

**CITY OF MASON
COUNCIL MEETING
JANUARY 10, 2005**

Mayor Beck called the meeting to order at 7:00p.m. Father Harry Meyer opened the meeting with a prayer. The boy scouts and cub scouts in attendance led those present in the pledge of allegiance.

ATTENDANCE

The following members of Council were present: Victor Kidd, Steve Osborne, Tony Bradburn, Tom Grossmann, Charlene Pelfrey, and Peter Beck. John McCurley was absent.

APPROVAL OF MINUTES

A motion to approve the minutes of the December 13, 2004 Council meeting was made by councilmember Kidd, seconded by Vice Mayor Pelfrey. VOTE: ALL YEAS

RECOGNITION OF VISITORS

Greg Kolish, a Hickory Woods resident addressed Council and explained he represents approximately 600 residents of Mason that are concerned over the schools' plans to eliminate the vehicle access onto Mason Road for the new school planned in the Hickory Woods Subdivision. He stated they have traffic concerns and he requested the City work collaboratively with the Schools to reach a decision that is best for everyone. Mayor Beck explained to him the schools submitted the plan and Planning Commission can only address what is submitted. He stated it complied with the zoning requirements and thus was approved. He stated if changes were made to the plan it would have to be resubmitted to the Planning Commission but would not appear before Council. Mr. Kolish stated he would like to receive any notification of any communication or meeting received from the school on this matter. He also stated the traffic study the schools used to determine adequate access might not have been accurate. Councilmember Grossmann clarified the City cannot require the access be installed but if given the opportunity can encourage it.

Mr. DeFife of 4044 Frye Park Circle addressed Council and stated the developer of his subdivision is requesting acceptance tonight of the streets and they have not complied with all of the requirements. He specifically mentioned the number of trees that have not been planted that will provide a buffer to Bethany Road. He stated a list of items has been supplied to the Engineering and Building Department for their review. Scott Lahrmer responded we are requesting a one year maintenance and performance bond from the developer to insure the items are addressed. Kurt Seiler stated they have

received an estimate from Sharon Nursery on the cost of providing the additional trees if the City would be required to do it. He said the total value of the bonds is \$100,000.

ORDINANCE 2004-121 AMENDING THE ZONING CODE AND ZONING MAP OF THE CITY OF MASON, OHIO, TO PROVIDE FOR THE REZONING OF APPROXIMATELY 46.7 ACRES FROM R-1 RESIDENTIAL TO B-4 PUD AND APPROVAL OF THE CONCEPT PLANNED UNIT DEVELOPMENT PLAN FOR PROPERTY REFERRED TO AS THE GREAT WOLF LODGE RESORT AND CONFERENCE CENTER PROPERTY.

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

Brian Lazor explained to Council, Paramount's Kings Island (PKI) owns the subject property. PKI will lease the land to Great Lakes, owner of the Great Wolf Lodge. The property was annexed into the city on June 28, 2004 and was automatically zoned as R-1 Single Family Residential compliant with the city's annexation policy. He stated the Great Wolf Lodge PUD is bound by Kings Island Drive to the west, Deerfield Township to the north, Columbia Road to the east, and the northernmost PKI Exit drive to the south. The applicant is requesting to rezone approximately 46.7 acres from R-1 Single Family Residential to B-4 PUD to construct a full-service, four floor, 401 suite hotel with the following notable amenities:

1. Hotel
2. 60,000 square foot conference center;
3. 74,000 square foot indoor water park;
4. 6,500 square foot outdoor pool plus additional associated amenities; and
5. Restaurants, arcade, and spa.

He said the Hotel architecture is based on a northern woods lodge with log siding, large beams, and stone accents. The height of the indoor water park may reach as high as 90 feet. Brian continued to explain the Planning Commission recommended approval of the concept PUD plan and rezoning be a vote of 6-0 with following conditions:

1. PKI rezones the R-1 District located on the east side of the subject property to B-4 Private Recreation to eliminate restrictive setback requirements.
2. The PUD boundary is extended south to include the ravine area to increase the amount of open space from the current amount proposed (8%).
3. Define the boundaries of the "limited open space" area.
4. Consider land banking the parking lot located at the northwest corner of the site to reduce the amount of asphalt located in front of the northern woods themed lodge.

