

**CITY OF MASON
COUNCIL MEETING
November 10, 2003**

Mayor McCurley called the meeting to order at 7:06 p.m. Jerry Pelfrey opened the meeting with prayer. Those in attendance recited the pledge of allegiance.

ATTENDANCE

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

APPROVAL OF MINUTES

A motion to approve the minutes of the October 13, 2003 council meeting was made by Councilmember Kidd, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

A motion to approve the minutes of the October 27, 2003 council meeting was made by Vice Mayor Fox, seconded by Councilmember Kidd. VOTE: ALL YEAS

RECOGNITION OF VISITORS

Councilmember Pelfrey and Mayor McCurley recognized Chief Sergeant McGriff of the USS MASON. Councilmember Pelfrey gave a brief history of how the Veteran's Memorial became a reality. Chief Sergeant McGriff presented a framed print of all three USS MASON ships to Councilmember Beck, Chairman of the Veteran's Memorial Committee.

Mayor McCurley recognized resident and veteran John Looker who received the Veteran Service Award at Wright Patterson Air Force Base at a ceremony earlier in the week. He thanked him for all of his work volunteering on the Veteran's Memorial Committee.

ORDINANCE 2003-120 ADOPTING THE 2003 MASON THOROUGHFARE PLAN UPDATE

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 five changes originally requested on the plan:

1. The required amount of right-of-way along Main Street/US-42 through the downtown from Third Avenue to Mason-Montgomery Road will be reduced from 100 feet to 66 feet. This change is being completed in part at the request of the Downtown Mason Association to help alleviate concerns that property or buildings along Main Street may be eliminated to make room for future road widening if the

right-of-way stayed at 100 feet. Sixty-six feet is the existing right-of-way along Main Street/US-42 between Third Avenue and Mason-Montgomery Road.

2. Without the possibility of widening Main Street an additional east-west street will be needed to handle future traffic through the downtown area. Therefore, Third Avenue is proposed to be extended from Main Street/US-42 to Mason-Montgomery Road and then to Kings Mills Road. The extension will be classified as a Primary Collector with 66 feet of right-of-way.
3. Innovation Way will be upgraded from a Minor Arterial classification with 80 feet of right-of-way to a Major Arterial classification with 100 feet of right-of-way. Innovation Way has become a major north-south route between Western Row Road and Socialville-Fosters Road and is proposed to continue south to Irwin-Simpson Road in the future. The reclassification is being completed to insure the appropriate amount of right-of-way is secured for future road improvements.
4. White Blossom Boulevard will be extended west from Mason-Montgomery Road to the future extension of Central Parke Boulevard. This extension will provide a secondary perpendicular road to Central Parke Boulevard, helping to relieve traffic on Mason-Montgomery Road. Central Parke Boulevard is planned to extend south into Deerfield Township and connect with Wilkens Boulevard in the future.
5. A note has been added to the plan to clearly indicate that Central Parke Boulevard is to align and connect with Wilkens Boulevard to the south in Deerfield Township.

Richard Fair stated after review and public input, Planning Commission recommends approval of items 1, 3, 4 and 5 and denial of item 2.

Mayor McCurley stated a motion is needed to amend the plan to eliminate references to the Third Street extension. Vice Mayor Fox moved to eliminate the reference to the Third Street extension. Councilmember Staten seconded the motion. VOTE: 6 YEAS, 1 ABSTAIN (Kidd)

Councilmember Grossmann asked why this was being done since the study, done by professionals, recommend it. Councilmember Staten said upon review, it was determined this would not solve the problem. He also said it was clear it was not a solution to the traffic problem. He stated TEC conducted their study when Mason-Montgomery Road was closed. Mayor McCurley also stated signage changes have been made and we do not know how effective they have been. He also stated he has been involved with the Southwest Ohio Transportation Study and has been meeting with Liberty Township which could impact Mason's traffic. He also said he believes in a regional approach to the problem. Councilmember Grossmann stated if we agree we have a problem then are we agreeing we need another study. He said he supports the extension of Snider Road.

Councilmember Staten said the extension of Snider Road will have an impact on the traffic downtown and he believes that should be done before anything is done that would take peoples houses. Councilmember Beck said Bethany Road is the solution for a by-pass so traffic would not have to go through downtown.

