

**CITY OF MASON  
COUNCIL MEETING  
JULY 28, 2003**

Mayor McCurley called the meeting to order at 7:06 p.m. Those in attendance joined in the pledge of allegiance

**ATTENDANCE**

The following members of Council were present: Jim Fox, Dick Staten, Tom Grossmann and John McCurley. Victor Kidd and Charlene Pelfrey were absent. Councilmember Beck joined the meeting in progress during the website presentation.

**APPROVAL OF MINUTES**

A motion to approve the minutes of the July 14, 2003 Council meeting was made by Councilmember Staten, seconded by Vice Mayor Fox. VOTE: ALL YEAS

**RECOGNITION OF VISITORS** None

**PRESENTATION OF [www.imaginemason.org](http://www.imaginemason.org)**

Jennifer Trepal presented to Council the new website. She gave a brief history of how the new site has evolved into the current format. She displayed the decals that will be placed on City vehicles that display the website.

Councilmember Peter Beck joined the meeting at this time.

**ORDINANCE 2003-89 APPROVAL OF THE EASEMENT ACQUISITION FOR THE STORM CULVERT ON JAMES AND MICHELLE ANDERSON PROPERTY AT 204 KINGS MILLS 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 purpose of the next three ordinances are to approve the storm sewer easement for replacing and extending the bridge in accordance with the Kings Mills Road Water Main Replacement and Storm Sewer/ Culvert Improvements and acquire rights-of-way for a future bike path in accordance with the Muddy Creek Bike Path Transportation Enhancement Project. He stated on June 9, City Council authorized a contract with Don S. Cisle Contractor, Inc. for the construction of the Kings Mills Road Water Main Replacement and Storm Sewer/Culvert Improvements. As part of the design of the new bridge, it was necessary to extend and relocate a new 14'x7' bridge on Jim and Michele Anderson's property. The proposed bridge will replace an existing 7'x 7' box culvert. Richard explained further the storm sewer easements will provide

room for a new storm sewer to be constructed and maintained on both the Anderson's and the Lutes' property. Engineering has negotiated with the Andersons and the Lutes for the new bridge easements. Construction of the new bridge near the Anderson property consists of removing and replacing an existing wooden landscape box, landscaping and installing erosion protection along the existing bank. The property owners have requested payment for removing 2- bushes and flowerbeds. Cost for the easement and landscaping is \$1,000 (Ordinance 2003-89).

Richard said construction access for the new bridge is primarily on the Lutes property and consists of replacing the existing drive and existing split rail fence. Requested payment includes removal of 1 tree and landscaping, as well as relocation costs for them during construction. The Lutes are both in poor health and have had recent emergency calls to our Fire Department. Kathy Dorman, Stormwater Engineer, suggested to the Lutes that they find a temporary place to stay during construction due to the additional time for the EMS to respond around the detour and the possibility that the driveway may be blocked. Richard stated the cost for the easement, landscaping and relocation is \$3,500. Don S. Cisle, the contractor for this project, has agreed to pay for the Lute's relocation and reimburse the City \$2,000. The City's remaining share is \$1,500 (Ordinance 2003-90).

Richard stated, in an effort to simplify right-of-way negotiations with the Barretts, owner of 207 Kings Mills Road, for a future bike path, staff was successful in acquiring this right-of-way. The Barretts have agreed to sell the right-of-way for \$4,200. This includes removing 4 trees, 2 bushes and landscaping plus right-of-way (Ordinance 2003-91).

