

**CITY OF MASON
COUNCIL MEETING
JANUARY 22, 2001**

The meeting was called to order by Mayor McCurley at 7:01 p.m.

ROLL CALL

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

APPROVAL OF MINUTES

A motion to approve the minutes of the January 8, 2001 meeting was made by Councilmember Muennich, seconded by Councilmember Davis. VOTE: ALL YEAS

RECOGNITION OF THE BEACH WATERPARK

Michele Blair of the City's Economic Development Department introduced Pam Strickfaden, Vice President and General Manager of the Beach Waterpark, and Todd Nahrup, Assistant General Manager. She stated their firm has been in operation for 17 seasons and provides a unique flavor of recreation for our area. The Beach Waterpark has received national recognition for the variety of recreation they offer. Mayor McCurley presented the Beach with a framed Certificate of Appreciation for their investment into the community and their most recent hosting of Holiday Fest.

SWEARING IN OF POLICE OFFICER BRAD WALKER

Chief Ferrell introduced Brad Walker who was to be sworn in as a Mason Police Officer. Mayor McCurley presented the oath of office to Brad Walker following which Council congratulated and welcomed him.

RECOGNITION OF RETIRING ZONING BOARD OF APPEALS MEMBER JOE BOLANO

Mayor McCurley recognized Mr. Joe Boiano for his years of service on the Zoning Board of Appeals. He is retiring from this board and was presented with a plaque recognizing his 10 years of service to the City of Mason in this capacity.

RECOGNITION OF VISITORS

Rachael Davis of 6426 Amber Court addressed Council and stated the Fireside Theatre was working on a performance of Biloxi Blues. She said this is a World War II play and their goal is to raise \$3500 to donate to the Veterans Memorial Fund. The performance will be March 24, 2001 and \$17 of the ticket price will go towards the memorial. She

stated they are requesting donations of any items from that time period to be used as props. You can contact her at 336-0372.

ORDINANCE 2001-12 ACCEPTING ANNEXATION ON APPLICATION OF THE OWNER OF CERTAIN PROPERTY CONTAINING 29.376 ACRES LOCATED IN DEERFIELD TOWNSHIP TO THE CITY OF MASON, OHIO

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

Scot Lahrmer stated this legislation is the final step in completing the annexation request by Charles and Virginia Araujo. He explained the County Commissioners approved the annexation on October 24, 2000 and the mandatory 60 day waiting period has been fulfilled. It is now appropriate for the City to officially accept the annexation. This property is located at the eastern terminus of Clover Avenue and abuts the Lawson property on Tylersville Road. This parcel contains 29 acres.

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

A motion to adopt Ordinance 2001-12 was made by Councilmember Muennich, seconded by Vice Mayor Fox. VOTE: ALL YEAS

ORDINANCE 2001-13 ACCEPTING ANNEXATION ON APPLICATION OF THE OWNER OF CERTAIN PROPERTY CONTAINING 11.386 ACRES LOCATED IN DEERFIELD TOWNSHIP TO THE CITY OF MASON, OHIO

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

Scot Lahrmer stated this property is located on the west side of Mason-Montgomery Road and consists of 11.6 acres. It is owned by Richard and Jane Yost. He explained the County Commissioners have approved the annexation and it is now appropriate for the City to accept this property.

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

A motion to adopt Ordinance 2001-13 was made by Vice Mayor Fox, seconded by Councilmember Muennich. VOTE: ALL YEAS

ORDINANCE 2001-14 ACCEPTING ANNEXATION ON APPLICATION OF THE OWNER OF CERTAIN PROPERTY CONTAINING 3.948 ACRES LOCATED IN DEERFIELD TOWNSHIP TO THE CITY OF MASON, OHIO

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

Scot Lahrmer stated the property owners of this annexation are Larry and Jan Jeffers and Don and Ruth Burnside. The total acreage is 3.948 and is located on the west side of Mason-Montgomery Road, north of Bethany Road. The annexation was approved by the County Commissioners on October 31, 2000. He explained the necessary 60 day waiting period has elapsed and it is now appropriate for the City to accept this annexation.

