

**CITY OF MASON
COUNCIL MEETING
NOVEMBER 26, 2001**

Mayor McCurley called the meeting to order at 7:03 p.m.

ATTENDANCE

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 November 12, 2001 Council meeting was made by Councilmember Davis, seconded by Councilmember Staten. VOTE: ALL YEAS

SWEARING IN OF POLICE OFFICER DAN EDWARDS

Police Chief, Ron Ferrell, introduced Dan Edwards as the City's newest selected Police Officer. Mayor McCurley swore Officer Edwards into duty.

RECOGNITION OF VISITORS

Peggy Sexton of 4721 Cox Smith Road in Union Township addressed Council and stated she is experiencing flooding from the Trailside Acres subdivision. She stated she contacted the City 4 or 5 years ago and since then the situation has worsened. She said she experienced six feet of water in her basement. She added she has talked to Richard Fair and he seemed concerned. She said she has not contacted an attorney yet but will if the situation is not resolved. She said the retention basin failed. Richard Fair said the basin is located at the end of Appaloosa. Mayor McCurley referred the matter to the Utility Committee. Mr. Lou Eves of 4708 Appaloosa Trail addressed Council and stated the subdivision plans changed for Trailside Acres. He said originally horse trails were planned.

RESOLUTION 2001-28 COMMENDING TOM MUENNICH ON HIS DISTINGUISHED SERVICE TO THE CITY OF MASON, OHIO

The Resolution was read by Mayor McCurley.

A motion to suspend the rule and allow for adoption after the first reading was made by Councilmember Davis, seconded by Vice Mayor Fox. VOTE: ALL YEAS

Mr. Bill Kidder of 869 Cherokee Drive stated Tom Muennich has been a very safety conscience Councilmember. Additional comments were made from Councilmembers commending Tom Muennich for his perseverance and contributions he has made during his terms as Councilmember.

A motion to adopt Resolution 2001-28 was made by Councilmember Davis, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

Mayor McCurley presented the framed Resolution to Councilmember Muennich.

RESOLUTION 2001-29 COMMENDING BETTY DAVIS FOR HER OUTSTANDING DEDICATION AND SERVICE TO THE CITY OF MASON, OHIO

The Resolution was read by Mayor McCurley.

A motion to suspend the rule and allow for adoption after the first reading was made by Councilmember Staten, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

Comments complimenting Betty Davis and her years of service were made by past members of Council, Lou Eves, Don Eberhard, Bill Kidder and Rex Cochran. Current Councilmembers thanked Betty for her 21 years of service to the City of Mason.

A motion to adopt Resolution 2001-29 was made by Councilmember Muennich, seconded by Councilmember Staten. VOTE: ALL YEAS

Mayor McCurley presented the Resolution to Councilmember Davis and the meeting recessed briefly for cake.

EXECUTIVE SESSION

A motion to go into executive session for the purpose of discussing litigation was made by Councilmember Davis, seconded by Councilmember Staten. VOTE: ALL YEAS

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

ORDINANCE 2001-185 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE CITY OF CINCINNATI, OHIO, FOR THE CITY OF CINCINNATI TO PROVIDE RETAIL WATER SERVICES TO THE CITY OF MASON

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

Scot Lahrmer stated this legislation allows for the City of Cincinnati to provide retail water service to the City of Mason. He said in the previous Council meeting it was determined there were four questions that needed reviewed. The time frame of the contract being 35 years is linked to the amount of time needed to make capital improvements and the necessary debt incurred to do so. He stated the time frame has

been reduced to 30 years. The second issue is the capital expenditures. He said the GCWW has submitted a nine-year plan based on the City's master plan. He said GCWW is planning on spending 4 million dollars in excess of the City's plan. The third issue is the inclusion of the waste collection administration fee of 75 cents. The calculations have included this fee but it can be reviewed when the contract for waste collection is rebid. The fourth issue is the rates. Scot stated based on current calculations, the residents rates will be reduced by 7% not the originally projected 11%. This also avoids the rate increase of 30% the City would have to experience. Councilmember Davis questioned the collection fee inclusion and the reduction of savings to residents from 11% to 7%. Jennifer Heft stated this change is due to using current numbers than originally included in the calculations. Councilmember Davis also questioned the termination clause as being too vague. She stated 30 years is a long time and this is a first time effort for the City of Cincinnati Water Works and she feels there should be language in the contract that allows the City to leave this situation if they are not pleased. Ken Schneider addressed her questions and stated the language had been changed to allow the City more protection. Councilmember Davis stated overall this is probably a very good contract she is still uncomfortable with the City's ability to get out of the contract if it becomes necessary. Councilmember Staten, Vice Mayor Fox and Councilmember Muennich all stated they were in favor of this proposal for various reasons. They include the residents desire for soft water, the partnership with GCWW and the Utility Committee's scrutiny of this matter. Councilmember Pelfrey stated she is concerned about the area's lack of options when it comes to water supply. Council elect Grossmann asked how the City would default under this agreement. Ken Schneider replied the City has the obligation to handle litigation matters and acquire property to mention a few. Council elect Grossmann stated if the City has a way to default on the contract, then the GCWW would want out of the contract and they would initiate ending it, which would probably result in litigation. Councilmember Beck has questions regarding the finances, the transition costs and capital expenditure decisions.