Kurt Seiler explained to Council the following recommendations for the access points and traffic issues:

5. Staff and TEC, Inc. have reviewed the preliminary traffic impact study submitted by the applicant and will continue to work with the applicant to finalize the required improvements that are needed to make traffic move efficiently through this area. PKI, Great Lakes, Inc., and the City are all agreeable to the proposed and preliminary traffic recommendations shown on the plan including:
 - a. Creating a new public road between Kings Island Drive and Columbia Road;
 - b. Adding a traffic signal at the new public road and Kings Island Drive intersection;
 - c. Relocating the northernmost PKI exit drive south to line up across from the Showcase Cinemas main drive entrance;
 - d. Eliminating the existing traffic light at PKI's northernmost exit drive; and
 - e. Eliminating the traffic signal at Wilson Avenue with the consent of the Warren County Engineer.
6. Increase the width of the right-of-way at the east end of the new public road to sixty feet to make future road improvements, if necessary.
7. A "fee in lieu of" is provided for the required 10-foot wide asphalt bike path (per the adopted Bike Path and Pedestrian Way Master Plan) along Kings Island Drive road frontage. A "fee in lieu of" is requested instead of actual construction because the location of the bike path in the Kings Island Drive right-of-way has not been determined.
8. Two ground-mounted signs are approved. A twenty-seven foot tall double pole sign is proposed at the new public road/Kings Island Drive intersection and a six foot tall entry sign is proposed at the lodge's main entrance.

Kurt also stated additional traffic counts were done over the weekend by LJB which further endorsed these recommendations. He played a video on the Great Wolf Lodge.

Peter Tomei addressed Council representing the firm and expressed enthusiasm over the project they are bringing to Mason. Mr. Don Miller, Vice President of Kings Island addressed Council and stated he was representing Craig Ross, President, and he voiced support for the plan. He stressed this is a quality operation and will be good for the area and the region. He concluded by stating they strongly support this project and asked for Council's approval of the rezoning. Bob Nagle, architect for the project, addressed Council and explained the details on the design of the structure. Peter Tomei concluded by stating this will be a 80 plus million-dollar project with between 300-400 employees.

Mayor Beck reopened the public hearing at 7:30 p.m. Chuck Mason, Superintendent for Kings Local Schools, addressed Council and stated he was never approached to discuss this matter and he has concerns the traffic issues will impact the schools. He stated he is concerned about the safety of pedestrians if they close Wilson Avenue because it will increase the traffic on Columbia. He also is concerned the ball fields will be affected by the road improvements. He also said while they are not financially able to contribute to

