

**CITY OF MASON
COUNCIL MEETING
NOVEMBER 11, 2002**

Mayor McCurley called the meeting to order at 7:04 p.m. Chaplain Jerry Pelfrey led those in attendance in prayer. Council led the pledge of allegiance.

ATTENDANCE

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

APPROVAL OF MINUTES

Vice Mayor Fox moved to approve the minutes of the October 28, 2002 Council meeting. The motion was seconded by Councilmember Pelfrey. VOTE: ALL YEAS

Vice Mayor Fox moved to approve the minutes of the November 4, 2002 Worksession. The motion was seconded by Councilmember Staten. VOTE: ALL YEAS

RECOGNITION OF VISITORS

Ginny Sundin of 108 East North Street addressed Council and asked about the City changing the logo on all city parks and recreations vehicles. She stated she has been on the Park Board since 1977 and explained how the current logo the Parks and Recreation Department uses was a result of an extensive contest involving the schools. She asked the City not discard it and to continue using it. Scot Lahrmer stated it is the City's desire to have one logo that unifies all departments and functions of the City. He explained several choices had been submitted to Council at a worksession and none were chosen at that time. He stated he left that meeting feeling Council wanted to keep the current "CM" logo for the time being and perhaps update the appearance. He said subtle changes were made and the City pursued with the updated logo for city letterhead. He added it is important for the City to be recognized as a provider in the new Community Center and not just an extension of the Parks and Recreation Department. He stated the signs at the entrances of the parks would not be changed as they are in good shape. Councilmember Grossmann stated his recollection of the worksession was that no new logo was to be adopted at this time and Council would address it in the future. He said purchasing letterhead is not an expensive decision but he did not agree the logo should replace existing ones on vehicles etc., at this time. Vice Mayor Fox suggested a unifying logo be adopted for all departments but a sub logo be permitted for the various departments. Mayor McCurley stated the current, updated logo may not be the permanent logo.

Mr. Rick Adams of 369 Walnut Lane addressed Council and stated his family was recently displaced by fire to his residence. He stated he is aware Greater Cincinnati Water Works (GWCC) is now responsible for our water service and asked if they in fact own the facilities. Scot Lahrmer responded the City has gotten out of the water business and they have signed a contract with GCWW to take over the operations. The City still owns the equipment. Scot also stated an investigation is continuing on the source of the fire and the state of the fire hydrants in the area that were inoperable. He has received no report at this time. Mr. Adams asked why residents of the Greenery Condominium complex do not receive the same services as other residents in the City. Scot responded as that project was initially presented to the City, it was designed to be a private development with private streets, not built to city specifications. It was designed for the homeowners to accept responsibilities for street maintenance, street lighting etc. Mr. Adams asked if the City could take over the streets. Scot Lahrmer stated it would be an expensive proposition to bring them up to city standards and probably not something the Greenery would find feasible. He stated brush pickup does occur for the residents if the brush is placed in the City right of way. Mr. Adams asked why the Fire Department can utilize the fire hydrants but the City cannot maintain the streets. Vice Mayor Fox stated right of way easements exist for the water lines to allow the Fire Department access to the equipment. Mr. Len Blum of 604 Bunker Lane addressed Council representing the Greenery Homeowners Association and expressed concern over unnecessary loss of private property. He stated following the fire, he requested the hydrants be replaced immediately and was told by GCWW that it might not be done until next Monday. He stated he was shocked at that response. He added they were in fact replaced the next day. He added he is concerned GCWW is a weak link for fire protection for residents. He stated the City should rethink who is inspecting hydrants and it should be City employees. He added there was \$500,000 of unnecessary damage. Mayor McCurley stated the hydrants were inspected in August by GCWW and found problematic. Scot Lahrmer stated both hydrants had water flow to them in August but problems still existed with the equipment. Councilmember Pelfrey stated the City should be notified on the repairs that are needed to City equipment. Councilmember Grossmann stated we should ask GCWW what their timetable is for repairing hydrants and the necessary reports they file. Mayor McCurley reported it is the City's responsibility to ensure the safety of our residents and we will continue to research this matter.