A motion to adopt Ordinance 2001-185 was made by Councilmember Staten, seconded by Vice Mayor Fox. VOTE: 5 YEAS, 2 NAYS (Davis, Beck)

ORDINANCE 2001-189 AMENDING THE CODIFIED ORDINANCES OF THE CITY OF MASON SECTION 121.01 COUNCIL MEETINGS REGARDING EXECUTIVE SESSIONS

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

Scot Lahrmer stated this legislation will allow the administrative code to match the charter regarding executive sessions. This is the second reading for this legislation.

A motion to adopt Ordinance 2001-189 was made by Councilmember Davis, seconded by Councilmember Muennich. VOTE: ALL YEAS

ORDINANCE 2001-196 ACCEPTING THE PUBLIC IMPROVEMENTS FOR BIRCHWOOD SOUTH SUBDIVISION, SECTION 1, AND RELEASING THE PERFORMANCE BOND

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

Richard Fair explained to Council the purpose of this legislation is to release the performance bond and accept the public improvements recommended by staff. He stated this is Section 1 of the Birchwood South subdivision and includes the south end of Wheatmore Court and the northwest portion of running Fox Lane. He said the various City departments have inspected this section and are recommending adoption contingent on the submission of a one-year maintenance bond and as built drawings.

A motion to suspend the rule and allow for adoption after the first reading was made by Councilmember Davis, seconded by Councilmember Muennich. VOTE: ALL YEAS

A motion to adopt Ordinance 2001-196 was made by Councilmember Staten, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

ORDINANCE 2001-197 ACCEPTING THE PUBLIC IMPROVEMENTS FOR OAKS OF CROOKED TREE SUBDIVISION, SECTION 4, AND RELEASING THE PERFORMANCE BOND

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

Richard Fair explained to Council this section of the Oaks of Crooked Tree subdivision includes the north end of Woodburne Drive and Tinewood Drive. He stated the various City departments have completed the inspections and staff is recommending adoption of this ordinance contingent on the submission of a one-year maintenance bond and as built drawings.

A motion to suspend the rule and allow for adoption after the first reading was made by Councilmember Pelfrey, seconded by Councilmember Davis. VOTE: ALL YEAS

A motion to adopt Ordinance 2001-197 was made by Councilmember Muennich, seconded by Councilmember Davis. VOTE: ALL YEAS

Mayor McCurley stated item number 29 on the agenda, the Community Reinvestment Application, would be addressed now due to the presence of the company representatives from Intelligrated Inc.

COMMUNITY REINVESTMENT APPLICATION #4-INTELLIGATED INC.

Michele Blair explained to Council the firm Intelligrated Inc. is looking to relocate from their Blue Ash location to a site along I-71. She explained this firm is a new research/development/manufacturing company looking to locate in the Innovation Way Business Center. She said this company currently has 31 employees with an expected increase to 263 within three years. She stated the company is a leader in the material handling service and solutions industry. She asked for a motion to abatement 100% of real property improvements over 15 years under the Community Reinvestment Area Program. Chris Cole, Chief Executive Officer of Intelligrated, Inc. addressed Council and stated they are looking forward to locating in Mason. Councilmember Beck stated the Economic Development Committee has reviewed this request and supports it.

A motion to grant the abatement contingent on the annual compensation being made to the schools was made by Councilmember Davis, seconded by Councilmember Muennich. VOTE: ALL YEAS

ORDINANCE 2001-198 ACCEPTING THE PUBLIC IMPROVEMENTS FOR FAIRWAYS OF CROOKED TREE SUBDIVISION, PART 2-BLOCKS B, C, AND D AND RELEASING THE PERFORMANCE BOND

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

Richard Fair explained to Council Blocks B, C, and D of the Fairways of Crooked Tree subdivision includes Hogan Court, Spalding Drive, the west end of Bentwood Drive, Prostaff Court, east side of Top Flite Lane. He stated the various City departments have conducted their inspections and recommend accepting the public improvements. This is contingent upon the submission of a one-year maintenance bond.

