

**CITY OF MASON
COUNCIL MEETING
SEPTEMBER 24, 2001**

A Presentation of Colors was conducted by Tim Hackman from the American Legion, Randy Hines and Roger Yost from the VFW, and Jeremy Saylor from the Mason Police Department. Roger Yost lead the pledge of allegiance.

Councilmembers made general comments regarding the recent terrorists attacks.

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

Councilmember Muennich noted comments regarding Sprint made by Councilmember Davis need to be included in the minutes. A motion to amend the minutes to include the comments by Councilmember Davis regarding rates charged by Sprint was made by Councilmember Davis, seconded by Councilmember Muennich. A motion to approve the minutes as amended was made by Councilmember Davis, seconded by Councilmember Staten. VOTE: ALL YEAS

PRESENTATION OF PROCLAMATION OF 100TH ANNIVERSARY OF QUI VIVE CLUB

Mayor McCurley stated this Proclamation would be tabled, as the recipient was unable to attend. He moved to add Resolution 2001-25 to the agenda.

RESOLUTION 2001-25 CONDEMNING TERRORISTS ACTS OF SEPTEMBER 11, 2001 AND PROCLAIMING SEPTEMBER 24, 2001 AS CITY OF MASON DAY FOR NATIONAL SUPPORT

Mayor McCurley read the Proclamation.

A motion to adopt Resolution 2001-25 was made by Councilmember Davis, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

Rachael Davis representing Firebird Theatre addressed Council and stated as a result of their efforts from the production of Biloxi Blues they are making a contribution of \$350 toward the Veteran's Memorial. She also stated they are committing 10% of the revenue they receive from all productions in 2002 to the Veteran's Memorial. She shared some of her thoughts and experiences in working on the patriotic play.

RECOGNITION OF CITY OF MASON'S 1999 COMPREHENSIVE ANNUAL FINANCIAL REPORT AND PRESENTATION OF CERTIFICATE OF ACHIEVEMENT TO THE CITY OF MASON FOR THE 1999 CAFR

Jeff Eichhorn, Regional Director of Public Affairs, representing the State Auditor's office and Paul Stubbins, representing Government Finance Officer's Association presented the City with a Certificate of Achievement for Excellence in Financial Reporting for the 1999 CAFR. Jennifer Heft accepted the award for the City and thanked Bev Salatin of the Finance Department for her assistance in preparing the report. Mr. Eichhorn stated less than 5% of all cities receive this award and this is the third year in a row the City of Mason has been the recipient. Jennifer Heft stated the goal her department has set for 2001 is to conform to the new financial reporting model known as the GASB three years ahead of the mandate. Councilmember Davis stated she has 21 years of experience in dealing with the City's finances and appreciates the level of professionalism in the current department.

RECOGNITION OF VISITORS

Cay Steinhauer of 4552 Appaloosa Trail addressed Council and said she is running for Council and stated she has observed some election signs are improperly placed in the right-of-way. She suggested all candidates be informed of the regulation for sign placement. She asked about the current status of hiring a new Fire Chief. She suggested the City hire an experienced person and suggested a Fire Chief from the area with much experience could help in the selection process. She mentioned Bill Kramer as a possible candidate.

Kim Mays of 220 Kings Mill Road addressed Council and stated with bad weather approaching their problem with stormwater needs immediate attention. Mayor McCurley responded the matter has been turned over to the City's insurance company. Mrs. Mays stated they would prefer not to sue but to work with the City in resolving this matter. She said the City's Insurance Company told them they have no claim. She said the matter apparently has been turned over to the previous company and they are to come out and review it. She said she was upset it has taken so long to notify the other insurance company. Mr. Mays stated he was in Richard Fair's office two weeks before the rain on July 17, 2001. He stated he has a 60-foot pine tree in jeopardy and if it goes the foundation of the house is in jeopardy. He said they are waiting on calculations from Richard Fair's office. Ken Schneider stated he has been notified they have retained legal counsel and he has directed all city employees to cease activity on this issue pending litigation. Mr. Mays stated the Stormwater Utility Newsletter states the City will maintain storm service but they are refusing to do so. Ken Schneider said the City must wait for a decision from the insurance company to follow the legal course of action. He stated the City has no authority to do anything on private property.

ORDINANCE 2001-173 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH JOHN R. JURGENSEN CO. FOR THE BETHANY ROAD AND S.R. 741 TRAFFIC SIGNAL AND INTERSECTION WIDENING PROJECT

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

Richard Fair stated the purpose of this legislation is to allow the City to improve the intersection of Bethany Road at SR 741 by installing a new traffic signal and providing left turn lanes. He said the best and lowest bid had been received from John R. Jurgenson for \$334,245.11. He said the project would take between 6-9 months to complete.

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

A motion to adopt Ordinance 2001-173 was made by Vice Mayor Fox, seconded by Councilmember Staten. VOTE: ALL YEAS

ORDINANCE 2001-174 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH CARGILL, INC. FOR THE PURCHASE OF ICE AND SNOW REMOVAL SALT

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

Richard Fair explained to Council by utilizing the cooperative purchasing group, the City is able to purchase rock salt for ice and snow removal at a price of \$33.82 per ton. He explained while this price is 16% over last year's price, it is \$1.99 per ton lower than the State of Ohio's bid. He further explained the amount projected for this winter is 3,500 tons but the City is not obligated to purchase the full amount.

