

Martin Plumb of 5832 Cabernet Court addressed Council and stated he is working on an effort to improve traffic into Hamilton Township. He stated he has come up with a plan for a new road that will connect the City of Mason at the intersection of Columbia Road through the intersection at Grandin Road. He distributed a copy of his plan to Council. He said he is meeting with all maintain private property.

Perry Schwartz of 6309 Tartan Fields Lane addressed Council and said he was in favor of the City buying the golf course but has concerns over the continued maintenance of the acres west of Eagle View Drive. He noted they are not zoned green space and if the City elects to sell the golf course in the future, who would maintain it. Ken Schneider stated the City, if it purchases the golf course, would have the right in the future to act in the best interest of the city and its residents. He said it is his understanding if the course were sold in the future, that property could be transferred to the Homeowners Association. Perry Schwartz stated they do not want to maintain it. Ken Schneider stated in the event that would ever happen, the City could not

Gene Nell of 607 Bunker Lane addressed Council and stated they are doing a good job. He stated he notices a healthy diversity on Council.

The following residents addressed Council:

**RECOGNITION OF VISITORS**

**PRESENTATION FOR FESTIVALS OF MASON, INC.** Postponed

A motion to approve the minutes of the June 12, 2006 Council meeting was made by Councilmember Kidd, seconded by Councilmember Wurzbacher. VOTE: ALL YEAS

A motion to approve the minutes of the June 12, 2006 Council Worksession was made by Councilmember Kidd, seconded by Councilmember Wurzbacher. VOTE: ALL YEAS

**APPROVAL OF MINUTES**

The following members of Council were present: Victor Kidd, Tony Bradburn, Matt Kline, Todd Wurzbacher, Tom Grossmann and Char Pelfrey. Steve Osborne was absent.

**ATTENDANCE**

Mayor Pelfrey called the meeting to order at 7:07 p.m. Those present recited the pledge of allegiance.

**CITY OF MASON  
COUNCIL MEETING  
JUNE 26, 2006**

governmental entities in this area. He asked for any comments either for or against his plan. Mayor Peltrey asked him to keep the City informed on the progress.

Mel Brock of 620 Bunker Lane addressed Council and stated he represents the Greenery Homeowners Association. He said they are glad the City is being proactive and purchasing the golf course. He said they are somewhat concerned about the rumors of a sports complex on the property. He stated they purchased their homes as marketed on the golf course. He requested the City make a total commitment and retain it as a golf course.

Stephen Glick of 714 Eagle View Court addressed Council and stated he is in favor of the City purchasing the golf course. He also said he would like to see the zoning changed to park land. He said he has been a member there since it opened and the management has gone down since Taft owned it. He stated he feels it is top heavy in management and feels there is a real opportunity to improve the management and the profitability increasing the savings to about \$3-400,000 annually.

Frank Miller of Walnut Lane addressed Council and stated the losses on the Community Center are a burden to the taxpayers. He said he has been discussing this for 8 or 9 months and there has only been one meeting. Councilmember Wurzbacher stated there has been more than one meeting and the topic has not been abandoned. He said the matter is still under review.

Don Dominic of 3706 Woodburne Drive addressed Council and stated they have a problem with the retention basin in the Oaks of Crooked Tree subdivision. He said the algae is out of control making it unpleasant for the homes in the area. He said he has supplied Council with pictures of this the last time he came before Council. He added Drees has agreed to clean up the basin but he wants to hear what exactly is going to happen. He said there are many versions going around. He stated the upper pond needs to be partially drained and all sides attended to. He requested that the City code be changed to reflect the necessary changes so others don't have to go through this problem. He said the developers in Mason are sticking the Homeowners Associations with this problem. Richard Fair stated research was done after Mr. Dominic brought the problem before Council the last time. He said it was discovered the algae can't be controlled because fertilizers, dog waste etc. all generate the algae. He said the Soil and Water Conservation service was contacted and they stated it is not physically harmful. Richard said he could not say what Drees is definitely going to do. Richard Fair stated the City has very limited restrictions on the basin which includes requiring the slope to be a 3 to 1 ratio. He added the basins must be 6 feet deep in some areas. He also said the City retains a bond for clean up work. Councilmember Bradburn stated he talked with Ken Schneider and it was his understanding the basins would be worked on and turned over in the conditions they were intended. Ken Schneider stated the City will retain the bond and if Drees does not complete the repairs, the City will use the money to do it. Mr. Dominic said the City needs to look at what Florida requires. He said the City should require aeration devices so this problem would not occur. Mayor Peltrey said she understands this problem and she requested sample language of what other communities require on her desk. She thanked Mr. Dominic for bringing the matter to Council's attention and she requested

