

**CITY OF MASON
COUNCIL MEETING
SEPTEMBER 10, 2001**

ROLL CALL

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

APPROVAL OF MINUTES

A motion to approve the minutes of the August 27, 2001 Council meeting was made by Councilmember Muennich, seconded by Councilmember Davis. VOTE: ALL YEAS

RECOGNITION OF WARREN COUNTY MENTAL HEALTH RECOVERY SERVICES

Brent Lawyer, Associate Director of Warren County Mental Health Recovery Services, addressed Council and explained a levy will appear on the November ballot for the Recovery Services. He explained it is a one- mil levy, which represents 25% of their annual budget. He presented statistics illustrating the large increase in requests the organization has received as a result in the growth of population.

PROMOTION OF ICE CREAM SOCIAL FOR DOWNTOWN REVITALIZATION EFFORT

Linda Fitzgerald of LSR Consultants addressed Council and announced an old fashioned ice cream social will be held on Sunday October 7, 2001 from 2-6:00 p.m. on the lawn by the library. The purpose of this function she stated, is to promote the downtown. Ice Cream was then served to members of Council by ladies dressed in outfits from the Victorian era.

RECOGNITION OF VISITORS

Mr. Ron Barrett of 207 Kings Mill Road addressed Council and stated a questionnaire has been prepared for anyone interested in the stormwater/flooding situation the city experienced in July. He said it will be mailed to anyone interested. He also stated the Small Business Administration has packets available for assistance through their 800 number. He said there are loans and grants available for those in need and he gave his phone number 573-9479 for people to contact him for more information.

Mr. Tom Speed of 3542 Crooked Tree Drive addressed Council and discussed the development of the Zopff property. He said the township has not met since he last appeared before Council. He stated the developer is proceeding. He is aware Warren County has dictated 16 requirements to the developer and one is to provide another

access road. He also stated vehicles have continued to speed on this residential street. He stated the police have been notified but have not responded. Mayor McCurley responded Council has reviewed the site in the field and are concerned about the stormwater issue. He said they will continue to work to get the matter resolved. He said the police will be notified of the speeding problem.

Mr. John Mays of 220 Kings Mill Road addressed Council and requested drawings from Richard Fair. He asked Council who is responsible for cleaning the storm sewers. Scot Lahrmer stated they have hired firms in the past, such as Tele Vac for such purposes. He stated the Insurance Company for the City is handling the flooding matter and he will have MVRMA contact Mr. Mays.

Mayor McCurley recognized Adam Ritz in the audience who is a Star Scout from Troop 43.

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 Davis, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

A motion to table this legislation was made by Councilmember Staten as it has been referred back to Planning Commission and they wish to review it. The motion was seconded by Councilmember Pelfrey. VOTE: ALL YEAS

Scot Lahrmer stated this will be on the October 8, 2001 meeting agenda.

ORDINANCE 2001-150 ADOPTING THE 2001 COMPREHENSIVE PLAN OF THE CITY OF MASON, OHIO

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

Mayor McCurley opened the public hearing at 7:39 p.m. A presentation was made by the joint committee of residents and staff who worked with the consultant to develop the comprehensive plan. Those presenting to Council were Sheryl Short, Jack Clasen, Aneita Zoutendam and Allyn Kuennen. There were no comments in favor of the plan. Debbie Lacey of 4647 Cedar Village Drive addressed Council and stated this plan will effectively make the White Blossom Subdivision an island. She said the street is shown as a through street on the thoro fare plan and on this plan it is shown as a cul-de-sac. Lisa Cicero of 4825 Magnolia Court stated she has concerns about a business park surrounding their residential development. Aneita Zoutendam stated the decision for Hi-tech was done to protect the neighborhood. She stated the price of land was so high it

wasn't feasible to be residential. Carl Boltz of 525 Wedge Way spoke in favor of the cul-de-sac in this area as it will least impact residents. The Public Hearing was closed at 8:24 p.m.

A general discussion took place among Council which resulted in a motion to amend the Comprehensive Plan to show Cedar Village Drive consistent with the throughfare plan which is going thorough to Western Row Road. Councilmember Davis explained this still allows the Planning Commission and Council to make the final decision as the actual development of the property occurs. Included in her motion to amend the comprehensive plan was changing the land use plan on the property on the southwest corner of Western Row Road and Mason Montgomery Road to be a Business Park. The motion was seconded by Vice Mayor Fox. VOTE: ALL YEAS

A motion to adopt Ordinance 2001-150 as amended was made by Councilmember Staten, seconded by Councilmember Pelfrey. VOTE: 6 YEAS, 1 NAY (Fox)

ORDINANCE 2001-168 APPROVAL OF THE FINAL PLAT OF ARBOR CREEK SUBDIVISION, SECTION 3

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

Richard Fair explained to Council this plat contains 12 single family residential lots on 4.44 acres, 0.84 acres of common area and 0.98 acres of right-of-way. He said the final plat is consistent with the final PUD plan as approved by Planning Commission.

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

A motion to adopt Ordinance 2001-168 was made by Councilmember Davis, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

ORDINANCE 2001-169 RENAMING WESTRIDGE LANE IN THE ARBOR CREEK SUBDIVISION TO IVYGROVE LANE

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

Richard Fair explained to Council the Postmaster has requested the street be renamed to avoid confusion with the postal system. He also stated it may confuse emergency services. It is suggested the name be changed from Westridge to Ivygrove Lane. Staff recommends approval.

