

**CITY OF MASON
COUNCIL MEETING
APRIL 11, 2005**

Mayor Beck called the meeting to order at 7:09 p.m. Following a prayer by Pastor Jerry Pelfrey, those in attendance recited the pledge of allegiance.

ATTENDANCE

The following members of Council were present: Tony Bradburn, Tom Grossmann, John McCurley, Charlene Pelfrey and Peter Beck. Steve Osborne was absent. Councilmember Kidd joined the meeting at 7: 15 p.m.

APPROVAL OF MINUTES

A motion to approve the minutes from the March 28, 2005 Council meeting was made by Vice Mayor Pelfrey, seconded by Councilmember Grossmann. VOTE: 4 YEAS, 1 ABTAIN (McCurley)

RECOGNITION OF VISITORS

Mr. Tom Britton from the American Legion addressed Council and thanked them for the use of Council Chambers for the oratorical competition. He stated their local winner went on to win the state. He requested use of the facility again next year. Mayor Beck stated Council supports the use of this building by residents. He asked Mr. Britton to make a request for next year through the proper channels.

RESOLUTION 2005-03 ARBOR DAY

Eric Hansen stated Resolution 2005-03 and 2005-04 celebrate Arbor Day and Earth Day in the City of Mason.

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

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

A motion to adopt Resolution 2005-03 was made by Councilmember Kidd, seconded by Vice Mayor Pelfrey. VOTE: ALL YEAS

RESOLUTION 2005-04 PROCLAIMING APRIL 23, 2005 AS EARTH DAY

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

Eric Hansen stated the fourteenth annual Earth Walk will begin at 10:00 a.m. at the front plaza of the Mason Municipal Center. Participants will walk through downtown Mason to Kings Mills Road and circle back to the Lou Eves Municipal Pool through Pine Hill Lakes Park. He said souvenir T-shirts will be given on a first come, first serve basis. Last year over 150 people participated in this event. Eric also stated the event has been expanded in recent years to accommodate resident interest in Earth Day festivities. Park Naturalist Kendra Schide will present an Earth Day, Every Day program and answer questions and concerns about the earth. City of Mason Public Works employees will demonstrate environment-related equipment, such as the brush chipper and leaf vacuum. As part of the City's Arbor Day recognition the City's Tree Committee will be available for Earth Walk participants after the event. This year a 5K run has been added to benefit the Mason In Bloom organization.

The Chairman of the Tree Committee, Kevin Jones addressed Council and thanked them for their assistance over the years to the Tree Committee. He stated this year seedlings will again be given away at the end of the Earth Walk. He added this is the sixth year the City has received the Tree City USA Award.

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

A motion to adopt Resolution 2005-04 was made by Councilmember McCurley, seconded by Councilmember Kidd. VOTE: ALL YEAS

EXECUTIVE SESSION: IMMINENT LITIGATION

A motion to adjourn into executive session for the purpose of discussing imminent litigation was made by Councilmember Bradburn, seconded by Vice Mayor Pelfrey. VOTE: ALL YEAS

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

ORDINANCE 2004-97 AMENDING THE ZONING CODE AND ZONING MAP OF THE CITY OF MASON, OHIO, TO PROVIDE FOR THE REZONING OF APROXIMATLEY 76.96 ACRES LOCATED ON THE WEST SIDE OF STATE ROUTE 741, NORTH OF BETHANY ROAD AND SOUTH OF BUNNELL ROAD FROM I-1 TO RESIDENTIAL PUD

Councilmember Kidd moved to read this legislation by title only. Councilmember Bradburn seconded the motion. VOTE: ALL YEAS

C Francis Barrett addressed Council and introduced those in attendance that are associated with this project. They included Mr. And Mrs. Davidson, Dan Neyer, Steve Wallace, Rob Neil and Steve Bright. He gave an overview of the changes that have been made as a result of

conversations with staff. He mentioned Mr. Brandon is meeting with Steve Wallace to discuss bus access for the residential streets. Mr. Wallace and Mr. Kern (the civil engineer) addressed Council and discussed density and lot sizes. Mr. Wallace stated the lot sizes have been increased. He said he has reviewed the City's Comprehensive Plan and specifically noted the amount of green space in a development has an influence on the density allowed in a development. Mr. Wallace stated they would like to have the subdivision regulations applied to this development. Mr. Barrett stated the most prudent course of action at this point is to table the legislation for two weeks. Mayor Beck stated it would be tabled until May 9, 2005.