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

A motion to adopt Ordinance 2003-89 was made by Vice Mayor Fox, seconded by Councilmember Beck. VOTE: ALL YEAS

**ORDINANCE 2003-90 APPROVAL OF THE EASEMENT ACQUISITION FOR THE STORM CULVERT ON DAVID AND JANE LUTES PROPERTY AT 208 KINGS MILLS ROAD**

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

A motion to adopt Ordinance 2003-90 was made by Vice Mayor Fox, seconded by Councilmember Staten. VOTE: ALL YEAS

**ORDINANCE 2003-91 APPROVAL OF THE RIGHTS-OF-WAY ACQUISITION FOR THE PROPOSED BIKE PATH ON RONALD AND DONNA BARRETT PROPERTY AT 207 KINGS MILLS ROAD**

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

A motion to adopt Ordinance 2003-91 was made by Vice Mayor Fox, seconded by Councilmember Staten. VOTE: ALL YEAS

**ORDINANCE 2003-92 REPEALING ORDINANCE NO. 2002-184, APPOINTING KENNETH J. SCHNEIDER AS LAW DIRECTOR AND CONTRACTING WITH THE FIRM OF WOOD & LAMPING FOR LEGAL SERVICES**

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

Scot Lahrmer explained to Council Ordinance 2003 - 92 authorizes an increase in pay for the City's Law Director. This increases the Law Director's compensation, effective September 1, from \$24,000 to \$25,000. In addition, the legal services performed by the law firm are requested to increase from the rate of \$142 per hour to \$148 per hour. One exception to the \$148 rate is litigation and labor negotiations which is being proposed at \$162 per hour.

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 2003-92 was made by Councilmember Staten, seconded by Vice Mayor Fox. VOTE: ALL YEAS

**ORDINANCE 2003-93 CREATING THE POSITION OF ASSISTANT AQUATIC SUPERVISOR IN THE CITY OF MASON PARKS & RECREATION DEPARTMENT**

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

Scot Lahrmer explained to Council as part of the programming for the new Mason Community Center, the development of a future competitive year-round swim program was anticipated. He added the competition pool of the Center is an ideal facility to host such a program and has, consequently, attracted considerable attention. Interest from residents has grown considerably and together with recent action by the Schools has created a timely opportunity for the City to accelerate the time frame and move forward

with establishing its own nationally recognized competitive swim team.

Scot stated the City has run a summer recreational swim program, the Mason Water Moccasins, for the last five years to give children ages 5-18 an opportunity to compete informally with other area swim teams. This past summer, this program had a record participation of 370 children with many parents expressing a strong desire for a year round, national program at the Community Center. Mason High School students compete in an interscholastic program that runs November through March among participating schools. USA Swimming is the national governing board for competitive swimming with a program that runs annually from September through August. Mason youth from age 6 to High School seniors interested in formal national, year-round, competitive swim programs would travel to other communities with USA Swimming endorsed programs such as the Cincinnati Marlins (St. Xavier High School), Sycamore Flying Fish, Northern Kentucky Clippers, or programs in Oxford, Milford, Oak Hills and Indian Hill. The new Mason Community Center has raised expectations among area youth that a local USA Swimming program would soon follow. A brief meeting to gauge area interest was held on July 17 and attended by over 110 interested parents.

Michael Hecker announced to Council the Mason City School District recently hired Mark Sullivan as the district's new aquatic director. Mark has considerable experience with USA Swimming and with the Sycamore Flying Fish. The City has partnered with the Schools to utilize Mark's experience to help initiate a USA swim team program in Mason in addition to his work for Mason High School's own swim team. This will allow the City to attempt to accelerate our time frame and begin a USA Swimming recognized team this September. Crucial to this action will be the addition of a full-time position to coordinate and oversee the swim team programs, provide coaching expertise, consistency, and adherence to USA Swimming standards. Part-time coaches and assistants will also be necessary on a part-time, contract, or volunteer basis. Mark Sullivan addressed Council and stated it will take approximately 2 years to develop an independent team.

Scot Lahrmer said a year-round competitive swim team will be an additional revenue source for the Community Center that, once developed, will offset the expenses associated with staffing it, and hosting invitational meets for other area or regional USA Swimming meets. Based on current revenue, expense, and participation estimates, \$27,000 in net revenues could be generated with the amount growing as the program matures and opportunities for hosting meets expand.

Michael Hecker stated the Park Board has discussed the above proposal and supports establishing a competitive Mason USA Swim team and the creation of a full-time City position to coordinate. Creation of this position will generate an additional revenue stream for the Community Center, provide a Mason-based swimming program that complements our swimming facility and meets the needs of families interested in local swim competition.