ORDINANCE 2002-141 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH OKI WINDOW SYSTEMS, INC. FOR AN AMOUNT NOT TO EXCEED \$115,000.00 FOR COMPLETION OF THE WINDOW SYSTEMS FOR THE NEW MUNICIPAL CENTER AND DECLARING AN EMERGENCY

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

Eric Hansen explained to Council the original company Greenville Glass the City contracted with for windows for the new Municipal Center ran into financial difficulties and was unable to complete their obligation. In order for the City to meet opening and

dedication dates, the firm of OKI Window Systems was brought in to complete the work. It was necessary for them to re-order materials and re-install glazing that Greenville lost, ordered incorrectly or damaged. Now, OKI is seeking reimbursement for the City for an amount not to exceed \$115,000. Eric also stated all the necessary documentation is in place, and the bonding company will be held responsible to reimburse the City the entire amount. He stated the City is not exceeding the original contract amount for this portion of the project.

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

A motion to adopt Ordinance 2002-141 was made by Vice Mayor Fox, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

ORDINANCE 2002-142 ACCEPTING THE PUBLIC IMPROVEMENTS FOR FAIRWAYS OF CROOKED TREE SUBDIVISION, PART 2-BLOCK E AND RELEASING THE PERFORMANCE BOND

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

Richard Fair explained to Council the Fairways of Crooked Tree Subdivision includes the southern end of Crooked Tree Drive, Precept Drive, Slazenger Court, Dunlop Court, and the west side of Top Flite Lane. He said the Public Utilities, Public Works and Engineering Departments inspected the public improvements. The street, utilities and other public improvements will become the City's responsibility upon acceptance. Staff recommends acceptance of the public improvements contingent on the submission of a one-year maintenance bond.

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

A motion to adopt Ordinance 2002-142 was made by Councilmember Pelfrey, seconded by Vice Mayor Fox. VOTE: ALL YEAS

ORDINANCE 2002-143 APPROVAL OF EASEMENT ASSIGNMENT AND DEDICATION FOR THE SANITARY SEWER SERVING THE ROSEMONT MANOR SUBDIVISION

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

Richard Fair explained to Council the developer is requesting approval of sanitary sewer easements for the Rosemont Manor Subdivision, which is outside the City limits. He said the easements are necessary to provide City of Mason sanitary sewer services to the Rosemont Manor Subdivision. He added the sanitary line has been installed and

inspected by the City of Mason. The easements are located west of the Greenbrier subdivision, in a Deerfield Township subdivision named Rosemont. He stated the easements granted will allow the City to maintain, keeping repair and replace the sanitary sewer pipeline and appurtenances as required. One easement was granted to Rhein Interests and is being assigned to the City of Mason. The other easement is being dedicated by Rhein Interests to the City of Mason.

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

A motion to adopt Ordinance 2002-143 was made by Vice Mayor Fox, seconded by Councilmember Grossmann. VOTE: ALL YEAS

ORDINANCE 2002-144 AUTHORIZING THE CITY MANAGER TO ENTER INTO A COOPERATION AGREEMENT WITH THE WARREN COUNTY BOARD OF COMMISSIONERS FOR AN OHIO SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT FOR DRIVEWAY APRON, CURB, GUTTER AND SIDEWALK REPLACEMENT ON BOYD LANE

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

Eric Hansen stated the purpose of this legislation is to apply and receive formula grant CDBG monies, which Mason is entitled to receive. He said each year the City is entitled to grant monies for areas of Mason which will benefit low to moderate income persons or eliminate immediate threats. This year's project consisted of sidewalk and apron replacement of Holly Lane. He stated since 1990, nearly \$400,000 has been invested in curb, gutters, sidewalks and street maintenance in the Meadows subdivision.

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

A motion to adopt Ordinance 2002-144 was made by Vice Mayor Fox, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

ORDINANCE 2002-145 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 Vice Mayor Fox, seconded by Councilmember Staten. VOTE: ALL YEAS

Eric Hansen explained to Council the purpose of this legislation is to approve a contract with Cargill Inc. for the purchase of rock salt for the 2002-03 season. He stated through the association of the Southwest Ohio Purchasers for Government (SWOP4G) the City was able to reduce the amount paid last year by 4% resulting in a cost of \$32.42 per ton.

He added this is lower than the State of Ohio's price. It is anticipated 3,500 tons will be needed however, the City is not obligated to purchase that amount and will be able to purchase more if necessary. Councilmember Pelfrey asked if we stockpile or purchase as needed. Eric responded we do not have the room to stockpile so it is on an as needed basis.

