

CITY OF MASON
COUNCIL MEETING

August 28, 2000

The meeting was called to order by Mayor McCurley at 7:04 p.m.

ROLL CALL:

Present were Jim Fox, Dick Staten, Tom Muennich, Peter Beck, Betty Davis, Charlene Pelfrey and John McCurley.

APPROVAL OF MINUTES:

A motion to approve the minutes from the July 31, 2000 Council Work Session was made by Councilmember Davis, seconded by Councilmember Muennich. VOTE: ALL YEAS

A motion to approve the minutes from the August 14, 2000 Council Work Session was made by Councilmember Muennich, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

A motion to approve the minutes from the August 14, 2000 Council Meeting was made by Councilmember Muennich, seconded by Councilmember Davis. VOTE: ALL YEAS

PRESENTATION BY VICKIE LARCOMB OF HERITAGE FESTIVAL/DAVID LYON FLOAT AWARD

Vickie Larcomb, Chairperson of the 2000 Heritage Festival, introduced Doug McKinley who announced the winner of the David Lyon Float Award, Grace Baptist Church.

RECOGNITION OF OUTGOING PLANNING COMMISSION MEMBERS JENNIFER TREPAL AND LARRY GILL

Mayor McCurley recognized Jennifer Trepal and Larry Gill for their years of service on the Planning Commission. Jan Fellenz was recognized for her years of service on the Parks and Recreation Board.

SWEARING IN OF NEW BOARD MEMBERS

Mayor McCurley swore in Ken Murawski to serve on Planning Commission and Pete Koenig to serve on the Zoning Board of Appeals.

MARY HAVEN YOUTH CENTER PROCLAMATION

A Proclamation was read recognizing Mary Haven Youth Center and presented to Betty Davis and Bill Spaeth. Mr. Spaeth is currently the Chairman of the Advisory Board and Betty Davis has served on this board for several years.

RECOGNITION OF PHIL HEIMLICH, CITY OF CINCINNATI COUNCILMEMBER

Mr. Phil Heimlich addressed Council at the invitation of Councilmember Pelfrey to discuss the City of Cincinnati's experience regarding adult businesses. Councilmember Pelfrey read a prepared statement regarding the adverse affects adult businesses have on the community in which they locate. Mr. Heimlich stated to Council it is vital to ensure your zoning ordinance is airtight. He strongly encouraged the City to use experts in the field and said the national organizations reviewed the City of Cincinnati's recent update of their law. Mayor McCurley stated the City of Mason passed an ordinance in 1995 restricting this type of business and since then it has been revised. It is currently being reviewed.

RECOGNITION OF VISITORS

None

ORDINANCE 2000-120 APPROVAL OF THE FINAL PLAT OF EASEMENT FOR PEBBLECREEK OF MASON, PHASE 1

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

Richard Fair stated to Council the developer is requesting approval of an easement dedication plat for Phase 1 of the Pebble Creek subdivision. He further explained this plat dedicates the easements necessary to maintain the sanitary, water and storm sewer facilities as well as an access easement for ingress/egress of the subdivision. He recommended approval contingent upon an easement restriction description for an Access Easement and Utility Easement and the developer submit the final maintenance agreement documents for the maintenance of the floodplain. Council discussion followed regarding the presence of the flood plain. Richard Fair stated the developer must comply with FEMA requirements in this area.

A motion to suspend the rule was made by Councilmember Davis, seconded by Councilmember Beck. VOTE: ALL YEAS

A motion to adopt Ordinance 2000-120 contingent on compliance with the Engineering comments was made by Councilmember Davis, seconded by Councilmember Beck. VOTE: ALL YEAS

ORDINANCE 2000-121 APPROVAL OF THE FINAL PLAT OF FAIRWAYS OF CROOKED TREE SUBDIVISION, PART 2, BLOCK "E"

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

Richard Fair explained to Council the developer is requesting approval of the final plat which includes 88 lots on 39.199 acres and 6.110 acres of right-of-way. He stated Planning Commission approved the final plat contingent on three items: renaming Sparks Drive and Pinnacle Court; show all side and rear setback lines; and submit a subdivider's contract and performance bond.

A motion to suspend the rule was made by Councilmember Davis, seconded by Councilmember Staten. VOTE: ALL YEAS

A motion to adopt Ordinance 2000-121 contingent on compliance with the comments made by Planning Commission was made by Councilmember Staten, seconded by Councilmember Muennich. VOTE: ALL YEAS

ORDINANCE 2000-122 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT TO PURCHASE WITH DEANA DAVIS FOR THE ACQUISITION OF PROPERTY LOCATED AT 576 S. MASON-MONTGOMERY ROAD, MASON, OHIO AND DECLARING AN EMERGENCY

A motion to read by title only was made by Councilmember Muennich, seconded by Councilmember Beck. VOTE: 6 YEAS, 1 ABSTAIN (Davis)

Scot Lahrmer stated the City has reached an agreement to purchase the property of Ms. Deana Davis located at 576 South Mason-Montgomery Road. The purchase price is \$120,840 and was derived from an appraisal the City hired a firm to conduct. This property is in the vicinity of the High School/Recreation Center and the purchase provides the City with additional opportunities for the construction in that area.

