

**CITY OF MASON
COUNCIL MEETING
JANUARY 6, 2003**

The meeting was called to order by Mayor McCurley at 7:07 p.m.

Following the prayer led by Pastor Jeff Perkins, those present recited the pledge of allegiance.

ATTENDANCE

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

APPROVAL OF MINUTES

A motion to approve the minutes of the December 9, 2003 meeting was made by Councilmember Staten, seconded by Councilmember Kidd. VOTE: ALL YEAS

A motion to approve the minutes of the December 16, worksession was made by Vice Mayor Fox, seconded by Councilmember Pelfrey. VOTE: 5 YEAS, 2 ABSTAIN (Staten, Grossmann)

RECOGNITION OF BILL FEDERLE AND FIFTH-THIRD BANK

Mr. Bill Federle addressed Council along with Mr. Chris Woolums to announce a donation of \$15,000 over three years to the Mason Veteran's Memorial. They presented Councilmembers Beck and Pelfrey with a check for \$5,000. Councilmember Pelfrey also thanked the Schools for their contributions and a check from Key Bank for \$1,000.

RECOGNITION OF VISITORS (none)

ORDINANCE 2003-01 APPROVAL OF THE FINAL PLAT OF AVALON FARMS SUBDIVISION

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

Richard Fair explained to Council the developer of this property is requesting approval of the final plat for Avalon Farms. He stated this section contains 63 single-family lots on 64.097 acres. He said this plat will dedicate the sanitary utility and storm water easements needed for this section of the subdivision. He also noted Planning Commission recommends approval contingent on allowing only 6 building permits prior to the acceleration/deceleration lanes being completed and submission of a subdivider's contract and performance bond.

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

A motion to adopt Ordinance 2003-01 was made by Councilmember Staten, seconded by Councilmember Kidd. VOTE: ALL YEAS

Mayor McCurley announced to those in attendance the Downtown Revitalization Committee's report is not on the agenda for tonight's meeting and will be discussed by Council in a worksession.

ORDINANCE 2003-02 ACCEPTING THE PUBLIC IMPROVEMENTS FOR VILLAS AT PINE RUN 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 the purpose of this legislation is to release the performance bond and accept the public improvements as recommended by staff. He stated the Public Utilities, Public Works and Engineering Departments have inspected the public improvements and staff is recommending approval contingent upon submission of a one-year maintenance bond. Councilmember Beck noted the ordinance does not mention the maintenance and asked if the Engineering Department can enforce that requirement if not mentioned. Richard Fair replied it is enforceable.

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

A motion to adopt Ordinance 2003-02 was made by Councilmember Beck, seconded by Councilmember Staten. VOTE: ALL YEAS

ORDINANCE 2003-03 APPROVAL OF THE DEDICATION PLAT FOR AUTOZONE, INC.

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 owners of Autozone Inc. are requesting approval of a dedication plat for the dedication of right-of-way along US 42 and Western Row Road at the current Autozone site. He stated this plat will dedicate 0.327 acres along Western Row Road and 0.0449 acres along US 42 to the City of Mason. He said this is consistent with the City's Thoroughfare Plan.

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

Councilmember Staten asked if the City can legally deny a property owner's request if they are in compliance with the City's codes and requirements. Tim Garry, Law Director, stated he would have to review the matter. Richard Fair stated in the subdivision regulations it states they must be in compliance with our right of way request if they are requesting a curb cut. Vice Mayor Fox stated the second part of that is does it mater if it is on our Thoroughfare Plan. Tim Garry stated he would research the matter.

A motion to adopt Ordinance 2003-03 was made by Councilmember Staten, seconded by Vice Mayor Fox. VOTE: ALL YEAS

ORDINANCE 2003-04 ACCEPTING THE PUBLIC IMPROVEMENTS FOR EAGLE VIEW VILLAGE, SECTIONS 1,2,3,4 & 5 AND RELEASING THE PERFORMANCE BOND

A motion to read by title only was made by Councilmember Kidd, seconded by Councilmember Staten. 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 stated the City departments have completed the inspections and staff recommends approval contingent upon submission of a one-year maintenance bond.

