

**CITY OF MASON
COUNCIL MEETING
DECEMBER 9, 2002**

Mayor McCurley called the meeting to order at 7:05 p.m. Following the pledge of allegiance, Chaplain Tom Moll opened the meeting with a prayer.

ATTENDANCE

The following members of Council were present: Jim Fox, Dick Staten, Victor Kidd, Tom Grossmann and John McCurley. Mayor McCurley stated Councilmember Pelfrey will be in attendance but is running late.

APPROVAL OF MINUTES

A motion to approve the minutes of the November 11, 2002 meeting was made by Councilmember Staten, seconded by Vice Mayor Fox. VOTE: 4 YEAS, 2 ABSTAIN (Beck, Kidd).

A motion to approve the minutes of the November 25, 2002 meeting was made by Councilmember Kidd, seconded by Vice Mayor Fox. VOTE: 5 YEAS, 1 ABSTAIN (Staten).

RECOGNITION OF VISITORS

Sylvia Martin addressed Council on behalf of the Women's Auxiliary of Unit #194. She presented a check for \$500 to Councilmember Beck for the Veteran's Memorial Fund.

James Muetzel, Eric Cannon and Steve Renzi addressed Council representing the Senior Government Class at the Mason High School. They presented Councilmember Beck with a check for \$350 for the Veteran's Memorial Fund.

Debbie Speed of 3542 Crooked Tree addressed Council representing the Homeowners Association of the Fairways of Crooked Tree. She stated the streets in the subdivision need to be cleaned because there is a lot of mud and dirt on the road due to the development in the area which is located outside the city corporation limits. She also requested more officers in the area because a traffic problem exists. Scot Lahrmer stated construction debris is something the street sweeper cannot handle. He stated Warren County Engineers Office can be contacted to help handle this situation as the development is actually in Deerfield Township. Scot also stated a new street sweeper is in the 2003 budget. She stated a petition has been presented to the County requesting another street be built to help alleviate the traffic problems.

ORDINANCE 2002-156 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH JACOBS CIVIL INC. ENGINEERING COMPANY FOR THE PRE-CONSTRUCTION SERVICES NECESSARY FOR THE NEW WATER RECLAMATION PLANT

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

Councilmember Pelfrey joined the meeting at this time.

Scot Lahrmer explained this was a second reading for this legislation as more discussion was requested regarding this matter. In June, Councilmember Grossmann said he had asked Scot Lahrmer and Ernie Stickler for a copy of the analysis done to help Council determine what to do about Mason's sewer treatment system. Councilmember Grossmann said that he had requested this analysis because he had been informed in June that Mason was going to have to raise its sewer rates substantially in order to help fund the new waste reclamation plant that was going to cost approximately thirty million dollars. He stated he had not received a copy of the study, performed by Finkbeiner Petitus & Strout ("FPS"), until late September or early October. At the next council meeting on October 14, he had asked why certain other options had not been addressed in the Finkbeiner study, such as privatization or outsourcing of Mason's sewer services as Clermont County and Franklin have done or a regional sewer treatment system with Warren County and/or Lebanon. Councilmember Grossmann noted that in response to those questions, Council on October 14 had requested that a work session be scheduled. He noted that a work session had been scheduled and held in the beginning of November, but that those issues were not addressed. Subsequent to the November work session, Councilmember Grossmann stated that he had been informed by Scot Lahrmer that the Utility Committee had decided not to look into any privatization or regionalization proposals and that Councilmember Grossmann should talk to the FPS firm and others himself to obtain answers to his questions. As a result, he said that he and other members of Council met with representatives of Earth Tech (a private provider of sewer and water treatment services). In addition, he also stated that he and other members of Council also had a separate meeting with representatives of FPS. Councilmember Grossmann said that Earth Tech would provide an initial proposal to Council within two weeks and they stated they could provide Mason with the most advantageous proposal if it were allowed to both design and build the project for the new waste water treatment facility. In the meeting with FPS, Councilmember Grossmann stated that FPS representatives indicated that there would be no material delay in the completion of the new facility if Council took a month or two to look at other alternatives. Councilmember Grossmann stated that during this meeting FPS also noted that recently it had prepared an anti-degradation study in which it had briefly analyzed sending all of Mason's future sewage to Lebanon's current facility. Councilmember Grossmann stated that FPS had not done a present-value calculation with regard to the cost of doing this alternative, which would be necessary to truly compare this alternative with the proposed new \$30 million dollar plant. He also stated FPS had not analyzed a number of different scenarios calculated to obtain the full useful life out of new equipment purchased by Mason for its current waste treatment

