

**CITY OF MASON
COUNCIL MEETING
APRIL 9, 2001**

The meeting was called to order by Mayor McCurley at 7:05 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 March 26, 2001 Council meeting was made by Councilmember Muennich, seconded by Councilmember Davis. VOTE: ALL YEAS

A motion to approve the minutes of the April 3 Work Session was made by Councilmember Staten, seconded by Vice Mayor Fox. VOTE: ALL YEAS

PRESENTATION OF TREE CITY PROCLAMATION

Mayor McCurley read the Proclamation recognizing April 28, 2001 as Arbor Day. Kevin Jones represented the Tree Committee and thanked Council for their support. He stated tree seedlings would be given away after the Earth Walk again this year. He also stated there would be six 1-½ inch caliber trees raffled off to six lucky residents that enter the drawing. To further involve the school age children, he stated the Tree Committee is holding a contest with the fifth graders at the Mason Intermediate School on projects dealing with the theme “if trees could talk”. The winning class receives a pizza party and a tree planted in their honor.

PRESENTATION OF PROCLAMATION FOR GRANGE WEEK

Mayor McCurley read the Proclamation recognizing Grange Week and presented it to Francis Gilbert, Lydia Zachman, Gladys Weller and John Steiner.

COMMUNITY REINVESTMENT AREA #4

Michele Blair introduced Mr. Bill DiGrezio, Vice President of Operations and Kathy Clark, Public Relations Manager for LensCrafters. Mr. DiGrezio stated after an extensive search, Mason was the clear choice to locate their new corporate headquarters. Michele Blair stated LensCrafters would be the third largest firm in the City of Mason. She stated the Economic Development Committee has reviewed the abatement proposal and is recommending abatement under the Community Reinvestment Area Program of 100% on real property for 15 years. This is contingent on the firm making an annual compensation payment to the Mason School District for the term of the abatement.

Michele further stated LensCrafters would generate over \$10 million in tax revenues back to the community over this period.

A motion to approve this abatement was made by Councilmember Davis, seconded by Councilmember Beck. VOTE: ALL YEAS

RECOGNITION OF VISITORS

Francis Gilbert of 210 W. Main Street thanked the members of the City Administration and the Mayor for attending the dinner on Friday evening. She stated the Grange is the oldest fraternal organization in the City of Mason. Its origin dates back to 1908. She stated it is open to anyone regardless of religious affiliation or age. The meetings are held on the first and third Friday evenings of the month at 8:00 p.m. at 209 N. Mason-Montgomery Road.

ORDINANCE 2001-52 ACCEPTING PUBLIC IMPROVEMENTS FOR HERITAGE CLUB SUBDIVISION, SECTIONS 1, 2, 3, 4, 5 AND 8, AND RELEASING THE PERFORMANCE BONDS

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

Richard Fair explained to Council the purpose of this legislation is to accept the public improvements of Heritage Club, Sections 1, 2, 3, 4, 5 and 8. He stated once accepted, they become the responsibility of the city to maintain. The Public Utilities, Public Works and Engineering Departments have inspected the improvements and recommend approval contingent upon the submission of a one-year maintenance bond.

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

The motion to adopt Ordinance 2001-52 was made by Councilmember Davis, seconded by Councilmember Beck. VOTE: ALL YEAS

ORDINANCE 2001-53 APPROVAL OF THE FINAL PLAT OF HIGH TECH CENTER OF WHITE BLOSSOM

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 has been requested by the developer for the purpose of consolidating two existing lots into one. This ordinance also dedicates 10 feet of right-of-way along Socialville-Fosters Road and establishes a detention easement. He added Planning Commission recommends approval.

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

The motion to adopt Ordinance 2001-53 was made by Vice Mayor Fox, seconded by Councilmember Muennich. VOTE: ALL YEAS

ORDINANCE 2001-54 APPROVING REPLAT OF EAGLE VIEW VILLAGE, SECTION TWO, PHASE 27, LOTS 229-232

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

Richard Fair stated the developer requests this legislation so that he will be able to market the individual condominium units.