A motion to suspend the rule and allow for adoption after the first reading was made by Councilmember Davis, seconded by Councilmember Muennich. VOTE: ALL YEAS

A motion to adopt Ordinance 2001-198 was made by Councilmember Staten, seconded by Councilmember Muennich. VOTE: ALL YEAS

ORDINANCE 2001-199 ACCEPTING THE PUBLIC IMPROVEMENTS FOR HICKORY WOODS SUBDIVISION, SECTION 1, AND RELEASING THE PERFORMANCE BOND

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 subdivision includes Sandalwood Court, the northwest end of Sarah Drive, and Hickory Woods Drive from Mason Road to Sandalwood Court. He stated the various City departments have completed the inspections and staff is recommending adoption of this ordinance contingent upon submission of a one-year maintenance bond and as built drawings.

A motion to suspend the rule and allow for adoption after the first reading was made by Councilmember Muennich, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

A motion to adopt Ordinance 2001-199 was made by Councilmember Davis, seconded by Councilmember Muennich. VOTE: ALL YEAS

ORDINANCE 2001-200 ANNUAL APPROPRIATION ORDINANCE

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

Eric Hansen stated this legislation addresses the budget for 2002. He said the Finance Committee has reviewed the document and the result is a budget based on conservative revenue estimates, attention to controlling expenses, and ambitious investments in community infrastructure. He added the increase in revenue is based on 5%, which includes a substantial carryover balance of approximately \$750,000.

A motion to suspend the rule and allow for adoption after the first reading was made by Councilmember Davis, seconded by Councilmember Muennich. VOTE: ALL YEAS

A motion to adopt Ordinance 2001-200 was made by Councilmember Davis, seconded by Councilmember Beck. VOTE: ALL YEAS

ORDINANCE 2001-201 AUTHORIZING THE CITY MANAGER TO APPROVE AN INCREASE IN THE SCOPE OF THE CONTRACT WITH MICHAEL SCHUSTER & ASSOCIATES (MSA)/ PHILLIPS SWAGER ASSOCIATES (PSA) FOR ADDITIONAL ARCHITECTURAL DESIGN SERVICES NECESSARY TO DESIGN AND PRODUCE CONSTRUCTION DOCUMENTS FOR THE INFRASTRUCTURE OF THE VETERANS' MEMORIAL AND THE COMPLETION OF THE SOUTH LAWN; AND DECLARING AN EMERGENCY

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

Eric Hansen addressed Council and stated he will address the next five Ordinances 2001-201 through 205 as they all deal with the new Municipal Center and Veteran's Memorial. He stated Ordinance 2001-201 authorizes two additions to MSA's contract with the City. Design fees for the infrastructure of the Memorial at an amount not to exceed \$19,900 and design fees for the south lawn are not to exceed \$13,200. He said Ordinance 2001-202 authorizes an addition to Dugan & Meyers GMP for construction of the South Lawn of \$145,733, which includes the construction cost, fees and contingency. He stated this work was necessary as the entrance was moved to align with Lakeside Drive. He stated Ordinance 2001-203 authorizes an addition to Dugan & Meyer's GMP for construction the infrastructure of the Memorial of \$151,749, which includes the construction, their fees, and a contingency. Ordinance 2001-204, Eric continued, authorizes a further

addition to MSA's contract for the design of the Veteran's Memorial fountain, landscaping, sculpture, paving and lighting, in an amount not to exceed \$77,760. Ordinance 2001-205, Eric stated, authorizes a contract with Contract Interiors to provide Knoll brand furniture for the new Municipal Center and Court in an amount no to exceed \$1,000,000. Mayor McCurley asked why MSA appears on three ordinances instead of one. Eric Hansen replied the details must be kept separate for accounting purposes. In order to track costs, it is necessary to have individual pieces of legislation.