facility in 1995 and 1996 and which would require expenditures far smaller than the estimates done by FPS in the anti-degradation study. Councilmember Grossmann suggested that there would be no harm in obtaining as much information about privatization and/or regionalization of Mason's sewer system and he requested that these topics be explored in a Council work session that was being scheduled for January 20, 2003. Councilmember Grossmann suggested tabling this legislation until more review could be done. He also added that he felt it might be beneficial to allow another firm to review the options due to the vested interest the current firm (FPS) has in seeing this plan completed. Vice Mayor Fox stated the Utility Committee met prior to the meeting tonight and reviewed this issue. As a result of that meeting, he said he has serious concerns about delaying the current plan. He said the City is currently in compliance with the permit issued by the EPA. He stated he was told by FPS any delay is risky. Vice Mayor Fox stated pumping to Lebanon would cost four million dollars which is money that will never be recouped. He said it is an interim fix at best. He also said we are not vacating a recently built plant on SR 42. He said \$12 million dollars spent seven or eight years ago at that plant went for items other than the actual plant. He stated some of the tanks existing at that plant are 40 years old. He said it was not as if the City is turning its back on a plant that is 7 or 8 years old. He stated much of the plant is antiquated. He said the newer equipment could be auctioned off. He said they have received a copy of the anti-degradation study and the rest of Council will receive this study which gives details on the other alternatives the City could consider other than building a new plant. This study includes expanding Lebanon's plant. He said upon review of this report, it is apparent the best option is to proceed with our current plan without delay. As an example, Vice Mayor Fox stated, the study revealed the expansion of the Lebanon plant would cost approximately \$38 million. Our new plant will cost \$30 million dollars. Councilmember Grossmann stated that in his meeting with FPS they stated a delay would not be a problem. He also said our current plant can be expanded an additional two million gallons per day and that the cost of doing this plus sending 2 to 3 million gallons per day would cost far less than \$38 million dollars and would allow Mason to use the current plant for at least 10-15 more years. He stated that he is very uncomfortable with walking away from our current investment without addressing all of the potential alternatives. He added that the current plan would result in a substantial rate increase. Councilmember Kidd stated he is also concerned over a delay and the negative effects it could have on the City's commitment with the EPA. He said he has personally contacted the EPA and learned they have observed joint ventures are loaded with conflict and they stated any delay could be serious with respect to the City violating the current permit. He stated we must provide the best service for our residents and he believes the current plan is the one that does that. Councilmember Staten said he voted in the past to build a new plant because it made economic sense. He added the current plant is in a flood plain and long ago this option of regionalism with Lebanon was reviewed and it was not pursued because they would not allow us a voice in setting the rates for our residents. He added the design for the new plant is 60% complete and the current plant is a retro fit and a bad design. He added he will vote to proceed with the current plan because it is the best decision. Councilmember Kidd stated he has observed the further services get out of the community, the more services suffer. Councilmember Grossmann stated Lebanon's sewer rates are one third lower than the City's rates. Vice Mayor Fox stated they have

not experienced the growth we have or their rates would be comparable. Councilmember Pelfrey stated this matter should have been discussed earlier. She stated as long as she has been on Council privatization and regionalism were never discussed. She said this should have been brought up in the Utility Committee. She said a regional approach may have addressed over a decade ago but has not been addressed recently. Councilmember Grossmann said he feels we have received many different answers to the same questions. Vice Mayor Fox stated FPS wasn't asked to investigate regionalism because it was done before and the City decided they were not interested in it. He added privatization usually is done due to labor problems and plants in bad condition. Councilmember Grossmann stated the primary reason for privatizing is to save money. He also asked why a different firm would be hired to evaluate the work done by the first firm. Councilmember Kidd stated he has learned it is a common procedure and typically saves from 5 to 10% on the total costs. Councilmember Beck stated he is not in favor of awarding this contract for review. He stated he does not think it is a wise use of money. He suggested maybe the City's new plant could be a regional plant. Councilmember Grossmann stated he would prefer to ask if there is a better site for a regional plant. He requested sufficient time to answer these questions.

