

**CITY OF MASON
COUNCIL MEETING
November 14 2005**

Mayor Beck called the meeting to order at 7:05 p.m. Those present recited the pledge of allegiance.

ATTENDANCE

The following Councilmembers 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 October 24, 2005 Council meeting was made by Councilmember Kidd, seconded by Vice Mayor Pelfrey. VOTE; 5 YEAS, 1 ABSTAIN (Osborne)

A motion to approve the minutes of the October 31, 2005 Special Council meeting was made by Councilmember Kidd, seconded by Councilmember Bradburn. VOTE: 5 YEAS, 1 ABSTAIN (Osborne)

RECOGNITION OF SMALL BUSINESS AWARD WINNERS

Paige Rothstein explained to Council this year the City honors the following entrepreneurs for their continued successes and long-term commitment to the City of Mason.

Family:	Russ Hutchins, State Farm Insurance
Professional/Service:	Sams, Fischer, & Schuessler Attorneys & Counselors at Law
Retail:	Jeffery Furniture
Emerging Small Business:	Culvers

Chris Smith, the Governor's representative for Economic Development addressed Council in support of the recognition being given to the small business owners.

RESOLUTION 2005-18 PROCLAIMING NOVEMBER 14-18 2005 AS SMALL BUSINESS WEEK

Mayor Beck read the Proclamation in full and presented the awards to the various company representatives.

RECOGNITION OF VISITORS

Meredith Raffle of 5362 Farmridge Way addressed Council and gave an update on the Mason Area Arts Council. She mentioned their status in obtaining a non-profit status. She also said they are planning an event in September 2006 and it will be held at the Municipal Building. She stated Michael Hecker would be the city liaison for them.

Councilmember Grossmann introduced the new Councilmembers elect that were in attendance, Todd Wurzbacher and Matt Kline.

ORDINANCE 2005-108 AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INCENTIVE GRANT AGREEMENT WITH HEALTH ALLIANCE OF GREATER CINCINNATI IN AN AMOUNT NOT TO EXCEED \$500,000.

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

Michele Blair explained to Council Mason City Council has the opportunity to attract a combination of exciting new investment opportunities to one of the most high profile sites in Mason and the Region. She stated the proposed projects include two projects that are planned for development that could bring significant recognition and opportunity to Mason and the Region. She added it has already been announced, the Health Alliance Craig and Frances Lindner Center of Hope, proposes to contribute significant investment with the construction of medical and R&D facility on the back 40 acres of the site. Health Alliance also proposes a high-tech PUD concept plan for the front 60 acres to accommodate an office park development. This proposal is consistent with the City's Comprehensive Plan and also in alignment with the City's Economic Development Strategies to attract future investment and job creation through targeted types of development including class A office parks, corporate headquarters, and certain industry sectors with high-tech and research and development functions. She introduced Al miller, Vice President of Planning and Outreach for Health Alliance who provided a background on their site selection process.

Michele explained the incentive proposal by stating the intended primary purpose of this agreement is to attract the Office Park Development by making available a competitive incentive grant package of \$500,000 of infrastructure funds toward the phase II roadway, which will service the corporate office type development. Awarding this incentive will be directly tied to their ability to compete in the highly competitive office and high tech markets. The incentive agreement encourages Health Alliance to actively market the front 60 acres to type of high-value client that the City actively pursues. The incentive grant would be activated at such time a client is identified for the property that fits the criteria of the agreement which includes, recruitment of a company or development that satisfies the City's targeted-sectors (office and high tech), meets a minimum threshold of \$10 million annual payroll and allows the City of recoup costs within a five-year window. Michele further explained the Economic Development Committee has reviewed details of the proposed project and has recommended an incentive grant agreement to underwrite the cost of the infrastructure improvements necessary for the development of the phase II portion of the 102-acre site. The Engineering Department estimated the cost for infrastructure improvements that a developer would pursue for phase II could exceed \$1.8-\$2.0 million. With the recommended incentive, the City is able to secure development priorities for

this high profile site. It is anticipated the expense of the incentive grant agreement to be recouped within five years of the completion of the phase II development. The City is pursuing leverage of additional State funds.

Councilmember Osborne clarified the text before Council was not a draft and the \$10 million annual payroll is a requirement.