Councilmember Kidd moved to table this legislation until May 9, 2005. Vice Mayor Pelfrey seconded the motion. VOTE: ALL YEAS

ORDINANCE 2005-37 APPROVAL OF A CONCEPT PLANNED UNIT DEVELOPMENT PLAN FOR THE EVERYBODY'S FARM PROPERTY LOCATED AT THE SOUTHEAST CORNER OF TYLERSVILLE ROAD AND SNIDER ROAD

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

Scot Lahmrrer stated a public hearing on this legislation will be held on May 9, 2005 at approximately 7:05 p.m.

ORDINANCE 2005-38 APPROVING THE PRELIMINARY PLAT OF THE MITCHELL FARM SUBDIVISION

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

Richard Fair explained to Council, Mr. David Reibold, representing Rhein Properties is requesting preliminary plat approval for a 31.043-acre residential development located west of the Mason Early Childhood Center at 6030 Mason Road. The property has been recently rezoned to R-2 single family residential. The project is proposed to be a new section of Heritage Club with 39 lots ranging in size from approximately 20,000 sq. ft to 56,000 sq. ft. Richard said features included a guard shack, patterned concrete and landscaped median at the entrance to the subdivision. The Home Owners Association will maintain the entry features as well as additional proposed landscape medians. With the dedication of 40'-0" along Mason Road (a minor arterial), this preliminary plat meets the requirements of the City of Mason Thoroughfare Plan. He added the City is currently in the process of redesigning Mason Road with an anticipated start date of 2007. This redesign will include changing the profile of the roadway in front of this proposed subdivision. Staff will work with the developer with regards to the design and timing of installation of turn lane installation and entry feature improvements.

The Zoning Code requires extension of sanitary sewer across the frontage to the adjacent property. Staff will review the current sanitary layout of the surrounding subdivisions to the east of this property to determine the best means to extend the service. This may include extending the sanitary sewer between the proposed lots along the eastern property line.

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

A motion to adopt Ordinance 2005-38 was made by Councilmember McCurley, seconded by Vice Mayor Pelfrey. VOTE: ALL YEAS

ORDINANCE 2005-39 APPROVAL OF THE REPLAT OF TRI-WAY INDUSTRIAL PARK, LOT 7

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

Richard Fair explained to Council the developer is requesting the approval of the replat of Lot 7 in the Tri-Way Industrial Park Subdivision, zoned I-1. He said the purpose of this replat is as follows: to decrease the size of the detention basin #2's drainage and utility easement; to extend the 10 foot wide utility easement along Tri-way Drive; to extend the 25 foot wide building setback line along Tri-way Drive; and to add a 75 foot wide access easement to Lot #2 of the Wall 2 Wall plat. The developer has already modified detention basin #2 to fit the proposed new drainage easement.

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

A motion to adopt Ordinance 2005-39 was made by Councilmember McCurley, seconded by Councilmember Kidd. VOTE: ALL YEAS

ORDINANCE 2005-40 APPROVAL OF THE FINAL PLAT FOR THE CEDAR POINT PUD

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

Richard Fair explained to Council, Mr. Marty Carney is requesting final plat approval for a 10.2 acre development zoned Industrial PUD. Access to the site will be from two points off Cedar Village Drive. Richard said this plat includes the dedication of right of way along Mason-Montgomery Road to satisfy the requirements of the City of Mason Thoroughfare Plan. He stated the applicant is finalizing the PUD to allow the Phase I development to begin, which is a bank facility at the northeast corner of Mason Montgomery Road and Cedar Village Drive. Richard added staff is recommending approval contingent on compliance with five minor points noted by the Planning Commission.

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

A motion to adopt Ordinance 2005-40 was made by Councilmember Grossmann, seconded by Councilmember Kidd. VOTE: 5 YEAS, 1 NAY(Beck)

ORDNANCE 2005-41 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT TO PURCHASE WITH BARR'S FURNITURE AND BEVERLY A. BARR FOR THE ACQUISITION OF PROPERTY LOCATED AT THE SOUTHWEST CORNER OF SNIDER ROAD AND U.S. 42, MASON, OHIO AND DECLARING AN EMERGENCY