A motion to adopt Ordinance 2002-156 was made by Councilmember Staten, seconded by Vice Mayor Fox. VOTE: 5 YEAS, 2 NAYS (Grossmann, Beck)

ORDINANCE 2002-157 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH HENRY P. THOMPSON COMPANY FOR THE EQUIPMENT NECESSARY TO CONVERT THE SCADA SYSTEM FROM TELEPHONE LINE TO RADIO COMMUNICATION FOR THE WASTEWATER COLLECTION SYSTEM

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

Scot Lahrmer explained to Council this is the second reading on this legislation. He said the cost of this contract is \$94,727.48 for the purpose of converting the SCADA system from telephone line to radio communication.

A motion to adopt Ordinance 2002-157 was made by Councilmember Staten, seconded by Vice Mayor Fox. VOTE: ALL YEAS

Vice Mayor Fox asked if there was some clarification needed as to the direction given to FPS. Councilmember Grossmann suggested this be discussed during old and new council business.

ORDINANCE 2002-158 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE MASON CITY SCHOOL BOARD TO PROVIDE AN ADDITIONAL SCHOOL RESOURCE OFFICER AND CREATING ONE ADDITIONAL POSITION OF POLICE OFFICER IN THE CITY OF MASON POLICE DEPARTMENT AND ESTABLISHING COMPENSATION

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

Eric Hansen stated this legislation would create a new position to provide an additional school resource officer for the Mason City Schools. He said the Schools have requested this position and have received a grant of \$25,000 to help finance this position. Dr. Kevin Bright, Superintendent, addressed Council and thanked them for their cooperation on the various joint issues the two entities have worked on together. He stated there is a need for an additional officer due to the increase in enrollment. He added the school is willing to finance this position for ten months of the year.

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

A motion to adopt Ordinance 2002-158 was made by Councilmember Kidd, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

ORDINANCE 2002-159 ACCEPTING THE PUBLIC IMPROVEMENTS FOR GREENBRIER SUBDIVISION-PHASE AND RELEASING THE PERFORMANCE BOND

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

Richard Fair explained to Council the purpose of this legislation is to release the performance bond and accept the public improvements as recommended by staff. He added the Public Utilities, Public Works and Engineering Departments have inspected the public improvements. He added staff recommends approval of this legislation contingent on the submission of a one-year maintenance bond.

Councilmember Grossmann asked if the City looks at the number of homes completed prior to acceptance. Richard Fair replied typically that is not considered. Councilmember Grossmann stated if a large number of lots still will be built on doesn't it follow there will be heavy equipment traveling on the roads. Mayor McCurley stated that is a good point but in Mason it has never taken long for the subdivisions to be fully built. Richard Fair stated our subdivision regulations are based on time. He said a maintenance bond is required and once a topcoat is applied, we can accept it.

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 2002-159 was made by Councilmember Staten, seconded by Vice Mayor Fox. VOTE: ALL YEAS

ORDINANCE 2002-160 ACCEPTING DEDICATION OF RIGHT-OF-WAY, UTILITY EASEMENTS AND TEMPORARY GRADING AND CONSTRUCTION EASEMENTS LOCATED ON THE SOUTHERN PROPERTY LINE OF THE WLW CLEAR CHANNEL SITE ABUTTING TYLERSVILLE ROAD.

