

**CITY OF MASON  
COUNCIL MEETING  
August 22, 2005**

Mayor Beck called the meeting to order at 7:06 p.m. Those present recited the pledge of allegiance.

**ATTENDANCE**

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

**APPROVAL OF MINUTES**

A motion to approve the minutes from the August 1, 2005 worksession was made by Councilmember Kidd, seconded by Councilmember Osborne. VOTE: 4 YEAS, 2 ABSTAIN (Bradburn, Osborne)

A motion to approve the minutes from the August 8, 2005 Council meeting was made by Councilmember Kidd, seconded by Councilmember McCurley. VOTE: ALL YEAS

**PRESENTATION BY MEREDITH RAFFEL FOR MASON ARTS COUNCIL**

Denny Means of 5254 Bentwood Drive, Amy Danford of 2551 Ridgeland Place and Rick Fleckner of 6362 Chimney Court addressed Council and spoke in favor of the creation of a Mason Arts Council. Amy Danford represents the Cincinnati Art Museum and she explained they are participating in a three-year initiative, which includes an effort to bring art to Mason. She said the Art Museum sees a lot of potential in this community. She also stated this is a three year program that is grant funded and brings supplies and resources into this area. She reported focus groups have been meeting and forming relationships.

Meredith Raffel addressed Council and presented a conceptual phased plan for the creation of an Arts Council. She stated she has a vision for the organization and is looking to the City for financial support. She stated this would ultimately be a not for profit organization. She at this time, did not ask for a specific dollar amount but stated she is working on an operating budget. When she has that finalized, she will present it to Council. Mayor Beck said at that time, the matter will be referred to the Finance Committee.

**RECOGNITION OF VISITORS**

Mayor Beck reported Council is still investigating the issues regarding the Fire Department and have nothing further to report at this time. He said we are still gathering information.

Jerry Banschbach of 6376 Butler Warren Road addressed Council and asked about the status of improvements to Butler Warren Road. He said it is a concern to him as it may take his home. Councilmember McCurley reported there are nine items with top priority for Warren County regarding road improvements. He said it will require millions of dollars. As of now, none are funded or engineered. He stated it is not the intention to take any property and no project has been designed. Mr. Banschbach asked how they can keep informed. Mayor Beck responded these are only recommendations to OKI. He said it does not appear in *Mason Matters* because it is not a City project. Councilmember McCurley said copies of the final report can be made available and he said when projects are addressed for construction, the City will be involved.

Norman Roemer of 3178 Falcon Ridge Drive addressed Council and asked about the status of the lake in Avalon Farms. Scot Lahrmer replied the City is still gathering information and will provide him a copy when it is available

Don Williams of 214 W. Church Street addressed Council and invited all to stop at the Downtown Mason Association booth during the Heritage Day Festival.

Carol Stamos from the Windemere subdivision stated two weeks ago she needed the City's EMT service and they were very professional and saved her life.

Dave Manning of P.O. Box 21 addressed Council and stated he was the President of the Local Fire Fighters Union 4049. He is representing the fire fighters regarding the response from the IAFF and he distributed the report to Council. He said it is a three part response. He requested Council allow them the opportunity to present to them prior to Council making a presentation to the public. He asked that any questions Council may have after reviewing the report be given to him in writing and he will respond.

Skip Warm of 479 Wrencroft Court in Lebanon addressed Council and stated he is a part time fire fighter. He asked what is the purpose and scope of the investigation into the recent fire. He also asked what are the aims of the final report. What specific instructions were given to the investigator? Were they facts or opinions? Mayor Beck said Council wants to make certain the Fire Department has what they need to do their job. He said this might include equipment or training. He also said no one is rushing into making any judgments. Councilmember McCurley stated if there are issues then it is his desire to make the Fire Department better.