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

Richard Fair explained to Council at the last meeting in March, City Council adopted Resolution 2005 - 02 declaring the necessity and intention to appropriate property from Beverly Barr for realigning Snider Road. However, Ms. Barr has since signed the Easement Acquisition Settlement Sheet. Therefore, Ordinance 2005-41 authorizes an agreement to acquire property, a drainage easement and a temporary construction easement from Beverly Barr (formerly Barr's Furniture), for \$12,000. Richard stated this agreement has the added benefit of shifting the access drive on Snider Road farther from the intersection at U.S. 42 to the south and across from the combined drive for the Big Top (David's) and Klasmeier. Richard explained the final negotiated price is slightly higher than the appraisal value, which was completed in 2001. However, Ms. Barr has agreed to waive the appraised cost of the drainage easement and the cost to re-appraise this property as required for appropriation to help offset this increase. Because of the work of staff and CDS Associates, the signing of this agreement eliminates the need for final appropriation. Richard said Mrs. Barr wants the following statement included as part of the record of this meeting. "At the closing, there will be a check in the amount of \$12,000 made payable to Beverly Barr. The closing expected to be completed before the end of April 2005." Richard stated the deed from the 1990's needs to be recorded. He said if this is accomplished, there is no need for Resolution 2005-02, previously passed by Council, to be completed. Ken Schneider said his office expects the closing to take place on or before April 30 subject to getting a proper deed as any owner would expect.

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 2005-41 was made by Councilmember Grossmann, seconded by Vice Mayor Pelfrey. VOTE: ALL YEAS

ORDINANCE 2005-42 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH FLOYD BROWNE GROUP FOR THE DESIGN ENGINEERING FOR THE IMPROVEMENTS TO MASON ROAD

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

Richard Fair explained to Council this project consists of the widening of 7,300 feet of Mason Road from West Main Street to the west, with an alternate to design West Main Street from Forest Ave. to the city park land (former Gould property), and improving the drainage system

now for future roadway improvements. The roadway design includes widening the roadway to three lanes with curb and gutter, raised medians, sidewalks, bike path, storm sewers and streetlights to match those on Mason-Montgomery Road. Richard said storm drainage design includes the assessment and possible replacement of three existing culverts, redesign of the natural drainage channel behind the houses along Birchwood Farms Drive into a detention basin located south of Mason Road, and design of a solution to correct severe erosion the detention basin is currently experiencing. Richard further explained the design of this project will include two phases of design. The first design phase will include improvements to the drainage channel located just east of Birchwood Farms Drive. This section must be ready for construction by September 2005. Improvements will be based on the drainage calculations for the expanded roadway and storm sewer system improvements expected with the full build out condition. The second design phase will include design of the road improvements and additional storm sewer improvements associated with the improvements. This section must be ready for construction by December 2005, with property appraisals and negotiations occurring next year. Richard also said some of the required right-of-way has been acquired, as subdivisions developed to meet the requirements of the Thoroughfare Plan. However, to improve this roadway and construct drainage channel improvements, the City of Mason will still need to acquire approximately 2.33 acres of right-of-way and drainage easements. The proposed contract includes the cost for platting, calculating acreage, valuing and negotiating the necessary easements and permanent right-of-way takes for this project. Issue II grant pre-applications have been submitted for both Program Year 20 (2006) and 21 (2007) for over \$2,000,000. It is anticipated the City may receive funding in 2007.

Richard explained the Engineering Department's goal is to be ready to go to construction for the Birchwood Farms drainage improvements in September 2005 and for the remainder of the project in 2006 in case the funding is available, but with the expectation that construction could occur in 2007. The Engineering Department received proposals from three engineering firms (five firms were sent requests for proposals) for the design and right-of-way acquisition for the improvements. After reviewing the proposals, staff is recommending Floyd Browne Group as the lead engineer for a not to exceed cost of \$438,250. They are using several highly regarded design firms as sub-consultants for the specialty parts of the design and can meet the schedule.

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

A motion to adopt Ordinance 2005-42 was made by Councilmember Bradburn, seconded by Councilmember Kidd. VOTE: ALL YEAS

ORDINANCE 2005-43 DECLARING CERTAIN CITY VEHICLES AND EQUIPMENT, IMPOUNDED VEHICLES, AND CERTAIN MISCELLANEOUS CONFISCATED PROPERTY AND EQUIPMENT AS SURPLUS PROPERTY AND AUTHORIZING THE CITY MANAGER TO ADVERTISE, AUCTION AND ENTER INTO A CONTRACT FOR SALE OF SAID VEHICLES AND PROPERTY

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

Eric Hansen stated the City periodically disposes of surplus City property through auction. This surplus is generally made up of vehicles and equipment that no longer serves a useful purpose in delivering public services. However, he stated surplus may also include unclaimed or forfeited property acquired through Police related activity. This medium has proven to be the most effective in auctioning surplus property to the largest audience, bringing market value for this property, but doing so at the lowest possible administrative cost to the City. Eric added the City of Mason utilizes a 10-year replacement program for most fleet vehicles. This type of program utilizes nearly all of the value of the vehicle. Surplus property has little remaining use for the City, but some monetary value on the open market.

