

**CITY OF MASON
COUNCIL MEETING
DECEMBER 10, 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, Victor Kidd, Tom Grossmann, Pete Beck, Charlene Pelfrey and John McCurley.

APPROVAL OF MINUTES

A motion to approve the minutes of the November 26, 2001 Council meeting was made by Councilmember Pelfrey, seconded by Vice Mayor Fox. VOTE: ALL YEAS

A motion to approve the minutes of the December 1, reorganization meeting was made by Vice Mayor Fox with one correction on the spelling of Councilmember Kidd's name. A second motion to approve the minutes as amended was made by Councilmember Beck. VOTE: ALL YEAS

RECOGNITION OF VISITORS

John Harris, President of the Mason Landen Kings Chamber of Commerce, addressed Council and thanked the City for their help with the "Christmas In Mason" event. He stated it was well attended. He also said the Chamber will be holding an Open House on Wednesday December 12, 2001 from 4:00-7:00 p.m and invited all to attend.

RESOLUTION 2001-31 COMMENDING JUDGE DAVID K. BATSCHE FOR HIS DISTINGUISHED SERVICE TO THE CITY OF MASON, OHIO

Law Director Ken Schneider read the Resolution.

A motion to adopt Resolution 2001-31 was made by Councilmember Pelfrey, seconded by Councilmember Staten. VOTE: ALL YEAS

Judge Batsche addressed Council and thanked everyone for his or her cooperation during his years of service. He announced he will continue his private practice with his son.

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

Eric Hansen stated it is the recommendation of the Council Building Committee this legislation be tabled until the first meeting in January.

A motion to table Ordinance 2001-205 was made by Councilmember Staten, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

ORDINANCE 2001-213 ADVISING THE COUNTY COMMISSIONERS AS TO THE BENEFITS OF ANNEXATION OF PROPERTY INCLUDED IN THE PETITION FOR ANNEXATION FILED BY ADOLPH F. AND BEVERLY O. BIEHLE ON BEHALF OF THE BIEHLE FAMILY TRUST TO THE CITY OF MASON

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

Scot Lahrmer stated this legislation addresses property located on Mason-Morrow-Millgrove Road owned by Adolph F. and Beverly O. Biehle. He said the property contains 101.795 acres. He stated this legislation is required by the Ohio Revised Code in all annexation proceedings. It addresses the benefits of annexation into the City of Mason such as water and sewer service, police, fire, paramedic, street maintenance, parks and recreation, plus building and zoning services. Once passed, this legislation is certified to the County Commissioners.

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 2001-213 was made by Councilmember Pelfrey, seconded by Vice Mayor Fox. VOTE: ALL YEAS

ORDINANCE 2001-214 ADVISING THE COUNTY COMMISSIONERS AS TO THE BENEFITS OF ANNEXATION OF PROPERTY INCLUDED IN THE PETITION FOR ANNEXATION FILED BY ROBERT AND DIANA BEATTY TO THE CITY OF MASON

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

Scot Lahrmer stated this legislation is similar to the previous ordinance. He said it addresses property owned by Robert and Diana Beatty located on Mason-Montgomery Road. The parcel contains 3.2589 acres. This ordinance complies with the requirements of the Ohio Revised Code in annexation proceedings.

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

A motion to adopt Ordinance 2001-214 was made by Vice Mayor Fox, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

ORDINANCE 2001-215 AUTHORIZING THE CHIEF OF POLICE TO CONTRIBUTE UNCLAIMED BIKES TO OAK HARBOR COMMUNITY CHURCH FOR THE BIKE PROGRAM

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

Eric Hansen introduced Detective Don Cope who explained the proposal of donating bicycles recovered by the Police Department and stored in the impound lot. He said the typical procedure would be to auction them off but this year they would like to donate them to Oak Harbor Community Church. He stated it is their intent to make the bikes available to the City for the “Hope for the Holidays” program. The remaining bikes would be distributed by the Church. He stated the Warren County Correctional Institution will make repairs at no cost. He added this helps the City, as storage for the bikes is a burden.

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

A motion to adopt Ordinance 2001-215 was made by Vice Mayor Fox, seconded by Councilmember Staten. VOTE: ALL YEAS

ORDINANCE 2001-216 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ARMREL BYRNES COMPANY FOR CONSTRUCTION OF THE US 42 TRUNK SEWER IMPROVEMENTS-SOUTH

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

Scot Lahmer stated the City’s sewer system in the area of US 42 and Snider Road has experienced flooding over the years. He said the City has spent considerable resources to identify the problems and take corrective action. He explained this legislation authorizes the construction contract providing for the US 42 trunk sewer to connect to the sewer on Snider Road and will be re-routed with a discharge point near Tylersville Road. The project will eliminate 3 lift stations, which are high maintenance and operation items. The lowest and best bid has been received from Armel Byrnes Company for \$1,538,024. He added the Utility Committee has review this proposal and recommends adoption.