any improvements, they will be impacted as a result of the project and would like to be considered. He also stated he would not like construction traffic using Columbia Road but if that is necessary, he would like time restrictions placed on it. Neil Tunison, County Engineer, addressed Council and stated he recommended the signal be removed as shown by Kurt Seiler and he originally wanted Wilson Ave to be closed. He said now that he has talked to some of the businesses in the area, he will consider a right in/right out access point on Wilson Avenue. He said he wants to work with all parties for the best plan. He said the county is supportive of this project and his office is willing to spend dollars to improve Columbia Road to handle increased traffic. Peter Tomei stated they are accustomed to establishing guidelines for traffic at construction sites. He also said if this legislation passes tonight, construction will begin this summer and they will open in 2006. Mr. Don Aclause of the Maple Park Subdivision addressed Council and stated he has a petition from residents in the area stating they do not want the signal removed and they do not want Wilson Avenue closed. The said safety is a concern as traffic is very dangerous in this area. Shirley Bonekemper for the Warren County Convention and Visitors Bureau addressed Council and said this project will boost the County's Tourism and have a big economic impact on the region. Freida Hupp stated she was not notified of the changes this project will bring to Columbia Road and she has very limited frontage to her home. She said if they take additional right-of-way, the road will be next to the front of her home. She stated she resides in the township. Robert Manly of 225 W. Court Street said he is an attorney representing Mr. Green. He said Mr. Green, who owns the Christmas Shop on Columbia Road, will go out of business if they close Wilson Avenue. Mr. Green stated he is in favor of the project if Wilson Avenue can remain open. Councilmember Grossmann asked him if he would agree to a right in/right out access from Wilson Avenue. Mr. Green said yes if there is no other choice. Andrew Schott, an attorney representing Showcase Cinema, addressed Council and said they have a problem with plans as drawn because they alter their main access point and the traffic signals. He suggested another plan where Kings Island use the exit drive to realign with the Cinema's center drive and keep the signal there. Richard Pierson addressed Council and stated he did the original site plan for the cinema and needs more time to review the impact of this plan. He said he just received it from the developer. He has concerns over the traffic study and inadequate parking for the lodge. Kurt Seiler stated LBJ just completed a traffic count at the Cinema during their peak times on the weekend and the numbers show the north access drive to the Cinema to receive more traffic. Adam Kurk, a contractor working for LBJ explained how the study was performed. Lee Spiedel, Deerfield Township Trustee, addressed Council and stated he feels there are site plan issues. He said no on objects tot eh project but there are issues that need to be addressed. He said he would like to see better buffering for the residents in the Maple Park Subdivision, concern for the increase in traffic the schools will experience, and Wilson Avenue should not be closed. He urged the City to hold off on the particular details. Mayor Beck closed the public hearing at 9:29 p.m. A general discussion took place among the Council with various ideas being discussed addressing the traffic concerns. It was decided the project could move forward with the traffic details finalized later.

A motion to adopt Ordinance 2004-121 was made by Councilmember Kidd, seconded by Councilmember Grossmann. VOTE: ALL YEAS

ORDINANCE 2004-155 AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF MASON TO AMEND IN PART ZONING CODE CHAPTERS 1135, 1137, 1141, 1157, 1159, 1161, 1162, 1163, 1165, 1172, 1175, 1187

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

Mayor Beck opened the public hearing at 9:47 p.m. Brian Lazor explained to Council this is the second reading for this legislation. Seeing no comments from proponents or opponents, the Mayor closed the hearing at 9:50 p.m.

A motion to adopt Ordinance 2004-155 was made by Vice Mayor Pelfrey, seconded by councilmember Kidd. VOTE: ALL YEAS

ORDINANCE 2204-156 ADOPTING THE 2005 THOROUGHFARE PLAN

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

Scot Lahrmer requested this legislation be tabled until the February 14, 2005 meeting.

ORDINANCE 2204-157 AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF MASON, OHIO, TO INCLUDE AREAS ADJACENT T O THE CITY LIMITS

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

Mayor Beck opened the public hearing at 9:57 p.m. Brian Lazor explained to the council the proposed amendment addresses land that is located adjacent tot eh city limits. The amendment tot eh plan takes into account the area located south of the current city limits between Wilkins Boulevard and Interstate 71. The northern area includes land north of Paramount's Kings Island along Columbia Road and Mason-Morrow-Millgrove Road. The Planning Commission had recommended approval of the Comprehensive Plan Amendment. With no further comments for those in attendance, Mayor Beck closed the public hearing at 10:00 p.m.

A motion to adopt Ordinance 2004-157 was made by Councilmember Bradburn, seconded by Councilmember Osborne. VOTE: ALL YEAS

ORDINANCE 2005-01 ACCEPTING THE PUBLIC IMPROVEMENTS FOR PARKSIDE SUBDIVISION SECTIONS 2A, 2B, 2C, 3A, 3B, AND 3C AND RELEASING THE PERFORMANCE BOND AND DECLARING AN EMERGENCY

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

Kurt Seiler addressed Council and explained Sections 2A, 2B, 2C, 3A, 3B, AND 3C of the Parkside Subdivision includes Crown Court, Hyde Park Place, Frye Park Circle, Serpentine Way, Kensington Garden Drive, Buckingham Lane, River Thames Way, Richmond Park Drive, Wilderness Way, Longford Drive, and the southern portion of Hickory Woods Drive. He said the Public Utilities, Public Works, and Engineering Departments inspected the public improvements with only two comments. There are street trees missing along Bethany Road and street lighting missing along the southern section of Hickory Woods Drive. The developer will provide a separate performance bond for the missing trees and street lighting. Kurt stated staff recommends acceptance of the public improvements, contingent on the submission of a one-year maintenance bond and a performance bond for the missing street trees and street lighting. The streets, utilities, and other public improvements will become the City's responsibility upon acceptance since an emergency clause has been added to the ordinance.