A motion to adopt Ordinance 2005-108 was made by Councilmember Kidd, seconded by Vice Mayor Pelfrey. VOTE: ALL YEAS

ORDINANCE 2005-125 AMENDING SECTION 1187.07 OF THE 2003 REVISED SIGN CODE OF THE CITY OF MASON, OHIO

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

Richard Fair explained to Council since the new edition of our sign code took effect in October of 2003, the change that has generated the most discussion has been the temporary signs. The changes were made to accomplish two main goals: to limit the acceptable types of signs (wall signs, ground signs, pole signs instead of balloons, flashing lights, or pennant strings, for example), and to coordinate the requirements for commercial and non-profit owners. He stated staff is proposing to revise the sign code language to be inclusive of City sponsored events, with some conditions to limit commercial sponsors being added to the signs. This proposal attempts to permit co-sponsors, as they are important to the success of some of these events. The next logical step would be to include the street banners and Right-of-Way banners (over-street banners) in this same group. The current policy can be modified to fit the code language and become a part of the sign code.

Mayor Beck opened the public hearing at 8:05 p.m. Seeing no comments either for or against this project he closed the public hearing at 8:06 p.m.

A motion to adopt Ordinance 2005-108 was made by Councilmember Grossmann, seconded by Councilmember Kidd. VOTE: ALL YEAS

ORDINANCE 2005-133 AMENDING THE CODE OF ORDINANCES OF THE CITY OF MASON TO AMEND IN PART ZONING CODE AND SUBDIVISION REGULATIONS CHAPTERS 1109, 1162, AND 1145

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

Richard Fair explained to Council the purpose of this legislation is to approve the zoning code changes that were recommended by the Planning Commission on October 4 and October 11, 2005. He summarized the effects of the changes to the current code and recommended adoption. Mayor Beck stated it should be in our codes the standard width of medians is 12 feet.

A motion to adopt Ordinance 2005-133 was made by Councilmember Bradburn, seconded by Vice Mayor Pelfrey. VOTE: ALL YEAS

ORDINANCE 2005-136 1ST READING AMENDING THE CODE OF ORDINANCES TO AMEND INPART ZONING CODE CHAPTERS 1133 AND 1145 AND TO ESTABLISH AND INSERT ZONING CODE CHAPTER 1170 AND REPEAL ZONING CODE CHAPTER 1189

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

Scot Lahrmer stated a public hearing on this legislation would be held on November 28, 2005 at approximately 7:15 p.m.

ORDINANCE 2005-137 APPROVAL OF THE FINAL PLAT FOR MASON POINT SUBDIVISION

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

Richard Fair explained to Council the applicant is requesting approval of the final plat for Mason Point Subdivision. He said this site, zoned I-1, is located on the south side of Bethany Road, approximately 700 feet west of the Bethany Road/S.R. 741 intersection. This plat contains a total of 5 lots on 11.9648 acres. This plat will dedicate the right of way and easements needed for this subdivision. Richard added Planning Commission recommends approval of the final plat contingent on the following:

1. Since Bethany Road is a major arterial, please dedicate a total of 50'-0" of right of way to satisfy the City of Mason Thoroughfare Plan.
2. Remove statement and signature block for City Manager.
3. Include private drainage statement and easement on the plat for the detention facility.
4. Provide the necessary utility easement along the right of way.
5. Provide name for the proposed public roadway.
6. Submit subdivider's contract and performance

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 2005-137 contingent on compliance with the engineering comments was made by Councilmember Bradburn, seconded by Councilmember Kidd. VOTE: ALL YEAS

ORDINANCE 2005-138 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH G.M. PIPELINE, INC., FOR CONSTRUCTION OF EAST TRUNK SEWER IMPROVEMENTS

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

Scot Lahrmer explained to Council the purpose of this legislation is to construct sanitary sewer improvements, consisting of a relief force main paralleling the existing East Trunk Sewer between the Western Row Lift Station and Kings Mills Road, to provide for anticipated flows from the Western Row Lift Station. He added when the City's Western Row Lift Station was constructed in 1997, it was stipulated by OEPA that the City would have to furnish additional downstream capacity in the East Trunk Sewer between the lift station and Kings Mills Road in order to accommodate anticipated wastewater flows as outlined in the City's Sewer Master Plan.