**ORDINANCE 2005-134 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH SITE DESIGN GROUP, INC. FOR PRE-DESIGN AND DESIGN SERVICES FOR THE MASON SKATE PARK**

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

Scot Lahrmer explained Ordinance 2004-134, authorizing the design of a skate park, was first introduced at the November 22, 2004 meeting. It has been tabled several times since to provide additional time for the skate park committee and City Council to review conceptual layouts and costs. At Council's August 1<sup>st</sup> work session, two conceptual style layouts were discussed: a "vert" layout and a street-style layout. Scot stated a 16,000 square foot and a 10,000 square foot layout were reviewed for each style. The estimated construction costs are based on an average square foot unit cost of \$25, making the estimated cost for a 16,000 square foot park to be \$400,000. Details on the various conceptual skate parks were discussed at the work session and are attached. The skate park committee, consisting of Park Board members Ginny Sundin and Keith MacKinnon, Mason School Student Activities Director Lorri Fox-Allen and former Park Board member Jim Fox, met in July to discuss conceptual layouts and recommended the 16,000 square foot "vert" layout. Scot reported all of the skate park committee members attended the Council work session where discussion included the need for a skate park, why the "vert" type layout is preferred and reasons for the site location. The preferred site location, due to its accessibility and visibility, is the open field next to the Lou Eves Municipal Pool in Corwin Nixon Park. Council's recommendation from the work session was to move forward with a skate park, not to exceed \$400,000 in costs including the \$45,000 proposed in Ordinance 2004-134 for pre-design and design costs. In addition, Council asked staff to gauge Deerfield Township's interest in this project. Scot reported he and Michael Hecker did meet on August 11 with Deerfield Township Administrator Dan Evers to discuss the possibility of Deerfield Township's financial involvement with the skate park project. He indicated Deerfield Township is supportive of the project and is interested in working together but may prefer more of a partnership than just contributing dollars to a skate park.

A general discussion took place among Councilmembers. Councilmember Osborne asked what hourly rate was being charged. Michael Hecker stated it runs between \$75 to \$110 per hour. Councilmember Osborne asked to see more detailed information from Michael Hecker. Councilmember Kidd stated the City could help save some of the costs by hosting the Community Forums ourselves. Councilmember Grossmann asked for clarification on the amount to be paid and Michael Hecker stated it is a not to exceed amount of \$45,000. Councilmember Grossmann stated it would be nice to get the township involved in the entire process. Scot Lahrmer replied they indicated they would like to get involved in a larger roll. He said he got the impression from his conversations with the Administrator that meant collaborating in more areas. Councilmember McCurley said he felt their involvement should be limited to this project.

A motion to adopt Ordinance 2004-134 was made by Councilmember Kidd, seconded by Councilmember Grossmann. VOTE: ALL YEAS

**ORDINANCE 2005-69 AMENDING THE ZONING CODE AND ZONING MAP OF THE CITY OF MASON, OHIO, TO PROVIDE FOR THE REZONING OF APPROXIMATELY 1.577 ACRES FROM R-1 RESIDENTIAL TO BUSINESS PUD, 1.544 ACRES FROM HT-1 TO BUSINESS PUD WITH APPROVAL OF THE CONCEPT PLANNED UNIT DEVELOPMENT PLAN FOR WHITE BLOSSOM PUD EXPANSION (WALGREENS); AND TO PROVIDE FOR THE REZONING OF APPROXIMATELY 1.688 ACRES FROM R-1 RESIDENTIAL TO HT-1**

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

Scot Lahrmer stated the applicant has requested this legislation be continued until the September 12, 2005 meeting.

A motion to continue until September 12, 2005 was made by Councilmember Kidd, seconded by Councilmember Grossmann. VOTE: ALL YEAS

**ORDINANCE 2005-92 APPROVAL OF A CONDITIONAL USE PERMIT TO CONSTRUCT A HOME SALON ON A .475 ACRE PARCEL LOCATED AT 330 ACOMA DRIVE IN A SINGLE FAMILY RESIDENTIAL DISTRICT, R-2**

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

Mayor Beck opened the public hearing at 8:32 p.m. Anthony and Rachael Akers of 330 Acoma Drive addressed Council and spoke in favor of the request. They showed pictures of their backyard and from David Lane noting how little impact it will have on the surrounding area. Mark Yankowski of 340 Acoma addressed Council and said he shares the property line and he supports granting of the permit. Gene Nell of 607 Bunker Lane addressed Council and said it appears this will have no negative impact. He said he was impressed by the presentation. He asked who it needed Council approval if the ZBA has approved it. Ken Schneider stated Council approval is required. Mr. Nell stated it sets a precedent regarding R-2 residents. He asked if any monitoring is done by anyone after the permits are granted. Richard Fair stated only one other permit exists on Kings Mill Road. Ken Schneider stated if they are violating this conditional use permit in the future, it can be cancelled. Patricia Ellis of 384 David Lane addressed Council and said the State Board will monitor the usage because they issue the license for operation. Mayor Beck closed the public hearing at 8:46 p.m.