Brian Lazor addressed Council and explained to Council the City is requesting rezoning approval for approximately 74 acres of Business Planned Unit Development located on the north and south sides of SR 741 that are no longer associated with the original Glimcher City Park/Park

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

ROUTE 741

ORDINANCE 2006-60 AMENDING THE ZONING CODE AND ZONING MAP OF THE CITY OF MASON, OHIO, TO PROVIDE FOR THE REZONING OF APPROXIMATELY 9.1 ACRES FROM B-PUD TO O-1 (PEOPLE'S SPORTS EXPRESS LTD, J G HANCOCK LIMITED AND KINGS MILLS FARMS PROPERTY) AND 9.2 ACRES FROM B-PUD TO HT-1 (SEIDEAS AND COURSEVIEW PARTNERS PROPERTY) ALL LOCATED ON THE NORTH AND SOUTH SIDES OF STATE

Scot Lahmer stated a public hearing will be given on this legislation on July 10, 2006.

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

RESOLUTION 2006-08 ADOPTING THE BUDGET OF THE CITY OF MASON FOR THE YEAR JANUARY 1, 2007 THROUGH DECEMBER 31, 2007

A motion to adopt Resolution 2006-07 was made by Councilmember Kidd, seconded by Councilmember Wurzbacher. VOTE: ALL YEAS

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

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

RECREATION MONTH

RESOLUTION 2006-07 PROCLAIMING JULY 2006 AS NATIONAL PARKS AND

Donna McBeath of 609 Eagle View Drive addressed Council and requested they rezone the golf course to parkland as soon as they purchase it.

Elizabeth Duncan addressed Council and stated she lives in the Oaks of Crooked Tree subdivision and they cannot use the deck due to the odor. She said there are dead fish, algae and stench. She requested Council please do the right thing.

Richard call him in approximately two weeks with an update. Mr. Dominic requested the top pond be dredged as it is much worse than the lower pond.

Center project that was approved by City Council on October 25, 2004. The properties are generally bound by Cox-Smith Road, Courseview Drive and Beach Boulevard. He stated the rezoning plan is a result of the reduction of area in the revised Concept Plan submitted by the Glimcher Development Corporation. Since the new Glimcher plan is approximately 70 acres in size, the remaining land is locked up in a Business Planned Unit Development (B-PUD) zone without a Concept Plan. The proposed rezoning generally returns 74 acres of the remaining land to its prior zoning, except for the People's Bank property, which is to be rezoned to O-1, Office Park.

The areas to be rezoned from B-PUD include

1. 9.1 acres to O-1, Office Park Development (People's Community Bank property).
2. 7.2 acres to B-3, Road Service District (Sports Express property).
3. 48.5 acres to B-3, Road Service District (JG Hancock and Kings Mills Farms Property).
4. 9.2 acres to HT-1, High Tech Light Industrial (Seeideas, and Courseview Partners property).

Brian stated Planning Commission recommended approval of the rezoning. He added staff originally recommended that the 65-acre Neyer/Kennedy property, which is located on the south side of State Route 741, be rezoned back to B-3 and HT-1. However, Planning Commission removed the property from the rezoning proposal, which allows the property owner to maintain the B-PUD designation without an approved Concept Plan. Brian also stated People's Bank has requested their property be rezoned to B-3 instead of O-1 and staff has no objections but Council will have to amend the ordinance before them tonight.