Following questions from Council Michael Hecker stated the program will be offered to

both Mason residents and non-residents with the latter paying a higher fee. He also stated the Water Moccasin Program will continue.

Mason resident Michelle Haywood addressed Council and stated she is concerned about the year round program. She stated the Marlins function for every level of swimmer. She added the cost is the same for either program. She stated she is afraid the decisions are being made without clearer facts. Vice Mayor Fox stated this is a difficult decision and residents presented opposing opinions to the Park Board. He added the Park Board agreed to support creating an independent program.

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

A motion to adopt Ordinance 2003-93 was made by Councilmember Staten, seconded by Vice Mayor Fox. VOTE: ALL YEAS

**ORDINANCE 2003-94 AMENDING ORDINANCE NO. 2003-41 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 Councilmember Staten, seconded by Councilmember Beck. VOTE: ALL YEAS

Scot Lahrmer stated this legislation deals with an interim period of time and is essentially a three-month agreement required due to additional workload.

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

A motion to adopt Ordinance 2003-94 was made by Councilmember Beck, seconded by Councilmember Beck. VOTE: ALL YEAS

**CITY MANAGER'S REPORT**

The Police Department is sponsoring a National Night Out on Tuesday, August 5, 2003 from 6:00-9:00 p.m. at the Thriftway parking lot at 1065 Reading Road.

A request has been made for \$1500 for the City's participation in the Ohio Legislative Event. A motion to approve this contribution was made by Councilmember Staten, seconded by Councilmember Beck. VOTE: ALL YEAS

Due to insurance limitations, it is necessary for the City appoint the people working on Heritage Festival as a city sponsored volunteer committee. This includes the following:

Vickie Larcomb, Tina McKinley, Lorrie Allen, Michelle Fischley, Jack Flaherty, Lucy Gorsuch, Shelley Hausman, Carol Huesing, Stacy Templeton, Gerry Walker, Jon Weidlich, Diana Swanson and Cassie Swanson.

A motion to approve this appointment was made by Vice Mayor Fox, seconded by Councilmember Staten. VOTE: ALL YEAS

### **COMMITTEE REPORTS**

Councilmember Grossmann reported the Court Liaison Committee has met with the Court and as a result of that meeting the Court has agreed in the future they will not use officers unless the police are in agreement that the request falls into their jurisdiction. They also agreed the Court will always be available to clarify any questions associated with court orders. Mayor McCurley stated his concern is providing safety for the City of Mason residents. Ken Schneider stated a mentoring program for new Judges is available and it is his understanding the Judge is utilizing this program. Councilmember Beck stated he is meeting with the Clerk of Courts on finances and will keep Council informed.

Councilmember Beck stated the Vietnam War Memorial Wall will be on site in October. He is meeting with Larry Rudd to accommodate the display. He also stated prints created by artist Todd Price will be available for sale at the Heritage Festival. He said the Veterans Memorial dedication may be delayed from the November 11 date.

Mayor McCurley stated he and Councilmember Staten have met with the Downtown Committee. He said signage has been discussed and progress is being made towards meeting their goals.

### **COUNCIL OLD AND NEW BUSINESS**

Councilmember Staten stated the speed limit has been lowered on Mason Montgomery Road north of the railroad underpass. He stated he has noticed an increase in patrol in that area. He said the traffic on Bethany Road is very dangerous with some cars passing on a double yellow line. He requested increased patrol in that area.

Mayor McCurley stated the Farmers Market occurring on Saturday mornings and he said more signs are needed to note the location.

Mayor McCurley stated there is a pot hole at the corner of Dr. Tom Fox Drive and Forest. He also encouraged everyone to vote for the fire replacement levy.

### **RECOGNITION OF VISITORS** None


**EXECUTIVE SESSION**


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

A motion to reconvene into regular session 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 Vice Mayor Fox. VOTE: ALL YEAS  
TIME: 9:04 P.M.

  
Clerk of Council

  
Mayor