

**CITY OF MASON
COUNCIL MEETING
MAY 8, 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, Tom Muennich, Peter Beck, Betty Davis, Charlene Pelfrey, and John McCurley.

APPROVAL OF MINUTES

A motion to approve the minutes from the April 24, 2000 meeting was made by Councilmember Muennich, seconded by Councilmember Davis. VOTE ALL YEAS.

PRESENTATION BY TREE COMMITTEE CHAIR, DIANE CLASEN

Diane Clasen of 720 Eagleview Court, Chair for the City of Mason Tree Committee, addressed Council and presented them with the Tree City Award. She introduced the other members of the Tree Committee present and stated how active and involved each member had been in accomplishing this goal. She thanked Council for their support in this effort.

RECOGNITION OF VISITORS

None

RESOLUTION 2000-9 - PROCLAIMING MAY 7-13 NATIONAL DRINKING WATER WEEK

The Resolution was read in full by Eric Hansen.

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

A motion to adopt was made by Councilmember Staten, seconded by Councilmember Muennich. VOTE: ALL YEAS.

RESOLUTION 2000-10 PROCLAIMING MAY 14-20 NATIONAL LAW ENFORCEMENT WEEK

The Resolution was read in full by Eric Hansen.

Chief Ferrell addressed Council and asked for a moment of silence in observance of all police

officers that have died in the line of duty. The police department is currently undergoing a re-evaluation for accreditation and it is expected the results will be positive.

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

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

ORDINANCE 2000-57 – APPROVAL OF THE FINAL PLAT OF BIRCHWOOD SOUTH, SECTION 6

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

Richard Fair explained to Council the final plat for Birchwood South subdivision contains 20 lots on 6.617 acres and 1.2010 acres of right-of-way. He stated the final plat is consistent with the preliminary plat and staff recommends approval contingent on submission of a subdivider's contract and a performance bond.

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

A motion to adopt Ordinance 2000-57 contingent on submission of a subdivider's contract and a performance bond was made by Councilmember Davis, seconded by Councilmember Pelfrey. VOTE: ALL YEAS.

ORDINANCE 2000-58 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH JOHN R. JURGENSEN COMPANY FOR THE 2000 STREET RESURFACING PROGRAM

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

Scot Lahrmer stated the lowest and best bid for the resurfacing program has been received from the John R. Jurgensen Company. They have submitted a bid for \$683,151.05. The City has had experience with this firm for the past two years and are very satisfied with their work. Staff recommends approval.

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

A motion to adopt Ordinance 2000-58 was made by Councilmember Muennich, seconded by Councilmember Davis. VOTE: ALL YEAS

ORDINANCE 2000-59 - AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT TO PURCHASE WITH WILLIAM AND JUNE TRICE FOR THE ACQUISITION OF PROPERTY AT 640 SOUTH MASON MONTGOMERY ROAD, MASON, OHIO AND DECLARING AN EMERGENCY

A motion to read by title only was made by Councilmember Pelfrey, seconded by Councilmember Muennich. VOTE: 6 YEAS, 1 ABSTAIN (Davis)

Scot Lahrmer stated the City is interested in purchasing the property currently owned by William and June Trice located on Mason-Montgomery Road because it is adjacent to the property owned by the City and being developed into the new Mason High School, Recreation Center and Municipal Building. He further explained while not necessary for the development, it provides some additional opportunities for the City. The City has extended an offer to purchase the property at the appraised price of \$161,656 and the Trice's have accepted that offer.

A motion to suspend the rule was made by Councilmember Muennich, seconded by Councilmember Davis. VOTE: 6 YEAS, 1 ABSTAIN (Davis)

Motion to adopt Ordinance 2000-59 was made by Councilmember Fox, seconded by Councilmember Staten. VOTE: 6 YEAS, 1 ABSTAIN (Davis)

COMMUNITY REINVESTMENT AREA # 12 APPLICATION-DIGINEER

Kim Coyner addressed Council and stated the firm of Digiener, Inc. has interest in locating in Mason at the Cintas Commerce Park. She explained this firm is an Internet professional services company that specializes in developing business-to-business consumer strategies and solutions for the trillion dollar healthcare industry. The company currently has 123 employees and an annual payroll of \$8.4M with an average salary of \$65,000. The growth plans for this firm include adding 150 employees over the next three years with a projected payroll increase of \$10M. The Economic Development Committee recommends that Mason City Council approve an abatement to Al Neyer, Inc. as property owner for Digiener, under the Community Reinvestment Area Program, 100% of real property improvements for a maximum of 15 years and to authorize the City Manager to enter into an agreement with Digiener to define the terms of the abatement based on performance measures related to the construction of all three phases and to projected job creation for the project. This abatement is contingent upon the annual compensation payment to the Mason City School District for the term of the abatement. Mr. Rick Eagan, the Chief Financial Officer, introduced himself to Council and stated his firm has been impressed with the pro-business environment in Mason.

