

**CITY OF MASON  
COUNCIL MEETING  
July 23, 2001**

The meeting was called to order by Vice Mayor Fox at 7:11 p.m.

**ROLL CALL**

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

**APPROVAL OF MINUTES**

A motion to approve the minutes of the July 9, 2001 Council Meeting was made by Councilmember Muennich, seconded by Councilmember Beck. VOTE: ALL YEAS

A motion to approve the minutes of the July 12, 2001 Council Worksession was made by Councilmember Pelfrey, seconded by Councilmember Muennich. VOTE: 4 YEAS, 1 ABSTAIN (Staten)

**SWEARING IN OF POLICE OFFICER SCOTT BURDICK**

Chief Ferrell introduced Scott Burdick who was then sworn in as a City of Mason Police Officer by Vice Mayor Fox

**RECOGNITION OF VISITORS**

Scot Lahmer gave a brief description of the current situation regarding the storm water problems the City experienced as a result of the storm on July 17. He stated the City received over 6 inches in one hour and very few areas of the City were not affected. He said the City is proactively responding to residents and assisting in the removal of debris. He asked residents that experienced damage to notify the City as a list is being created to seek government assistance. Scot stated Representative Raga has contacted the Governor's office and requested assistance for this area. Scot also mentioned the offices at the sewer plant flooded.

Frank Young, Director of Warren County Department of Emergency Services, addressed Council and stated the current damage assessment for Warren County is 2 homes were destroyed, 25 homes experienced major damage, 63 minor damage and 200-300 homes were affected. He explained these numbers were obtained by working with the Red Cross. He said he is cautiously optimistic residents will see some assistance.

Ron Barrett of 207 Kings Mill Road addressed Council and stated he has not notified the Red Cross of his water damage situation, as he has been busy dealing with it. He questioned the accuracy of the numbers the County is working with on attempting to get assistance. Frank Young stated the numbers are also taken from other sources such as

local government reports. Mr. Gary Mantello of 6137 Villas Creek Circle addressed Council and stated the Red Cross did a walk through of his property but nothing was written down. He reported he had over 19 inches of rain in his home, which resulted in over \$10,000 worth of damage. Mr. Len Blum of 604 Bunker Lane addressed Council and asked where people would go to apply for assistance. Mr. Young replied the information will be forwarded to the City and a temporary office will be established. There will be an 800 phone number. Mr. Blum asked if the entire County had to be declared a state of emergency and Mr. Young replied no. He stated the terms of payback and the loan amounts vary with each situation. He stated they cover all uninsured storm related losses. Mr. Blum suggested *Mason Matters* cover the Stormwater Master Plan as thoroughly as they do the road improvements. Ron Barrett of 207 Kings Mill Road said in 1996 the City experienced a lot of rain, in 1997 cars were floating in the Kings Island parking lot due to a heavy rain. He said it is happening more frequently and he is concerned about the construction of the new school and recreation center allowing more rainwater to come on his property and threaten the damn. He stated the damn is in a weakened state and the retention or detention ponds on the construction sites are not adequate to resolve the situation. He said the City told him there were four ponds on the new site and he only saw two. He also stated he cancelled his flood insurance after being notified by the City he was no longer in the flood plain. Mr. Stevens of 302 Northcrest Drive addressed Council and thanked the City for the work they did to alleviate the flooding situation he was experiencing. He said water still floods the area across the street and asked if that could be added to the Stormwater Utility Plan.

**ORDINANCE 2001-95 AMENDING THE ZONING CODE AND ZONING MAP OF THE CITY OF MASON, OHIO, TO PROVIDE FOR THE REZONING OF APPROXIMATELY 8.3 ACRES FROM I-1 TO INDUSTRIAL PUD AND APPROVAL OF THE CONCEPT PLANNED UNIT DEVELOPMENT PLAN FOR LOT 10 OF TRI-WAY INDUSTRIAL PARK (REALISTIC ENTERPRISES)**

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

The public hearing was opened at 8:04 p.m. Richard Fair explained to Council the owner is proposing to rezone the property from I-1 to Industrial PUD. He said the concept plan includes five buildings ranging in size from 7800 to 10,200 square feet. The proposed use is a combination of office light manufacturing and associated warehousing space. He also said the applicant is proposing two access points onto Hi-Tek Court, one on the end of the cul-de-sac and one on the east side of the property. There were no comments from visitors either for or against this proposal. The public hearing was closed at 8:07 p.m.