A motion to suspend the rule and allow for adoption after the first reading was made by Councilmember Davis, seconded by Councilmember Muennich. VOTE: ALL YEAS

A motion to adopt Ordinance 2001-201 was made by Councilmember Davis, seconded by Councilmember Staten. VOTE: ALL YEAS

ORDINANCE 2001-202 AUTHORIZING THE CITY MANAGER TO APPROVE AN INCREASE IN THE GUARANTEED MAXIMUM PRICE (GMP) CONTRACT WITH DUGAN & MEYERS FOR ADDITIONAL CONSTRUCTION MANAGEMENT SERVICES NECESSARY FOR THE SOUTH LAWN IMPROVEMENT; AND DECLARING AN EMERGENCY

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 and allow for adoption after the first reading was made by Councilmember Davis, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

A motion to adopt Ordinance 2001-202 was made by Councilmember Davis, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

ORDINANCE 2001-203 AUTHORIZING THE CITY MANAGER TO APPROVE AN INCREASE IN THE GUARANTEED MAXIMUM PRICE (GMP) CONTRACT WITH DUGAN & MEYERS FOR ADDITIONAL CONSTRUCTION MANAGEMENT SERVICES NECESSARY FOR CONSTRUCTION OF THE INFRASTRUCTURE FOR THE VETERANS' MEMORIAL; AND DECLARING AN EMERGENCY

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 and allow for adoption after the first reading was made by Councilmember Muennich, seconded by Councilmember Beck. VOTE: ALL YEAS

A motion to adopt Ordinance 2001-203 was made by Councilmember Davis, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

ORDINANCE 2001-204 AUTHORIZING THE CITY MANAGER TO APPROVE AN INCREASE IN THE SCOPE OF THE CONTRACT WITH MICHAEL SCHUSTER & ASSOCIATES (MSA)/ PHILLIPS SWAGER ASSOCIATES (PSA) FOR ADDITIONAL ARCHITECTURAL DESIGN SERVICES NECESSARY TO DESIGN AND PRODUCE CONSTRUCTION DOCUMENTS FOR THE VETERAN'S MEMORIAL ITSELF; AND DECLARING AN EMERGENCY

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

Vice Mayor Fox asked in light of the current world situation, are they allowing additions for future wars. John Willis of MSA stated the design has been modified to allow for additional structures. Councilmember Pelfrey also responded the Veteran's Memorial Executive Committee has also reviewed this matter and the resulting modifications.

A motion to suspend the rule and allow for adoption after the first reading was made by Councilmember Davis, seconded by Councilmember Muennich. VOTE: ALL YEAS

A motion to adopt Ordinance 2001-204 was made by Councilmember Davis, seconded by Councilmember Muennich. VOTE: ALL YEAS

ORDINANCE 2001-205 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH CONTRACT INTERIORS, INC. FOR THE PURCHASE OF FURNITURE FOR THE NEW MUNICIPAL FACILITY, INCLUDING THE COURT FACILITIES

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 and allow for adoption after the first reading was made by Councilmember Pelfrey, seconded by Councilmember Muennich. VOTE: 6 YEAS, 1 NAY (Staten).

A motion to adopt Ordinance 2001-205 was made by Councilmember Davis, seconded by Councilmember Pelfrey.

Councilmember Staten asked if any local firms had been considered for this contract. He said he had heard they had not been included in the process. He moved to table this legislation until the next meeting so this matter can be reviewed. The motion was seconded by Councilmember Muennich. VOTE: ALL YEAS

ORDINANCE 2001-206 APPROVING THE REPLAT OF OAKS OF CROOKED TREE, SECTION 6, BLOCK B, LOTS 202 AND 203

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

Richard Fair explained to Council the Drees Company is requesting approval of a replat for lots 202 and 203 in the Oaks of Crooked Tree subdivision. This change, he stated, establishes the easement where is should have been located, along the rear property line which preserves the tree line. Planning Commission recommends approval contingent on the applicant labeling the existing open space and landscape easement as being vacated.

A motion to suspend the rule and allow for adoption after the first reading was made by Councilmember Staten, seconded by Vice Mayor Fox. VOTE: ALL YEAS

A motion to adopt Ordinance 2001-206 was made by Councilmember Pelfrey, seconded by Councilmember Staten. VOTE: ALL YEAS

ORDINANCE 2001-207 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH PARADISE ARTISTS, INC. FOR A CONCERT PERFORMED BY THE BUCKINGHAMS AND THE GRASS ROOTS AT PINE HILL LAKES PARK

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

Scot Lahmer stated arrangements are being made for the Fourth of July celebration with entertainment from the Buckingham and the Grass Roots. The contract amount is for \$16,000 plus expenses. Councilmember Pelfrey asked if the payment stipulates cancellation due to rain. Scot replied the City is obligated to pay regardless of the weather. She suggested an alternate site be selected, if possible, in case it rains.