Mayor Beck asked about the hours of operation. They answered it will operate between 10:00 a.m. and 7:00 p.m. Councilmember Bradburn asked if the conditional use permit lasts forever. Ken Schneider stated yes specific to a beauty salon.

A motion to adopt Ordinance 2005-92 was made by Councilmember Osborne, seconded by Councilmember Kidd. VOTE: ALL YEAS

**ORDINANCE 2005-94 APPROVAL OF THE FINAL PLAT FOR MARS HILLS SUBDIVISION**

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

Richard Fair stated Steve Leesman with Leesman Engineering and Associates, representing Mars Hill Academy, is requesting the approval of the dedication and replat for the Mars Hill Subdivision site. He said this site is located on Stitt Road, just south of the Villas at Pine Run. This site is the proposed location for the Mars Hill Academy, a K-12 school housing 350 students upon opening day (2006) with 500 students planned for full build out (2011). This replat will consolidate the existing parcels into one lot and dedicate 0.505 acres of right of way along Stitt Road. The replat is consistent with the requests made by Planning Commission

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

A motion to adopt Ordinance 2005-94 was made by Councilmember Osborne, seconded by Councilmember McCurley. VOTE: ALL YEAS

**ORDINANCE 2005-95 AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH WARREN COUNTY FOR THE USE OF PICTOMETRY SOFTWARE**

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

Scot Lahrmer reported Warren County has acquired a software package that allows more specialized use of aerial photos. The County's software licensing agreement allows political subdivisions such as the City to be authorized to use the County's software and database. He said there is no cost for accessing the data, but the City must enter into an agreement to abide by the same restrictions as the County's original license agreement. Scot added this particular software has many uses for the City of Mason. This will allow police and fire personnel to locate and view structures in the City from various angles. Scot stated Police and Fire Departments, in particular, will benefit from being able to identify entry points as well as windows and access alternatives to various structures within the City.

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

A motion to adopt Ordinance 2005-95 was made by Councilmember McCurley, seconded by Councilmember Kidd. VOTE: ALL YEAS

**ORDINANCE 2005-96 APPROVAL OF THE DEDICATION AND EASEMENT PLAT FOR THE SNIDER ROAD EXTENSION**

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

Richard Fair explained to Council Steven Dragon of CDS Engineering representing Everybody's Farm is requesting approval of the dedication and easement plat for the Snider Road Extension. He said this extension will complete the connection of US 42 to Tylersville Road. This plat includes the dedication of 2.2089 acres of right of way and establishment of the necessary drainage and sewer easements. This roadway will be a minor arterial and is consistent with the 2005 Thoroughfare Plan. Richard added this has been approved by Planning Commission.

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

A motion to adopt Ordinance 2005-96 was made by Councilmember McCurley, seconded by Councilmember Grossmann. VOTE: ALL YEAS

**ORDINANCE 2005-97 APPROVAL OF THE REPLAT OF TRAILSIDE ACRES SUBDIVISION, LOT 131**

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

Richard Fair explained to Council the property owners are requesting the approval of the replat of Lot 131 in the Trailside Acres Subdivision, zoned R-2. The site, located at the end of Gallop Run, currently consists of a single family home and a large retention basin. He stated this replat will split the site, a 2.04-acre lot, into Lot 131A consisting of 0.82 acres and Lot 131B consisting of 1.23 acres. With this replat, the detention basin is to be redesigned and a portion of the drainage and detention basin easement is to be vacated. Richard added Planning Commission recommends approval of the replat contingent on the following: Since this replat vacates part of the detention basin easement, this record plat will not be recorded until the revised basin is complete.

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

A motion to adopt Ordinance 2005-97 was made by Councilmember Grossmann, seconded by Councilmember Kidd. VOTE: ALL YEAS

**ORDINANCE 2005-98 APPROVAL OF THE REPLAT OF TRAILSIDE ACRES SUBDIVISION, LOT 158**

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

Richard Fair explained Scott W. Mueller of 4854 Appaloosa Trail (Lot 158) is requesting the approval of the replat of Lot 158 in the Trailside Acres Subdivision, zoned R-2. He stated this replat will split the site, a 2.04-acre lot, into Lot 158A consisting of 0.83 acres and Lot 158B consisting of 1.24 acres. A 150'-0" wide easement for Dayton Power and Light Co. which ran through the site has been released. He said with this release, this portion of the site is now a buildable lot. The dimensions and size of both lots satisfy the City of Mason Zoning Code requirements for R-2 and this request has received Planning Commission approval.