Scot stated engineering analysis of the available alternatives indicated that construction of a 16-inch diameter force main, with most of it parallel to and just west of I-71, would provide the needed capacity and would be less expensive than reconstruction of the existing sewer. The force main alternative would also involve less disruption of the Golf Center at Kings Island and the Tennis For Charity facility. In addition, it was determined that the construction would be done between November and March to minimize the operational impact on these businesses. A total of 11 bids were received. The low bidder was G.M. Pipeline, Inc. in the amount of \$399,948.12.

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

A motion to adopt Ordinance 2005-138 was made by Councilmember Kidd, seconded by Vice Mayor Pelfrey. VOTE: ALL YEAS

ORDINANCE 2005-139 APPROVAL OF THE OFFSITE WATERLINE EASEMENT PLAT FOR CARMELLE SUBDIVISION

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

Richard Fair explained to Council, Shawna Rosemond, with Bayer Becker Engineering, is requesting approval of a waterline easement located on the Carter property to the north of Carmelle Subdivision and east of City of Mason Treatment Facility on US 42. This plat will dedicate a twenty-foot wide waterline easement from U.S. 42 to the Carmelle Subdivision. He stated the purpose of this easement is to provide a secondary source of water to this subdivision.

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

A motion to adopt Ordinance 2005-139 was made by Councilmember Grossmann, seconded by Councilmember Kidd. VOTE: ALL YEAS

ORDINANCE 2005-140 AUTHORIZING THE ACCEPTANCE OF THE GRANT OF UTILITY AND DRAINAGE EASEMENTS FOR THE MASON ROAD WIDENING BY THE CITY MANAGER REGARDING THE BIRCHWOOD FARMS SUBDIVISION, MASON, OHIO

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

Richard Fair explained to Council Construction of the Heritage Oak Park and Birchwood Farms Drainage Improvement project was presented to City Council for approval in September. He said this project consists of two areas along the Muddy Creek Branch #1 where drainage improvements are being installed. Although the drainage improvements at Heritage Oak Park do not require the City to acquire right-of-way, seven permanent utility and drainage easements were required for the drainage channel improvements located just east of Birchwood Farms Drive. Engineering staff and CDS Associates have been working with the seven property owners adjacent to the Birchwood Farms portion and have acquired all necessary easements at no cost to the City. He added this improvement takes into account the expanded roadway and storm sewer system improvements expected with the future widening of Mason Road.

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

A motion to adopt Ordinance 2005-140 was made by Councilmember Bradburn, seconded by Councilmember Osborne. VOTE: ALL YEAS

ORDINANCE 2005-141 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH W.G. STANG, LLC, FOR THE CONSTRUCTION OF THE FAIRWAY DRIVE/MONTE DRIVE/LAKEVIEW DRIVE DRAINAGE IMPROVEMENTS

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

Richard Fair explained to Council in December 2004, construction contract bids were recommended for rejection to City Council because of significant increases in the pricing of both the clearing & grubbing and the excavation items and the condensed construction time frame set by the Golf Center to complete the project. At the time, he stated, the bids were rejected. Staff set an October 2005 deadline to re-advertise and bid construction of the channel realignment and a new detention area on the golf course property. Over the past year staff has continued to work with the Golf Center at Kings Island to finalize an agreement to complete the project this winter staff incorporated two additional storm sewer replacement projects into this overall project. The first is a replacement project located between Monte Drive and Kings Mills Road. After cleaning and televising this existing storm sewer, it was noted that the manholes and storm pipe were in very poor condition and in need of replacement. The second project begins at Lakeview Drive and replaces the existing storm pipe that drains the area into Mr. Richard Hadley's pond at 305 Lakeview Drive. The pipe in this area is also in very poor condition and has been a constant area

of concern for the residents. Several large sinkholes have developed where pipe joints have separated and this storm system is also in need of replacement. The City received bids for this project with the lowest and best bid being received from W.G. Stang for \$596,171.

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 2005-141 was made by Councilmember Bradburn, seconded by Councilmember Osborne. VOTE: ALL YEAS

ORDINANCE 2005-142 PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$900,000 OF RENEWAL NOTES BY THE CITY OF MASON, OHIO, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF IMPROVING THE STORMWATER SYSTEM IN THE CITY.

