

**CITY OF MASON  
COUNCIL MEETING  
JUNE 12, 2000**

The meeting was called to order by Mayor McCurley at 7:07 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 of the May 17, 2000 Council Workshop meeting was made by Councilmember Muennich, seconded by Councilmember Davis. VOTE: ALL YEAS

A motion to approve the minutes of the May 22, 2000 Council meeting was made by Councilmember Pelfrey, seconded by Councilmember Muennich. VOTE: ALL YEAS

**RECOGNITION OF VISITORS**

No one present addressed Council.

**ORDINANCE 2000-65 APPROVING THE REPLAT OF EAGLE VIEW VILLAGE, SECTION THREE, PHASE 45, LOTS 201-204**

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

Richard Fair explained to Council this legislation is necessary for the developer to subdivide the property into individual condominium lots for sale.

A motion to adopt Ordinance 2000-65 was made by Councilmember Staten, seconded by Councilmember Davis. VOTE: ALL YEAS

**ORDINANCE 2000-72 APPROVING THE REPLAT OF CINTAS COMMERCE PARK SUBDIVISION, LOT 2 AND PART OF LOT 1**

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

Richard Fair explained to Council this site is located on the west side of the north end of Cintas Boulevard and will be the new location of Digneer. This replat, he further explained, consolidates the two lots and then splits the new lot into three lots. Planning Commission recommends approval contingent on minor engineering comments.

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

A motion to adopt Ordinance 2000-72 contingent on complying with the engineering comments was made by Councilmember Davis, seconded by Councilmember Muennich. VOTE: ALL YEAS

**ORDINANCE 2000-73 APPROVING THE PRELIMINARY PLAT OF THE MASON ENTERPRISE PARK**

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

Richard Fair stated the developer requested approval of the preliminary plat for the Mason Enterprise Park. He stated the site will consist of 34 parcels ranging from 2 to 7 acres in size. The park is located north of Bethany Road and west of S.R. 741. He further explained the park will have three access points onto S.R. 741 with over 2,000 feet between each point. The lots will have internal access points off of a main road that extends down the middle of the property. Planning Commission recommends approval.

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

A motion to adopt Ordinance 2000-73 was made by Councilmember Davis, seconded by Councilmember Muennich. VOTE: ALL YEAS

**ORDINANCE 2000-74 APPROVING THE REPLAT OF THORNGATE AT WINDEMERE SUBDIVISION, LOT 22**

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

Richard Fair explained to Council the developer is requesting approval of a record plat for the replatting of lot 22 in the Thorngate at Windemere subdivision. The replat, he explained, is consistent with the final PUD plan, which Planning Commission approved in February 2000. Council stated it would require a code change to avoid each individual replat from coming before Council as was required for the Eagle View Village project.

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

A motion to adopt Ordinance 2000-74 was made by Councilmember Davis, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

**ORDINANCE 2000-75 APPROVAL OF THE FINAL PLAT OF WEATHERSTONE SUBDIVISION, SECTION 2**

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

Richard Fair stated the developer is requesting approval of Section 2 of the Weatherstone subdivision. This area consists of areas zoned R-3 and R-4. It contains 26 single-family lots and one open space lot on 13.687 acres and 2.741 acres of right-of-way. Mr. Fair further stated the final plat is consistent with the approved preliminary plat. Planning Commission recommends approval contingent on the applicant addressing minor engineering items and the submission of a subdivider's contract and performance bond.

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

A motion to adopt Ordinance 2000-75 was made by Councilmember Davis, seconded by Councilmember Staten. VOTE: ALL YEAS

**ORDINANCE 2000-76 ACCEPTING DEDICATION OF A RIGHT-OF-WAY ON THE NORTH SIDE OF COX-SMITH ROAD, CONTAINING APPROXIMATELY 1.092 ACRES**

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

Richard Fair stated to Council the developer is requesting approval of a dedication plat for Cox-Smith Road, located east of S.R. 741. This plat dedicated just over one acre of right-of-way for the straightening of Cox-Smith Road. Planning Commission recommends approval contingent on the applicant addressing minor engineering comments. The dedication plat is consistent with the City of Mason Thoroughfare Plan.

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

A motion to adopt Ordinance 2000-76 was made by Councilmember Davis, seconded by Vice Mayor Fox. VOTE: ALL YEAS

**ORDINANCE 2000-77 ACCEPTING THE PUBLIC IMPROVEMENTS FOR WHITE BLOSSOM SUBDIVISION, SECTIONS 1, 2, 3, 4, 5, AND 6, AND RELEASING THE PERFORMANCE BOND**

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

Richard Fair stated to Council the entire White Blossom subdivision has been inspected by the Public Utilities, Public Works and Engineering Departments. The Engineering staff has been working over a year to complete a punch list of items. The developer has posted a one year maintenance bond in the amount of \$42,189. The streets, utilities and other public improvements are now complete according to the City standards and will become the City's responsibility upon passage of this legislation.