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 Ordinance 2005-98 was made by Councilmember Grossmann, seconded by Councilmember Osborne. VOTE: ALL YEAS

**ORDINANCE 2005-99 AUTHORIZING THE CITY MANAGER TO ENTER INTO A COLLECTIVE BARGAINING AGREEMENT WITH THE SERGEANTS' UNIT OF THE FRATERNAL ORDER OF POLICE, OHIO LABOR COUNCIL, INC. AN DECLARING AN EMERGENCY**

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

Eric Hansen explained to Council over the last several months, staff have been meeting with representatives from the FOP to bargain a new collective bargaining contract. The previous contract expired on July 31, 2005. He stated following Council's executive session discussion at the July 25<sup>th</sup> Council meeting, negotiations with the FOP proceeded and outstanding items, including compensation, were tentatively resolved. Eric added while several issues were discussed and sought during the bargaining process, the major agreed upon changes are: expanding time for City to respond in discipline cases; increasing the minimum call-in from 2 to 3 hours; eliminating the pyramiding of time on holidays; and administrative changes to allow for accrual and payback of hours owed. An additional change requiring future legislation is a restructuring of sick leave conversion rates. Eric said this was a change initially proposed by the FOP and then pursued in its final form by the City. The change provides a new threshold floor below which sick leave cannot be converted at retirement and then allows for a tiered conversion ratio based on higher number of sick leave hours accrued during an employee's service career. The new system protects the City from converting the smaller but more frequent balances and provides an incentive for employees to closely limit their

sick leave usage over the course of their career. He stated extending this system to all City employees is a goal. Finally, annual pay increases for both units and across all salary schedule steps of 4%, 4%, and 3.75% were agreed upon.

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

Councilmember Osborne stated he thought this matter would be brought to Council in an executive session prior to requesting passage of legislation. Councilmember Bradburn agreed. Councilmember Osborne moved to table this legislation until after the executive session. Councilmember Kidd seconded the motion. VOTE: 4 YEAS, 2 NAYS (Grossmann, McCurley)

**ORDINANCE 2005-100 AUTHORIZING THE CITY MANAGER TO ENTER INTO A COLLECTIVE BARGAINING AGREEMENT WITH THE PATROL OFFICERS UNIT OF THE FRATERNAL ORDER OF POLICE, OHIO LABOR COUNCIL, INC.**

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

Councilmember Osborne moved to table this legislation until after the executive session. Councilmember Kidd seconded the motion. VOTE: ALL YEAS

**ORDINANCE 2005-101 ACCEPTING PUBLIC IMPROVEMENTS FOR WHISPERING SPRINGS PUD SECTIONS 2A, 2B AND 2C AND RELEASING THE PERFORMANCE BOND**

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

Richard Fair explained to Council Sections 2A, 2B and 2C of the Whispering Springs PUD are located west of Sunset Ridge Subdivision and north of Rosemont Subdivision (Deerfield Township). These sections include the southern portion of Whispering Springs Drive, Shady Oak Lane and Lilly Pad Court. He stated the Public Utilities, Public Works, Engineering Department and Greater Cincinnati Water Works have inspected the public improvements. The utilities and other improvements will become the city's responsibility upon acceptance. Richard stated staff recommends accepting the public improvements, contingent on the submission of a one-year maintenance bond.

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

A motion to adopt Ordinance 2005-101 was made by Councilmember McCurley, seconded by Councilmember Grossmann. VOTE: ALL YEAS



**ORDINANCE 2005-102 AMENDING ORDINANCE 2004-50 ESTABLISHING POSITIONS AND COMPENSATION FOR EMPLOYEES OF MASON MUNICIPAL COURT AND DECLARING AN EMERGENCY**

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

Eric Hansen explained to Council the Mason Municipal Court has submitted personnel change forms seeking to increase the salary for two magistrates beyond the level authorized by Ordinance 2004-50 and requesting they be made retroactive to January 1, 2005. Eric stated Ordinance 2005-102 allows staff to comply with Court's request by raising the annual compensation of the Chief Magistrate from \$24,000 to \$30,000 (60% of this amount, or \$18,000, is paid by the City, while the remainder is expected to be paid by Warren County) and by raising the annual compensation of the Magistrate Civil & ALS from \$12,000 to \$18,000. According to the ordinance, both of these amounts are the responsibility of the City's General Fund and the level of compensation for the positions is at Council's discretion according to the Ohio Revised Code.