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

A motion to adopt Ordinance 2002-145 was made by Vice Mayor Fox, seconded by Councilmember Staten. VOTE: ALL YEAS

ORDINANCE 2002-146 AMENDING ORDINANCE NO.2002-94 ESTABLISHING THE POSITIONS AND RATES OF COMPENSATION FOR EMPLOYEES OF THE MASON MUNICIPAL COURT AND DECLARING AN EMERGENCY

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

Eric Hansen stated this legislation makes two amendments to Court's compensation schedule by adding "plus benefits" to the Chief Probation Officer position and the Chief Bailiff position, allowing staff to process the Court's personnel order. Councilmember Grossmann, as Court/ Council liaison stated he does not feel this is an unreasonable request. He added other employees currently receive these benefits. Vice Mayor Fox said he would still like to see the information he requested from the Court regarding a projection to years end on revenue. Councilmember Grossmann stated it is his understanding this will be forth coming. Scot Lahrmer stated the Judge initially requested that no benefit be assigned to these positions and has now changed his mind. Scot added this is not an unusual request.

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

A motion to adopt Ordinance 2002-146 was made by Councilmember Grossmann, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

ORDINANCE 2002-147 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH TENNIS FOR CHARITY, INC. REGARDING ECONOMIC DEVELOPMENT OF THE REAL PROPERTY AT THE ATP STADIUM AND THE BRUIN GOLF COURSE

Councilmember Grossmann excused himself from the room as this legislation presents a conflict of interest for him.

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

Scot Lahrmer explained to Council the history of the negotiations that have occurred over the last four years. He stated this current agreement allows for the purchase of the property by the Tournament, an annual contribution by the City of \$125,000 for a 25-year period. He stated this agreement is contingent upon the retention of the tournament, as well as other items outlined in the draft agreements which are still being fine tuned by the City and the Tennis for Charity.

Mayor McCurley stated this is a first reading and will be addressed again at the next Council meeting.

CITY MANAGER'S REPORT

A tour of the new Community Center is scheduled for Council on Wednesday, November 20, 2002 from 4 to 5:30 p.m.

City offices will be closed for the Thanksgiving Holiday on November 28 and 29, 2002.

The DARE graduation will be held on Tuesday at 7:00 p.m. at the Mason Middle School.

A meeting has been scheduled with the Mason Landen Kings Chamber of Commerce for Monday December 16, 2002 at 5:00 p.m. in the Community Room. A presentation will be made by the Downtown Revitalization Committee.

At this time, it does not appear to be necessary to hold the regularly scheduled second Council meeting in the month of December. It would have occurred on December 23, 2002. Alternate dates and times can be scheduled if the necessity arises.

COMMITTEE REPORTS

Councilmember Grossmann reported for the Economic Development committee that Lenscrafters will be moving into their new building the month of November.

Councilmember Pelfrey reported on the Veteran's Memorial event that occurred on October 8, 2002. She thanked all those involved in making it a huge success for the community.

Councilmember Staten reported on the activities of the Planning Commission from the November 5, 2002 meeting.

COUNCIL OLD AND NEW BUSINESS

Councilmember Staten remarked he has received comments about the ICRC tape of the Council meetings. He said people have said they cannot see us as well and can't hear us. He also suggested seating be placed in the atrium for those residents waiting in that area.

Vice Mayor Fox reported he attended a meeting of the Ohio Board of Education where he participated in a presentation on the joint project involving the High School and Community Center. He stated there was much interest in this concept.

Councilmember Pelfrey stated she would like to discuss the guidelines for public use of the Community Room before they get implemented. It was decided suggestions should be submitted to staff prior to the next meeting.

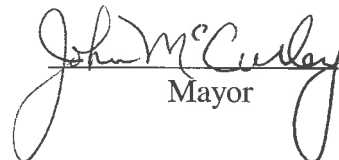
Mayor McCurley reported he participated along with other Councilmembers in a Veteran's Celebration at the Church of Christ of Mason. He mentioned Dr. Kevin Bright of Mason City Schools has been selected as Superintendent of the Year for the State of Ohio. He also reported he had met with Liberty Township to discuss the extension of the Michael Fox Highway and its impact on the City of Mason. He stated he has a concern over the impact this will have on City roads and traffic congestion. He said he would like to see a traffic study and thoroughfare plan and possible funding sources for necessary improvements before the City could support this project. With Council's agreement, he requested a letter be sent to the OKI Board prior to their meeting on Thursday repeating these concerns.

RECOGNITION OF VISITORS--None

ADJOURN

A motion to adjourn was made by Councilmember Staten, seconded by Councilmember Grossmann. VOTE: ALL YEAS
TIME: 8:35 p.m.


Clerk of Council


Mayor