

**CITY OF MASON
COUNCIL MEETING
APRIL 22, 2002**

The meeting was called to order by Vice Mayor Fox at 7:04 p.m.

ATTENDANCE

The following members of Council were present: Jim Fox, Dick Staten, Victor Kidd, Tom Grossmann, Peter Beck and Charlene Pelfrey. John McCurley was absent.

APPROVAL OF MINUTES

A motion to approve the minutes of the April 8, 2002 was made by Councilmember Pelfrey, seconded by Councilmember Beck. VOTE: ALL YEAS

PROCLAMATION IN RECOGNITION OF GRANGE WEEK

Vice Mayor Fox read the Proclamation recognizing the contribution the Grange organization makes to the residents of Mason. He then presented it to members of the Grange present at the meeting.

RECOGNITION OF CONTEST WINNERS FOR NEW MUNICIPAL CENTER

Vice Mayor Fox recognized the Shutrump family as the winners of the photo contest sponsored by the Municipal Center Publicity Committee. He showed the winning photo of all three boys getting a haircut at the barbershop. The boys received gift bags from the City.

RECOGNITION OF VISITORS

Rob Dolder of 457 Clubhouse Drive addressed Council and stated he is a 13 year resident of Mason living in the Greenery/Putters Point area. He stated he is a member of the board and wishes to report the 157 residents feel they are ignored and avoided by the City. He stated he feels they are entitled to the same services as other residents. He sited an example of poor service from the City after the July 2001 flood. He said the City refused to pick up trash and debris the residents had collected from the creek area. He stated the only response he received that was satisfactory was after he sent a letter directly to the Mayor. He said many calls had been made to David Riggs and they were not returned. He concluded he knows they have private streets but would like the City to collect brush, salt the streets and asked why they pay for their own street lights. Len Blum of 604 Bunker Lane addressed Council and distributed information to the Council in regards to storm water issues. He said 2 sixty-inch culverts, 1 seventy-two inch culvert are feeding into one sixty-inch culvert. In addition, he said two other culverts feed into

this same area. He stated it is obvious the culvert under Fairway Drive is not sufficient. He referred to Ordinance 2001-61, which establishes the Storm Water Utility. He said it is time to get the job done right and it cannot be done by fixing problems on public property only. Cliff Harpold of 493 Clubhouse Drive addressed Council and stated he is the current President of the Board on the Homeowners Association. He said since 1997, the association has been experiencing difficulty with insurance claims due to water damage. He stated their premiums have risen dramatically and now the companies refuse to cover water damage. He asked for the City's assistance in resolving this matter. Tom Harmon of 620 Bunker Lane addressed Council and stated 7 years ago Council permitted homes to be built in the Fairways of Pine Run. He said the matter was a concern then but Council approved the development anyway. Rich Easterrbooks of 527 Wedge Way addressed Council and asked when they could expect a reply from Council. Vice Mayor Fox responded they will look into the matter. He asked Scot Lahrmer to look into phone calls not being returned to residents. Scot Lahrmer stated when this development came before the City, it was proposed as private development. As such it received certain considerations in matters such as density. He stated the streets were always to be private and were not built to City specifications. He added brush chipping should be done if it is located in the road right-of-way. He said this development was built long before the development of the storm water regulations. John Klein of 605 Bunker Lane addressed Council and stated he was a retired engineer with experience in development. He said the 60-inch culvert under Fairway Drive is a problem and should be addressed by the City, as it is a public street. Vice Mayor Fox stated the City Engineer and Scot Lahrmer will meet to discuss this matter. Len Blum asked if he could be notified when that meeting is scheduled. Gene Nell of 607 Bunker Lane addressed Council and stated the April issue of Mason Matters addressed how important the City feels providing public services is to the City residents.