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

A motion to adopt Ordinance 2001-216 was made by Vice Mayor Fox, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

ORDINANCE 2001-217 APPROVAL OF THE FINAL PLAT OF WEATHERSTONE SUBDIVISION, SECTION 4, PHASE A

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

Richard Fair addressed Council and stated the developer is requesting approval of a Final Plat for Section 4, Phase A of the Weatherstone subdivision. He said this section contains 35 single-family lots and 2.7190 acres of right-of-way. He recommends approval contingent on the final plat showing the zone line between the R-3 and R-4 zones, submitting a street tree plan for this section, and submitting a subdivider's contract and performance bond. Councilmember Beck asked about the accel and decel lanes on SR 741. It was stated this is done typically prior to the development. Richard Fair stated a bond has been set for this work. Mayor McCurley stated it should be done quickly so as not to interfere with the increased traffic when Kings Island opens for the season.

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

A motion to adopt Ordinance 2001-217 was made by Councilmember Staten, seconded by Vice Mayor Fox. VOTE: ALL YEAS

ORDINANCE 2001-218 CREATING THE ADDITIONAL POSITIONS OF AQUATICS SUPERVISOR, ASSISTANT COMMUNITY CENTER MANAGER, SENIOR CENTER SUPERVISOR, FITNESS/SPORTS SUPERVISOR, ASSISTANT AQUATICS SUPERVISOR, FRONT DESK MANAGER, RECREATION SUPERVISOR AND FINANCE CLERK IN THE PARKS & RECREATION DEPARTMENT; MODIFYING THE POSITIONS OF RECREATION PROGRAMMER AND RECREATION SUPERVISOR AND DETERMINING COMPENSATION

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

Eric Hansen stated this legislation creates 8 positions necessary to staff the new Community Center, which will be one of the largest facilities in the State of Ohio. He stated these positions were reviewed by Council in July and included in the 2002 budget. This legislation allows time to recruit qualified personnel. He added with the current vacancies and no permanent Human Resources Director, the positions will not be filled quickly.

Councilmember Beck stated he supported the drop-dead timeline. Michael Hecker said the operations from neighboring facilities in Vandalia, Westerville and Medina were reviewed and as a result this proposal was developed. It allows time for orientation, to learn the systems and establish programs. He added over 800 programs will be offered with approximately 200 available when the center opens. Councilmember Staten stated the drop-dead time line shows more financial responsibility and he could support that. Councilmember Beck asked if the hours of operation were firm. Eric Hansen responded they are approximate at this time.

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

A motion to adopt Ordinance 2001-218 was made by Councilmember Pelfrey, seconded by Councilmember Staten. VOTE: ALL YEAS

ORDINANCE 2001-219 ESTABLISHING RATES FOR THE MASON COMMUNITY CENTER

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

Scot Lahrmer stated the pricing structure established for the Mason Community Center, reflects the unique characteristics of the facility, scheduling and fee philosophies and cost recovery guidelines. Facility trends, competitive markets and community expectations also played an important role in establishing fees. He said a financial analysis reviewing this information was discussed with Council in July. This included a comparison survey to similar facilities in Ohio. He stated the approval of fees this year will permit the City to develop a marketing plan, prepare a facility brochure and effectively plan for 2003 as well as begin advanced pass sales this summer to start generating revenue sources toward the new Community Center.

Councilmember Kidd asked if any consideration has been given for needy families that cannot afford the fees. Scot Lahrmer responded this has been discussed but no plan has been decided on at this time. He stated a scholarship fund, such as the YMCA utilizes, has been discussed.

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 2001-219 was made by Vice Mayor Fox, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

ORDINANCE 2001-220 AMENDING ORDINANCE NO. 2000-184 TO ESTABLISH NEW RATES FOR THE LOU EVES MUNICIPAL SWIMMING POOL LOCATED AT CORWIN M. NIXON PARK

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

Scot Lahrmer stated to Council the financial status of the Lou Eves Swimming Pool is reviewed every year to determine the cost effectiveness of the established rates. The last three years have seen a drop in revenue. Scot explained the cold weather during the beginning of the season and the closure of Mason-Montgomery Road had an effect on this year's revenue. A deficit of \$1,038.67 was reported for 2001. As a result of this decline in revenue, a 6% increase for all season passes, a \$0.50 increase for all daily admission categories, increase the guest passes from \$16 to \$21, and increase the swim lessons and swim team fees is proposed. The Park Board

unanimously approves these recommendations. Councilmember Pelfrey stated in the future, pool passes and passes to the new Community Center must be reviewed to offer residents one pass if desired. Mayor McCurley stated supplemental heating for the Lou Eves Pool should be investigated to extend the season if possible. He requested the Park Board look into that matter.