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

Councilmember McCurley asked if the Court is currently under budget. Eric Hansen replied there are funds that exist in the budget for overtime. Councilmember Grossmann reported the Court Liaison Committee is aware of this request and he reported the current salaries paid to the magistrates are under the typical salaries in the area. Councilmember Grossmann said it is also his understanding from Mr. Scherpenberg the audit we have requested from the Supreme Court is supportive of this request.

A motion to adopt Ordinance 2005-102 was made by Councilmember McCurley, seconded by Councilmember Grossmann. VOTE: ALL YEAS

**ORDINANCE 2005-103 AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE BOARD OF EDUCATION, MASON CITY SCHOOLS REGARDING THE PROVISION OF WATER AND SEWER TAPS AN DECLARING AN EMERGENCY**

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

Scot Lahrmer reported to Council in 2000, Mason City Schools owned property on Mason Road, which was outside the corporation limits. The City was interested in having the property annexed into the City and worked with the schools to execute this. Scot stated the intent was that a pre-annexation agreement would be authorized to waive the tap-in fees for both water and sewer, similar to what the City did for the school's

property on Mason-Montgomery Road. For an unknown reason, the pre-annexation agreement was not created nor authorized but the schools and City proceeded with the annexation. The annexation became effective in 2001. Scot said in order to waive the tap-in fees for the schools, it is necessary to approve the agreement. An emergency clause has been included with the ordinance since the school is under construction and tap-ins are necessary at this time to move forward with construction.

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

A motion to adopt Ordinance 2005-103 was made by Councilmember Osborne, seconded by Councilmember Kidd. VOTE: ALL YEAS

**ORDINANCE 2005-104 AMENDING THE ZONING CODE AND ZONING MAP TO PROVIDE FOR THE REZONING OF APPROXIMATELY 5.5 ACRES FROM R-1 TO R-4, LOCATED AT 228 NORTH MASON MONTGOMERY ROAD (COWAN PROPERTY)**

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

A public hearing was set for September 26, 2005 at approximately 7:05 p.m.

**ORDINANCE 2005-105 AMENDING THE ZONING CODE AND ZONING MAP TO PROVIDE FOR THE REZONING OF APPROXIMATELY 4 ACRES FROM R-2 TO B-3, LOCATED ON THE EAST SIDE OF STATE ROUTE 741 BETWEEN 4434 STATE ROUTE 741 AND CARMELLE WOODS DRIVE (EVES PROPERTY)**

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

A public hearing was set for September 26, 2005 at approximately 7:10 p.m.

**ORDINANCE 2005-106 REPEALING ORDINANCE 2004-120, APPOINTING KENNETH J. SCHNEIDER AS LAW DIRECTOR AND CONTRACTING WITH THE FIRM OF WOOD & LAMING FOR LEGAL SERVICES**

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

Scot Lahrmer explained to Council Ordinance 2005 - 106 authorizes an increase in pay for the City's Law Director. This increases the Law Director's compensation, effective July 1, from \$26,000 to \$27,000, a 3.8% increase. Scot stated in addition, the legal services performed by the law firm are requested to increase from the rate of \$153 per hour to \$158 per hour, a 3.27% increase. One exception to the \$158 rate is litigation and

labor negotiations, which are increasing from \$168 per hour to \$173 per hour, a 2.98% increase. He added it is his understanding it is Council's desire to table this until after the executive session.

A motion to table this legislation until after the executive session was made by Councilmember Osborne, seconded by Councilmember Kidd. VOTE: 4 YEAS, 2 NAYS (Grossmann, McCurley)

### **CITY MANAGER'S REPORT**

Scot Lahrmer stated a Council Worksession is scheduled for Monday August 29, 2005 at 6:00 p.m.