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

Scot Lahrmer explained ordinances 2205-142, 143, and 144 by stating their purpose is approving the reissuance of Bond Anticipation Notes, authorizing the issuance of additional storm water improvement notes and authorizing the combining of the notes into a single debt issue. He said Ordinance 2005-142 authorizes he renewal of the notes that are currently being utilized to finance the improvements for the Davis Run/Muddy Creek watersheds. Ordinance 2005-143 authorizes the issuance of bond anticipation notes, in an amount not to exceed \$1.365 million, for financing the construction of the box culvert at Heritage Oak Park and improvements to the drainage channel located just east of Birchwood Farms Drive and the storm water improvements located on Fairway Drive, Monte Drive and Lakeview Drive. He said Ordinance 2005-144 authorizes the combining of both note issuances into one debt issue.

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

A motion to adopt Ordinance 2005-142 was made by Councilmember Grossmann, seconded by Vice Mayor Pelfrey. VOTE: ALL YEAS

ORDINANCE 2005-143 PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$1,365,000 OF NOTES BY THE CITY OF MASON, OHIO, IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF IMPROVING THE STORMWATER SYSTEM IN THE CITY.

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

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 2005-143 was made by Councilmember Grossmann, seconded by Councilmember Osborne. VOTE: ALL YEAS

ORDINANCE 2005-144 PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$2,265,000 OF NOTES BY THE CITY OF MASON, OHIO, IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF IMPROVING THE STORMWATER SYSTEM IN THE CITY.

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

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 2005-144 was made by Councilmember Grossmann, seconded by Vice Mayor Pelfrey. VOTE: ALL YEAS

ORDINANCE 2005-145 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH 32 FORD FOR THE PURCHASE OF FOUR (4) 2006 FORD CROWN VICTORIA POLICE INTERCEPTORS

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

Eric Hansen explained to Council 32 Ford has agreed to sell the 2006 Ford Crown Victoria Police Interceptor to the City of Mason at a price of \$21,212. Because the cost is less than the State of Ohio's bid price and the location of the dealership is much closer, staff recommends that 32 Ford be awarded the contract for the purchase of the 2006 Ford Crown Victoria Police Interceptors. Eric explained the total price for four cruisers is \$85,098, which includes one shop manual on CD. Delivery of the vehicles will be in the spring of 2006. These vehicles are not bid by the State of Ohio until fall, which is why the authorization typically occurs in November or December. The 2005 Budget approved four (4) cruisers to be replaced with 2006 models. These vehicles will have mileage estimated from 90,000 to 115,000 at the time of replacement. Eric added the four (4) displaced cruisers will replace higher mileage cars in the police department in a non-front line capacity, or elsewhere in the City's existing fleet. And the four higher mileage vehicles will then be auctioned. The 2005 Budget included \$88,000 for the purchase of four (4) cruisers, and was reviewed and recommended by both the Equipment and Finance Committees of Council as part of the 2005 budget process.

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

A motion to adopt Ordinance 2005-145 was made by Councilmember Kidd, seconded by Vice Mayor Pelfrey. VOTE: 4 YEAS, 1 ABSTAIN (Bradburn), 1 ABSENT (Grossmann)

ORDINANCE 2005-146 AUTHORIZING THE CITY MANAGER TO EXECUTE A CHANGE ORDER TO THE EXISTING CONTRACT BETWEEN THE CITY OF MASON AND TEC ENGINEERING FOR THE ENGINEERING DESIGN AND ENVIRONMENTAL SERVICES NECESSARY FOR THE MUDDY CREEK BIKE PATH PROJECT

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

Richard Fair explained to Council the City was awarded a \$347,780 Transportation Enhancement Grant for the construction of the Muddy Creek Bike Path. The proposed bike path is a 3,500-foot bike path that will be constructed beginning at Mason-Montgomery Road following the Muddy Creek to Kings Mills Road to Pine Hill Lakes Park. The City was awarded 80% of the funds for construction. The City is responsible for the remaining 20% of construction costs, \$86,945, plus the costs for the engineering, design and environmental work. Even though construction funds are not available for use until FY07, ODOT and OKI encouraged the City to expedite the development of engineering work in the event that funds become available sooner. Based on recommendations from the above agencies, City Council awarded a \$70,000 contract to TEC Engineering for engineering, design and environmental work for the project.

