

**CITY OF MASON
COUNCIL MEETING
OCTOBER 23, 2000**

The October 23, 2000, regular Council meeting was called to order by Vice Mayor Jim Fox at 7:06 p.m.

ROLL CALL

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

APPROVAL OF MINUTES

A motion to approve the minutes of the October 9, 2000 meeting was made by Councilmember Davis, seconded by Councilmember Muennich. VOTE: ALL YEAS (5)

PRESENTATION OF AWARD BY KNOTHOLE PRESIDENT, FRANK KUDLAC, TO MASON KNOTHOLE WOLFPACKS

This item was postponed to the next Council meeting scheduled for November 13, 2000.

INTRODUCTION OF INTERIM FIRE CHIEF RANDY STALEY

Chief Ferrell addressed Council and introduced the new interim Fire Chief, Randy Staley. He stated Chief Staley comes to the city out of retirement and brings with him 40 years of fire service experience.

RECOGNITION OF ROBERT AUSTERMAN OF LAKESIDE HOMEOWNERS ASSOCIATION

Mr. Bob Austerman of 5350 Hidden Creek Circle addressed Council and stated he was representing the Board of the Homeowners Association of the Lakeside Subdivision. He stated they have concerns over the location of the entrance for the new school/recreation center and concerns over the traffic signal locations planned for Mason-Montgomery Road. He stated the Board feels it is logical to locate the entrance across from the Lakeside Subdivision as it would make it a full intersection. He stated he thought this was where it originally was planned. He further stated there are 92 homes in this subdivision and it will be impossible to cross five lanes of traffic to exit the subdivision in times of high traffic. He said currently there are five traffic signals planned in this area and none are placed to help the Lakeside residents. His request to Council is for a full intersection placed at Lakeside or a demand traffic signal installed at this location such as is installed at the Procter and Gamble entrance. He requested Council review this situation. He also asked to be placed on a committee, if one is created, for the ultimate design.

Vice Mayor Fox stated it was never the original design to install a full intersection at this location because the City did not own the property. He also explained the design of the road improvement in this area is underway. A general discussion followed among Council and it was decided a meeting would be called with the School Board as soon as possible because it is necessary to consider their needs on this matter. Richard Fair will keep Mr. Austerman informed on the matter.

RECOGNITION OF VISITORS

Mr. Len Stallo of 525 Mason-Montgomery Road addressed Council and expressed concerns over the current location of the entrance to the school/recreation center project. He was told by Scot Lahrmer that a cost has been requested from the schools to relocate the entrance.

Mr. Gardner of 5752 Bethany Road addressed Council and discussed the need for a veteran's memorial at the new Government Center. He shared a plaque recognizing 10 local veterans that previously hung on the wall at the high school before it was remodeled. He stated he would be willing to serve on a committee to start this project. It was stated a group began to work on this matter several years ago and a fund was started by the Sons of the American Legion and may be still available. City Council discussed this matter and is in support of a veteran's memorial being placed in the area of the Government Center.

Dick Staten joined the meeting at this time.

ORDINANCE 2000-158 AUTHORIZING PAYMENT OF \$5,000 TO THE MASON HISTORICAL SOCIETY, A PRIVATE NON-PROFIT ORGANIZATION

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

Scot Lahrmer stated the City has been partnering with the Mason Historical since 1992. This year they have again requested monies to assist them in the maintenance of the museum and Ordinance 2000-158 provides \$5,000 to the Historical Society.

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

A motion to adopt Ordinance 2000-158 was made by Councilmember Muennich, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

ORDINANCE 2000-159 APPROVAL OF THE FINAL PLAT OF THE GREENBRIER SUBDIVISION, PHASE 1E

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

Richard Fair stated the developer is requesting approval of the final plat for Greenbrier, Phase 1E, zoned R-PUD. He explained this section contains 27 single-family lots on 9.3 acres, 1 open space lot and 1.4 acres of right-of-way. This plat is consistent with the plat as approved by Planning Commission. Staff recommends approval contingent upon the submission of a subdivider's contract and a performance bond.