A motion to suspend the rule and allow for adoption after the first reading was made by Councilmember Davis, seconded by Vice Mayor Fox. VOTE: ALL YEAS

A motion to adopt Ordinance 2001-207 was made by Councilmember Davis, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

ORDINANCE 2001-208 AUTHORIZING THE CITY MANAGER TO APPROVE A CHANGE ORDER IN THE AMOUNT OF \$81,645.06 TO INCREASE THE CONTRACT OF LARRY SMITH CONTRACTORS FOR THE SOUTH CENTRAL SEWER IMPROVEMENT PROJECT

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

Scot Lahmer stated Ordinance 2001-80 authorized improvements to relieve the flooding problems homeowners were having in the Manhasset Village, Winding Creek and Wood Creek subdivisions. He said the project included up sizing the existing trunk sewer. The change order is for items that were encountered during construction on the original

contract and additional work the City requested to repair sections of sewer outside the initial contract area. The change orders total an increase of \$81,645.06.

A motion to suspend the rule and allow for adoption after the first reading was made by Vice Mayor Fox, seconded by Councilmember Staten. VOTE: ALL YEAS

A motion to adopt Ordinance 2001-208 was made by Councilmember Davis, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

ORDINANCE 2001-209 AUTHORIZING THE CITY MANAGER TO APPROVE A CHANGE ORDER IN THE AMOUNT OF \$19,332.00 TO INCREASE THE CONTRACT OF MALCOLM PIRNIE FOR THE ENGINEERING DESIGN SERVICES NECESSARY FOR THE WATER DISTRIBUTION SYSTEM MODEL AND ELEVATED WATER STORAGE TANK SITE LOCATION AND DESIGN OF THE ELEVATED WATER STORAGE TANK

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 this legislation is necessary to compensate engineers for their work in excess of their original contract due to changes requested by the City. He said the City reviewed the base model and determined the projected service was larger than originally defined. This caused significant changes to the project and a complete rework of all improvements was necessary. The cost for this additional engineering service was \$19,332.

A motion to suspend the rule and allow for adoption after the first reading was made by Councilmember Davis, seconded by Councilmember Muennich. VOTE: ALL YEAS

A motion to adopt Ordinance 2001-209 was made by Councilmember Davis, seconded by Councilmember Muennich. VOTE: ALL YEAS

ORDINANCE 2001-210 AUTHORIZING THE CITY MANAGER TO APPROVE A CHANGE ORDER IN THE AMOUNT OF \$19,000.00 TO INCREASE THE CONTRACT OF CENERGY CORP. FOR THE INSTALLATION OF STREET LIGHTING OF MASON-MONTGOMERY ROAD

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

Scot Lahrmer stated the decorative street lighting installation along Mason-Montgomery Road was originally based on underground conduit being placed so Cinergy Solutions could utilize it for electric service to the lights. As the job progressed in the field, it was necessary to install additional conduit, which required additional borings and cable runs. The costs for this additional labor and material are \$19,000.

A motion to suspend the rule and allow for adoption after the first reading was made by Councilmember Davis, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

A motion to adopt Ordinance 2001-210 was made by Councilmember Davis, seconded by Vice Mayor Fox. VOTE: ALL YEAS

ORDINANCE 2001-211 AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH ROBERT C. RHEIN INTERESTS, INC. REGARDING REIMBURSEMENT FOR THE COST OF OVERSIZING AND EXTENDING A WATER LINE ON BETHANY ROAD IN FRONT OF THE ARBOR CREEK SUBDIVISION

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

Scot Lahmer explained to Council an arrangement with Robert C. Rhein Interests, Inc. was made for the upsizing and extension of the water line on Bethany Road in front of the Arbor Creek Subdivision. He stated this was done as it benefits the City by allowing a possible second feed to the Heritage Club subdivision and by eliminating the cost of engineering and labor to install a second main in the area. He added this also allows the City to loop the recently installed waterline along Butler-Warren Road with this main on Bethany Road. The cost for this upsizing is \$11,073.50.