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

A motion to adopt Ordinance 2000-77 was made by Councilmember Muennich, seconded by Councilmember Davis. VOTE: ALL YEAS

**ORDINANCE 2000-78 CREATING THE ADDITIONAL POSITION OF EMERGENCY MEDICAL SERVICES SUPERVISOR AND ESTABLISHING COMPENSATION**

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

Eric Hansen stated the creation of an additional EMS supervisor will allow for full time supervisory coverage throughout the week, including Saturdays, vacations and sick leave without relying exclusively on overtime. He stated the current situation involves coverage by a part-time supervisor, which affects the quality and consistency of supervision. This position was included in the 2000 Budget and has been reviewed by Finance Committee and recommended by the Ad Hoc Fire Committee.

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

A motion to adopt Ordinance 2000-78 was made by Councilmember Pelfrey, seconded by Councilmember Muennich. VOTE: ALL YEAS

**ORDINANCE 2000-79 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH BAYER BECKER ENGINEERS FOR ENGINEERING DESIGN SERVICES NECESSARY FOR THE MASON CIVIC CENTER**

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

Scot Lahrmer stated the water master plan proposes a 12-inch water main starting at Mason-Montgomery Road and ending at the intersection of Cloverwood and Fairway Drive. Phase II of this project continues the main to the Golf Center. Three properties are affected by the construction of this main including the new Municipal building, Recreation Center, and High School. The primary purpose for the main is to set the north

end of the high and low water distribution areas and to provide a complete looped system with the main on Fairway Drive. Bayer Becker Engineers are preparing site plan drawings for the recreation building and high school. Therefore it is logical they be the consultant to do the design. They will be responsible to provide preliminary plans, cost estimates, detailed design drawings, construction inspection, technical specifications, review of bidding documents, and as built drawings. The contract is for a not to exceed price of \$37,000.

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

A motion to adopt Ordinance 2000-79 was made by Councilmember Muennich, seconded by Vice Mayor Fox. VOTE: ALL YEAS

**ORDINANCE 2000-80 AUTHORIZING THE CITY MANAGER TO APPROVE A CHANGE ORDER IN THE AMOUNT OF \$42,032.36 TO INCREASE THE CONTRACT OF FINKBEINER, PETTIS & STROUT, INC. FOR THE CONSTRUCTION ENGINEERING DESIGN SERVICES NECESSARY FOR THE NORTH TRUNK SEWER AND S.R. 741 LIFT STATION PROJECT**

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

Scot Lahrmer stated the next four Ordinances are related to the same project. City Council awarded four contracts in January 1999 for all phases of the construction for the trunk sewer and lift station. Problems with unanticipated soil conditions in the form of an ancient lakebed caused project delays and re-engineering of the trunk sewer. This has resulted in change orders to complete the project. Ordinance 2000-80 authorizes payment for the change orders that resulted in additional costs incurred by Finkbeiner, Pettis & Strout in the amount of \$42,032.36.

The City requested several changes and a problem was encountered at the treatment plant on the force main that required extra effort on the part of the contractor. This resulted in additional costs to the Village Building Services in the amount of \$25,095.18. Ordinance 2000-81 approved the increase to their original contract.

Delays in construction with the field problems encountered necessitated a change order in the amount of \$5,850 to Q.O.B. Electric to complete the project. Ordinance 2000-82 authorizes payment of this change order.

The City requested several changes and unexpected problems with the soils west of the lift station necessitated the changes. As a result, the trunk sewer had to be re-routed and re-designed. This led to an increase to the original contract to Dyno Construction Company in the amount of \$485,532.35. Ordinance 2000-83 authorizes payment of these change orders.

Council discussion followed. It was noted the total for engineering and design of this project did not exceed 8% of the total cost. Members of Council stated they would like to be kept better informed on matters that run into this level of expenditure prior to the project moving forward. It was noted the Utility Committee was aware of the situation and approved of all of the revisions to keep the project moving forward. The information was also included in the previous monthly progress reports. In the future, the Committee will inform Council on a more timely basis.