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

Richard Fair explained to Council the Engineering Department is requesting approval of a dedication plat for the WLW Clear Channel site, located between Snider Road and US 42 on the north side of Tylersville Road. He said this plat will dedicate the right-of-way and provide the easements necessary for the Tylersville Road Bicycle and Pedestrian Way Extension Project.

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 2002-160 was made by Councilmember Staten, seconded by Vice Mayor Fox. VOTE: ALL YEAS

ORDINANCE 2002-161 ACCEPTING DEDICATION OF RIGHT-OF-WAY, UTILITY EASEMENTS AND TEMPORARY GRADING AND CONSTRUCTION EASEMENTS ON THE SOUTHERN PROPERTY LINE OF THE KLEKAMP SITE LOCATED ON THE NORTHWEST CORNER OF TYLERSVILLE ROAD AND U.S. 42.

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

Richard Fair explained to Council this legislation is also necessary for the Tylersville Road Bicycle and Pedestrian Way Extension Project. It is approving the dedication plat for the Klekamp site located at the northwest corner of Tylersville road and US 42.

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 2002-161 was made by Councilmember Kidd, seconded by Councilmember Staten. VOTE: ALL YEAS

ORDINANCE 2002-162 ACCEPTING THE PUBLIC IMPROVEMENTS FOR FAIRWAYS AT PINE RUN SECTION 1 & 2 AND RELEASING THE PERFORMANCE BOND

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

Richard Fair explained to Council this legislation accepts the public improvements for Fairways at Pine Run sections 1 and 2. He stated the only concern the City has is the condition of the street trees. He stated the developer is providing a separate performance bond for the street trees. He said staff recommends approval of this acceptance contingent on submission of a one year maintenance bond and a performance bond for the street trees.

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 2002-162 was made by Councilmember Staten, seconded by Vice Mayor Fox. VOTE: ALL YEAS

ORDINANCE 2002-163 AUTHORIZING THE CITY MANAGER TO APPROVE A CHANGE ORDER IN THE AMOUNT OF \$21,647.70 TO INCREASE THE 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 Kidd, seconded by Councilmember Staten VOTE: ALL YEAS

Scot Lahrmer stated this legislation is necessary to cover the increased expenses involved with the widening and traffic signal project at SR 741 and Bethany Road. He said the quantities were higher than estimated. He added this was due to the poor condition of the existing asphalt which required additional base asphalt and the railroad removing the unused rail spur which also resulted in requiring an increase in quantity. The total cost of the change order is \$21,647.70

A discussion among Council followed in which it was asked if we can bill the railroad since their activity resulted in an increase to the project. Councilmember Staten said the railroad started to pull the rails out about six weeks prior to the project starting. He said all we did was black top over the timbers. He stated it is not lasting and we should seek cooperation from the railroad to correct the problem. Council Pelfrey stated the railroad crossings at Main Street and Church Street also need repair. Richard Fair stated the City was told the Main Street crossing would be repaired the summer of 2003. Councilmember Beck stated we need better control over change orders. He asked to be informed as they happen. He also asked if we are still within the budget for this project. Richard Fair responded he was not sure.

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 2002-163 was made by Vice Mayor Fox, seconded by Councilmember Kidd. VOTE: ALL YEAS

ORDINANCE 2002-164 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH PARADISE ARTISTS, INC. FOR A CONCERT PERFORMED BY DAVY JONES OF THE MONKEES AT PINE HILL LAKE PARK

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

Scot Lahrmer stated the selection of Davy Jones has been made for the 2003 Red, Rhythm & Boom celebration. The cost for this contract is \$20,000 plus expenses for sound lighting and accommodations.

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 2002-164 was made by Councilmember Staten, seconded by Vice Mayor Fox. VOTE: ALL YEAS

ORDINANCE 2002-165 AMENDING ORDINANCE NO. 2001-220 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 Councilmember Kidd, seconded by Councilmember Staten. VOTE: ALL YEAS

Scot Lahrmer stated the City will begin running the operation of the outdoor pool in 2003. He stated the pool revenues have declined over the past three years, which has resulted in a 2002 deficit of \$50,099. After reviewing other area facilities, staff is recommending a 20% discount on pool season passes for Mason Community Center pass holders. This makes the fees comparable to the 1997 level. There is no increase in rates just the change of the incentive rate for Community Center pass holders. Councilmember Pelfrey suggested lowering the daily rate to increase usage. Vice Mayor Fox reported the Park Board had reviewed that and decided to keep them consistent with last year. Councilmember Grossmann asked for clarification in the deficit amount of \$50,099.