A motion to adopt Ordinance 2001-95 was made by Councilmember Staten, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

**ORDINANCE 2001-104 AUTHORIZING THE CITY MANAGER TO PROVIDE UP TO \$37,333 FOR THE TERM OF DECEMBER 6, 2000 THROUGH DECEMBER 5, 2001 TO THE SOUTHWEST OHIO REGIONAL TRANSIT AUTHORITY (SORTA) FOR THE JOB ACCESS REVERSE COMMUTE PROGRAM THROUGH THE FEDERAL TRANSIT AUTHORITY**

Vice Mayor Fox requested this legislation be tabled until the August 13, 2001 Council Meeting. Councilmember Staten moved to table until the August 13, meeting. The motion was seconded by Councilmember Beck. VOTE: ALL YEAS

**ORDINANCE 2001-129 AMENDING THE ZONING CODE AND ZONING MAP OF THE CITY OF MASON, OHIO, TO PROVIDE FOR THE REZONING OF APPROXIMATELY 22.7 ACRES FROM R-1 TO RESIDENTIAL PUD AND APPROVAL OF THE CONCEPT PLANNED UNIT DEVELOPMENT PLAN FOR THE ROSEMONT SUBDIVISION AKA ARAUJO PROPERTY**

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

Vice Mayor Fox stated a public hearing will be held on this legislation at the August 13, 2001 meeting at approximately 7:05 p.m.

**ORDINANCE 2001-130 ADOPTING THE 2001 BICYCLE AND PEDESTRIAN WAY MASTER PLAN**

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

Vice Mayor Fox stated a public hearing will be held on this legislation at the council meeting held on August 13, 2001 at approximately 7:10 p.m.

John Taylor of 4933 Laurel Wood Court addressed Council and asked if he could find out the details on this master plan. Scot Lahmer stated a copy will be in the Clerk's office and available for residents to view. Mr. Taylor stated he thought an article should appear in *Mason Matters* so more residents will see it. He is concerned the public won't be informed. Vice Mayor Fox stated a legal advertisement will appear in the paper announcing the public hearing.

**ORDINANCE 2001-131 CREATING THE POSITION OF COMMUNITY CENTER MANAGER IN THE CITY OF MASON PARKS & RECREATION DEPARTMENT**

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

Eric Hansen explained to Council the creation of the Community Center Manager is considered a professional administrative and leadership position necessary to provide the organization, coordination and direction for the Community Center's operation. He listed the various responsibilities this position will have and stated it will report to the Director of Parks and Recreation. He added the creation of a Community Center Manager position will allow the City to be prepared for the addition of a major facility, ensure that City interests are protected, and provide effective management of one of the largest recreation facilities in this region.

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

A motion to adopt Ordinance 2001-131 was made by Councilmember Staten, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

**ORDINANCE 2001-132 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT TO PURCHASE WITH ADOLPH F. BIEHLE AND BEVERLY O. BIEHLE, TRUSTEES OF THE BIEHLE FAMILY TRUST FOR THE ACQUISITION OF APPROXIMATELY 102 ACRES IN MASON, OHIO**

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

Scot Lahrmer explained to Council that due to careful planning the City has been able to provide consistent water and wastewater services for residents and businesses and at the same time accommodate the rapid rate of growth. This is due largely to the Wastewater System Master Plan that originated in 1992 and was updated in 1999. The update analyzed several options for consideration to maintain this level of service. The options considered were to build and operate a second plant, try to expand the existing plant or relocating the entire plant. Scot explained the third option of relocating the entire plant offered numerous advantages. The annual operating expenses are lowest if a single plant is maintained, and a single NPDES permit also reduces monitoring and compliance expenses while improving process control. Moving the plant to a larger parcel of land would allow for future expansions, reduce the plant's current visibility and allow for the sale of the current plant on US 42, a highly traveled corridor into the City. Scot stated Ordinance 2001-132 allows for the purchase of property to accommodate the new plant at a cost of \$29,000 per acre or \$2,958,000 total purchase price. Ordinance 2001-133 authorizes a not to exceed \$1,526,800 contract to Finkbeiner, Pettis & Strout, Inc. for engineering services to design the new water reclamation plant. Scot also stated this will save the City approximately three million dollars as it removes the need for a new pumping station.

Councilmember Staten said he supports both ordinances and stated the new location is beneficial because it is outside the flood plain.