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

A motion to adopt Ordinance 2001-174 was made by Councilmember Davis, seconded by Councilmember Staten. VOTE: ALL YEAS

ORDINANCE 2001-175 CREATING THE POSITION OF STORMWATER ENGINEER IN THE ENGINEERING AND BUILDING DEPARTMENT OF THE CITY OF MASON AND DETERMINING COMPENSATION

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

Richard Fair explained to Council this legislation is a result of a request from Council at the September 10, 2001 Council meeting. He said following much discussion at that meeting regarding stormwater issues and concerns it was suggested the City hire a Stormwater Utility Manager whose primary function would be to manage the construction projects, correspond with residents and businesses, provide stormwater planning and management services, and oversee the day-to-day working of the utility. Mr. Fair stated Max Chesney has agreed to survey the retention and detention ponds and evaluate their current condition. He further stated the budget created for the stormwater utility is estimated to be around \$1,000,000 per year. This proposal has been reviewed by Utility Committee. It is expected it will take approximately 4 months to fill this position. Councilmember Staten stated this issue has been a concern of Council's for some time now and he feels it is necessary to review the FEMA floodplain calculations. He feels they are wrong and need to be updated. He said the State is soon going to mandate the City control and maintain stormwater at the source and they are going to mandate education on the dangers of stormwater. He said the City is ahead by forming the Stormwater Utility and now hiring a manager. A general discussion followed among Councilmembers allowing for clarification of responsibilities for this position

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

A motion to adopt Ordinance 2001-175 was made by Vice Mayor Fox, seconded by Councilmember Davis. VOTE: ALL YEAS

CITY MANAGER'S REPORT

Western Row Road will be closed between Innovation Way and Mason Montgomery Road from September 26 for approximately 10 days. The new section of Tylersville Road from Kings Island Drive to Mason Montgomery Road will be open and traffic will be maintained in both directions.

A meeting will be held with Michele Blair, Manager of Economic Development, David Riggs and the small businesses located in the City of Mason to discuss the Stormwater Utility. The meeting will be held on September 26, 2001.

City computers have been down due to an infection with a virus. They are currently working on the problem.

COMMITTEE REPORTS

Councilmember Beck thanked the Firebird Theater for their donation for the Veteran's Memorial. He stated a report Council has received illustrates the need for a sizeable amount of dollars to be raised to see this project to completion but he is confident it can be done. Councilmember Davis stated at the next Council meeting the Committee will be asking for approval for some of the items on the memorial such as site work.

Councilmember Davis stated a recycle rally will be held on October 6, 2001 from 9-12:00 p.m. Hazardous materials will not be accepted but appliances will be accepted. It will be held at the Corwin Nixon Park.

Mayor McCurley reported the Downtown Revitalization Committee met last Wednesday to discuss the project. An Ice Cream Social is planned for October.

COUNCIL OLD AND NEW BUSINESS

Councilmember Staten stated Council needs to take action for sidewalks. He said residents are using them and he proposed the City create a sidewalk fund to allow the city to match residents dollar for dollar or offer to pay for material if resident chooses to do the work themselves. He said they could also provide a list of local companies that do this work. Councilmember Muennich asked if prevailing wage would have to apply to this. Ken Schneider will look into this. Councilmember Davis stated she also wanted to include the areas in the City that currently do not have sidewalks. She suggested a loan program be established to avoid the prevailing wage issue. She also suggested the Public Works Committee review the matter. Councilmember Beck stated the City should follow the Bike and Pedestrian plan. He said walks aren't required in industrial parks and people are walking in the street. He suggested \$100,000 should be placed in this sidewalk fund. Councilmember Pelfrey stated she is in agreement with this project and she emphasized the need to repair the sidewalks downtown immediately.

Councilmember Davis reported the City and Chamber of Commerce have sent letters to Sprint informing them of a list of desired exchanges local residents and businesses would like to have access to without paying long distance fees.

Councilmember Muennich stated the roads in the area of Bethany Road and Brewer Road are in bad shape. He stated the traffic has increased in this area and suggested both Butler and Warren County be contacted and ask them if they are going to widen the road. Mayor McCurley responded he had just talked with Warren County and currently they have no plans but were agreeable to jointly looking into the matter.

Councilmember Muennich stated the City is taking too long to hire a new Fire Chief. Mayor McCurley responded the process is under way and the City is currently advertising. Mr. Muennich also stated it is important lawmakers do not pass laws that take our rights away. He stated citizens need to protect their civil liberties.

RECOGNITION OF VISITORS

Cay Steinhauer addressed Council and said there will be a dedication of the Fischer House on October 2, 2001 at 11:00 at the V.A. Hospital. Anyone interested in going should contact her.

Rachael Davis of 6426 Amber Court addressed Council and asked how many people work for the Parks and Recreation Department. She asked if a street will go through from US 42 to SR 741. She suggested a copy of the Roberts Rules of Order be placed next to the agendas so visitors will be informed of the correct procedure. She stressed the City needs to hire a traffic engineer. She also stated she is in favor of sidewalks. She asked if the City's website is up and running. Jennifer Trepal responded it is underway but has not officially been launched yet. She stated the site is www.masonoh.org. She was directed by the Mayor to contact the City Manager on his return to obtain additional information.

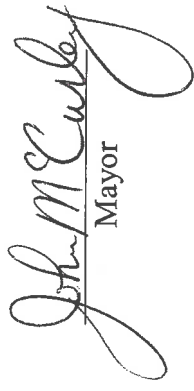
Mr. Gene Nell of 607 Bunker Lane addressed Council and asked if there was a penalty clause for the contract on the intersection of Bethany Road and SR 741. Richard Fair responded yes it amounts to \$600 per day. No incentive is offered. Mr. Nell stated he is glad to see Ordinance 2001-175 and asked how long it will take to hire someone. Richard Fair stated it will take approximately 4 months. Mr. Nell asked when the City will be moving to the new City Building. Richard Fair stated September 2002.

ADJOURN

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

TIME: 9:38 p.m.


Clerk of Council


Mayor