A motion to suspend the rule and allow for adoption after the first reading was made by Councilmember Davis, seconded by Councilmember Muennich. VOTE: ALL YEAS

A motion to adopt Ordinance 2001-211 was made by Councilmember Davis, seconded by Councilmember Staten. VOTE: ALL YEAS

ORDINANCE 2001-212 AUTHORIZING THE CITY MANGER TO ENTER INTO A CONTRACT WITH BAYER-BECKER ENGINEERS FOR ENGINEERING AND SURVEY SERVICES FOR THE DAVIS RUN FLOOD STUDY

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

Scot Lahmer explained to Council as a result of the July 17th rainfall event, the City evaluated the problem areas for flooding and prioritized the sites. One of the most critical of these sites is the floodplain along Davis Run. He stated Davis Run lies between Western Row Road and Tylersville Road and includes the Woodcreek, Manhasset Village, Crestfield, and Winding Creek Subdivisions. The proposed contract will provide survey information that updates the floodplain area and shows the locations and elevations of structures that may be flooded. He stated staff determined this was a less costly approach rather than add this to a contract with Camp Dresser & Mckee. The cost for this service is \$37,000.

A motion to suspend the rule and allow for adoption after the first reading was made by Councilmember Davis, seconded by Vice Mayor Fox. VOTE: ALL YEAS

A motion to adopt Ordinance 2001-212 was made by Councilmember Davis, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

RESOLUTION 2001-30 REQUESTING THE OHIO POWER SITING BOARD TO FOLLOW THE PREFERRED ROUTE ON THE PROPOSED C314 NATURAL GAS PIPELINE

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

Scot Lahmer stated this Resolution is a result of a request from Council at the November 12, 2001 meeting. It states the City is opposed to the alternate route for the proposed gas line and supports the stated preferred route. This Resolution will be sent to the Ohio Power Siting Board.

A motion to suspend the rule and allow for adoption after the first reading was made by Councilmember Muennich, seconded by Vice Mayor Fox. VOTE: ALL YEAS

A motion to adopt Resolution 2001-30 was made by Vice Mayor Fox, seconded by Councilmember Muennich. VOTE: ALL YEAS

CITY MANAGER'S REPORT

There will be a luncheon at the request of the Area Progress Council to discuss the status of the proposed light rail project for I-71. This will be held on December 6, 2001. Council members interested in attending should contact Joan Bernard.

A Council Worksession is planned for December 17, 2001 at 6:00 p.m. in Council Chambers.

COMMITTEE REPORTS

Councilmember Pelfrey stated she has met with Kevin Bright and Shelley Bennesch regarding the schools involvement with the Veteran's Memorial. They are becoming active with this project and it is growing in participation.

Councilmember Beck stated the Veteran's Memorial Executive Committee has met and are proceeding with fund raising efforts. He mentioned sales of brick pavers, mailing sent to businesses and corporate sponsorships as well as individual sponsorships are strategies being utilized.

COUNCIL OLD AND NEW BUSINESS

Councilmember Davis reported she has received a complaint regarding the road alignment in front of the Mason Fun Land on RT 42. She stated she also feels it is a bad alignment. The matter was referred to Safety Committee.

Councilmember Pelfrey stated the school zone in front of the Intermediate School stops and the speed limit increases to 35mph. She stated it should stay the same. Richard Fair said the City tried to get it changed but ODOT would not permit it. He stated the City will be installing a flashing light in this area and it will be the third such light in this vicinity.

Vice Mayor Fox stated the bench dedication for Bill Liedhegner was a nice event and thanked staff for arranging it so quickly.

Councilmember Davis thanked her children, grandchildren, and the people of Mason for being very conscience of this Council.

Councilmember Muennich thanked residents and stated he was sorry we have no Fire Chief at this time and no light installed at Butler-Warren Road and RT 42.

Councilmember Staten asked what implications will Ordinance 2001-212 have on residents located in a flood plain. Richard Fair stated they can get flood insurance if FEMA redefines the area. Councilmember Davis stated we can alter the regulations so that it is not possible to build in a flood plain. Councilmember Staten said we should look at that option.

Vice Mayor Fox asked what the City's opinion is of the light rail proposal. Councilmember Beck replied other political subdivisions are involved. It is his understanding the concept is good but costly. He stated OKI will be attending the Area Progress Luncheon. Councilmember Muennich stated as long as gas is inexpensive, it won't be used. It was decided Council is interested but needs more information.

Mayor McCurley stated the Beach Holiday Fest will be open on November 30 through December 31. He said it has ice-skating and pony rides as well as Santa Claus.

RECOGNITION OF VISITORS

None

EXECUTIVE SESSION

A motion to adjourn into executive session for the purpose of discussing personnel was made by Councilmember Davis, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

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

ADJOURN

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

TIME: 11:29 p.m.


Clerk of Council


Mayor