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

A motion to adopt Ordinance 2001-132 was made by Councilmember Pelfrey, seconded by Councilmember Beck. VOTE: ALL YEAS

**ORDINANCE 2001-133 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH FINKBEINER, PETTIS & STROUT, INC. FOR DESIGN SERVICES NECESSARY FOR THE NEW WATER RECLAMATION FACILITY**

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

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

A motion to adopt Ordinance 2001-133 was made by Councilmember Pelfrey, seconded by Councilmember Beck. VOTE: ALL YEAS

**ORDINANCE 2001-134 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH SOUTHWEST REGIONAL PARAMEDICS, INC. FOR TEMPORARY EMS PERSONNEL**

A motion to read by title only was made by Councilmember Staten, seconded by Councilmember Pelfrey. VOTE: 4 YEAS, 1 NAY (Muennich)

Ken Schneider, Law Director, read the Ordinance in full.

A motion to suspend the rule was made by Councilmember Staten, seconded by Councilmember Beck. VOTE: 4 YEAS, 1 NAY (Muennich)

This meeting will serve as a first reading for Ordinance 2001-134. The second reading will be held at the August 13, 2001 meeting.

**ORDINANCE 2001-135 CREATING SIX POSITIONS OF PARAMEDIC AND FIREFIGHTER IN THE MASON FIRE DEPARTMENT AND ESTABLISHING COMPENSATION**

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

Eric Hansen explained the Fire Organization Committee of Council is recommending the passage of Ordinances 2001-134 and 135 to help alleviate the City's difficulty in finding people to fill the necessary shifts. He explained this will eliminate the need to ask for

excessive overtime hours from the existing members of the department. The Committee feels this is a top priority as they work through the issues of reorganizing the department.

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

A motion to adopt Ordinance 2001-135 was made by Councilmember Muennich, seconded by Councilmember Staten. VOTE: ALL YEAS

Councilmember Muennich stated he does not support spending money to hire outside people when the money should be spent on our own people. He also stated he feels hiring a new Fire Chief is a top priority.

**ORDINANCE 2001-136 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH STEPHEN GROSS & SONS, INC. FOR THE GENERAL TRADES WORK NECESSARY FOR THE NEW MASON MUNICIPAL CENTER**

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

Eric Hansen explained to Council Ordinances 2001-136 through 142 award contracts to various firms for the performance of work necessary in the construction of the municipal center. Ordinance 143 and 144 reject the June 19<sup>th</sup> bid and accept the July 16<sup>th</sup> bid for the carpet. Eric stated the costs of the contractual obligations is as follows:

Ord 2001-136 General Trades	Stephen Gross	\$2,998,000
Ord 2001-137 Roofing	Kalkreuth Roofing	\$766,756
Ord 2001-138 Windows	Greenville	\$383,400
Ord 2001-139 Painting	Apollon	\$184,700
Ord 2001-140 HVAC	Langdon Inc.	\$1,495,000
Ord 2001-141 Landscape	Jeffery Allen Corp.	\$169,940
Ord 2001-142 Fountain	Cost of Wisconsin	\$410,000
Ord 2001-144 Carpet	Shaw Contract	\$242,120

Eric stated the Employee Building Team, in conjunction with MSA and Dugan and Meyer have reviewed these bids, contractors' references and work history and are recommending accepting the bids. Greg Nichols, acting as the owner's representative on this project, explained the elevator bids were not satisfactory as only one bid was received; thus the City will re-bid it. The carpet bid is being rejected with Ordinance 2001-143. This was re-bid and as a result was reduced by \$2,000. The total project excluding the elevator bid remains \$1.9 million under budgeted base bid estimates. Councilmember Beck asked if there is retainage on these contracts. Scot Lahmer responded yes 10% on labor cost.

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

A motion to adopt Ordinance 2001-136 was made by Councilmember Muennich, seconded by Councilmember Staten. VOTE: ALL YEAS

**ORDINANCE 2001-137 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH KALKREUTH ROOFING AND SHEET METAL, INC. FOR THE ROOFING WORK NECESSARY FOR THE NEW MASON MUNICIPAL CENTER**

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

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

A motion to adopt Ordinance 2001-137 was made by Councilmember Muennich, seconded by Councilmember Staten. VOTE: ALL YEAS

**ORDINANCE 2001-138 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH GREENVILLE GLASS COMPANY, INC. FOR THE WINDOWS NECESSARY FOR THE NEW MASON MUNICIPAL CENTER**

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

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

A motion to adopt Ordinance 2001-138 was made by Councilmember Beck, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

**ORDINANCE 2001-139 AUTHORIZING THE CITY MANGER TO ENTER INTO A CONTRACT WITH APOLLON PAINTING COMPANY FOR THE PAINTING WORK NECESSARY FOR THE NEW MASON MUNICIPAL CENTER**

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

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

A motion to adopt Ordinance 2001-139 was made by Councilmember Muennich, seconded by Councilmember Beck. VOTE: ALL YEAS