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

A motion to adopt Ordinance 2001-220 was made by Councilmember Staten, seconded by Vice Mayor Fox. VOTE: ALL YEAS

ORDINANCE 2001-221 RENAMING A PORTION OF STITT ROAD TO TYLERSVILLE ROAD, ESTABLISHING AERO DRIVE, ESTABLISHING A NEW NORTH STITT ROAD AND SOUTH STITT ROAD AND ESTABLISHING OLD WESTERN ROW ROAD

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

Scot Lahmer stated the extension and improvement of Tylersville Road from US 42 to Kings Island Drive has created a situation where the renaming of existing streets and establishing of new street names is necessary. The following changes are proposed:

1. Change the name of Stitt Road approximately 3750 feet east of Mason-Montgomery Road to Tylersville Road
2. Establish Tylersville Road from former Stitt Road to Western Row Road, a distance of approximately 1980 feet
3. Establish Western Row Road from where it bends to the northeast to Innovation Way a distance of approximately 1260 feet.
4. Establish Aero Drive from Tylersville Road to Stitt Road
5. Rename a portion of Western Row Road to Old Western Row Road from where it bends to the northeast to Innovation Way a distance of approximately 1050 feet
6. Rename Stitt Road to North Stitt Road from Aero Drive to north end
7. Rename Stitt Road to South Stitt Road from Aero Drive to Western Row Road.

Scot Lahmer concluded by stating these changes were made with the attempt to make it as painless as possible for the residents along Tylersville Road.

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

A motion to adopt Ordinance 2001-221 was made by Vice Mayor Fox, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

ORDINANCE 2001-222 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH BAYER-BECKER ENGINEERS FOR THE DESIGN ENGINEERING, CONSTRUCTION INSPECTION AND PROPERTY ACQUISITION SERVICES NECESSARY FOR THE WESTERN ROW ROAD AND SNIDER ROAD INTERSECTION IMPROVEMENT

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

Scot Lahmer stated the Engineering Department received proposals from three firms for the design and right-of-way acquisition needed for this intersection. After reviewing the proposals, staff is recommending Bayer and Becker Engineers as the lead engineer for a cost not to exceed \$128,849. Scot stated the design and coordination of the intersection will be fairly complex. Due to the close proximity of the intersection to the railroad, the traffic signal will require a pre-emption signal, similar to the one at the intersection of US 42 and Tylersville Road. Scot also stated school flashing lights are required for Western Row Elementary and the bridge on Western Row Road must be replaced and widened to accommodate the turn lane, sidewalk and bike path.

Councilmember Pelfrey asked how many lanes would be on the bridge. Richard Fair explained the bridge will be widened to accommodate 5 lanes. He said the goal is to replace the bridge during the three months school is out. He added the County Engineer will participate with this portion as they did on Mason-Montgomery Road. He stated the job is complicated with the railroad approvals that are necessary. Vice Mayor Fox asked if the City could continue to receive grants for this project. Richard Fair stated the grant process is too far out in the future and now they are considering grants for 2008.

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

A motion to adopt Ordinance 2001-222 was made by Councilmember Beck, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

Mayor McCurley requested Ordinance 2001-223 be moved to 25.5 on the agenda to follow the executive session. There were no objections.

ORDINANCE 2001-224 AUTHORIZING THE RE-APPROPRIATION AND TRANSFER OF MONIES AND TRANSFERRING OTHER FUNDS AND APPROPRIATIONS OF THE CURRENT EXPENSES OF THE CITY OF MASON; THEREFORE AMENDING THE ANNUAL APPROPRIATION ORDINANCE NO. 2000-200 OF THE CITY OF MASON, OHIO, PASSED BY THE COUNCIL OF THE CITY OF MASON, OHIO ON DECEMBER 11, 2000 FOR THE YEAR 2001.

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

Scot Lahrmer stated this ordinance is a plan and guide for the City finances for the complete year. He explained the reappropriation ordinance is for those appropriation transfers, which fall outside the department head's legal level of control. He said in a high growth environment it is important the budget provide enough discretion and flexibility that it can accommodate new and shifting priorities. He stated there are four fund transfers being requested as part of the Reappropriation Ordinance. They are as follows: \$525,000 from the General Fund to the Storm Water Utility for the next three years; \$50,000 from the General Fund to the Cops Grant Fund which will be refunded when a grant is received from the Federal COPS grant program; \$125,00 from the Court Improvement Fund to the Government Center Fund for a Safety and Security package for the court facilities at the new municipal center; and \$200,000 from the Sewer Fund to the General Fund as reimbursement for expenses related to the administration of the sewer operations.