Mayor McCurley opened the public hearing at 7:46 p.m. Don Eberhard of 3988 S. US RT 42 and commended Council from removing the Third Avenue extension from the plan. He said it was "a road to nowhere". Dick Yost of 120 W. Main Street addressed Council and said he agrees with removing the Third Avenue extension. The right-of-way needs to be reduced to 66 feet in the downtown area. He said it was developed with a 66-foot limit and if it is not adopted to remain a 66-foot limit it leaves a cloud of uncertainty over the owners of the businesses. He said no one would want to improve their buildings if it's left at 100 feet. He also said if the City plans on following the Poggemeyer Plan, it should be consistent and state the right-of-way is 66 feet. Councilmember Grossmann asked what does 100 feet do for the City. Richard Fair explained it gives us four lanes plus a turn lane plus room for a bike path and sidewalk. He also said Planning Commission recommended keeping it this way until an alternate plan is created. Councilmember Staten said this is the second issue that is hindering the downtown from moving forward. He stated he agrees with the 66-foot limit, as the 100-foot limit does not encourage business improvements. Councilmember Pelfrey stated Council needs to give the downtown stakeholders answers. She moved to reduce the right-of-way to 66 feet from Tylersville Road to Kings Mill Road. Councilmember Staten seconded the motion. Mayor McCurley said once traffic gets beyond the corner, it may be possible to widen the right-of-way to 74 feet or 82 feet. He said we don't know but it may be possible to allow for on-street parking. He also said he agrees it doesn't have to be 100 feet but we need to know more before he can support the motion. Vice Mayor Fox stated he agrees with the Mayor. Councilmember Beck said the City engineer should know what the current right-of-way is there now. Richard Fair stated it is currently 66 feet to Fifth Avenue from Kings Mill Road. He said it goes from 80 feet to 120 feet from Fifth Avenue to Tylersville Road. Councilmember Staten withdrew his second of the motion on the floor and asked if information could be brought to the next meeting on what effect a right-of-way change would have in the area. Councilmember Pelfrey agreed and withdrew her motion. Richard Fair stated he would need a survey to show the impact on buildings. Noble Johnston addressed Council and congratulated them on eliminating the Third Avenue extension. Debbie Carter addressed Council and said these same things were talked about 20 years ago when she was on a Downtown Committee. She said the Snider Road extension does make sense. Tom Winter of 145 S. Mason Montgomery Road asked if it will reappear on the plan in the future. Councilmember Grossmann replied it's not on the current plan He said the vote tonight is to increase the right-of-way to 100 feet. Jack Flaherty addressed Council and suggested a 66-foot right-of-way be adopted through the area that won't impact the City. He stated as long as it is an issue nothing will be done. He said if Council could adopt the 66-foot for at least a certain area, things could move forward in that area. He also said it allows the Downtown Coordinator to do their job. Mayor McCurley responded he could not support that until more information is available. Councilmember Grossmann asked what is the legal significance of the Thoroughfare Plan showing right-of-way. Richard Fair responded a

property owner could not rebuild a building without permission from the City. Jack Flaherty also stated this could impact the sale of property if the right-of-way change has an adverse affect in the value of the property. Richard Fair stated the current legislation reduces the right-of-way from 100 feet to 66 feet in the area from Mason-Montgomery Road to Third Avenue on the Thoroughfare Plan. Phil Dubois of 4900 Laurel Woods Court addressed Council and thanked them for eliminating the Third Avenue extension. He said downtown will become pedestrian friendly. Chris Perkins of 300 E. Main Street commented traffic on Main Street comes to a complete stop. Councilmember Pelfrey stated we must have the information at the next meeting. Councilmember Beck said Council must have the information prior to the next meeting. Richard Fair stated if Council decides to pass this legislation, there wouldn't be an ordinance at the next meeting. Don Williams of 214 W. Church Street gave a brief update on the Downtown Mason Committee activities. He stated this issue is important to all of us and they want to work with the Council as a team. Mayor McCurley closed the public hearing at 8:44 p.m. Councilmember Grossmann clarified if Council votes on this legislation as amended we are changing the right-of-way from 100 feet to 66 feet from Mason-Montgomery Road to Third Avenue and we are not adding the Third Avenue extension.

Richard Fair explained to Council if they pass this legislation, there would not be an ordinance at the next meeting. He stated you will not be able to change the right-of-way from Third Avenue to Tylersville. He said it would have to go back to Planning Commission.