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

A motion to adopt Ordinance 2001-14 was made by Vice Mayor Fox, seconded by Councilmember Muennich. VOTE: ALL YEAS

ORDINANCE 2001-15 ACCEPTING ANNEXATION ON APPLICATION OF THE OWNER OF CERTAIN PROPERTY CONTAINING 3.190 ACRES LOCATED IN DEERFIELD TOWNSHIP TO THE CITY OF MASON, OHIO

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

Scot Lahrmer stated this annexation consists of 3.19 acres and is owned by Jim and Lisa Marlow. It is located on the west side of Mason-Montgomery Road north of Terrace Drive. The County Commissioners have approved this annexation on October 31, 2000 and it is now appropriate for the City to accept this annexation.

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

A motion to adopt Ordinance 2001-15 was made by Vice Mayor Fox, seconded by Councilmember Beck. VOTE: ALL YEAS

ORDINANCE 2001-16 AUTHORIZING THE CITY MANAGER TO EXECUTE AND PRESENT TO THE BOARD OF COUNTY COMMISSIONERS OF WARREN COUNTY A PETITION FOR A CHANGE OF TOWNSHIP BOUNDARIES

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

Scot Lahrmer stated this legislation is necessary to bring the annexed property into Mason Township.

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

A motion to adopt Ordinance 2001-16 was made by Vice Mayor Fox, seconded by Councilmember Davis. VOTE: ALL YEAS

ORDINANCE 2001-17 AUTHORIZING THE CITY MANAGER TO APPROVE A CHANGE ORDER IN THE AMOUNT OF \$33,009.95 TO INCREASE THE CONTRACT OF WRIGHT/SEYFERTH CONSTRUCTION FOR THE ADDITION TO FIRE STATION #52

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

Scott Lahrmer stated the next five ordinances all deal with the change orders necessary to complete the addition to Fire Station #52. He stated the change orders were due to unforeseen unstable soil removed, utility repair at the building's footing, and installing a fire alarm system not covered in the contract. He explained Ordinance 2001-17 is in the amount of \$33,009.95 to Wright/Seyferth Construction. Ordinance 2001-18 is for \$1,869 paid to Cincinnati Air Conditioning. Ordinance 2001-19 is for \$13,962.97 paid to ESI, Inc. Ordinance 2001-20 is for \$1,155 paid to Preferred Fire Protection, Inc. and Ordinance 2001-21 is for \$821.96 paid to John E. Carrigan Plumbing Co. The total for all the change orders is \$50,818.88 or 5% of the total construction costs.

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

A motion to adopt Ordinance 2001-17 was made by Vice Mayor Fox, seconded by Councilmember Beck. VOTE: ALL YEAS

ORDINANCE 2001-18 AUTHORIZING THE CITY MANAGER TO APPROVE A CHANGE ORDER IN THE AMOUNT OF \$1,869.00 TO INCREASE THE CONTRACT OF CINCINNATI AIR CONDITIONING FOR THE ADDITION TO FIRE STATION #52

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

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

A motion to adopt Ordinance 2001-18 was made by Vice Mayor Fox, seconded by Councilmember Muennich. VOTE: ALL YEAS

ORDINANCE 2001-19 AUTHORIZING THE CITY MANAGER TO APPROVE A CHANGE ORDER IN THE AMOUNT OF \$13,962.97 TO INCREASE THE CONTRACT OF ESI, INC. FOR THE ADDITION TO FIRE STATION #52

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

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

A motion to adopt Ordinance 2001-19 was made by Councilmember Davis, seconded by Vice Mayor Fox. VOTE: ALL YEAS

ORDINANCE 2001-20 AUTHORIZING THE CITY MANAGER TO APPROVE A CHANGE ORDER IN THE AMOUNT OF \$1,155.00 TO INCREASE THE CONTRACT OF PREFERRED FIRE PROTECTION, INC. FOR THE ADDITION TO FIRE STATION #52

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

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

A motion to adopt Ordinance 2001-20 was made by Councilmember Davis, seconded by Vice Mayor Fox. VOTE: ALL YEAS

ORDINANCE 2001-21 AUTHORIZING THE CITY MANAGER TO APPROVE A CHANGE ORDER IN THE AMOUNT OF \$821.96 TO INCREASE THE CONTRACT OF JOHN E. CARRIGAN PLUMBING CO. FOR THE ADDITION TO FIRE STATION #52