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

A motion to adopt Ordinance 2001-224 was made by Vice Mayor Fox, seconded by Councilmember Beck. VOTE: ALL YEAS

ORDINANCE 2001-225 AUTHORIZING THE SUPPLEMENTAL APPROPRIATIONS OF MONIES: THEREFORE AMENDING THE ANNUAL APPROPRIATION ORDINANCE NO. 2000-200 OF THE CITY OF MASON, OHIO PASSED BY THE COUNCIL OF THE CITY OF MASON, ON DECEMBER 11, 2000 FOR THE YEAR 2000.

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

Scot Lahrmer stated throughout the year it may become necessary to appropriate additional funds for purchases and projects that were not included in the original annual appropriation ordinance. Ordinance 2001-225 is a housekeeping item to adjust and correct various line items within the City's funds. He said such items this year have included the purchase of the Castle property and the expenses associated with the creation of the Stormwater Fund.

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

A motion to adopt Ordinance 2001-225 was made by Councilmember Pelfrey, seconded by Councilmember Beck. VOTE: ALL YEAS

ORDINANCE 2001-226 AUTHORIZING A CAR ALLOWANCE FOR TERRY SCHULTE AND DECLARING AN EMERGENCY

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

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 2001-226 was made by Vice Mayor Fox, seconded by Councilmember Beck. VOTE: ALL YEAS

CITY MANAGER'S REPORT

The Tylersville Road dedication will be held on Monday, December 17 at 2:30 p.m.

A Council Worksession will be held on Monday, December 17, 2001 at 6:00 p.m. The location is Cedar Village Retirement Center on 5467 Cedar Village Drive.

The employee Christmas lunch will be held on Wednesday, December 19 from 11:30-1:00 p.m. The location is Fire Station #52 on Cedar Village Drive.

City offices will be closed on Tuesday, December 25 for Christmas and Tuesday, January 1 for New Year's Day.

Trash pickup will be delayed one day due to the holiday schedule.

COMMITTEE REPORTS

Councilmember Beck said the Veteran's Memorial Committee is meeting Thursday, December 12, 2001. He reported they are involved in organizing the fund raising effort. The letters should be mailed by next week. He stated the model was on display at Christmas in Mason and received many positive comments. Councilmember Pelfrey reported the Executive Committee is working with the high school to have them research the monuments that are going to be included in the memorial. She said this is a win-win situation with the students learning about the various wars.

Councilmember Staten stated the Planning Commission had met and tabled the Rosemont Subdivision but had approved the Shops of Greenbrier and Intelligrated Industries. He also stated Weatherstone was approved.

COUNCIL OLD AND NEW BUSINESS

Councilmember Pelfrey stated the Grace Baptist Church hosted a self-defense class. She said the officers did an outstanding job. It was very professional. She asked about the status of the landscaping for the Super 8 Motel. Richard Fair responded the City holds a bond for that purpose and a letter will be sent to the owner putting him on notice to complete the landscaping.

Councilmember Pelfrey asked about the status of hiring a new Fire Chief. Eric Hansen responded the top ten candidates have been identified. He said the interviews will begin in January. Mayor McCurley stated the Ad Hoc Committee should be included in the interview process.

Councilmember Pelfrey stated she is concerned over a portion of Mason Road that jogs and has no guardrail. She suggested the City contact the County or Township to correct this dangerous situation.

Councilmember Beck stated the Grant the City received from the Warren County Convention and Visitors Bureau reflects a good job by staff. He stated the money will be used for banners and encouraged the City to continue to apply for grants.

Mayor McCurley reported the worksession on December 17 will be the only meeting until January. He thanked everyone for the success of Christmas in Mason.

RECOGNITION OF VISITORS

None

Councilmember Staten added Litigation and Personnel to the purpose for the Executive Session.

EXECUTIVE SESSION

A motion to go into Executive Session for the purpose of discussing land acquisition, personnel and litigation was made by Vice Mayor Fox, seconded by Councilmember Staten. VOTE: ALL YEAS

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

ORDINANCE 2001-223 AUTHORIZING AN EMPLOYMENT AGREEMENT WITH SCOT F. LAHRMER AS CITY MANAGER TO BE EXECUTED BY THE MAYOR ON BEHALF OF THE CITY OF MASON AND DECLARING AN EMERGENCY

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

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 2001-223 was made by Councilmember Staten, seconded by Vice Mayor Fox. VOTE: ALL YEAS

ADJOURN

A motion to adjourn was made by Councilmember Grossmann, seconded by Councilmember Kidd. VOTE: ALL YEAS


Clerk of Council


Mayor

TIME: 10:07 p.m.