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 2002-165 was made by Vice Mayor Fox, seconded by Councilmember Kidd. VOTE: ALL YEAS

ORDINANCE 2002-166 AUTHORIZING COMPENSATION OF THE MAYOR AND MEMBER OF COUNCIL

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

Scot Lahrmer stated this legislation allows for an increase in compensation for Council members and if approved will be affective following the next election in November 2003 as stated in the City charter. Councilmember Grossmann stated township trustees are paid approximately \$25,000 per year for their services and a raise for Councilmembers has not been done in the past six years. Vice Mayor Fox stated he is term limited out of office when this becomes effective but he stated the public is unaware of the time and commitment required of Councilmembers.

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

A motion to adopt Ordinance 2002-166 was made by Vice Mayor Fox, seconded by Councilmember Grossmann. VOTE: ALL YEAS

ORDINANCE 2002-167 DECLARING CERTAIN PERSONAL PROPERTY AND EQUIPMENT AS SURPLUS PROPERTY AND AUTHORIZING THE CITY MANAGER TO ADVERTISE, AUCTION AND TO ENTER INTO A CONTRACT FOR SALE OF SAID PERSONAL PROPERTY AND EQUIPMENT AND DECLARING AN EMERGENCY

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 City has in the past occasionally held auctions on items that are no longer useful to the City. He said this has occurred again this year as a result of the move into the new city building. He stated this year the sale will be held on January 11, 2003 at Ohio Valley Flooring facility on Bethany Road.

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

A motion to adopt Ordinance 2002-167 was made by Councilmember Grossmann, seconded by Councilmember Kidd. VOTE: ALL YEAS

ORDINANCE 2002-168 AUTHORIZING THE RE-APPROPRIATION AND TRANSFER OF MONIES AND TRANSFERRING OTHER FUNDS AND APPROPRIATIONS FOR THE CURRENT EXPENSES OF THE CITY OF MASON, THEREFORE AMENDING THE ANNUAL APPROPRIATION ORDINANCE NO. 2001-200 OF THE CITY OF MASON, OHIO, PASSED BY THE COUNCIL OF THE CITY OF MASON, OHIO ON NOVEMBER 26, 2001 FOR THE YEAR 2002.

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

Scot Lahrmer explained to Council the 2002 budget approved in November 2001 is a plan and guide for City finances for the year. As the year goes on and as the City's priorities change or are modified these plans are altered and as annual housekeeping item, legislation reappropriating funds is required. Councilmember Grossmann asked for clarification on the transfer of funds and Councilmember Beck stated the City remains within the budget limits set in 2002.

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

A motion to adopt Ordinance 2002-168 was made by Councilmember Staten, seconded by Councilmember Beck. VOTE: ALL YEAS

ORDINANCE 2002-169 AUTHORIZING THE SUPPLEMENTAL APPROPRIATIONS OF MONIES: THEREFORE AMENDING THE ANNUAL APPROPRIATION ORDINANCE NO. 2001-200 OF THE CITY OF MASON, OHIO PASSED BY THE COUNCIL OF THE CITY OF MASON, ON NOVEMBER 26, 2001 FOR THE YEAR 2002.

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

Scot Lahrmer explained to Council the budget for the City may change as the year progresses. He added 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. This legislation is a housekeeping item to adjust and correct various line items with the City's funds. Councilmember Grossmann asked if he should not participate in the vote on this legislation as it does include one item for financing ATP expenses. He stated his law firm represents ATP and he has excused himself in the past from any matter dealing with it. Law Director, Ken Schneider stated as this matter relates to the entire budget and not just a single item dealing with the ATP, he feels it is appropriate for Councilmember Grossmann to participate.