Mason in Bloom has reported to Council they have experienced a cost overrun and they are requesting the City to pay for the Chair of Mason in Bloom to attend the awards ceremony in Cleveland. The total amount requested is \$800.63 with \$700 being for the travel expenses. A motion to approve was made by Councilmember Bradburn, seconded by Councilmember Grossmann. VOTE: ALL YEAS

### **COMMUNITY REINVESTMENT AREA #4—SLEEPCARE DIAGNOSTICS**

Michelle Blair addressed Council and stated Mason City Council has the opportunity to help attract new investment from one of our existing companies, Sleepcare Diagnostics and facilitate new job creation in the White Blossom Tech Business Park located on Socialville Fosters Road. She stated they are a privately owned and accredited sleep diagnostic center and are the largest sleep disorder center located under one roof in the United States. Their growth in Mason has far exceeded expectations, and they currently employ 75 people. She explained the company proposes adding 10,075 square feet to their existing building to be used primarily for administrative and support personnel for the multi-site operation. They also propose the addition of 26 new employees by 2007 with an average salary of \$42,900. Michelle stated in the interest of encouraging the investment and job creation of an existing Mason corporate headquarters to continue the momentum in Mason, Economic Development Committee recommends that Mason City Council make and approve an abatement under the Community Reinvestment Area Program a 100% of real property improvements for up to 6 years on the value of the new building investment as authorized by the State of Ohio Community Reinvestment Area Program and contingent upon the company making an annual compensation payment to the Mason City School District for the term of the abatement period.

Councilmember Kidd moved to approve that abatement. Councilmember McCurley seconded the motion. VOTE: 5 YEAS, 1 ABSTAIN (Beck)

### **COMMITTEE REPORTS**

Councilmember McCurley reported on the Southwest Warren County Transportation Task Force. He said there exists 9 high priority projects totally over \$300 million dollars.

He said the recommendations will be sent to OKI. He said a high priority has been given to the I-71 interchange at Fields Ertle Road. He also stated the other high priority projects include the following: Bethany Road widening to three lanes with enough right of way purchased for the addition of two lanes in the future; the Waterstone connector estimated cost 5 million dollars; the Western Row Road at I-71; Western Row Road extension; I-71 interchange at Kings Mills Rd; Columbia Road between Kings Mill Rd and Mason Morrow Millgrove Road and Butler Warren Road widened from Barrett Road to Bethany Road.

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

Councilmember McCurley mentioned the Heritage Festival planned for August 27, 2005 the Mason High School Hall of Fame recognition of Tom Lichtenberg. He asked about the status of the Veteran's Memorial Fund. Mayor Beck reported Pat Shay is the treasurer and he is working with Fifth Third to get a full report of the deposits. He stated a presentation will be made to Council once it is complete.

Councilmember Grossmann reported the Utility Committee has met and reviewed a large number of projects. He said they will come before Council in the near future.

Mayor Beck mentioned the groundbreaking for the Great Wolf Lodge and the Heritage Parade. He also asked Richard Fair if the islands installed on Snider Road will allow enough room for emergency vehicles. Richard replied there is enough room for the fire equipment. Mayor Beck reported the speeding on Western Row Road has become hazardous. He asked staff to request the Police department to look into the matter.

### **RECOGNITION OF VISITORS** None

### **EXECUTIVE SESSION: LAND ACQUISITION AND PERSONNEL**

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

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

### **ORDINANCE 2005-99 AUTHORIZING A COLLECTIVE BARGAINING AGREEMENT WITH THE SERGEANTS UNIT OF THE FRATERNAL ORDER OF POLICE, OHIO LABOR COUNCIL, INC**

Mayor Beck called Ordinance 2005-99 up for consideration.

A motion to adopt Ordinance 2005-99 was made by Councilmember Bradburn, seconded by Councilmember Kidd. VOTE: ALL YEAS

**ORDINANCE 2005-100 AUTHORIZING A COLLECTIVE BARGAINING AGREEMENT WITH THE PATROL OFFICERS UNIT OF THE FRATERNAL ORDER OF POLICE, OHIO LABOR COUNCIL, INC.**

Mayor Beck called Ordinance 2005-100 up for consideration.

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

A motion to adopt Ordinance 2005-100 was made by Councilmember Bradburn, seconded by Councilmember Osborne. VOTE: ALL YEAS

**ORDINANCE 2005-106 REPEALING ORDINANCE 2004-120, APPOINTING KENNETH J. SCHNEIDER AS LAW DIRECTOR AND CONTRACTING WITH THE FIRM OF WOOD & LAMING FOR LEGAL SERVICES**

Mayor Beck called Ordinance 2005-106 up for consideration.

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

A motion to adopt Ordinance 2005-106 was made by Councilmember McCurley, seconded by Councilmember Kidd. VOTE: ALL YEAS

**ADJOURN**

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

TIME: 10:30 p.m.

  
Clerk of Council

  
Mayor