A motion to suspend the rule was made by Councilmember Muennich, seconded by Councilmember Beck. VOTE: 6 YEAS, 1 ABSTAIN (Davis)

A motion to adopt Ordinance 2000-122 was made by Councilmember Muennich, seconded by Councilmember Pelfrey. VOTE: 6 YEAS, 1 ABSTAIN (Davis)

ORDINANCE 2000-123 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH PITT-DES MOINES, INC. FOR THE CONSTRUCTION OF AN ELEVATED WATER STORAGE TANK

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

Scot Lahrmer explained to Council this legislation is necessary to provide for the construction of an elevated water storage tank to serve the south service area and allow for expansion of that area. He further stated the next Ordinance 2000-124 is related to the same project as Ordinance 2000-123 which awards the construction contract to Pitt-Des Moines, Inc. in the amount of \$2,345,000. Ordinance 2000-124 awards a contract to Malcolm Pirnie, Inc. for engineering services for the additional design work, bidding phase assistance, construction administration, and resident project representation in an amount not to exceed \$219,500. Vice Mayor Fox stated the Utility Committee has reviewed both contracts and recommends passage. He further stated this tower will increase water pressure for those residents living in the marginal areas. This location, he stated, was selected due to the elevation of the parcel and the geographic location lending itself to improving the City's system by better distributing the water pressure.

A motion to suspend the rule was made by Councilmember Muennich, seconded by Vice Mayor Fox. VOTE: ALL YEAS

A motion to adopt Ordinance 2000-123 was made by Vice Mayor Fox, seconded by Councilmember Staten. VOTE: ALL YEAS

ORDINANCE 2000-124 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH MALCOLM PIRNIE, INC. FOR THE ENGINEERING DESIGN SERVICES, BIDDING PHASE ASSISTANCE, CONSTRUCTION ADMINISTRATION AND RESIDENT PROJECT REPRESENTATION NECESSARY FOR THE CONSTRUCTION OF AN ELEVATED WATER STORAGE TANK

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

A motion to suspend the rule was made by Vice Mayor Fox, seconded by Councilmember Davis. VOTE: ALL YEAS

A motion to adopt Ordinance 2000-124 was made by Vice Mayor Fox, seconded by Councilmember Muennich. VOTE: ALL YEAS

ORDINANCE 2000-125 AUTHORIZING THE CITY MANAGER TO APPROVE A CHANGE ORDER IN THE AMOUNT OF \$89,073.94 TO INCREASE THE CONTRACT TO REYNOLDS, INC. FOR THE EXTENSION OF WATER AND SEWER MAINS UNDER I-71 TO COLUMBIA ROAD

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

Scot Lahrmer stated this legislation is required to complete the construction of the water and sewer mains from existing City mains under I-71 and north and south along Columbia Road. He explained a construction contract was awarded in November 1999 to Reynolds, Inc. Several change orders were included with this project. Scot Lahrmer explained the largest was mandated by ODOT when rock was encountered. This resulted in an increase in the size of the bore and casing pipe required. The total for the change orders is \$89,073.94.

A motion to suspend the rule was made by Councilmember Muennich, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

A motion to adopt Ordinance 2000-125 was made by Councilmember Davis, seconded by Vice Mayor Fox. VOTE: ALL YEAS

ORDINANCE 2000-126 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH STATE STREET CONSULTANTS FOR LEGISLATIVE CONSULTING AND/OR LOBBYING AND RELATED SERVICES AND DECLARING AN EMERGENCY

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

A motion to suspend the rule was made by Councilmember Davis, seconded by Councilmember Muennich. VOTE: ALL YEAS

A motion to adopt Ordinance 2000-126 was made by Councilmember Davis, seconded by Councilmember Muennich. VOTE: ALL YEAS

CITY MANAGER'S REPORT

- ◆The Employee Picnic will be held on September 10, 2000 at the Lou Eves Municipal Pool.
- ◆The 1999 Comprehensive Annual Financial Report has been completed by the City's Finance Department.
- ◆The 2000 Annual Water Rate Survey prepared by Englewood has been completed. Mason is below average for water and sewer rates of the 60 plus communities in the Tri-State.
- ◆The International City Management Association Conference will be held in Cincinnati from September 16-20. Both Eric Hansen and Scot Lahrmer will be attending.

COMMITTEE REPORTS

Councilmember Davis reported the Downtown Committee Booth at the Heritage Festival experienced a modest interest from residents on the project.

Councilmember Davis reported she and Peter Beck have had a preliminary meeting with representatives from the School Board to discuss the lease agreement.

COUNCIL OLD AND NEW BUSINESS

The street resurfacing program is in the first phase. The pavement will be replaced in the future.

Street lights were discussed for Tradewind. It was stated the street was built prior to lights being mandatory. The installation of streetlights is still possible but it may be a case where the City elects to assess the property owners in areas where there is a void. It was stated depending on the electric service in the area, it may require right-of-way agreements from the property owners to install the light service and poles.

It was suggested the Metro schedule be printed in the *Mason Matters*.

It was mentioned a previous Councilmember, Rex Cochran, has provided additional information regarding bike paths that should be forwarded to the firm doing the study for the City. It deals with the abandon railroad track located in the city.

AUDIENCE COMMENTS

Rachael Davis of 6426 Amber Court addressed Council and asked if any consideration had been given to the City hiring a full time traffic engineer. She stated with the growth in this area, it will be essential in two years. Council replied the traffic management proposal will be submitted to the Safety Committee.

EXECUTIVE SESSION

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

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

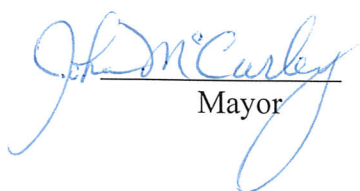
ADJOURN

A motion to adjourn was made by Councilmember Muennich, seconded by Councilmember Staten. VOTE: ALL YEAS

TIME: 9:13 P.M.



Clerk of Council



Mayor