Mayor Peltrey opened the public hearing at 8:06 p.m.

Tom Tepe, Attorney representing People's Bank, addressed Council and stated they are requesting their property be rezoned to B-3 instead of O-1. He said the change in the Glimcher plan has affected how they will utilize the property thus they prefer the B-3 zoning. Joe Hancock, representing J G Hancock Limited, owners of 13 acres in front of the Kings Mill Farm, addressed Council and stated they agree with rezoning their property B-3.

There were no comments in opposition of this rezoning proposal. Mayor Peltrey closed the public hearing at 8:10 p.m.

A general discussion took place among Council as to what was necessary to amend the ordinance. The decision was to leave the whereas clauses as they were written because they refer to Planning Commission's recommendations. Councilmember Wurzbacher moved to amend the ordinance in Section 1 from O-1 to B-3 and also change the title to reflect that same change. Vice Mayor Grossmann seconded the motion. VOTE: ALL YEAS

A motion to adopt Ordinance 2006-60 as amended was made by Vice Mayor Grossmann, seconded by Councilmember Kidd. VOTE: ALL YEAS

Councilmember Kline stated he has concerns over the purchase price if the property remains a golf course. He stated the payment on the debt will amount to approximately \$700,000 per year. He said we have been advised the business is worth approximately \$3,000,000. He also said with the other expenditures the City has done and plans to do, he questions if it makes sense to pay nine millions dollars for this golf course. He added the potential profit from the golf course is not going to come close to covering the debt payment. He added he understands the desire to stop the property from being developed as R-6 condominiums. He stated he would like to see an aggressive plan to help offset the cost. He added it may be possible to partner with other entities to bring attractions to this area. He said he understands the kitchen needs to be updated and he has concerns over the irrigation on the golf course. He concluded by stating it was a large commitment to make for our residents. Mayor Pelrey asked the Finance Director, Jennifer Helt, to report on how this purchase would affect the City's ability to secure the financing. Jennifer Helt stated the City will secure a tax-exempt issue. She said the City has the capacity to borrow this amount. She said any time the City elects to take on a project of this magnitude, they must consider what other projects are to be done and prioritize them. Councilmember Bradburn asked Jennifer Helt how much the City Building cost. She stated she recalls \$17 million. He then said we can afford to purchase this property. He also said the City can utilize a new tool such as an admissions tax to assist with the financing. He said this is a golden opportunity and he cannot

A motion to amend the ordinance to reflect these changes was made by Vice Mayor Grossmann, seconded by Councilmember Kidd. VOTE: ALL YEAS

Scot Lahmer reported to Council this is a second reading on this legislation. Ken Schneider reported there are two amendments to this legislation. He stated the first is in section 4.4 Inspection Period. It increases to 120 days the right to inspect the contract to purchase and the management contract. The second one is in section 7.5.10 Tax Exempt Financing. Ken Schneider stated this allows the Finance Director to secure financing from any one of a combination of, but not limited to, the following sources: general obligation bonds or notes, special tax bonds or notes, revenue bonds or notes, and lease purchase obligations. He also stated it is understood and agreed that the Financing will be issued by or on behalf of the Purchaser so that the interest payable thereon will be exempt from Federal income taxation. The Purchaser will use its best efforts employing due diligence to secure Financing; provided, however, that in no event shall Purchaser's Finance Director be required to expend any funds from Purchaser's general fund or any other fund of Purchaser except from a fund or funds which are funded from the proceeds of the Financing.