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

A motion to adopt Ordinance 2000-159 was made by Councilmember Davis, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

ORDINANCE 2000-160 APPROVING THE REPLAT OF WEATHERSTONE SUBDIVISION, SECTION ONE, LOTS 18 AND 20

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

Richard Fair explained to Council the developer is requesting the approval of a replat for Weatherstone, Section 1, lots 18&20. The need for this replat is driven by the plan to install decks on the rear of both homes while maintaining the rear yard setback of 30 feet.

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

A motion to adopt Ordinance 2000-160 was made by Councilmember Staten, seconded by Councilmember Davis. VOTE: ALL YEAS

ORDINANCE 2000-161 ADVISING THE COUNTY COMMISSIONERS AS TO THE BENEFITS OF ANNEXATION OF PROPERTY INCLUDED IN THE PETITION FOR ANNEXATION FILED BY WENDELL AND TERRA CLEM TO THE CITY OF MASON

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

Scot Lahrmer stated this legislation is required to proceed with the annexation request of Wendell and Terra Clem. In compliance with the Ohio Revised Code, a benefits ordinance must be submitted indicating the benefits the municipality can provide. This property is located on the west side of Mason-Montgomery Road north of Brewer Road and contains 2.6 acres. The Clem's signed a pre-annexation agreement in 1995.

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

A motion to adopt Ordinance 2000-161 was made by Councilmember Muennich, seconded by Councilmember Beck. VOTE: ALL YEAS

ORDINANCE 2000-162 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH PLANET FORD FOR THE PURCHASE OF FOUR (4) 2001 FORD CROWN VICTORIA SEDANS

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

Eric Hansen stated the City has utilized the State of Ohio purchasing program to the benefit of the City by securing the purchase of 4 Ford Crown Victoria Cruisers. The amount budgeted in the 2000 budget for this purpose was \$118,000. The actual price is \$87,336. This purchase has been approved by the Equipment and Finance Committees.

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

A motion to adopt Ordinance 2000-162 was made by Councilmember Muennich, seconded by Councilmember Davis. VOTE: ALL YEAS

ORDINANCE 2000-163 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH CAMP DRESSER & MCKEE FOR THE ENGINEERING DESIGN SERVICES NECESSARY TO IMPLEMENT A CITY-WIDE STORMWATER UTILITY

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

Scot Lahrmer introduced Davis Riggs, the Assistant City Engineer who explained Council had appointed a Stormwater Advisory Committee (SWAC) in February 1999 which kicked off the planning and presentations made to the Utility Committee and Council on March 20, 2000 regarding the City's handling of the stormwater problems in Mason. As a result of the presentations, it is necessary to engage the services of an engineering firm to develop more detailed aspects of the stormwater utility. Davis Riggs explained this firm will develop a detailed program that will verify impervious area and classify parcels for billing purposes, prepare staff to implement the EPA regulations, prepare billing database, prepare public information, public meetings, Council presentations, provide staff training and implement a Stormwater Utility Program to provide funding of stormwater projects for the City's needs. This contract is for a not to exceed amount of \$188,700 with an expected completion date of April 30, 2001, which includes continued training until August 2001.

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

A motion to adopt Ordinance 2000-163 was made by Councilmember Staten, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

ORDINANCE 2000-164 ACCEPTING A BID AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH GILL LANDSCAPING CO. FOR THE INSTALLATION OF LANDSCAPING AT FIRE STATION #52

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

Scot Lahrmer stated that one of the final items for completion of the new fire station is to provide landscaping in accordance with the City's Landscape Code. He explained three bids were received for this work with the lowest and best bid being from Gill Landscaping at a not to exceed cost of \$35,260. 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 2000-164 was made by Councilmember Muennich, seconded by Councilmember Beck. VOTE: ALL YEAS

ORDINANCE 2000-165 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH PLATTENBURG & ASSOCIATES, INC. FOR PREPARATION OF THE CITY'S 2000 COMPREHENSIVE ANNUAL FINANCIAL REPORT

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

Scot Lahrmer stated the purpose of this legislation is to comply with the State's auditing requirements and provide professional services in assisting City staff with the completion of the City's 2000 Comprehensive Annual Financial Report plus implementing the conversion to the new Financial Reporting Model. He further explained the City is required to adopt the new Financial Reporting Model by 2002. It is the City's goal to meet this requirement for the reporting year 2001. The firm of Plattenburg & Associates is currently responsible for the City's annual audit therefore, familiar with the city's financial records and methods of compilation. This contract with Plattenburg & Associates is for a not to exceed cost of \$12,000.