Richard stated initially the environmental services were estimated at \$15,000 based on conversations with ODOT representatives. Once, ODOT began reviewing the design documents additional environmental studies were added to the scope of the work. These studies, include: Cultural Resource Phase I, historical significance and potential project impacts to the affected bridges, Section 4f (Park and Recreational land) impact study, Ecological impact study, Wetland study, Farmland impact study, Environmental site assessment screening and remediation study, Flood plain/flood way impact study and an Environmental justice impact study. TEC will need an additional \$23,000 to complete these studies. TEC has two different companies doing the work: Gray & Pape and Balke American, to reduce costs associated with the environmental work.

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

Councilmember Osborne expressed concern over the cost of this project.

A motion to adopt Ordinance 2005-146 was made by Councilmember Kidd, seconded by Vice Mayor Pelfrey. VOTE: 4 YEAS, 1 NAY (Osborne), 1 ABSENT (Grossmann)

ORDINANCE 2005-147 AMENDING ORDINANCE 2005-113 ESTABLISHING THE POSITIONS AND RATES OF COMPENSATION FOR EMPLOYEES OF THE MASON MUNICIPAL COURT AND DECLARING AN EMERGENCY

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

Councilmember Grossmann stated the Court Liaison Committee has not reviewed this request. Brian Grismer, the Court's representative, addressed Council and explained the need for this position. He also stated the person is very well qualified for this position and that also justifies the pay increase. A general discussion took place among Council noting the established pay scales and the responsibilities of the Court security personnel. Ken Schneider reported the Court is an independent body and the City is ultimately responsible for paying any reasonable requests. Councilmember Grossmann clarified the impact this would have on the budget. Councilmember Grossmann requested this be passed as this will only cost approximately \$1000 for this and in the near future the City can review it in greater detail when doing the budget process. Councilmember Osborne objected because the process that has been established has not been followed.

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

A motion to adopt this legislation was made by Vice Mayor Pelfrey and seconded by Councilmember Grossmann. A motion to table the legislation was made by Councilmember Osborne, seconded by Councilmember Bradburn. They then withdrew their motions to table.

A motion to adopt Ordinance 2005-147 was made by Vice Mayor Pelfrey, seconded by Councilmember Grossmann. VOTE: 4 YEAS, 2 NAYS (Bradburn, Osborne) Ken Schneider stated the emergency clause will not be in effect as it did not receive 5 affirmative votes.

Councilmember Grossmann moved to reconsider this legislation. Vice Mayor Pelfrey seconded the motion. VOTE: 5 YEAS, 1 NAY (Bradburn)

ORDINANCE 2005-148 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH SPECTRA ENTERTAINMENT FOR THE RED, RHYTHM & BOOM CONCERT PERFORMED BY STYX ON JULY 3, 2006

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

Scot Lahrmer explained to Council the band Styx has been retained to perform for the City's July Third celebration. He said Recreation Manager, Angie Gardner, negotiated the past several months with various agents to obtain Styx at \$55,000, which was considerably less than the original price quoted. In addition to the contract amount for this ordinance, the City will be responsible for other expenses to cover back-line and accommodations. Scot said the Park Board unanimously recommended at its November 10 meeting for City Council to approve Styx for the Red, Rhythm & Boom entertainment.

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 2005-148 was made by Councilmember Grossmann, seconded by Councilmember Osborne. VOTE: ALL YEAS

ORDINANCE 2005-149 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH KZF DESIGN INC. FOR THE PHASE 1 DESIGN ENGINEERING FOR THE IMPROVEMENTS TO US 42 FROM BUTLER-WARREN ROAD TO TYLERSVILLE ROAD

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 City received a \$3.5 million grant award for widening U.S. 42 from Tylersville Road to Butler Warren Road. The grant covers approximately 50% of the construction costs for this 2-mile long stretch of U.S. 42. The Engineering Department and TEC Engineering completed the grant application seeking funds through the OKI Transportation Improvement Program. He stated this may be the largest grant the City has received and a great opportunity to move forward on a needed road improvement, even though this is not a high priority on the City's capital improvement plan. Richard said like many grants the City must commit to several conditions and this project in particular poses an enormous undertaking involving property acquisition and inconvenience to businesses and motorists during construction on one of the City's major thoroughfares. He added the grant award does not include engineering, right-of-way, utility relocation, or environmental assessment costs. Because the City must follow ODOT standards for engineering, subsurface investigation, environmental review, and right-of-way acquisition, a rough estimate for this work, before construction begins, is over \$2 million.

