

**CITY OF MASON  
COUNCIL MEETING  
APRIL 10, 2000**

The meeting was called to order by Mayor McCurley at 7:04 p.m.

**ROLL CALL**

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

**APPROVAL OF MINUTES**

A motion to approve the minutes from the March 20, 2000 Council Worksession was made by Councilmember Davis, seconded by Councilmember Staten. VOTE: ALL YEAS

A motion to approve the minutes from the March 27, 2000 Council meeting was made by Councilmember Davis, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

**RECOGNITION OF VISITORS**

Mr. Tyler Klein of 5072 Concord Hills Circle addressed Council and asked for the status of the various bridge jobs under construction within the City. Staff reported the bridge involving the I&O Railroad has run into several problems that resulted in an extended deadline. It was explained these problems include problems with the design and bad soils. The project is to be complete before May 31, 2000. The other project mentioned by staff was the bridge on US 42. It will also be completed by the end of May.

**RESOLUTION 2000-5 PROCLAIMING APRIL 29, 2000 AS ARBOR DAY**

The Resolution was read in full by the Law Director, Ken Schneider.

Mayor McCurley introduced the Chair of the Tree Committee, Diane Clasen. She stated a tree seedling give away will be held the day of the Earth Walk, April 29, 2000. There will be free seedlings given away to the first 200 participants. She further stated, in recognition of Arbor Day, a contest has been conducted among the sixth grade classes at the Mason Intermediate School with the winning class having a Buckeye Tree planted in honor of their efforts.

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

A motion to adopt Resolution 2000-5 was made by Councilmember Davis, seconded by Vice Mayor Fox. VOTE: ALL YEAS

**ORDINANCE 2000-27 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 Vice Mayor Fox. VOTE: ALL YEAS

Mayor McCurley stated this was a Public Hearing and officially opened the hearing at 7:18 p.m. Richard Fair stated the area is located on the east end of East North Street and currently contains seven apartment buildings that were built in the late 1960s and early 1970s. He stated since the buildings have been constructed, the zoning code had been revised several times. He further stated this rezoning is required to update the zoning map so it is in accordance with the current recommended use. Planning Commission and Staff recommend approval.

Mr. Fred Gehring addressed Council and stated he was a property owner and was in favor of the rezoning. No one spoke in opposition of the rezoning request. The Public Hearing was closed at 7:22 p.m.

A motion to adopt Ordinance 2000-27 was made by Councilmember Staten, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

**ORDINANCE 2000-28 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 PARK 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 opened the Public Hearing at 7:24 p.m. Richard Fair explained to Council the owner is requesting the rezoning of a seven acre parcel located on the east side of Liquid Container along the north side of Castle Drive. The rezoning would permit them to build a warehouse facility directly adjacent to Liquid Container which will be used for the storage of their manufacturing materials. Planning Commission approved the site and landscape plan for a warehouse facility contingent on the property being rezoned I-1. No one spoke in favor or opposed to this rezoning. The Public Hearing was closed at 7:26 p.m.

A motion to adopt Ordinance 2000-28 was made by Councilmember Staten, seconded by Councilmember Davis. VOTE: ALL YEAS

**ORDINANCE 2000-41 APPROVING THE PRELIMINARY PLAT OF AVALON FARMS SUBDIVISION**

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

Richard Fair explained to Council the developer, David Reibold of Robert C. Rhein Interest, Inc. was requesting the approval of a preliminary plat for a subdivision located on the east side of SR 741, just north of the City owned property. This property contains 55.9 acres and will consist of 49 single-family lots. Planning Commission and staff recommend approval contingent on the installation of acceleration, deceleration and a left turn lane on SR 741 into the subdivision. Alex Tarasenko explained the subdivision to Council in greater detail. He stated they had contracted with an engineering firm to determine if a turn lane was necessary and the result was it was not warranted at this time.

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

A motion to adopt Ordinance 2000-41 contingent on installing an acceleration, deceleration and a left turn lane on SR 741 was made by Councilmember Staten, seconded by Councilmember Davis. VOTE: ALL YEAS

**ORDINANCE 2000-42 ADVISING THE COUNTY COMMISSIONERS AS TO THE BENEFITS OF ANNEXATION OF PROPERTY INCLUDED IN THE PETITION FOR ANNEXATION FILED BY JOHN S. AND EILEEN ZOPFF AND WARREN G. AND HELEN F. SILVEN**

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

Scot Lahrmer stated one of the requirements of the Ohio Revised Code is for the municipality to indicate the benefits it can provide for an area to be annexed. This legislation complies with the requirement.

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

A motion to adopt Ordinance 2000-42 was made by Councilmember Staten, seconded by Councilmember Davis. VOTE: ALL YEAS

**ORDINANCE 2000-43 AMENDING THE CODE OF ORDINANCES OF THE CITY OF MASON, OHIO SECTION 961.04 CHARGES AND BILLING FOR RUBBISH AND WASTE COLLECTION AND DECLARING AN EMERGENCY**

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

Eric Hansen stated Rumpke had the option of renewing our current contract and has chosen to do so with a revised rate being effective for the next two years. This legislation provides for a rate of \$11.00 per month effective May 1, 2000 and \$11.70 effective May 1, 2001.