A motion to adopt Ordinance 2003-120 as amended was made by Vice Mayor Fox, seconded by Councilmember Pelfrey. VOTE: 6 YEAS, I NAY (Pelfrey)

ORDINANCE 2003-122 APPROVAL OF THE PRELIMINARY PLAT OF CARMELLE SUBDIVISION

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

Richard Fair stated this is a second reading for this legislation. He said David Reibold, representing the Robert C. Rhein Interests, Inc., is requesting approval of a preliminary plat for the Carmelle subdivision (Carter property). He explained this property, zoned R-3 Single family, is located on the east side of SR 741, approximately 0.4 miles south of U.S. 42. The proposed subdivision consists of 174 lots on 97.77 acres and will have its entrance off of S.R. 741. Richard stated the preliminary plat provides a primary collector road through the site as required by the 2001 City of Mason Thoroughfare Plan. The road will eventually tie S.R. 741 with Mason-Morrow-Millgrove Road and U.S. 42. He further stated Planning Commission and staff recommend approval of the preliminary plat contingent on the applicant addressing the following items:

1. Please add the following note to the preliminary plat: "The City will try to acquire the parcel needed to align the entrance of Carmelle with Weatherstone by January 31, 2004 and work out an agreement to transfer the property to Rhein Interests.

With this entrance in place, the proposed entrance shown between lots 2 and 3 will be removed and the street will be constructed as a cul-de-sac. If the parcel needed to align the streets is not secured by January 31, 2004, then the entry as shown on the preliminary plat will be approved and the necessary variances will be granted. However, once the collector road extension to S.R. 741 is completed, the developer will be responsible for converting the entry to a right-in/right-out and installing a raised median in S.R.741.

2. A preliminary layout of the proposed 48" sanitary sewer, which will run to the new treatment facility, is provided on the plat. The exact layout for the sanitary sewer will be determined by Public Utilities and the developer/owner.
3. Please note that the layout of the storm sewer system and size/location of the detention basin will be reviewed and approved during engineering review.

David Reibold addressed Council and further explained the project. He stated they could not show the entrance on a parcel of land they currently do not own. He said they have met with the property owner and have been unable to purchase the property from him. He stated due to time restraints they need a marketing entrance for this subdivision, he must proceed with engineering the entrance north of Weatherstone as currently shown on the drawing. He added if the City acquires the additional property or has it under contract before January 31, 2004 and works out an agreement to transfer that property to Rhein Interests, they will re-engineer the main entrance to that new location and cul-de-sac the current entrance.. He stated if that happens after January 31, 2004 they will agree to move the entrance to the new location opposite Weatherstone and change the other entrance to a right in/right out only access point.

A motion to adopt Ordinance 2003-125 contingent on compliance with the engineering comments was made by Councilmember Staten, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

ORDINANCE 2003-125 APPROVAL OF THE REPLAT FOR LOTS 14, 15, 22 AND 23 IN THE WYKOFF'S ADDITION

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

Richard Fair addressed Council and stated the owners of the Cunningham Dance Studio were requesting approval of the replat of lots 14, 15, 22 and 23 in the Wyckoff's Addition. He said the purpose of this replat is to revise the location of the property line located between these lots. This replat will increase lots 14/22 by .0356 acres and decrease lots 15/23 to 0.45185. Planning Commission recommends approval of the replat contingent on showing the original lot line on the drawing.

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 2003-125 contingent upon compliance with the engineering comments, was made by Councilmember Staten seconded by Councilmember Pelfrey. VOTE: ALL YEAS

ORDINANCE 2003-126 APPROVAL OF THE EASEMENT DEDICATION PLAT FOR THE BETHANY ROAD SEWER EXTENSION

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

Richard Fair explained to Council, Robert Lucke of Robert Lucke Homes Inc. is requesting approval of the easement dedication plat needed for the sanitary sewer extension which runs westward from the Windemere Subdivision Section 4 across the two adjacent lots. This plat will record the sanitary easement necessary for this newly installed extension. Richard stated Planning Commission recommends approval of the replat contingent on the following:

1. Due to improvements to the curb cut for the site, please also include the dedication of 50'-0" right of way from the centerline of Bethany Road in order to comply with the 2001 City of Mason Thoroughfare Plan.
2. Please revise the Owner's Consent and Dedication statement to match the wording used in the City of Mason Zoning Code.