A general discussion took place among Council and concern was expressed over the amount of funds provided in the performance and maintenance bonds. Council wanted to be certain the finances were adequate for the services to be provided. Vice Mayor Pelfrey suggested increasing the amount of the bond for trees to \$20,000 and for lighting \$20,000. The current amount specified was \$10,000 for each item. Council agreed to this suggestion.

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

A motion to adopt Ordinance 2005-01 contingent on submitting the aforementioned performance and maintenance bonds was made by Vice Mayor Pelfrey, seconded by Councilmember Osborne. VOTE: ALL YEAS

CITY MANAGER'S REPORT

Scot Lahrmer stated the January issue of *Mason Matters* will be delivered to residents in the January 13 issue of the Pulse-Journal newspaper.

He also stated City Council will meet with Deerfield Township Trustees on Monday, January 31 beginning at 6:00 p.m. at the Municipal Center.

He explained the City has received a request for a transfer of a liquor permit for the location 753 Reading Road. Councilmember Bradburn moved to not require a hearing. Councilmember Osborne seconded the motion. VOTE: ALL YEAS. Councilmember Osborne asked if the request had been reviewed by the Police Department. Scot Lahrmer answered yes.

COMMITTEE REPORTS None

COUNCIL OLD AND NEW BUSINESS

Vice Mayor Pelfrey asked about the location of the USS Mason print. Scot Lahrmer said he would look into it. Vice Mayor Pelfrey stated she would like to begin the process of acquiring feedback from our residents and businesses on the service they receive from the City. She stated she would like to see the Employee Relations Committee of Council create a post card type of questionnaire and deliver it to certain groups. She suggested the contacts from the Engineering and Building Department over the last two to three years be the first ones to receive the questionnaire. She also suggested the responses be sent to the Clerk of Council as this may allow the participants to more freely express their opinions. She stated the goal of this proposal is to make City Council and staff proactive rather than reactive. She asked for feedback from Council and having received affirmative answers stated the Employee Relations Committee would begin working on it.

Councilmember Bradburn stated there are 12 lights out on Kings Island Drive. Scot Lahrmer said repairs were needed on a truck the City uses to maintain the lights. Councilmember Bradburn suggested the City create a Charter Review Committee consisting of two Councilmembers and three residents. He said other communities such as Springdale use this procedure.

Councilmember Kidd welcomed a new restaurant Culvers to the City. He also stated he has received several complaints about the customer service at the Community Center. He also said he has received a phone call from Diane Hackett with the Ohio Supreme Court and a future meeting has been scheduled with the City Court Liaison Committee and the Court personnel.

Councilmember Bradburn requested a comparison of lane miles in the neighboring communities of Blue Ash, Sharonville, and Springdale. He said he feels they did a better job with snow removal this last storm and would like to see a comparison done.

Mayor Beck stated he presented a Proclamation to Culvers today. He said a Mayor's Forum meeting has been scheduled for January 14, 2005 in Sharonville and will include Mayors from four counties. He also said he has been delivering his own survey to Mason businesses and will share the results when complete. He also stated there will be an open house at UGJ CPA's this Wednesday from 4:30-6:30 to welcome a new partner into the firm.

RECOGNITION OF VISITORS None

EXECUTIVE SESSION


A motion to convene in executive session for the purpose of discussing land acquisition and personnel was made by Vice Mayor Pelfrey, seconded by Councilmember Bradburn.
VOTE: ALL YEAS

A motion to convene into regular session was made by vice Mayor Pelfrey, seconded by Councilmember Bradburn. VOTE: ALL YEAS

ADJOURN

A motion to adjourn was made by Councilmember Kidd, Seconded by Councilmember Grossmann. VOTE: ALL YEAS


Clerk of Council


Mayor