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

A motion to adopt Ordinance 2000-80 was made by Councilmember Muennich, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

**ORDINANCE 2000-81 AUTHORIZING THE CITY MANAGER TO APPROVE A CHANGE ORDER IN THE AMOUNT OF \$25,095.18 TO INCREASE THE CONTRACT OF VILLAGE BUILDING SERVICES, INC. FOR THE GENERAL AND MECHANICAL CONSTRUCTION SERVICES NECESSARY FOR THE NORTH TRUNK SEWER AND S.R. 741 LIFT STATION PROJECT**

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

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

A motion to adopt Ordinance 2000-81 was made by Councilmember Davis, seconded by Councilmember Muennich. VOTE: ALL YEAS

**ORDINANCE 2000-82 AUTHORIZING THE CITY MANAGER TO APPROVE A CHANGE ORDER IN THE AMOUNT OF \$5,859.00 TO INCREASE THE CONTRACT OF Q.O.B. ELECTRIC, INC. FOR THE ELECTRICAL CONSTRUCTION SERVICES NECESSARY FOR THE NORTH TRUNK SEWER AND S.R. 741 LIFT STATION PROJECT**

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

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

A motion to adopt Ordinance 2000-82 was made by Councilmember Davis, seconded by Vice Mayor Fox. VOTE: ALL YEAS

**ORDINANCE 2000-83 AUTHORIZING THE CITY MANAGER TO APPROVE A CHANGE ORDER IN THE AMOUNT OF \$485,532.35 TO INCREASE THE CONTRACT OF DYNO CONSTRUCTION COMPANY FOR THE SANITARY SEWER AND FORCE MAIN CONSTRUCTION SERVICES NECESSARY FOR THE NORTH TRUNK SEWER AND S.R. 741 LIFT STATION PROJECT**

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

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

A motion to adopt Ordinance 2000-83 was made by Vice Mayor Fox, seconded by Councilmember Pelfrey. VOTE: 6 YEAS, 1 NAY (BECK)

**ORDINANCE 2000-84 AUTHORIZING THE CITY OF MASON TO FILE AN APPLICATION AND ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF NATURAL RESOURCES FOR THE PURPOSE OF ACQUIRING FUNDS THROUGH THE DIVISION OF FORESTRY'S URBAN FORESTRY ASSISTANCE PROGRAM**

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

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

A motion to adopt Ordinance 2000-84 was made by Vice Mayor Fox, seconded by Councilmember Muennich. VOTE: ALL YEAS

**CITY MANAGER'S REPORT**

The dedication ceremony for the newly landscaped Mason Montgomery Road corridor will be held on Wednesday, June 14 at 12:15 p.m.

Scot Lahrmer will be out of the office from July 9 through July 18, 2000. A motion to appoint Eric Hansen Acting City Manager during that period was made by Vice Mayor Fox, seconded by Councilmember Davis. VOTE: ALL YEAS

**COUNCIL OLD AND NEW BUSINESS**

It was reported a meeting with Sprint took place and city representatives explained the problems both residential and business residents have experienced. It was agreed to continue meeting in the future.

The traffic congestion problem was discussed at length. The downtown traffic problem is at a crisis level. It was decided a study should be done to determine how to alleviate the problem. The study should be a master plan for the entire city. It was asked if the traffic signal could be adjusted to temporarily improve the situation.

The speed limit change on Kings Island Drive was discussed. It was suggested a sign be posted notifying drivers of the change.

The status of a traffic signal installation at Bethany Road and S.R. 741 was discussed. It has been designed but was placed on hold until the I&O railroad opened. The suggestion to install a four way stop at this location was made to help the situation temporarily. It will take approximately 6 months to construct a signal. The matter was referred to the City Engineer for evaluation of a 4-way stop. It was noted flashing lights notifying motorists of a stop sign ahead would be required on S.R. 741.

Councilmember Pelfrey read a prepared statement regarding the State of Ohio's motto "With God all things are possible".

It was asked if it is possible for a developer to alter plans and present them to Council without going back to Planning Commission. It was stated the plan of record is what was presented to Planning Commission. A developer can discuss modifications to a plan with Council during his presentation, however Council can refer it back to Planning Commission.

The Sunshine Concert is scheduled for June 18, 2000 featuring the Frank Vincent Trio. It was suggested that perhaps the City could hold a community cookout during one of the concerts.

The Mayor expressed thanks to the President of Mitsubishi for hosting an event attended by Governor Taft in recognition of their expansion.

### **AUDIENCE COMMENTS**

Mr. Bill Liedhegner of 626 Lindemann Lane addressed Council and stated if you travel at the right time of the day there is no traffic problem. He asked if Jennifer Trepal's position reported to Eric Hansen. He also asked how many more homes are planned to be built in the City of Mason. The City Engineer replied he did not have that number with him however he stated it would be approximately 2500.



**EXECUTIVE SESSION**

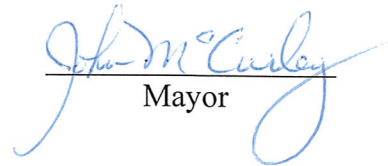
A motion to go into executive session for the purpose of discussing personnel and land acquisition issues was made by Councilmember Muennich, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

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

**ADJOURN**

A motion to adjourn was made by Councilmember Davis, seconded by Councilmember Muennich. VOTE: ALL YEAS  
TIME: 9:55 p.m.

  
Clerk of Council

  
Mayor