Councilmember Staten said the ditch has been filled in on this property and drainage tile has been installed. He asked if they had permission to do this. Richard Fair replied he did not know. Councilmember Staten said he is concerned how the water will get into the ditch. He said the output on the east end is lower than the rest of the ditch. He asked Richard to review this matter.

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 2003-126 was made by Councilmember Staten, seconded by Councilmember Kidd. VOTE: ALL YEAS

ORDINANCE 2003-127 APPROVAL OF THE REPLAT FOR LOTS 232, 233 AND 234 IN THE HERITAGE CLUB SUBDIVISION, SECTION 10

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

Richard Fair explained to Council, Bernie Kurlemann of Kurlemann Builders, Inc. is requesting the approval of the replat for lots 232, 233 and 234 in the Heritage Club Subdivision. He stated the purpose of this replat is to revise the location of the property line located between these lots. This replat will increase lot 232 by .1179 acres to 1.9858 acres and decrease lot 233 to 1.5630 acres and lot 234 to 1.2989 acres. Richard also said Planning Commission recommends approval of the replat.

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 2003-127 was made by Councilmember Kidd, seconded by Councilmember Staten. VOTE: ALL YEAS

ORDINANCE 2003-128 AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR PARTICIPATION IN THE GREATER CINCINNATI CHAMBER OF COMMERCE ECONOMIC DEVELOPMENT COUNCIL (FORMERLY THE REGIONAL MARKETING PARTNERS) IN AN AMOUNT NOT TO EXCEED \$25,000 PER YEAR FOR THREE YEARS

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

Michelle Blair addressed Council and stated this ordinance approves our continued participation in the Regional Marketing Partners, now called the Regional Economic Development Council, to continue the advancement of the City's competitiveness and global outreach to relocating and expanding companies that match our targeted business profile. She stated the Economic Development Committee from Council has reviewed this proposal for funding of \$25,000 per year for three years and recommends approval. Nick Vehr addressed Council and gave a brief overview of the joint venture and shared goals. Councilmember Pelfrey asked what other municipalities were contributing and he replied Cincinnati, Blue Ash and Mason. He also stated Hamilton, Butler and Clermont Counties are members.

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

A motion to adopt Ordinance 2003-128 was made by Councilmember Staten, seconded by Councilmember Kidd. VOTE: ALL YEAS

ORDINANCE 2003-129 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH 32 FORD FOR THE PURCHASE OF FOUR (4) 2004 FORD CROWN VICTORIA POLICE INTERCEPTORS

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

Eric Hansen explained to Council the 2003 Budget approved the replacement of three 2001 police vehicles with three 2004 models. The older vehicles are projected to have between 85,000 to 105,000 miles on them by the time they are replaced. He stated two Police vehicles were totaled in separate incidents this past summer, with the Ohio Highway Patrol citing the third party driver in both cases. Staff is also requesting purchase of one additional 2004 cruiser, in order to replace one of the two totaled

cruisers. Eric further stated through subrogation efforts, MVRMA was able to get a combined total of \$16,468 for the two totaled cruisers. Instead of replacing both totaled cruisers, staff is recommending temporarily increasing the rotation and mileage of the existing fleet until new cruisers are delivered. He added this will have a negative impact on the replacement cycle, but staff will explore ways to compensate. He also said the three displaced cruisers will replace cars in the City's existing fleet or be auctioned. The City budgeted \$75,000 for the purchase of three cruisers in the 2003 budget. As part of the 2003 budget process both the Equipment and Finance Committees of Council reviewed and recommended the purchase of three new cruisers in the 2003 City Budget. The total cost to the City is \$84,928.

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 2003-129 was made by Councilmember Kidd, seconded by Councilmember Beck. VOTE: ALL YEAS

ORDINANCE 2003-130 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT TO PURCHASE WITH ELEANOR M. GOULD FOR THE ACQUISITION OF PROPERTY LOCATED AT 5475 MASON ROAD, MASON, OHIO

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

The City of Mason has invested heavily in Parks and Recreation facilities. The City currently has 242 acres of parks offering everything from fishing lakes, tennis courts, soccer fields to nature areas, bike paths, a swimming pool, basketball courts and a Community Center. The most recent expansion to bank land for our park system occurred in 2001, which was the 126-acre Castle property purchase. Since that time the City has heavily invested in the Mason Community Center to provide additional recreational opportunities.

