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH CVD DATA SERVICES FOR COMPUTER CONSULTING FOR THE CITY OF MASON COMPUTER SYSTEM

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

Eric Hansen stated to Council this legislation is needed to extend a contract to the firm the City is currently using for computer service needs. The hourly rate the City is now paying for this service is \$90. With this new contract, the hourly rate would be \$65 and the City would be guaranteed a person two days a week. There is a need for a full time employee for this purpose however, due to space restraints, there is no place to locate a permanent employee. Council discussed this matter and what the contract employee will be expected to do two days per week. There was some concern that there may not be enough to keep this person busy. Council discussed the contract language and asked if an escape clause was included so that the City has a way of eliminating this expense if not utilized. To provide Council with an opportunity to review the contract, it was recommended this be a first reading on this legislation.

ORDINANCE 2000-31 AUTHORIZING THE CITY MANAGER TO ENTER INTO A SERVICE AGREEMENT WITH THE WARREN COUNTY BOARD OF COMMISSIONERS REGARDING WARREN COUNTY HAZARDOUS MATERIALS RESPONSE PROVISIONS

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

Scot Lahrmer stated the Warren County Commissioners are proposing the formation of a Hazardous Materials Response Team to assist in mitigating any release, spill, or fire involving any hazardous material since special tools, equipment and training are necessary to handle these types of emergencies. If Council agrees, the City of Mason will provide members of our Fire Department who qualify and have the endorsement of Chief Goldfeder to serve on the team. This team will respond throughout the county on these matters.

A motion to suspend the rule was made by Councilmember Muennich, seconded by Councilmember Davis. VOTE: ALL YEAS.

A motion to adopt Ordinance 2000-31 was made by Councilmember Pelfrey, seconded by Vice Mayor Fox. VOTE: ALL YEAS.

ORDINANCE 2000-32 - AMENDING ORDINANCE 99-217 TO PROVIDE FOR VARIABLE RATE BONDS FOR THE CENTRAL PARK OF MASON PROJECT

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

Scot Lahrmer stated as part of the incentive proposal for the development of Central Park of Mason, the City committed to creating a Tax Increment Financing District (TIF). In December, 1999 City Council approved Ordinance 99-217 which provided for the issuance and sale of \$1,150,000 of TIF Revenue Bonds in conjunction with the Central Park of Mason Project. Since the approval of that legislation, the market has changed. Cincinnati United Contractors has requested that this deal be restructured to allow for a variable interest rate not to exceed 12%. The Finance Director has reviewed this request and finds it more attractive for the City. This does not effect the City=s borrowing capacity.

A motion to suspend the rule was made by Councilmember Pelfrey, seconded by Councilmember Davis. VOTE: ALL YEAS.

A motion to adopt Ordinance 2000-31 was made by Councilmember Pelfrey, seconded by Councilmember Muennich. VOTE: ALL YEAS.

CITY MANAGER'S REPORT

A Council Worksession will be held on Monday March 20, 2000 at 7:00 in Council Chambers.

COUNCIL OLD AND NEW BUSINESS

Councilmember Beck stated he would be hosting a Councilmember Chat≅ on March 20, 2000 at the library from 6-7.

A water line is being installed on the north side of Bethany Road to serve the Fleckenstein property. It is in the City=s easment. This situation just came to the City=s attention on Friday. It will be discussed in executive session under litigation. The City would be able and agreeable to serve this property with water and sewer as long as it remains park land. This should be examined from the legal side and if it is acceptable, we should offer to discuss this with the township.

Tylersville Road at Snider Road has been referred to the Safety Committee for review.

Time Warner has requested a meeting with Council to discuss several items. It was suggested a committee be established from Council to meet with them.

The annual Chamber Dinner is Wednesday March 15, 2000.

Representative Rob Portman is holding a town meeting on March 25, 2000 at the Mason Middle School at 12:00 p.m. The meeting will last approximately one hour.

Paul McCowan is a sky diver and has offered his services for this years Heritage Festival. This will be passed on to the committee.

Council discussed hiring an intern for the summer to work in enforcing and maintaining the City=s landscape code. Councilmember Staten moved to proceed with the hiring of an intern to assist the City with enforcing and maintaining the landscape code the City has adopted. Councilmember Muennich seconded the motion. VOTE: ALL YEAS

The church on Tylersville Road at Stitt Road has requested they be allowed to transplant the small trees located close to the large tree that will be affected by the road improvement. Staff was directed to contact them.

AUDIENCE COMMENTS

None

EXECUTIVE SESSION: LAND ACQUISITION AND IMPENDING LITIGATION

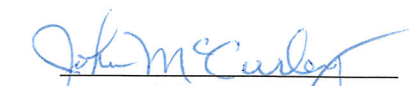
A motion to go into Executive Session was made by Councilmember Staten, seconded by Councilmember Muennich. VOTE: ALL YEAS

A motion to reconvene into regular session was made by Councilmember Staten, seconded by Vice Mayor Fox. VOTE: ALL YEAS.

ADJOURN

A motion to adjourn was made by Councilmember Davis, seconded by Councilmember Staten.
VOTE : ALL YEAS. TIME: 10:25 p.m.


Clerk of Council


Mayor