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

The motion to adopt Ordinance 2001-54 was made by Vice Mayor Fox, seconded by Councilmember Davis. VOTE: ALL YEAS

ORDINANCE 2001-55 PROVIDING FOR THE ISSUANCE OF \$1,550,000 OF ROAD IMPROVEMENT BOND ANTICIPATION NOTES BY THE CITY OF MASON, OHIO IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF WIDENING AND IMPROVING TYLERSVILLE ROAD AND STITT ROAD IN THE CITY

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

Scot Lahrmer stated the City's \$1.7 million Road Improvement Bond Anticipation Notes, which were issued on June 1, 2000, would mature on May 31. He explained the purpose of this legislation is to reissue the notes to fund the project. He stated the City paid \$150,000 this year towards the project, which reduces our debt to \$1,550,000. Staff recommends approval. A general discussion followed among Council. Mayor McCurley asked if the road could be opened as soon as possible to alleviate the traffic congestion in this area. Richard Fair explained the State of Ohio is the lead on this project and in control of when it opens.

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

The motion to adopt Ordinance 2001-55 was made by Councilmember Davis, seconded by Vice Mayor Fox. VOTE: ALL YEAS

ORDINANCE 2001-56 AUTHORIZING THE CITY MANAGER TO ACQUIRE PERMANENT TAKES AND TEMPORARY CONSTRUCTION EASEMENTS FOR THE MASON-MONTGOMERY ROAD WIDENING PROJECT

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

Scott Lahmer explained this legislation is a result of the negotiations conducted for the purpose of securing the necessary right-of-way to widen Mason-Montgomery Road. A total of ten parcels have concluded negotiations with a resulting cost to the City of \$109,525. Scot further explained that several other property owners have agreed to sell and legislation for those will be presented to Council in the future. Staff recommends approval so the project can proceed.

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

The motion to adopt Ordinance 2001-56 was made by Vice Mayor Fox, seconded by Councilmember Staten. VOTE: ALL YEAS

ORDINANCE 2001-57 AUTHORIZING THE CITY LAW DIRECTOR TO FILE PETITIONS FOR THE APPROPRIATION OF PROPERTIES NECESSARY FOR THE MASON-MONTGOMERY ROAD WIDENING PROJECT, DETERMINING PUBLIC EXIGENCY AND DECLARING AN EMERGENCY (DAPP)

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

Scott Lahmer explained to Council the following Ordinances 2001-57, 58, 59, and Resolutions 2001-7,8,9,10,11, 12 and 13 authorize the Law Director to file petitions for appropriations of properties and declaring the necessity and intention to appropriate property for the widening of Mason-Montgomery Road. He stated not all property owners have been receptive to the offers presented to them for the right-of-way acquisition necessary for the road widening. Approximately ten owners remain undecided at this time or refuse any commitment. The City's consultants handling this matter will continue to negotiate, however, this legislation allows the Law Director to continue to move forward on the project by appropriating the properties if necessary. He further stated Ordinance 2001-57 approves the cost of \$263,420; Ordinance 2001-58 approves the cost of \$218,300; Ordinance 2001-59 approves the cost of \$74,486. The following lists the approved costs for the Resolutions: Resolution 2001-7----\$3,830; Resolution 2001-8---\$980; Resolution 2001-9---\$12,085; Resolution 2001-10---\$2,515; Resolution 2001-11---\$15,100; Resolution 2001-12---\$6,315 and Resolution 2001-13---\$980.

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

The motion to adopt Ordinance 2001-57 was made by Councilmember Muennich, seconded by Vice Mayor Fox. VOTE: 6 YEAS, 1ABSTAIN (Beck)

ORDINANCE 2001-58 AUTHORIZING THE CITY LAW DIRECTOR TO FILE PETITIONS FOR APPROPRIATION OF PROPERTIES NECESSARY FOR THE MASON-MONTGOMERY ROAD WIDENING PROJECT, DETERMINING PUBLIC EXIGENCY AND DECLARING AN EMERGENCY (REBER AUTO BODYAND REPAIR, INC.)