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

A motion to adopt Ordinance 2001-169 was made by Vice Mayor Fox, seconded by Councilmember Davis. VOTE: ALL YEAS

ORDINANCE 2001-170 PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$800,000 OF NOTES BY THE CITY OF MASON, OHIO, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF EXTENDING HERITAGE OAK PARK

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

Scot Lahrmer explained to Council the re-issuance of Bond Anticipation Notes is related to the expansion of Heritage Oak Park. He stated in 1999 the City authorized the expansion project to be done in two phases. He further explained the City intends to use the revenues received from the recreation tax to payoff these notes. The re-issuance of these notes in the amount of \$800,000 reflects a principal payment of \$250,000.

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

A motion to adopt Ordinance 2001-170 was made by Councilmember Muennich, seconded by Vice Mayor Fox. VOTE: ALL YEAS

ORDINANCE 2001-171 PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$1,300,000 OF NOTES BY THE CITY OF MASON, OHIO, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF ACQUIRING LAND FOR COMMERCIAL AND/OR INDUSTRIAL DEVELOPMENT

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

Scot Lahrmer stated the issuance of Bond Anticipation Notes is related to the purchase of 105.499 acres for future industrial development. The property is located on the east side of SR 741 south of Bunnell Road. He stated the City's budget of 2001 allows for a payment on the principal amount of \$150,000. The new notes will be issued in the amount of \$1,300,000.

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

A motion to adopt Ordinance 2001-171 was made by Councilmember Muennich, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

ORDINANCE 2001-172 AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH WARREN COUNTY AND ADJACENT POLITICAL SUBDIVISION REGARDING THE U.S. 42/BUTLER-WARREN ROAD INTERSECTION IMPROVEMENT

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

Scot Lahrmer stated this legislation authorizes the City to participate in the improvement of the intersection of Butler Warren Road at US 42. He explained there are five governmental entities involved with this project with the County being the lead agency. This legislation, he explained, obligates the City to cooperate with ODOT regarding the removal, relocation, rearrangement, and or alteration of all private and public utilities affected by the project. The City also agrees to make available at no cost our existing right-of-way.

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

A motion to adopt Ordinance 2001-172 was made by Councilmember Davis, seconded by Vice Mayor Fox. VOTE: ALL YEAS

RESOLUTION 2001-24 ACCEPTING THE AMOUNT AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR

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

Scot Lahrmer explained to Council the Warren County Budget Commission determines the tax rates necessary to be levied within and without the ten mill tax limitations for the City of Mason. This is required by the Ohio Revised Code as is the acceptance by passage of a resolution from the municipality. This resolution, as adopted by the City of Mason, is then certified to the County Auditor.

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

A motion to adopt Resolution 2001-24 was made by Vice Mayor Fox, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

CITY MANAGER'S REPORT

A Council Walkabout will take place prior to the meeting on October 8, 2001. The destination is the new Community Center and will begin at 6:00 p.m.

COMMITTEE REPORTS

Councilmember Davis reported a recycling rally will take place on October 6, 2001 from 9:00 to 12:00 p.m. She stated they no longer will be taking hazardous waste. She said appliances are accepted. Mayor McCurley noted the rates have not been adjusted downward but the services are being reduced.

Councilmember Staten reported on the Planning Commission activities. He said they approved the site and landscape plan for the Columbia Commons Flex Office/Commercial Building and the final plat for the Arbor Creek Subdivision, Section 3.

Councilmember Pelfrey said the Employee Relations Committee must be rescheduled.

Councilmember Beck stated there will be a meeting for the Executive Committee for the Veteran's Memorial at 5:00 p.m. The location is the American Legion on Wednesday September 12, 2001. He also reported the OKI 2030 Plan is out and will be voted on in the near future.

COUNCIL OLD AND NEW BUSINESS

Councilmember Staten thanked Richard Fair for the report on Stormwater Issues and stated he feels we need an inventory and analysis of current facilities. Mayor McCurley responded we know problems exist and they should be put on the fast track. He also stated the City needs a Stormwater Utility Manager. Scot Lahmer agreed that person could handle the newly created Stormwater Utility. Councilmember Davis asked if this would be a permanent position or if it is a position that is needed now but once the City has completed several projects, would not be needed. Councilmember Staten suggested an intern be responsible for reviewing the current status in the field and at the same time Finance should review hiring someone during the budget process. It was suggested the Utility Committee should review the job description. Mayor McCurley referred the matter to the Utility Committee and requested Scot to proceed with the inventory and an ordinance for a Stormwater Utility Manager.

Councilmember Muennich asked for an update on the hiring of a Fire Chief. Scot Lahmer responded the recruitment effort is underway. Councilmember Muennich stated it was proceeding too slow. He also stated the Tylersville Road resurfacing should have been done at night as to not tie up the amount of school traffic in the area. Scot responded it was a violation of the City's noise ordinance to allow them to work at night.

Councilmember Pelfrey said she would like to add land acquisition to the topics for Executive Session.

Councilmember Davis stated the ICRC tape of the previous Mason Council meeting was of poor quality. She stated conversations were broken up and the audio was poor or non-

existent in spots. ICRC should be informed. She also stated The Chamber has sent out 500 insta-polls to businesses to gather information regarding Sprint. Councilmember Davis stated Sprint has requested a list of exchanges we would like to see available to us without a long distance charge. She encouraged all to send this information to the City administration. She stated House Bill 347 has just been introduced that deals with cramming by utility companies, which is placing additional charges on the customer bills. She also mentioned Warner Cable as active in the process of reducing services and increasing rates.

Mayor McCurley reported the employee picnic was a good time as was the St. Susanna Festival that took place over the weekend.

RECOGNITION OF VISITORS

None

EXECUTIVE SESSION

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

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

ADJOURN

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

TIME: 10:22 p.m.


Clerk of Council


Mayor