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

A motion to adopt Ordinance 2005-43 was made by Councilmember Kidd, seconded by Councilmember Grossmann. VOTE: ALL YEAS

ORDINANCE 2005-44 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH BUCHANAN'S POWER EQUIPMENT CENTER, INC. FOR THE PURCHASE OF ONE (1) 2005 JOHN DEERE TRACTOR

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

Eric Hansen explained to Council the City's Park Maintenance responsibilities have been growing rapidly over the past several years. He stated they are now responsible for 242 acres of park land of which 172 acres requires weekly mowing, trimming and maintenance. The department currently has two tractors; one that is designed for turf management and one that has limited use for front-end loading and ball-field use. The department also has two wide-area mowers, but one mower is no longer functional, requiring an estimated \$13,500 in repairs. Eric stated the department relies on all equipment to be operating during the season to meet maintenance. Any downtime for repairs of equipment jeopardizes the ability to keep fields ready for play. Eric said staff is recommending the purchase of a John Deere 4320 available via the state bid process for \$26,928 with the adoption of Ordinance 2005-44. He added the Department's existing mower was purchased in 1995 and is the Department's primary mower for field maintenance. The existing mower cannot operate without major repairs at an estimated cost of \$13,500. Replacement with a smaller and more maneuverable mower is financially prudent and will improve efficiency. Eric stated a Toro Groundsmaster 4000 is available via the state bid process for \$43,372 as recommended by Ordinance 2005-45.

Councilmember Kidd stated the Equipment Committee has reviewed this matter and recommends adoption of these two ordinances.

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

A motion to adopt Ordinance 2005-44 was made by Councilmember Grossmann, seconded by Councilmember Kidd. VOTE: ALL YEAS

ORDINANCE 2005-45 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH CENTURY EQUIPMENT FOR THE PURCHASE OF ONE (1) 2005 TORO GROUNDSMASTER MOWER

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

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

A motion to adopt Ordinance 2005-45 was made by Councilmember McCurley, seconded by Vice Mayor Pelfrey. VOTE: ALL YEAS

ORDINANCE 2005-46 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH JOHN R. JURGENSEN COMPANY FOR THE 2005 STREET MAINTENANCE AND RESURFACING PROGRAM

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

Scot Lahrmer stated the purpose of this legislation is to award a contract to the lowest and best bidder for capital investments and repair to the City's streets. Major projects this year include resurfacing Bethany Road west of Mason-Montgomery Road, the remainder of Kings Mills Road and construction of a bike path in Heritage Oak Park. Scot added this year's program also includes a storm sewer project on S.R. 741 and resurfacing of the parking lots at Heritage, Pine Hill and Quinn Park. Scot explained bids were opened on March 31 for the 2005 Street Maintenance and Resurfacing Program, with two (2) bids received. The best and lowest bidder was John R. Jurgensen Company in the amount of \$1,116,900.

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

Councilmember Bradburn stated the Public Works Committee has reviewed this and is happy with the bids. They recommend adoption.

A motion to adopt Ordinance 2005-46 was made by Councilmember Kidd, seconded by Councilmember McCurley. VOTE: ALL YEAS

ORDINANCE 2005-47 AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDERS NOS. 001, 002, 003 AND 004 TO THE EXISTING CONTRACT BETWEEN THE CITY OF MASON AND LARRY SMITH CONTRACTORS, INC. FOR CONSTRUCTION OF U.S. 42 TRUNK SEWER IMPROVEMENTS – NORTH (PHASE 1)

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

Scot Lahrmer stated Council approved Ordinance 2004-51 last April authorizing a contract to Larry Smith Contractors, Inc. for construction of US 42 North Trunk Sewer (Phase 1), in the total amount of \$793,936. This project was a result of the City's Sewer master Plan calling for the rehabilitation/reconstruction of the main US 42 Trunk Sewer, which runs northerly from Quinn Park in the southern part of Mason to the existing Water Reclamation Plant