Debbie Sanders of 5305 Parlor Court addressed Council and stated her appreciation to Councilmember Pelfrey for her attempts to pass a resolution supporting the Downtown Mason Revitalization Committee (DMRC). She stated the committee has put in many hours and is discouraged by what appears to be a lack of support from City Council. She stated she is the editor of the newsletter and all committee reports are sent to her. She stated activity has been put on hold. Larry Tokarsky addressed Council and stated it is their understanding Linda Fitzgerald relayed to them the committees are on hold as directed by Scot Lahrmer. He stated quality of life issues and traffic issues need to be addressed. Scot Lahrmer responded phase 2 of the Poggemeyer study is the only item on hold. He stated the Downtown Mason Revitalization Committee is not on hold and this is evident by the invoices submitted to the city monthly by Linda Fitzgerald. He said the traffic discussion is what is holding the Poggemeyer study. Councilmember Beck suggested the DMRC and the Poggemeyer Group be included in the Ad Hoc Committee discussions with the Concerned Citizens Group. Councilmember Staten suggested the more people involved could hinder progress at this point. He suggested waiting on some consensus being reached between the Ad Hoc Committee and the Concerned Citizens Group and then including others.

TC Sferra addressed Council and invited everyone to attend the Chamber Auction on Wednesday May 1, 2002. She announced it would be held at the Manor House and will begin at 6:00 p.m. With the assistance of others, a brief game was played to illustrate the type of activity one will experience at the auction.

RESOLUTION 2002-03 PROCLAIMING APRIL 27, 2002 AS EARTH DAY

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

Eric Hansen addressed Council and stated this is the 11th year for the City to recognize Earth Day. He said the Earth Walk will begin at 10:30 a.m. at the Lou Eves Municipal Pool. He added other events are planned at the conclusion of the walk, which includes tree seedling give-away, and an Earth Day Every Day program by Kendra Schide, park naturalist.

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

RESOLUTION 2002-04 PROCLAIMING MAY 5-11, 2002 AS PUBLIC SERVICE RECOGNITION WEEK

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

Eric Hansen stated the purpose of this legislation is to generate public attention and show appreciation to the employees of the City of Mason. He added all City employees are recognized during the Employee Excellence Awards Program to be held on May 9, 2002.

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

RESOLUTION 2002-05 PROCLAIMING MAY 13-17, 2002 AS SMALL BUSINESS WEEK

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

Scot Lahrmer stated the purpose of this legislation is to promote the entrepreneurial leadership and invaluable contribution that small businesses make to the City of Mason. He added the recognition of Small Business Week is intended to promote the practice of doing daily business within our local community, and reemphasizes the value the residents, schools, community organizations and the local government places on these businesses.

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

ORDINANCE 2002-64 ACCEPTING ANNEXATION ON APPLICATION OF THE OWNER OF CERTAIN PROPERTY CONTAINING 101.795 ACRES LOCATED IN UNION TOWNSHIP TO THE CITY OF MASON, OHIO

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

Scot Lahrmer stated the Warren County Commissioners have approved the annexation petition for 101.795 acres owned by Adolph and Beverly Biehle. This property is located on the east and west side of Mason-Morrow-Millgrove Road, east of US 42. Scot explained the next step is for the city to accept the annexation and certify it to the county. Staff recommends approval. It was noted an error was made on the ordinance included in the Council Packets and it should be corrected to read Union Township.

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

A motion to adopt Ordinance 2002-64 was made by Councilmember Kidd, seconded by Councilmember Beck. VOTE: ALL YEAS

ORDINANCE 2002-65 ACCEPTING ANNEXATION ON APPLICATION OF THE OWNER OF CERTAIN PROPERTY CONTAINING 3.2589 ACRES LOCATED IN DEERFIELD TOWNSHIP TO THE CITY OF MASON, OHIO

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

Scot Lahrmer stated the Warren County Commissioners have approved the annexation petition for 3.25 acres owned by Robert and Diane Beatty. This property is located at 4309 Mason-Montgomery Road. Scot explained the next step is for the city to accept the annexation and certify it to the county. Staff recommends approval.

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

A motion to adopt Ordinance 2002-65 was made by Councilmember Beck, seconded by Councilmember Kidd. VOTE: ALL YEAS

ORDINANCE 2002-66 AUTHORIZING THE CITY MANAGER TO EXECUTE AND PRESENT TO THE BOARD OF COUNTY COMMISSIONERS OF WARREN COUNTY A PETITION FOR A CHANGE OF TOWNSHIP BOUNDARIES

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

Scot Lahrmer stated this legislation is necessary to incorporate the boundaries of recent annexations into Mason Township. The properties included in this change of boundary are as follows: Clem, Bedinghaus/Schoonover, Hermann, Schappacher, Mason Schools/Mitchell, Mullins, Biehle and Beatty. Once adopted this legislation will be certified to the County and become effective within 30 days.