A motion to read by title only was made by Councilmember Davis, seconded by Vice Mayor Fox. 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 2001-21 was made by Councilmember Davis, seconded by Vice Mayor Fox. VOTE: ALL YEAS

ORDINANCE 2001-22 CREATING THE POSITION OF PART-TIME TRAFFIC MAGISTRATE IN THE MASON MUNICIPAL COURT

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

Eric Hansen stated Judge Batsche is requesting approval of an additional part-time magistrate that would focus on handling traffic cases. The annual salary proposed is \$10,000. Judge Batsche addressed Council and stated he is retiring after 30 years and

thus does not want to make this a permanent position. He stated he prefers to allow his predecessor to control that decision. Eric stated the caseload has increased by 1,467 additional cases over 1999. The cost for the new position would be split 60/40 between the City and the County.

Councilmember Beck moved to amend the Ordinance to state the position would be terminated on March 31, 2002. Councilmember Davis seconded the amendment.

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

A motion to adopt Ordinance 2001-22 as amended was made by Councilmember Davis, seconded by Councilmember Muennich. VOTE: ALL YEAS

ORDINANCE 2001-23 CREATING THE POSITION OF HUMAN RESOURCES TECHNICIAN AND ESTABLISHING COMPENSATION

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

Eric Hansen explained to Council due to the growth in the number of people the City employs, the legal compliance requirements, the recruitment responsibilities and other projects the Human Resources Department is responsible for, it is necessary to create the position of Human Resources Technician to allow the City to keep up with the demands. This position was included in the 2001 Budget and approved by the Finance Committee.

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

A motion to adopt Ordinance 2001-23 was made by Councilmember Davis, seconded by Councilmember Beck. VOTE: ALL YEAS

ORDINANCE 2001-24 CREATING THE POSITION OF INFORMATION TECHNOLOGY MANAGER AND ESTABLISHING COMPENSATION

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

Eric Hansen explained to Council the need to create the position of Technology Manager exists due to the City's need to utilize increasingly sophisticated systems. He further explained significant resources are currently spent maintaining the electronic systems necessary to operate the City. As part of the 2001 Budget process, this position was recommended by the Finance Committee and included in the budget.

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

A motion to adopt Ordinance 2001-24 was made by Councilmember Muennich, seconded by Councilmember Davis. VOTE: ALL YEAS

ORDINANCE 2001-25 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH NO-ONE, INC. FOR A CONCERT PERFORMED BY HERMAN'S HERMITS AT PINE HILL LAKE PARK

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

Scot Lahmer stated this legislation is necessary to provide entertainment for the July fourth concert. The cost for the contract with Herman's Hermits is \$12,500 with the City being responsible for other expenses such as sound, lighting and accommodations. The concert will actually be held on July 1, 2001 and fireworks will be present.

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

A motion to adopt Ordinance 2001-25 was made by Vice Mayor Fox, seconded by Councilmember Davis. VOTE: ALL YEAS

ORDINANCE 2001-26 AMENDING THE CODE OF ORDINANCES OF THE CITY OF MASON, OHIO, TO RESCIND CHAPTER 1305 FLOOD HAZARDS AND ENCATING NEW CHAPTER 1169 FLOODPLAIN OVERLAY DISTRICT AND FLOODPLAIN MANAGEMENT REGULATIONS AND AMENDING ZONING CODE SECTIONS 1105.3(m), 1109.2, 11113.4(i), 1121, 1133.75 AND 1135.1

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

A Public Hearing was scheduled for February 26, at approximately 7:05 during the regular Council meeting.

CITY MANAGER'S REPORT

Property valuations for Warren County have been received and Mason's valuation is the highest with \$710,086,410.

A work session has been scheduled with Council for January 29, 2001 at 6:00 p.m. at Mason Christian Village.

COMMUNITY REINVESTMENT AREA #13 APPLICATION-COMMUNITY OPTIONS, INC.

Councilmember Davis excused herself from the room at this time stating a conflict of interest.