Richard further stated based on City Council's response in February, the Engineering Department has partnered with ODOT to move this project forward towards engineering design. Five proposals from ODOT qualified engineering firms were received and reviewed. After conducting interviews and analyzing each proposal, KZF Design, Inc. appears to have submitted the best proposal for the project. KZF Design, Inc. is currently designing the downtown streetscape and they are also designing the improvements to US 42 south of our project for Butler County. The firm is highly recommended by the Warren County Engineer's office and they have extensive experience working with ODOT and complying with Federal environmental guidelines. This project was not budgeted for 2005 because staff did not expect to receive this grant due to the stiff competition for grant funds. Richard stated another ongoing concern is the lack of staff to properly manage the project based on the current workload. Additional staff are being requested in the 2006 Budget to accommodate this project and several others since this is probably the City's only opportunity to take advantage of this grant.

ODOT officials are expecting the City to begin engineering this year because of our commitment to the project and the design schedule set by the availability of the funds. They have established a construction date of 2009 with right-of-way acquisition due in 2008. This means engineering needs to start as soon as possible. Furthermore, staff followed ODOT's recommendations by splitting the design into 2 phases: Phase I should be completed in 18 months, with Phase II to follow in 2007.

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 2005-149 was made by Councilmember Osborne, seconded by Vice Mayor Pelfrey. VOTE: ALL YEAS

CITY MANAGER'S REPORT

Scot Lahrmer explained the following items to Council:

The regularly scheduled second meeting in December falls on December 26 (a holiday for City offices). Scot said he did not anticipate that a second meeting will be necessary since all the final action of Council will occur on December 12. Vice Mayor Pelfrey moved to not hold the last meeting in December. Councilmember Grossmann seconded the motion. VOTE: ALL YEAS

A tentative Council Work Session is being planned for Monday, November 21 beginning at 6:00 p.m. in the Community Room.

Trash collection during Thanksgiving week will not be altered due to the holiday. Customers with pickup on Thursday or Friday should expect pickup on their regularly scheduled day.

The City has received a request for liquor license from Bargas Grill & Tap located at 729 Reading Road. Councilmember Osborne moved to not require a hearing. Councilmember Bradburn seconded the motion. VOTE: ALL YEAS

COMMITTEE REPORTS

Vice Mayor Pelfrey reported on the Safety Committee meeting stating there were discussions on the ten point plan introduced by the City Manager regarding the fire department. She stated they also discussed the purchase of an ambulance. She also reported on the Festivals of Mason where they discussed the budget.

Councilmember Grossmann reported on the Finance Committee stating four meetings have been planned for budget talks.

COUNCIL OLD AND NEW BUSINESS

Vice Mayor Pelfrey thanked those involved in the successful Veteran's Day Program. She also stated the signage is not adequate in the area. She submitted a bid from a local company for a sign in granite. Councilmember Osborne suggested Mayor Beck, vice Mayor Pelfrey and he review the matter and report back at the next meeting.

Councilmember Grossmann stated he will be out of town for the next meeting. He commented on John McCurley's many accomplishments as a Councilmember and former Mayor.

Mayor Beck noted the signals at Snider Road and Western Row did not change to allow emergency vehicles through. He asked staff to look into the matter. He also reported a resident stated leaf pick up occurred on only one side of the street on Van Buren. He asked staff to review the matter. He said he met with Deerfield Township Trustee, Randy Kuvin, and reported they are setting up a meeting for their residents to discuss the skate park. Mayor Beck also reported on the first meeting of the Port Authority and his scheduled reading at the library.

RECOGNITION OF VISITORS None

EXECUTIVE SESSION

Vice Mayor Pelfrey moved to include Councilmember elect Todd Wurzbacher in the executive session. The motion was seconded by Councilmember Grossmann.

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

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

ADJOURN

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

TIME: 11:50 p.m.


Clerk of Council


Mayor