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

A motion to adopt Ordinance 2003-04 was made by Vice Mayor Fox, seconded by Councilmember Beck. VOTE: ALL YEAS

ORDINANCE 2003-05 APPROVAL OF THE WATERLINE EASEMENT PLAT FOR GREAT AMERICAN INSURANCE COMPANY.

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

Scot Lahrmer requested this serve as a first reading for this legislation. The second reading will be at the next Council meeting in January.

ORDINANCE 2003-06 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH FINKBEINER, PETTIS & STROUT FOR CONSTRUCTION ENGINEERING SERVICES TO DESIGN THE NECESSARY IMPROVEMENTS TO THE WESTERN ROW LIFT STATION AND EAST TRUNK SEWER.

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

Scot Lahrmer stated to Council the purpose of this legislation is to provide for the engineering services to design the needed improvements to the existing East Trunk Sewer and force main. He stated the receiving sewers on the southern portion of the East Trunk Sewer are 15 inch in diameter and have been targeted for replacements. He said it was understood by the City, Finkbeiner, Pettis and Strout (FPS), and the Ohio EPA that the trunk sewer would not be overloaded when the lift station was first placed in service. He said however, replacement was recommended to be able to adequately handle increased flows in the near future. Scot stated three firms submitted proposals. Due to complications that would interfere with the operations of the Golf Course at Kings Island, FPS was contacted to further review the situation. As a result of those discussions, another alternative was created to extend the force main by 7500 linear feet. FPS was requested to amend their proposal to reflect the force main lengthening. The resulting cost for this project is \$52,400. He added the Utility Committee has reviewed this project and recommends approval.

Councilmember Grossmann asked if any other firm had been asked to bid on the new option. Scot Lahrmer reported that had not occurred as the option evolved from discussions with FPS.

A motion to suspend the rule and allow for adoption after the first reading was made by Vice Mayor Fox, seconded by Councilmember Kidd.

A motion to adopt Ordinance 2003-06 was made by Vice Mayor Fox, seconded by Councilmember Beck. VOTE: ALL YEAS

ORDINANCE 2003-07 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH HORTON EMERGENCY VEHICLES FOR THE PURCHASE OF A 2003 HORTON SQUAD FOR USE BY THE CITY OF MASON FIRE DEPARTMENT

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

Eric Hansen addressed both Ordinance 2003-07 and 2003-08. He stated the current 1992 Ford ambulance has reached the end of its useful life as its repairs have become costly in comparison to the value of the vehicle. He stated Ordinance 2003-07 approves the purchase of a new emergency vehicle at a cost of \$169,234.05. He added this purchase reflects a savings of approximately \$5,000 if completed prior to January 15 when a price increase has been announced. Eric also stated Ordinance 2003-08 requests authorization to contract with Horton Emergency Vehicles for the rehabilitation of a 1996 vehicle. He stated the cost for this service is \$20,590 and will extend the useful life of the vehicle.

A motion to suspend the rule and allow for adoption after the first reading was made by Councilmember Kidd, seconded by Vice Mayor Fox.

A motion to adopt Ordinance 2003-07 was made by Councilmember Staten, seconded by Vice Mayor Fox. VOTE: ALL YEAS

ORDINANCE 2003-08 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH HORTON EMERGENCY VEHICLES FOR THE REHABILITATION OF A 1996 HORTON SQUAD, DETERMINING A PUBLIC EXIGENCY AND DECLARING AN EMERGENCY

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

Councilmember Beck noted the emergency wording is not included Ordinance 2003-07.

A motion to suspend the rule and allow for adoption after the first reading was made by Vice Mayor Fox, seconded by Councilmember Kidd.

A motion to adopt Ordinance 2003-08 was made by Vice Mayor Fox, seconded by Councilmember Grossmann. VOTE: ALL YEAS

Councilmember Beck moved to amend the title of Ordinance 2003-07 to include "determining a public exigency and declaring an emergency". The motion was seconded by Councilmember Grossmann. VOTE: ALL YEAS

CITY MANAGER'S REPORT

Scot Lahrmer stated the Christmas tree recycling officially ended but will continue as residents place the trees at the curb. He noted the City provides year-round brush collection and chipping services.