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

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

The motion to adopt Ordinance 2001-58 was made by Councilmember Davis, seconded by Councilmember Staten. VOTE: 6 YEAS, 1 ABSTAIN (Beck)

ORDINANCE 2001-59 AUTHORIZING THE CITY LAW DIRECTOR TO FILE PETITIONS FOR THE APPROPRIATION OF PROPERTIES NECESSARY FOR THE MASON-MONTGOMERY ROAD WIDENING PROJECT, DETERMINING PUBLIC EXIGENCY AND DECLARING AN EMERGENCY (FAVARON)

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 Davis, seconded by Vice Mayor Fox. VOTE: ALL YEAS

The motion to adopt Ordinance 2001-59 was made by Councilmember Davis, seconded by Vice Mayor Fox. VOTE: ALL YEAS

RESOLUTION 2001-7 DECLARING THE NECESSITY AND INTENTION TO APPROPRIATE PROPERTY FOR THE MASON-MONTGOMERY ROAD WIDENING PROJECT AND DECLARING AN EMERGENCY (JANE HONERLAW)

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 Davis, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

The motion to adopt Resolution 2001-07 was made by Councilmember Davis, seconded by Vice Mayor Fox. VOTE: ALL YEAS

RESOLUTION 2001-8 DECLARING THE NECESSITY AND INTENTION TO APPROPRIATE PROPERTY FOR THE MASON-MONTGOMERY ROAD WIDENING PROJECT AND DECLARING AN EMERGENCY (THEODORE AND TONYA HONERLAW)

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 Davis, seconded by Councilmember Staten. VOTE: ALL YEAS

The motion to adopt Resolution 2001-08 was made by Councilmember Davis, seconded by Vice Mayor Fox. VOTE: ALL YEAS

RESOLUTION 2001-9 DECLARING THE NECESSITY AND INTENTION TO APPROPRIATE PROPERTY FOR THE MASON-MONTGOMERY ROAD WIDENING PROJECT AND DECLARING AN EMERGENCY (MINK)

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

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

The motion to adopt Resolution 2001-09 was made by Councilmember Davis, seconded by Councilmember Staten. VOTE: 6 YEAS, 1 ABSTAIN (Beck)

RESOLUTION 2001-10 DECLARING THE NECESSITY AND INTENTION TO APPROPRIATE PROPERTY FOR THE MASON-MONTGOMERY ROAD WIDENING PROJECT AND DECLARING AN EMERGENCY (POLICICCHIO)

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

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

The motion to adopt Resolution 2001-10 was made by Councilmember Davis, seconded by Councilmember Staten. VOTE: ALL YEAS

RESOLUTION 2001-11 DECLARING THE NECESSITY AND INTENTION TO APPROPRIATE PROPERTY FOR THE MASON-MONTGOMERY ROAD WIDENING PROJECT AND DECLARING AN EMERGENCY (RICHARDSON)

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 Davis, seconded by Councilmember Muennich. VOTE: ALL YEAS

The motion to adopt Resolution 2001-11 was made by Councilmember Davis, seconded by Councilmember Muennich. VOTE: ALL YEAS

RESOLUTION 2001-12 DECLARING THE NECESSITY AND INTENTION TO APPROPRIATE PROPERTY FOR THE MASON-MONTGOMERY ROAD WIDENING PROJECT AND DECLARING AN EMERGENCY (WILBERDING)

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 Vice Mayor Fox. VOTE: ALL YEAS

The motion to adopt Resolution 2001-12 was made by Councilmember Davis, seconded by Councilmember Beck. VOTE: ALL YEAS

RESOLUTION 2001-13 DECLARING THE NECESSARY AND INTENTION TO APPROPRIATE PROPERTY FOR THE MASON-MONTGOMERY ROAD WIDENING PROJECT AND DECLARING AN EMERGENCY (WINTERS)

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

The motion to adopt Resolution 2001-13 was made by Councilmember Davis, seconded by Councilmember Muennich. VOTE: ALL YEAS

ORDINANCE 2001-60 AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND ENTER INTO A CONTRACT WITH DUGAN & MEYERS CONSTRUCTION CO., INC. FOR THE CONSTRUCTION MANAGEMENT SERVICES NECESSARY FOR THE NEW MUNICIPAL BUILDING.