A motion to grant the abatement contingent on compliance to the aforementioned conditions was made by Councilmember Davis, seconded by Councilmember Beck. VOTE: ALL YEAS

CITY MANAGERS REPORT

- There will be a Council work session on May 17, at 6:30 p.m. at the Mason Central location with the School Board.
- An opening ceremony will take place on May 18, 2000 for the I&O Railroad project.
- The Employee Excellence Picnic took place on May 3, 2000. Employees were recognized for their outstanding efforts. Each winner received a variety of gifts. It was suggested Council members be recognized for their years of service with anniversary pins. This could also apply to various board members.
- On Thursday, the City's network was impacted by the "I Love You" virus. Fortunately, the computer consultant was on site and within seven minutes, the network was shut down and the virus isolated. The potential of major data loss was avoided.
- Final word on the Police Department re-accreditation will occur in July. The process concluded last week and the assessors will recommend re-accreditation.

COUNCIL OLD AND NEW BUSINESS

It was determined an Ad Hoc Fire Committee meeting will take place in the near future.

A question was raised about a traffic light at Appaloosa and SR741. A signal is planned for Cox-Smith Road and SR741, although it has not been budgeted or programmed. Staff will stay aware of the need for this signal to be installed. It may be necessary to move up the priority on this location.

It was requested a meeting be set up with Sprint to discuss the frequent complaints the City receives from residents and businesses.

Councilmember Beck will hold a "Councilmember Chat" on May 15, 2000 at the library.

Mason was the host city of the annual Mayor's Prayer Breakfast this year. The event was very successful with approximately 220 attending.

A request for a transfer of a liquor permit for 5171 Sentinel Oak Road was discussed. A motion to not request a hearing was made by Councilmember Muennich, seconded by Councilmember Davis.
VOTE: 6 YEAS, 1 ABSTAIN (Pelfrey)

A motion to add Ordinances 2000-60 and 61 to the agenda was made by Councilmember Staten, seconded by Councilmember Davis. VOTE: ALL YEAS

ORDINANCE 2000-60 AUTHORIZING SETTLEMENT OF APPROPRIATION ACTIONS WITH BROOKSTONE HOMEOWNERS ASSOCIATION AND DECLARING AN EMERGENCY

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

Law Director, Ken Schneider, explained to Council the price for settling this appropriation action is \$36,846.66. He further explained this is necessary to proceed with the Tylersville Road improvement project.

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

A motion to adopt Ordinance 2000-60 was made by Councilmember Staten, seconded by Councilmember Muennich. VOTE: ALL YEAS

ORDINANCE 2000-61 AUTHORIZING SETTLEMENT OF THE MATTER OF UMBLE, GAYHART & JACOBSEN CPA'S INC. V. CITY OF MASON, TRUSTEE, ET AL., FILED IN THE COURT OF COMMON PLEAS, WARREN COUNTY, OHIO, AS CASE NO. 99CV56313 AND DECLARING AN EMERGENCY

A motion to read by title only was made by Councilmember Davis, seconded by Councilmember Muennich. VOTE: 6 YEAS, 1 ABSTAIN (Beck)

Law Director, Ken Schneider, explained to Council the price for settling this matter is \$12,500 to be paid from the Joint Fire District's remaining funds.

A motion to suspend the rule was made by Councilmember Muennich, seconded by Councilmember Pelfrey. VOTE: 6 YEAS, 1 ABSTAIN (Beck)

A motion to adopt Ordinance 2000-61 was made by Councilmember Muennich, seconded by Councilmember Davis. VOTE: 6 YEAS, 1 ABSTAIN (Beck)

Council discussion followed in regards to creating a new position of Public Information Officer. After a general discussion, it was decided to create the position and a job description will be written by the City Manager and submitted for Council comments.

A motion to add Ordinance 2000-62 was made by Councilmember Muennich, seconded by Councilmember Staten. VOTE: 6 YEAS, 1 NAY (Davis)

ORDINANCE 2000-62 CREATING THE ADDITIONAL POSITION OF PUBLIC INFORMATION OFFICER OF THE CITY OF MASON AND ESTABLISHING COMPENSATION AND DECLARING AN EMERGENCY

A motion to read by title only was made by Councilmember Staten, seconded by Councilmember Fox. VOTE: 6 YEAS, 1 NAY (Davis)

A motion to suspend the rule was made by Councilmember Staten, seconded by Councilmember Muennich. VOTE: 6 YEAS, 1 NAY (Davis)

A motion to adopt Ordinance 2000-62 was made by Councilmember Staten, seconded by Councilmember Muennich. VOTE: 5 YEAS, 2 NAYS (Beck, Davis)

AUDIENCE COMMENTS

None

EXECUTIVE SESSION: LITIGATION AND LAND ACQUISITION

A motion to convene into executive session for the purpose of litigation and land acquisition was made by Councilmember Pelfrey, seconded by Councilmember Muennich. VOTE: ALL YEAS

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

WORKSESSION

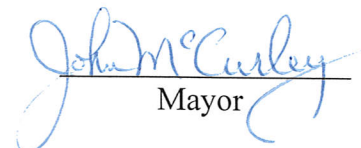
Mayor McCurley stated Council would now recess and go into a worksession with architects and consultants on the new Recreation Center project.

Earl Crossland addressed Council and gave an update of the site plan and explained how it has evolved thus far. Council's concern for adequate parking for the City facility drove the discussion. It was decided another meeting would take place for Council on May 15, 2000 at 5:00 p.m.

ADJOURN

A motion to adjourn was made by Councilmember Staten, seconded by Vice Mayor Fox. VOTE ALL YEAS. TIME 11:00 p.m.


Clerk of Council


Mayor