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

**ORDINANCE 2006-72 AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT OF PURCHASE AND SALE FOR THE PURCHASE OF THE GOLF CENTER AT KINGS ISLAND FROM GRIZZLY GOLF CENTER, INC., FOR \$9,000,000.00, INCLUDING APPROXIMATELY 209 ACRES AND ALL FACILITIES, AND DECLARING AN EMERGENCY**

Richard Fair explained to Council that Randy Wolf with Kleingers and Associates is requesting approval of the dedication and easement plat for Marshall Brown Boulevard off of Western Row

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

**ORDINANCE 2006-74 APPROVAL OF THE DEDICATION AND EASEMENT PLAT FOR MARSHALL BROWN BOULEVARD**

A motion to adopt Ordinance 2006-73 was made by Councilmember Kline, seconded by Councilmember Bradburn. VOTE: ALL YEAS

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

The Building Department is aware of the pending name change. As well as emergency services, it is recommended to change Pin Oak Court to Red Oak Court. Richard Fair explained to Council that on October 10, 2005, the final plat for The Landing at Oakwood Lakes Section 2B was approved by City Council with one of the streets being named Pin Oak Court. He said it was recently discovered that this street name is the same name as another street located in Deerfield Township. In order to avoid confusion with the postal system as well as emergency services, it is recommended to change Pin Oak Court to Red Oak Court.

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

**ORDINANCE 2006-73 CHANGING THE NAME OF PIN OAK COURT IN THE LANDING OF OAKWOOD LAKES TO RED OAK COURT AND DECLARING AN EMERGENCY**

A motion to adopt Ordinance 2006-72 as amended was made by Councilmember Kidd, seconded by Councilmember Wurzbacher. VOTE: 5 YEAS, 1 NAY (Kline)

Blair of Economic Development to address Council and the residents in attendance and give a prospective on the expert consultants the City is utilizing to explore this opportunity. Michele explained to Council the City has employed expert consultants in the golf course industry to help evaluate this proposal. She noted Global Golf Consultants and Championship Management Group have both been involved with this project. Vice Mayor Grossmann stated he supports this purchase as it is presented. He said we have 120 days to evaluate this proposal thoroughly. He said the property has a \$9 million price tag because of the way it is currently zoned. He said this Council has to decide to control the number of residents that affect our community and schools. Mayor Peltrey stated she has concerns over increasing the City's debt but she stated that it appears at this time in Mason's history, Council has chosen to land bank for Mason's future. She said for that reason for future generations in Mason she will support this legislation.

Scot Lahrmmer reported on the following items:

CITY MANAGER'S REPORT

for this legislation.

Scot Lahrmmer stated a public hearing will be held on July 24, 2006 at approximately 7:10 p.m.

Braburn. VOTE: ALL YEAS

A motion to read by title only was made by Councilmember Kidd, seconded by Councilmember

ORDINANCE 2006-75 AMENDING THE ZONING CODE AND ZONING MAP OF THE CITY OF MASON, OHIO, TO PROVIDE FOR THE REZONING OF APPROXIMATELY 0.72 ACRES LOCATED AT 201, 203, 205 AND 207 EAST MAIN STREET FROM R-4 TO R-4 AND DOWNTOWN OVERLAY DISTRICT AND TO AMEND CHAPTER 1170 OF THE ZONING CODE AND DESIGN GUIDELINES HANDBOOK TO ADD THE PROPERTIES TO THE DOWNTOWN OVERLAY DISTRICT (COST PROPERTY)

seconded by Councilmember Kidd. VOTE: ALL YEAS

A motion to adopt Ordinance 2006-74 as amended was made by Councilmember Braburn,

Richard stated staff was concerned over the name of Marshall Brown Blvd. He said staff liked the name of Cintas Boulevard to be consistent with the name across the street. David Wright from Duke Construction, addressed Council and said they have promised the name of Marshall Brown Blvd. to the Home Builders Association. Following a general discussion among Council members, Vice Mayor Grossmann moved to amend the ordinance to name the street Brown Blvd. Councilmember Kidd seconded the motion. VOTE: ALL YEAS

Councilmember Kidd, seconded by Councilmember Wurzbacher. VOTE: ALL YEAS

A motion to suspend the rule and allow for adoption after the first reading was made by

2. Submit Subdivider's Contract and Performance Bond.

northern property lines.