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

A motion to adopt Ordinance 2002-66 was made by Councilmember Kidd, seconded by Councilmember Staten. VOTE: ALL YEAS

ORDINANCE 2002-67 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE SHELLY COMPANY FOR THE 20002 STREET MAINTENANCE AND RESURFACING PROGRAM

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

Richard Fair explained to Council this year's program for street maintenance and resurfacing includes a concrete pad for the amphitheatre at Pine Hill Park and a six-foot wide sidewalk around the new playground at Heritage Oak Park. He stated the lowest and best bid was received from the Shelly Company for \$742,725.15.

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

A motion to adopt Ordinance 2002-67 was made by Councilmember Kidd, seconded by Councilmember Grossmann. VOTE: ALL YEAS

ORDINANCE 2002-68 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH CONTRACT INTERIORS FOR THE PURCHASE AND INSTALLATION OF SHELVING FOR THE NEW MUNICIPAL BUILDING

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

Eric Hansen explained to Council one element that was not included in the furniture bid for the new municipal center was for the purchase and installation of heavy-duty metal shelving. He added this item was not available for purchase by State bid so the City

advertised for bids and received five proposals. After careful examination of the quality and specifications of each proposal, it was decided the bid from Contract Interiors was the most comprehensive proposal for price, quality and installation. Approval of the contract to Contract interiors is recommended for an amount not to exceed \$47,276.80.

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

A motion to adopt Ordinance 2002-68 was made by Councilmember Staten, seconded by Councilmember Kidd. VOTE: ALL YEAS

ORDINANCE 2002-69 REJECTING ALL BIDS FOR A NEXT GENERATION IP-BASED VOICE, DATA AND VIDEO COMMUNICATION SYSTEM

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

Eric Hansen explained to Council Ordinance 2002-69 rejects original bids for the telephone system opened on March 6 because staff determined that additional cost savings would be realized by giving firms the option of combining the telephone system, local telephone and internet services into one, combined bid. In addition, he said staff revised the specifications to include all the necessary network hardware for both the Municipal Building and all outlying sites. These three bid packages were then re-bid in April and bidders were given the option of bidding any or all of the bid packages. Eric stated the revised bids for the telephone system were divided into 3 packages, which were opened on April 15th. They were evaluated on security, long-term usability and manageability. With Ordinance 2002-70 the City awards a contract to Sprint for the Cisco system which best meets the future telephone system needs. This contract is for a not to exceed amount of \$204,704.87. Ordinance 2002-71 awards a contract to Cincinnati Bell Telephone Company for the local telephone and internet services reducing the current monthly costs by 60%.

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

A motion to adopt Ordinance 2002-69 was made by Councilmember Staten, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

ORDINANCE 2002-70 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH SPRINT TO PURCHASE AND INSTALL A NEXT GENERATION IP-BASED VOICE, DATA AND VIDEO COMMUNICATION SYSTEM

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

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

A motion to adopt Ordinance 2002-70 was made by Councilmember Pelfrey, seconded by Councilmember Grossmann. VOTE: ALL YEAS

ORDINANCE 2002-71 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH CINCINNATI BELL TELEPHONE COMPANY, INC. FOR LOCAL TELEPHONE AND INTERNET SERVICES

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

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

A motion to adopt Ordinance 2002-71 was made by Councilmember Pelfrey, seconded by Councilmember Grossmann. VOTE: ALL YEAS

Vice Mayor Fox stated an addition to the agenda would be added, Ordinance 2002-72.

ORDINANCE 2002-72 AUTHORIZING THE CITY MANAGER TO FILE AN APPLICATION AND ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF NATURAL RESOURCES FOR THE PURPOSE OF ACQUIRING FUNDS THROUGH THE DIVISION OF FORESTRY'S URBAN FORESTRY ASSISTANCE PROGRAM

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

Scot Lahrmer stated Governor Taft has established the Bicentennial Legacy Tree Planting Initiative. He stated it is the Governor's goal to plant a tree for each school age child in Ohio. The City's Engineering and Planning Department are applying for a grant to install approximately 194 trees along Mason-Montgomery Road between Tylersville Road and Main Street. He explained the program is a 50/50 match and the City's portion would be \$15,000. He added the City applied for this grant unsuccessfully last year. This legislation authorizes the City to proceed with the grant process.