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

A motion to adopt Ordinance 2000-165 was made by Councilmember Davis, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

CITY MANAGER'S REPORT

Bethany Road will be closed between Mason-Montgomery Road and S.R. 741 for approximately 10 days starting October 23 at 8:00 a.m. This is necessary for the lowering of the road to increase visibility and safety.

A Council work session is scheduled for Monday October 30 immediately following the joint meeting between Council and the Chamber of Commerce. The work session will begin no later than 7:00 p.m. and will be held at the Chamber offices located at 316 West Main Street.

In the past hams and turkeys have been purchased for full-time employees during the holidays. A motion is needed by Council to continue the gift this year. A motion to approve the continuance of the ham and turkey gift for this year was made by Councilmember Muennich, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

COMMITTEE REPORTS

Councilmember Muennich reported the Equipment Committee met and unanimously approved purchases presented to them for city equipment.

Councilmember Davis stated the Finance Committee is involved in the budget process and will be reviewing each department's budget. To accomplish this, she stated, three meetings have been scheduled in November.

Councilmember Beck reported OKI had recently met and approved grants for Downtown Dayton, the Mill Creek and a Job Access Grant. He also stated he and Councilmember Davis will be meeting with the School Board this Thursday to discuss the lease agreement for the joint project.

Vice Mayor Fox stated the Park Board met last Thursday.

COUNCIL OLD AND NEW BUSINESS

Councilmember Beck stated the Warren County Task Drug Force has received press recently and it is an important item for our area.

Councilmember Pelfrey stated the Halloween Festival was a huge success. She said that perhaps we should consider changing the haunted hayride since the lines were so long for it this year. She also complimented Starr Markworth for a job well done on the revisions of the Youth and Government Activity Book.

AUDIENCE COMMENTS

Rachael Davis of 6426 Amber Court addressed Council and stated the position of traffic engineer should be included in the budget for next year. She also stated the downtown area of Mason is not clearly defined in everyone's mind. She stated many people have different ideas of exactly where that begins and ends. She also stated it was hard to maneuver around the barrels safely at Tylersville Road and Mason-Montgomery Road.

A motion to add litigation to the executive session topics was made by Councilmember Muennich, seconded by Councilmember Beck. VOTE: ALL YEAS

EXECUTIVE SESSION

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

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

A motion to add Ordinance 2000-166 was made by Councilmember Staten, seconded by Councilmember Muennich. VOTE: ALL YEAS

A motion to add Ordinance 2000-167 was made by Councilmember Staten, seconded by Councilmember Davis. VOTE: ALL YEAS

ORDINANCE 2000-166 APPROPRIATION OF PROPERTY, AUTHORIZING THE DEPOSIT OF FUNDS WITH THE COURT OF COMMON PLEAS, AUTHORIZING THE LAW DIRECTOR TO FILE A PETITION FOR APPROPRIATION AND DECLARING AN EMERGENCY (MASON-MONTGOMERY ROAD WIDENING – CHACE)

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

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

A motion to adopt Ordinance 2000-166 was made by Councilmember Davis, seconded by Councilmember Staten. VOTE: ALL YEAS

ORDINANCE 2000-167 AUTHORIZING SETTLEMENT OF APPROPRIATION ACTIONS WITH BERNICE C. STEPHENSON, ET AL. AND DECLARING AN EMERGENCY

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

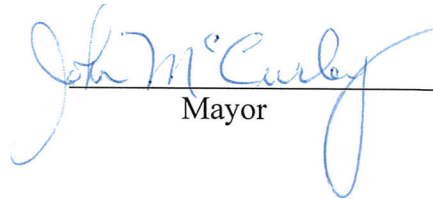
A motion to suspend the rule was made by Councilmember Staten, seconded by Councilmember Davis. VOTE: ALL YEAS

A motion to adopt Ordinance 2000-167 was made by Councilmember Staten, seconded by Councilmember Davis. VOTE: ALL YEAS

ADJOURN

A motion to adjourn was made by Councilmember Davis, seconded by Councilmember Muennich. VOTE: ALL YEAS. TIME: 10:00 p.m.


Clerk of Council


Mayor