Scot Lahrmer explained Council now has an opportunity to acquire additional future parkland for Mason residents. The property is currently owned by Eleanor Gould and is located on the west side of Mason Road, north of Church Street. He stated this is the last major parcel of open space in the center of Mason and its prime location will provide recreation opportunities easily accessible to many of Mason's residents. The recreation potential, for both passive and active components, is a sound investment for the City of Mason. Scot stated the City approached the owner of the property, Eleanor Gould, indicated the City's interest in the land and successfully negotiated the acquisition of 50 acres of land at \$36,000 per acre for a total of \$1,826,640. In addition, the City is providing a life estate to Mrs. Gould who will continue living in her home on the property.

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

Councilmember Pelfrey stated she will abstain from approving this legislation as it is adjacent to her property.

A motion to adopt Ordinance 2003-130 was made by Councilmember Staten, seconded by Councilmember Beck. VOTE: 6 YEAS, 1 ABSTAIN (Pelfrey)

ORDINANCE 2003-131 AN ORDINANCE ADOPTING A STATEMENT INDICATING SERVICES THE CITY OF MASON, OHIO, WILL PROVIDE TO THE 10.610 ACRE TERRITORY PROPOSED TO BE ANNEXED FROM DEERFIELD TOWNSHIP, WARREN COUNTY, OHIO TO THE CITY OF MASON AS PROVIDED BY OHIO REVISED CODE SECTION 709.023 AND DECLARING AN EMERGENCY.

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

Scot Lahrmer explained to Council an annexation petition is being filed to bring 10.61 acres of land into the City of Mason. This is the first annexation to occur since the State of Ohio revised the laws concerning annexations. As a result of the new annexation law, he explained petitions, signed, by 100% of the property owners are expedited and can contain right-of-way even though both sides of the street are not in the corporation limit. He stated the property being annexed includes the following:

1. City of Mason owned parcel containing .381 acres at the southeast corner of Western Row and Snider Roads;
2. Mason City School parcel containing 5.109 acres on Snider Road south of Western Row Road;
3. Snider Road and right-of-way containing 5.12 acres from Western Row to just south of Cincinnati Fan.

Scot further explained one of the purposes of the annexation is improve the Snider and Western Row Road intersection. He said currently only 3 legs of the intersection are located within the City of Mason. It is necessary to annex the south leg in order to fully improve the intersection. He pointed out an improvement is anticipated to begin in Spring 2004 with the adoption of Ordinance 2003-133 to design turn lanes, traffic signal, bridge replacement and improvement of Snider Road from Western Row to just south of Cincinnati Fan. Scot said one of the requirements of the Ohio Revised Code is for the municipality to indicate the benefits it can provide. Ordinance 2003-131 is the benefits ordinance for the annexation and is required in order for the Warren County Commissioners to act upon the annexation request. An additional requirement of the new annexation law is for City Council to adopt an ordinance establishing buffer requirements for the annexation. If the City zoning permits uses in the annexed territory that the City determines are incompatible with the uses permitted under the applicable township

zoning regulations, then the City will require a buffer separating the uses of the area. The property being annexed is currently zoned for multi-family residential. Ordinance 2003-132 must be adopted to reflect this requirement.

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

A motion to adopt Ordinance 2003-131 was made by Councilmember Kidd, seconded by Councilmember Beck. VOTE: ALL YEAS

ORDINANCE 2003-132 AN ORDINANCE ESTABLISHING THE BUFFER REQUIREMENTS FOR THE 10.610 ACRE TERRITORY PROPOSED TO BE ANNEXED FROM DEERFIELD TOWNSHIP, WARREN COUNTY, OHIO TO THE CITY OF MASON UPON ANNEXATION TO THE CITY AND DECLARING AN EMERGENCY.