Michele Blair addressed Council and stated the City has an opportunity to retain a local business that wishes to expand. Community Options is the name of the company and it provides assisted living services to mentally handicapped adults and developmentally disabled children. Their service region extends over a multi-county area. They have a need to expand to a 12600 sq ft. facility and have considered Mason, Deerfield Township and Butler County. The Company's planned facility will contribute a total capital investment valued at over one million dollars. Rhonda Inderhees, Director of Human Resources and Paul Katzman, Accountant, addressed Council and explained the type of clients they serve. She also stated the firm has two sister organizations, Community Concepts and Community Directions. The firm has grown over 30% in 5 years. Michele Blair stated the Economic Development Committee has reviewed this proposal and recommends granting an abatement under the Community Reinvestment Area Program a 100% of real property improvements for 7 years on the value of the new building contingent upon annual compensation being paid to the Mason City School District.

A motion to approve a 100% abatement on the real property improvements for 7 years contingent upon payments being made to the Mason City School District was made by Councilmember Muennich, seconded by Councilmember Beck. VOTE: ALL YEAS (5)

Councilmember Davis rejoined the meeting at this time.

COMMITTEE REPORTS

Councilmember Fox stated the Park Board has received a request with twenty signatures for a Skate Board Area.

Councilmember Beck stated the Veteran's Memorial Committee has adopted a mission statement and created three subcommittees. Fundraising is chaired by John Roemisch, Building and Design is chaired by Cay Steinhauer, and Education is chaired by Bob Miller.

Mayor McCurley stated the Building Committee has been meeting on the new Government Center. Interior design has been addressed and it is projected the building will be open in August of 2002. The Building Committee will soon be bringing it to Council.

COUNCIL OLD AND NEW BUSINESS

The status of the Bethany Road improvement in front of the Michelin Tire Plant was requested. Richard Fair stated the developer wanted additional funds. The City refused and is now waiting on the developer to begin. He will contact the developer.

The title given to an article in the *Cincinnati Enquirer* was very misleading and unflattering. The article content was not objectionable. It dealt with the topic of Deerfield Township's appeal of the court's ruling on the water tower site. It was stated this appears to be frivolous and the City should look into recouping any expense associated with this. Currently the City is waiting on a Zoning permit from the Township. They have denied it and it has been referred to the Township Zoning Board of Appeals. That board has asked for additional information.

Councilmember Beck attended the DARE graduation. He stated 125 students participated and it is a worthy program to support.

The Warren County Municipal League is looking into a Countywide Economic Development effort and would like a letter of support from the member municipalities. A motion to support the effort was made by Councilmember Beck, seconded by Councilmember Muennich. VOTE: ALL YEAS

The status of the road improvement at US RT 42 and Butler Warren Road was requested. Richard Fair stated the County has agreed to be the lead agency on this project. They will seek approval from five different jurisdictions. The cost to the City of Mason will be approximately \$10,000.

The question of how the property taxes that go to the county are spent was asked. It was stated the Commissioners have refused to spend any dollars on parkland in the City of Mason. Jennifer Trepal addressed Council and stated for each dollar paid the city receives five cents. It was stated the County pays for township roads, subsidizes police and receives the sales tax from our area. What do we get for it?

Mayor McCurley stated he received a letter from John Richardson asking Council for recognition of an Eagle Scout.

Mayor McCulrey stated the accomplishments of 2000 included the following:

- Tylersville Road Improvement
- Community Center/High School project
- Mason-Montgomery Road beautification project
- I&O Railroad trestle project
- Expansion of water supply to relieve the aquifer
- Heritage Oak Park Expansion
- Sewer System Improvements

He stated projects he sees for next year include the following:

- Downtown Plan proposal
- Update of Comprehensive Plan
- Improving Water Pressure

Mason-Montgomery Road Widening
Break ground for the new City Building

Retain the Tennis Master Series.

He thanked City Council for their hard work and thanked an excellent Administration for being able to accomplish so much.

Councilmember Muennich addressed the matter of taxes for senior citizens on fixed incomes. He requested the City look into the matter and see if anything can be done to alleviate the problem.

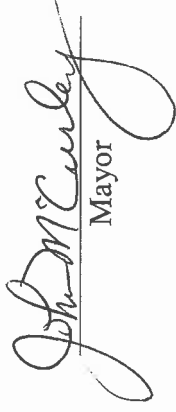
AUDIENCE COMMENTS

None

ADJOURN

A motion to adjourn was made by Councilmember Muennich, seconded by Vice Mayor
Fox. VOTE: ALL YEAS
TIME: 8:59 p.m.


Clerk of Council


Mayor