**ORDINANCE 2001-140 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH LANGDON INC. FOR THE HVAC SYSTEM NECESSARY FOR THE NEW MASON MUNICIPAL CENTER**

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

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

A motion to adopt Ordinance 2001-140 was made by Councilmember Pelfrey, seconded by Councilmember Muennich. VOTE: ALL YEAS

**ORDINANCE 2001-141 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH JEFFREY ALLEN CORPORATION FOR THE LANDSCAPING WORK NECESSARY FOR THE NEW MASON MUNICIPAL CENTER**

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

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

A motion to adopt Ordinance 2001-141 was made by Councilmember Muennich, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

**ORDINANCE 2001-142 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH COST OF WISCONSIN INC. FOR THE FOUNTAIN NECESSARY FOR THE NEW MASON MUNICIPAL CENTER**

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

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

A motion to adopt Ordinance 2001-142 was made by Councilmember Muennich, seconded by Councilmember Staten. VOTE: ALL YEAS

**ORDINANCE 2001-143 REJECTING ALL BIDS FOR THE VCT FLOORING AND CARPETING NECESSARY FOR THE NEW MASON MUNICIPAL CENTER**



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

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

A motion to adopt Ordinance 2001-143 was made by Councilmember Muennich, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

**ORDINANCE 2001-144 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH SHAW CONTRACT FLOORING FOR THE VCT AND CARPETING FLOORING NECESSARY FOR THE NEW MASON MUNICIPAL CENTER**

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

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

A motion to adopt Ordinance 2001-144 was made by Councilmember Muennich, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

**CITY MANAGER'S REPORT**

A request has been received for the City to donate \$5,000 to the Heritage Festival. The City has supported this in the past however, this is an increased amount. Councilmember Pelfrey moved to support the Heritage Festival with a \$5,000 donation. Councilmember Muennich seconded the motion. VOTE: ALL YEAS

Prior to the August 13, 2001 meeting Council will have a walkabout of the Tylersville Road improvement. This will take place at 6:00 p.m.

On September 22 through the 27<sup>th</sup> Eric and Scot will be out of town attending the International City Management Association Conference. A motion to appoint Richard Fair as acting City Manager in their absence was made by Councilmember Muennich, seconded by Councilmember Staten. VOTE: ALL YEAS

**COMMITTEE REPORTS**

Councilmember Beck reported the Economic Development Committee has met and discussed the Job Bus Program. He also stated in response to an article that appeared in the Cincinnati Enquirer regarding tax abatements, the City of Mason's companies that have received abatements are in 100% compliance to the original agreements. He also stated the City reviews this annually.

Councilmember Beck stated the Veteran's Memorial Committee will present their plan to Council at the August 13, 2001 meeting.  
Councilmember Pelfrey reported the Safety Committee has not met but will meet before the August 13, 2001 council meeting.

#### **COUNCIL OLD AND NEW BUSINESS**

Councilmember Muennich stated the property on Kings Mill Road should be reviewed by the City. He stated the City installed a pipe that created the problem. He also asked about the status of the bike path on Tylersville Road. Richard Fair stated the State is working on it. Councilmember Muennich said he also experienced flooding and should be added to the list the City is making.

Councilmember Staten asked about the status of the signal at SR 741. Richard Fair explained the plans are ready to rebid. He stated there is some concern over the number of road improvements jobs currently going on within the City. Councilmember Staten replied it must be done as it is too dangerous. He recommended it be re-bid as soon as possible. He also suggested all plats be marked with storm water easements. He said people have covered up easement areas and it has created flooding problems. Richard Fair stated those easements are required on final plats.

Councilmember Beck stated 414 Kings Mills Road should be added to the list of addresses that experienced flooding. He also stated the access to Lakeview is confusing. The signs are confusing. He announced the City has received a grant for the banners recognizing the Tennis Master Series.

Councilmember Pelfrey mentioned the displays the City will provide for the Heritage Festival. She stated the various departments will participate and invited all residents to stop.

Vice Mayor Fox stated the Tennis Masters Series will take place from August 6-12. He said the attendance is equivalent to two Super Bowls. He also mentioned the Farmers Market which will be held on Saturday at the old Thriftway site from 8-12:00 p.m.

#### **RECOGNITION OF VISITORS**

None

#### **ADJOURN**

A motion to adjourn was made by Councilmember Muennich, seconded by Councilmember Pelfrey. VOTE: ALL YEAS  
TIME: 9:25 p.m.

  
Clerk of Council

  
Mayor