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 2002-169 was made by Councilmember Staten, seconded by Councilmember Beck. VOTE: ALL YEAS

ORDINANCE 2002-170 ANNUAL APPROPRIATION ORDINANCE

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

Eric Hansen stated the Finance Committee has reviewed the 2003 budget document and the Equipment Committee has reviewed the requests for vehicle and equipment. He said after careful scrutiny, this budget is based on conservative revenue estimates, attention to controlling expenses and investments in community infrastructure for 2003. He mentioned a few of the items included in the budget and stated staff recommends approval. Councilmember Grossmann stated items included in the budget are still subject to full Council review as the items come up. He stated some items received lengthy discussion among committee members and were not unanimously approved. They are included in this legislation but approval of this ordinance does not mean Councilmembers are giving their final agreement to everything that is included in the document.

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

A motion to adopt Ordinance 2002-170 was made by Councilmember Staten, seconded by Councilmember Grossmann. VOTE: ALL YEAS

CITY MANGER'S REPORT

A worksession is scheduled for Council on January 20, 2003 however, the date may be changed.

The employee holiday luncheon is scheduled for December 12.

City offices will be closed on December 25 and January 1, 2003. Rumpke trash pickup will be delayed one day due to the holidays.

COMMITTEE REPORTS

Councilmember Beck stated the Veteran's Memorial Committee has received donations from schools and various groups. He stated the CEO Breakfast Meetings are scheduled for December 11, 17 and 18. He said more will be scheduled in January. He also reported the Mason Chorale Messiah Presentation is donating 50% of their proceeds to the memorial.

COUNCIL OLD AND NEW BUSINESS

Mayor McCurley stated this would be the only Council meeting for the month of December.

Vice Mayor Fox recommended proceeding with the design work on the water reclamation plant. Councilmember Grossmann stated he would like to see the City review other options before totally committing to this new plant. Councilmember Pelfrey stated she also has concerns. She asked if it would be possible for Finkbeiner to provide a cost estimate for us if the City elects to partner with Lebanon in a regional effort. She said if a rate increase occurs in the future, we can say we have looked at all options. Vice Mayor Fox said the anti-degradation study that was just received answers a lot of those questions. He said what will not be possible to answer is what Lebanon may charge us in the future for service. Councilmember Grossmann asked we carefully look into this before making a decision. Councilmember Staten said he could only support a totally independent study but it must not delay the design work. Mayor McCurley asked if there was a consensus among Council to pursue an independent study.

Vice Mayor Fox moved the City proceed with the design work and not pursue an independent study. The motion was seconded by Councilmember Kidd. VOTE: 5 YEAS, 2 NAYS (Pelfrey, Grossmann)

Councilmember Grossmann asked if this means there will be no worksession on this topic. Mayor McCurley replied that was correct. Councilmember Grossmann stated he will read the anti-degradation study and continue to ask questions and hoped that did not offend any other members of Council.

Mayor McCurley stated he attended a ribbon cutting for the Bee Clean Car Wash and he announced the annual meeting of the Warren County Municipal League would be held on Wednesday December 11, 2002.

RECOGNITION OF VISITORS-None

EXECUTIVE SESSION

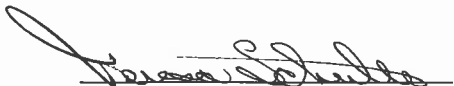
A motion to adjourn into executive session for the purpose of discussing litigation and land acquisition was made by Councilmember Kidd, seconded by Councilmember Staten. VOTE: ALL YEAS

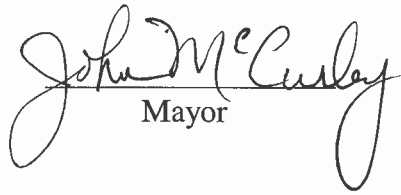
A motion to reconvene into regular session was made by Vice Mayor Fox, seconded by Councilmember Beck. VOTE: ALL YEAS

ADJOURN

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

TIME: 11:21 p.m.


Clerk of Council


Mayor