"Mason Matters" will be sent to residents in the third week of January.

The second annual State of the City address will be held on January 22, 2003 at 3:30 p.m. Residents and businesses are invited.

The water tower on Mason Rod is now on line. There are now an additional 1600 residents being served and those in the area should see an increase in pressure. A few water main breaks have occurred due to the increase in pressure and the age and condition of the distribution system.

The Mason Community Center is scheduled to hold the dedication and open house on March 1, 2003.

COMMITTEE REPORTS

Councilmember Grossmann reported the Economic Development committee met with Nick Vehr from the Cincinnati Chamber of Commerce. He stated international markets

were discussed. He also mentioned the Open House for the Luxottica scheduled for Thursday Jan. 23, 2003.

Councilmember Beck reported on the status of the Veteran's Memorial Committee and the upcoming dedication ceremony. He also reported on OKI stating options are being considered due to the failure of the light rail proposal at the polls. He also stated they are having discussions regarding a regional approach to land use plans.

Vice Mayor Fox reported the Park Board toured the new Community Center at the last meeting.

Mayor McCurley reported he has met with Liberty Township to discuss a future JEDD Agreement. He also asked Vice Mayor Fox if the Park Board would see if there is any interest in an ice skating facility possibly in a retention /detention area.

Councilmember Grossmann reported the Court Liaison Committee has met with the Court personnel and they are requesting an additional magistrate for civil hearing on DUI cases. He stated the cost for this person would be \$12,000. He reported the court would also like to purchase security equipment for bags much like you see at airports. He said the Judge also would like to discuss a five-day per week session.

Councilmember Staten reported on the activities of the Planning Commission.

Mayor McCurley reported on the ongoing meetings with the Schools for the Community Center agreement.

COUNCIL OLD AND NEW BUSINESS

Councilmember Grossmann stated a preliminary proposal has been received from Earth Tech and requested Council receive a copy of that. Mayor McCurley requested this be included in the worksession.

Councilmember Pelfrey reported on the grants other communities have received for downtown revitalization efforts. She asked Council for action regarding the City's Downtown Revitalization efforts. She stated over \$200,000 has been spent over 2 years for consultants and it is important not to lose momentum. She asked Scot who currently works with the downtown businesses on retention. He responded no one person is assigned that responsibility. She also asked why the position for a Downtown Manager was eliminated from the budget. Councilmember Beck responded it was not needed at this time. Councilmember Pelfrey requested Council review this again. Mayor McCurley stated when the budget was being formulated, a job description did not exist for this position. Councilmember Grossmann stated Council should review the matter and prioritize.

Mayor McCurley stated he has written to President Bush to request his attendance at the dedication of the Veteran's Memorial. He said Representative Portman has agreed to assist with this request.

RECOGNITION OF VISITORS

Mr. Don Williams of 214 West Church Street addressed Council and stated he was very pleased with the service he received from Michelle in the tax department. He commented the City should remember the downtown area and treat it the same as they did the tennis facility when they committed financial support to the Tennis Masters Series for 25 years. He also stated the tennis tournament is wonderful for the area and he would like to see more done to bring people into the downtown area of Mason when they are here. He asked about the status of the Snider Road extension and said he feels it is very important. Councilmember Staten replied the City is working with the property owner to reach a cooperative effort on extending the road.

EXECUTIVE SESSION

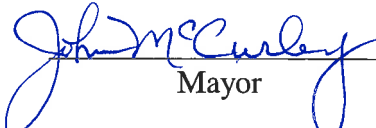
A motion to go into executive session for the purpose of discussing personnel and land acquisition was made by Councilmember Pelfrey, seconded by Councilmember Staten. VOTE: ALL YEAS

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

ADJOURN

A motion to adjourn was made by Councilmember Grossmann, seconded by Councilmember Pelfrey. VOTE: ALL YEAS TIME: 9:17 P.M.


Clerk of Council


Mayor