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

A motion to adopt Ordinance 2000-43 was made by Councilmember Staten, seconded by Councilmember Davis. VOTE: ALL YEAS

**ORDINANCE 2000-44 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT TO PURCHASE WITH KENNETH AND MARGARET CHAPPELL FOR THE ACQUISITION OF PROPERTY LOCATED AT 600 MASON-MONTGOMERY ROAD, MASON, OHIO**

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

Scot Lahrmer stated the City has negotiated with Kenneth and Margaret Chappell to purchase their property located at 600 Mason Montgomery Road. They own one of the 11 properties that abut the City's land where the new High School, Recreation Center, and Municipal Building will be built. The purchase price is \$155,940 which was derived from an appraisal submitted by a firm the City had contracted with to appraise all 11 properties.

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

A motion to adopt Ordinance 2000-44 was made by Councilmember Davis, seconded by Councilmember Staten. VOTE: ALL YEAS

**ORDINANCE 2000-45 AUTHORIZING THE CITY MANAGER TO ENTER INTO A COLLECTIVE BARGAINING AGREEMENT WITH THE PUBLIC EMPLOYEES OF TEAMSTERS LOCAL 100 AND DECLARING AN EMERGENCY**

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

Eric Hansen explained to Council the three year contract for Maintenance Workers and Plant Operators expired on December 31, 1999. Negotiations have been progressing and the union voted to accept the Tentative Agreement which includes the following changes:

An annual pay increase of 4%, 4.5%, and 4.5% for each year of the contract retro to January 1, 2000; a management requested provision to move to an accrual system of vacation; and a management initiative to remove pyramiding of call in time and dismissing associated grievances. Staff recommends approval of this legislation.

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

A motion to adopt Ordinance 2000-45 was made by Councilmember Davis, seconded by Councilmember Staten. VOTE: ALL YEAS

### **CITY MANAGER'S REPORT**

► The April utility bill, which includes water, sewer and waste collection, was erroneously sent this past week omitting the waste collection charge. Residents will receive a separate bill for the waste collection charge.

► An overhead electric variance is requested for the service to Flowserve. It was intended for the service to be placed underground but due to a water line in the vicinity, the service was placed overhead. A motion to approve the variance was made by Councilmember Davis, seconded by Councilmember Staten. VOTE: 3 YEAS (Davis, McCurley, Staten), 2 NAYS (Fox, Beck), 1 ABSTAIN (Pelfrey). Motion fails due to lack of a quorum.

► *Detour Times* will be sent to residents the week of April 10. This issue will inform residents of the road improvements scheduled for this summer.

### **COUNCIL OLD AND NEW BUSINESS**

The status of the signal proposed for the intersection of SR 741 at Bethany Road was discussed. It was determined the County or State may be improving that area as part of the by-pass plan to I-71. Staff will research this further to determine if there is a time frame for this improvement. The cost of the signal will cost the City approximately \$425,000. The plans are near completion

Councilmember Beck will hold a "Chat with a Councilmember" on April 17, 2000 at the Mason Library from 6:00 to 7:00p.m.

OKI grants are available for bike paths, landscaping, and renovation of historical buildings. It was suggested Staff pursue these grants aggressively. Local funds need to be part of the plan.

Councilmembers must be assigned to serve on the Downtown Committees that have formed as a result of the report generated by Linda Fitzgerald. The four subcommittees will be Economic Restructuring, Promotional, Organizational and Design. It was decided

by Council the following members would serve: Councilmembers Beck, Davis, and Pelfrey.

Good Friday is April 21, 2000 and City offices will be closed.

The Earth Walk is scheduled for April 29, 2000. Interested participants are to meet at the old Thriftway site on US 42. The walk begins at 10:30 a.m.

The Mayor's Prayer Breakfast will take place on May 4, 2000 at 7:00 a.m. and the public is invited. Cost is \$15 and it will be held at the Golf Center.

The Easter Egg Hunt will be held Saturday April 15, 2000 at Heritage Oak Park.

### **AUDIENCE COMMENTS**

Mr. Bill Liedhegner of 626 Lindemann Lane addressed Council and asked whom they could call to make a reservation for the Mayor's Prayer Breakfast. Mayor McCurley stated reservations could be made by contacting the City Administration offices.

### **EXECUTIVE SESSION**

A motion to go into executive session for the purpose of discussing litigation, land acquisition and personnel was made by Councilmember Staten, seconded by Councilmember Davis. VOTE: ALL YEAS

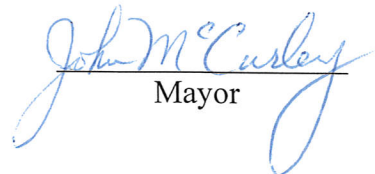
Councilmember Muennich joined the Council meeting at this time.

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

### **ADJOURN**

A motion to adjourn was made by Councilmember Staten, seconded by Councilmember Muennich. VOTE: ALL YEAS  
TIME: 10:00 P.M.

  
Clerk of Council

  
Mayor