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

Eric Hansen gave a brief overview of the steps the City has taken in preparation to build a new municipal building. He stated on March 23 three companies submitted bids to serve as the City's Construction Manager under a GMP structured bid for the new center. Dugan & Meyer's bid was the one selected by the City's architect, MSA, Employee Core Building Committee, and Council Building Committee. He further stated with this

legislation, the City Manager is authorized to enter into a contract not to exceed \$981,751 for construction management services. Dugan & Meyer's guaranteed maximum price for the new municipal building is \$19,882,888. It was suggested by Council that a plan or presentation be included at the next Council meeting so residents viewing the meeting on ICRC can have more information.

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

The motion to adopt Ordinance 2001-60 was made by Councilmember Davis, seconded by Councilmember Muennich. VOTE: ALL YEAS

CITY MANAGERS REPORT

The City Council and the Chamber of Commerce will hold their regularly scheduled meeting on April 30, 2001 at 5:00 p.m. at Basco. This meeting is open to the public.

The spring issue of *Mason Matters* will be sent to residents the week of April 16.

The Chamber will hold its Annual Auction on May 3, 2001. The City has donated a fishing pass and a family swimming pool pass for this event in the past. A motion to repeat the donation this year was made by Councilmember Muennich, seconded by Councilmember Davis. VOTE: ALL YEAS

COMMITTEE REPORTS

Councilmember Beck reported the Economic Development Committee met to discuss future opportunities. He also stated the Veteran's Memorial Committee continues to meet to move the project forward. Councilmember Pelfrey read a letter sent by Dr. Tom Fox when he served on the USS Topeka. She stated she is working on gathering information on local veterans and welcomed any resident's assistance.

Councilmember Staten stated the Planning Commission reviewed three projects this month. They include the Church of Christ, Wall to Wall Soccer and Tyler Office Park. The Commission tabled the Tyler Office Park project.

Mayor McCurley stated the Farmers Market idea has been discussed and requested City Administration to gather information from other communities.

COUNCIL OLD AND NEW BUSINESS

Councilmember Muennich inquired about the status of the cemetery project and the improvement to the intersection of RT 42 at Butler Warren Road. He requested an Ad Hoc Fire Committee meeting be scheduled as soon as possible.

It was noted by Mayor McCurley the City would have new reporters in the future as Michael Pitman from The Pulse Journal and Kevin Aldridge have accepted new assignments. He thanked them for their time covering the City of Mason.

Councilmember Staten requested information regarding when Bethany Road would be improved and the hill taken out. Richard Fair responded the City would be in charge of doing the work. He stated the road will be smoothed out and ditching work will be done.

Councilmember Beck asked if the staff would check out the intersection of U.S. 42 at Western Row Road. He stated semi-trucks cannot make that turn without blocking the entire intersection.

Mayor McCurley suggested Councilmembers start a new practice of a walk-about to view some of the City's projects. He stated it would be beneficial to get into the neighborhoods. Also, The Mayor's Prayer Breakfast will be held on May 3 at 7:00 a.m. at the Shaker Run Golf Course Clubhouse.

Mayor McCurley reminded everyone May 8, 2001 is Election Day. He stated there is a school levy on the ballot. He asked people to remember what the schools have done for our community. They have improved property values and have been a positive symbol for the area.

RECOGNITION OF VISITORS

None

EXECUTIVE SESSION: LAND ACQUISITION AND LITIGATION

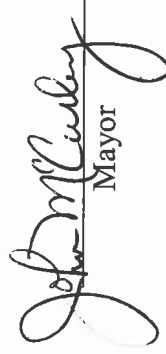
A motion to adjourn into executive session for the purpose of discussing land acquisition and litigation was made by Councilmember Davis, seconded by Councilmember Beck.
VOTE: ALL YEAS

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: 9:30 P.M.


Clerk of Council


Mayor