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

A motion to adopt Ordinance 2002-72 was made by Councilmember Grossmann, seconded by Councilmember Kidd. VOTE: ALL YEAS

CITY MANAGER'S REPORT

A joint meeting will take place on April 29, 2002 at 5:00 p.m. between the Chamber of Commerce and Mason City Council. The meeting will be held at Fanuc Robotics and will be followed by a Council Worksession at the same location.

Eric Hansen has received an award as the Assistant City Manager of the Year from the Greater Cincinnati Chapter of American Society for Public Administration.

COMMITTEE REPORTS

Councilmember Beck mentioned the fundraiser being held at the Houston Restaurant on Tuesday April 23 and Wednesday April 24. He explained fifty percent of the proceeds were being donated to the Veteran's Memorial. Councilmember Pelfrey stated a fundraiser was being held by a sixth grade teacher, John Miracle. He is supporting the Veteran's Memorial by holding a bake sale.

Councilmember Grossmann reported the Council Ad Hoc Committee has met with the Concerned Citizens Group regarding the traffic improvements for the downtown area. He stated the Concerned Citizens stated their concerns and the committee from Council has decided it would be helpful to suggest a proposal to them to begin moving forward. He added it would be helpful if a visual concept were available to present.

Vice Mayor Fox stated the Utility Committee had met prior to the Council meeting.

COUNCIL OLD AND NEW BUSINESS

Councilmember Staten encouraged Council to read the information provided regarding the assessment proposal for the extension of Snider Road. He would like to discuss it at the next meeting.

Councilmember Pelfrey stated she has become aware the accidents occurring on Brewer Road are under conflicting areas of reporting jurisdictions. She stated apparently some are being reported to the County and others to the City. She asked if a total report of the accidents on Brewer Road could be obtained from all jurisdictions involved.

Councilmember Beck requested a copy of the initial report on the storm water issues and the current status of the projects. Richard Fair stated there has been no change since the memo was issued in March.

Vice Mayor Fox mentioned the fundraiser on Tuesday and Wednesday at the Houston Restaurant. He also stated the Earth Walk will be held at 10:30 a.m. and it begins at the Lou Eves Municipal Pool.

A request for a liquor permit was addressed for 101 E. Main Street. It was clarified this request was for spirituous liquor for on premises consumption only, beer and wine for on premises, and of premises in original sealed containers, until 2:30 a.m. Councilmember Staten moved to not require a hearing. Councilmember Grossmann seconded the motion. VOTE: ALL YEAS

RECOGNITION OF VISITORS

None

EXECUTIVE SESSION

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

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

ORDINANCE 2002-73 AUTHORIZING THE CITY MANGER TO ENTER INTO A CONTRACT TO PURCHASE WITH JAMES E. DAPP AND BETH E. DAPP FOR THE ACQUISITION OF PROPERTY LOCATED AT 113 SOUTH MASON-MONTGOMERY ROAD, MASON, OHIO 45040, AND DECLARING AN EMERGENCY

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

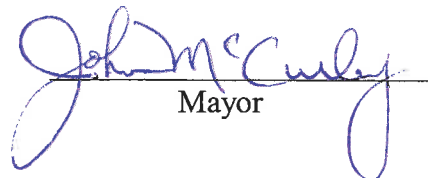
A motion to suspend the rule and allow for adoption after the first reading was made by Councilmember Kidd, seconded by Councilmember Kidd. VOTE: ALL YEAS

A motion to adopt Ordinance 2002-64 was made by Councilmember Kidd, seconded by Councilmember Kidd. VOTE: ALL YEAS

ADJOURN

A motion to adjourn was made by Councilmember Kidd, seconded by Councilmember Staten. VOTE: ALL YEAS
TIME: 10:05 p.m.


Clerk of Council


Mayor