Scot said the major construction work of the project, exclusive of minor remaining restoration, was completed in 2004 and early 2005. In the course of completing the project, it was necessary for the contractor to perform work, which is outside the scope of the contract as bid and awarded, and the contractor made application for change orders to the contract, which included unanticipated rock excavation, additional work at Muddy Creek and delays resulting from uncovering a previously unlocated 6 inch water main. Scot added the final amount of the changes was determined to be \$61,173.38. He said these changes total approximately 7.7% of the initial amount of the contract with Larry Smith Contractors and are considered to be reasonable in view of the difficult nature of the project.

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

A motion to adopt Ordinance 2005-47 was made by Councilmember Kidd, seconded by Vice Mayor Pelfrey. VOTE: ALL YEAS

CITY MANAGER'S REPORT

The April issue of Mason Matters should be delivered on April 14 in the Pulse-Journal.

COMMITTEE REPORTS None

COUNCIL OLD AND NEW BUSINESS

Vice Mayor Pelfrey stated on May 5, 2005 at 12:00 noon the City will participate with the Chaplains in recognizing a National Day of Prayer. She said if it is raining, it will take place inside the municipal building otherwise it will be held at the Veteran's Memorial.

Councilmember McCurley commented he has been on an extended vacation and is aware the City Manager's contract has not been renewed. He said this matter should be resolved as it is doing a disservice to his family, the City and its employees. He continued to discuss the 16 years of service Scot Lahrmer has given the City and he requested a contract be submitted at the next Council meeting. Councilmember Kidd echoed the same sentiments. He said the only reason he voted not to renew the existing contract was because he felt a new one would be offered. He stated it was his understanding Council wanted to make a few changes to the legal document. Mayor Beck stated Council had no other alternative if they wanted to change the current

agreement. He said Council is currently working through the process with the Employee Relations Committee of Council. He also stated there is an executive session planned for April 18 and this matter will be discussed. Councilmember McCurley asked about the status of his review. Vice Mayor Pelfrey stated it has been discussed since August but has not yet been given to Scot. Mayor Beck stated Councilmembers should have turned in their evaluations to the Employee Relations Committee months ago. Councilmember Grossmann clarified the situation by stating there has been no termination. He said by the contracts own language, it had to be done this way. Ken Schneider stated it was a non-renewal of the existing contract, not a termination. Councilmember Kidd stated there was an inadequate system in place prior to this. He said in an effort to be more professional, the process has taken more time.

Mayor Beck noted the Warren County Commissioners are having the State of the County Address on April 26, 2005 at the Golf Center. The Mason Community Players are performing the Sound of Music and auditions for ages 6-14 will be held on April 23 and 24. Mayor Beck also recognized the Tax Department for the long hours they have worked during tax season. Councilmember Bradburn asked for clarification of the due date for taxes in the City of Mason as it has changed. Mayor Beck stated it is April 15 this year and last year it was April 30.

Mayor Beck stated an executive session for the purpose of discussing land acquisition will be added to the agenda as item 25A.

RECOGNITION OF VISITORS

Linda Roemer of 3178 Falcon Ridge addressed Council and stated she has concerns over the rezoning on the agenda for property on SR 741. Her concerns included density, lot sizes and the increased demand on schools. She asked about the \$3.8 million spent for a lift station that was mentioned on the March 14, 2005 meeting. She asked who was going to eat that cost. As a taxpayer, she is concerned over the amount. She also stated the increase in traffic on that road is unsafe for cars and buses.

Norm Roemer of 3178 Falcon Ridge addressed Council and asked the developer of Avalon be held accountable for providing adequate retention and detention areas. He stated there is a water problem that exists in the area and no one can figure out where it is going. He said he has contacted the developer many times and it is going nowhere. Richard Fair stated the City holds a performance bond on this project and developer. He said it will not be released until all matters are resolved. He said there is no time limit on the performance bond. Richard also said the violation is the retention pond is not 8 feet deep. He said the developer is aware of this but has not been responsive. He added it could be costly to fix. He said the developer has a new engineer and the matter is being reviewed.

EXECUTIVE SESSION: LAND ACQUISITION

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


A motion to reconvene 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 Bradburn, seconded by Councilmember Kidd.
VOTE: ALL YEAS TIME: 9:46 p.m.



Clerk of Council



Mayor