1. Include a "100 year Drainage Easement" for the floodplain along the western and

the following:

Road across from Cintas Boulevard. He said the plat will dedicate .978 acres of right of way for the new road. The road provides access for three lots, zoned HT-1, that range in size from 3 acres to over 9 acres. The north and west sides of the site are bordered by 100-year FEMA floodplain and to the east is the entrance ramp for I-71. Richard said upon review, Planning Commission and staff recommend approval of the dedication and easement plat contingent on

**EXECUTIVE SESSION**

Rick Inskoop addressed Council and stated he is very opposed to a property maintenance code. He said he lives in an older home and would be affected by it the most. He said this would result in the entire city being in a homeowners association. He added the City has ordinances in place for grass mowing etc and this one is not needed.

**RECOGNITION OF VISITORS**

Mayor Pelfrey stated she has participated in the following events: Mason Historical Society Ice Cream Social, Mason Area Arts Council Garden Tour and Ohio Postmasters Convention. She also noted the Disney Teacher Award recipient, Jason Shields, for the Mason School District. He was one of 44 selected out of 75,000.

and they can examine what impact that change will have on the City.

Vice Mayor Grossmann asked for the charges for sewer usage be reviewed. He stated he would like to see the elimination of the surcharge of 25%. He stated he wants the charge placed on inside water usage only. He also stated he would like the City to use the same approach as the Metropolitan Sewer District and use an average figure in the calculations instead of the maximum winter month that is currently used. Scot Lahmer said the matter can be reviewed

Councilmember Kline suggested the City review the property maintenance ordinance the City of Lebanon just adopted to determine if we would be interested in doing the same. Mayor Pelfrey requested Richard Fair secure a copy of the ordinance Lebanon has passed and any other communities have adopted. She asked he report back to Council at the July 10 meeting

**COUNCIL OLD AND NEW BUSINESS**

Councilmember Kline reported on the lack of bids for the downtown area. He suggested the Committee meet before the worksession on Thursday. Mayor Pelfrey asked Eric Hansen to set up that meeting.

**COMMITTEE REPORTS**

◆ An agreement has been worked out with Rail/America to redo the crossing at Bethany Road. This is a long overdue project and will require the closing of Bethany Road for five days. Work should start the week of July 10, although this date is subject to change by the railroad.

◆ A Work Session will be held on Thursday, June 29 at 6:00 p.m. in the Community Room. At the work session, the Downtown Committee will present the final streetscape concept/design to City Council and the Mason community.



*Charles A. Pappas*  
Mayor

*[Signature]*  
Clerk of Council

A motion to adjourn was made by Vice Mayor Grossmann, seconded by Councilmember Wurzbacher. VOTE: ALL YEAS  
TIME: 11:27 p.m.

**ADJOURN**

A motion to adopt Ordinance 2006-77 was made by Councilmember Kline, seconded by Vice Mayor Grossmann. VOTE: ALL YEAS

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

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

**DECLARING AN EMERGENCY**

**ORDINANCE 2006-77 AUTHORIZING THE EXECUTION OF A MEMORANDUM OF AGREEMENT BETWEEN THE CITY AND ERIC HANSEN FOR COMPENSATION AND BENEFITS RELATED TO HIS SERVICE AS ACTING MANAGER, AND**

A motion to adopt Ordinance 2006-76 was made by Vice Mayor Grossmann, seconded by Councilmember Wurzbacher. VOTE: 5 YEAS, 1 NAY (Kline)

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

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

**AS CITY MANAGER AND DECLARING AN EMERGENCY**

**ORDINANCE 2006-76 AMENDING ORDINANCE NO. 2006-61 AUTHORIZING THE EXECUTION OF A MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF MASON AND SCOT F. LAHRMER FOR COMPENSATION AND BENEFITS RELATED TO HIS SERVICE AS CITY MANAGER, ACCEPTING HIS RESIGNATION**

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

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