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

A motion to adopt Ordinance 2003-132 was made by Councilmember Beck, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

ORDINANCE 203-133 AUTHORIZING APPROVAL OF A CHANGE ORDER IN THE AMOUNT OF \$95,175 TO INCREASE THE CONTRACT WITH BAYER BECKER ENGINEERS FOR THE WESTERN ROW ROAD AND SNIDER ROAD INTERSECTION IMPROVEMENT PROJECT

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

Scot Lahrmer stated in December 2001, City Council approved Ordinance 2001-222 which authorized Bayer Becker Engineers to design the improvements at Western Row and Snider Road and provide right-of-way acquisition services. This intersection is the site of frequent backups due to the narrow lanes, lack of left turn lanes and traffic signal, age and condition of the existing bridge on Western Row Road and lack of storm drainage. This project was delayed from starting construction in 2003 to allow time for GCWW to design the 16" waterline that will be incorporated into the project, the County Engineer to complete the design of the bridge, Cinergy to design the utility relocation, the City to pursue Issue 2 funds for the project and to possibly annex the south leg of the intersection.

Scot further explained the annexation of Snider Road to the south corporate limit, just past Cincinnati Fan, will allow the City to improve Snider Road to three lanes with curb

and gutter and reduce the speed limit to 35 m.p.h. The design will attempt to salvage most of the existing pavement, while improving the drainage system and adding left turn lanes into Western Row Elementary and Basco. He said the design will attempt to stay within the existing 70 feet of right-of-way as much as possible to reduce the amount of easement and additional right-of-way needed. Bayer Becker's current contract work is nearly complete, but the south leg of Snider Road will add 4,000 feet of roadway design. Scot said this change order is necessary for the additional engineering and acquisition services needed to complete the design.

Scot stated Bayer Becker's proposal includes additional geotechnical investigation, roadway design, maintenance of traffic, pavement markings, right-of-way plans, property appraisals and property negotiations for 12 additional parcels, utility coordination and construction inspection for a total cost of \$95,175.

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 2003-133 was made by Councilmember Kidd, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

CITY MANAGER'S REPORT

Tipton Development, Ltd. is planning a groundbreaking for their new offices in The Fountains Office Park at the intersection of Cedar Village Drive and Mason-Montgomery Road. The groundbreaking is on Thursday, November 13 at 1:30 p.m.

The USA Archery Board of Governors (BOG) has officially announced the Warren County Convention & Visitors Bureau (WCCVB) and the Cincinnati Junior Olympians will host the 2004 Olympic Team Trials – Archery. The event will be held at Heritage Oak Park between June 14 and 20, 2004. The 2004 Olympic Team Trials – Archery is one of the National Archery Association's most prestigious tournaments. The top three competitors in the Men's and Women's Divisions will represent the U.S. in the 2004 Olympic Games, held in Athens, Greece in August 2004. The City of Mason is pleased to partner with the WCCVB to help tourism grow while having the opportunity to boast of our phenomenal facilities.

The regularly scheduled second meeting in December falls on December 22. It is not anticipated that a second meeting will be necessary since all the final action of Council will occur on December 8. Councilmember Pelfrey moved to cancel the December 22 meeting. The motion was seconded by Councilmember Kidd. VOTE: ALL YEAS

COMMITTEE REPORTS

Councilmember Beck reported the Finance Committee has been meeting for the City's 2004 budget. He stated the process is progressing. He also thanked the City staff and Volunteers for the assistance with the Veteran's Memorial. He said they are still meeting

to continue to fulfill their commitments. He also stated they have future plans for the memorial.

COUNCIL OLD AND NEW BUSINESS

Councilmember Pelfrey congratulated Steve Osborne and Tony Bradburn for their successful campaigns for City Council.

Councilmember Kidd stated the traffic signals on US RT 42 should be adjusted. He stated the traffic backup on US RT 42 has a negative impact on the businesses but the backup on Mason-Montgomery Road does not. Richard Fair stated the work in the area has cut the loop so the signals aren't timed together.

RECOGNITION OF VISITORS None

EXECUTIVE SESSION

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

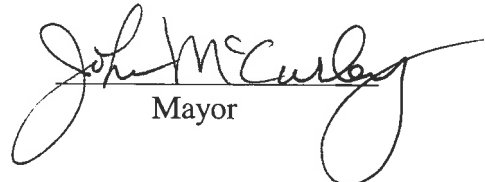
A motion to reconvene into regular session was made by Councilmember Staten, seconded by Vice Mayor Fox. VOTE: ALL YEAS

ADJOURN

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

TIME: 11:15 p.m.


Clerk of Council


Mayor