

**CITY OF MASON
COUNCIL MEETING
NOVEMBER 13, 2000**

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

ROLL CALL

The following members of Council were present: Jim Fox, Dick Staten, Tom Muennich, Peter Beck, Charlene Pelfrey and John McCurley. Betty Davis was absent.

APPROVAL OF MINUTES

A motion to approve the minutes from the October 23, 2000 was made by Councilmember Muennich, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

A motion to approve the minutes from the October 30, 2000 worksession was made by Councilmember Staten, seconded by Vice Mayor Fox. VOTE: ALL YEAS

SWEARING IN OF MISSY DICKMAN, MASON POLICE OFFICER

Chief Ferrell introduced new officer Missy Dickman and her family. Mayor McCurley swore Officer Dickman in as a City of Mason Police Officer.

KNOTHOLE PRESIDENT, FRANK KUDLAC, PRESENTS AWARD TO MASON KNOTHOLE WOLFPACKS

Frank Kudlac, President of the Knothole Association, recognized the Wolfpacks for their achievement of placing 2nd in the City. He stated this team is in the nine-year old age bracket and their final record was 27-3. Council congratulated the team.

RECOGNITION OF VISITORS

Mr. Lou Eves of 4708 Appaloosa Trail addressed Council and stated he had three items to discuss with Council.

1. Suggested a street be named after Jim Knott, perhaps the new drive to the future government building.
2. He feels traffic is the number one concern of residents. He suggested a police officer be stationed at the intersection of Route 42 and Mason-Montgomery Road during heavy traffic times.
3. He stated the city really needs an alternate route keeping all unnecessary traffic out of the downtown area.

Mr. Bob Austerman of Hidden Creek Circle addressed Council and asked the status of the request from the board of the Lakeside Homeowners Association. Mayor McCurley

stated the suggestions were taken under serious consideration. He also stated the matter must be discussed thoroughly with the School Board. He added at this time no further meeting is scheduled and any meetings are open to the public.

Mr. Ron Wallace of 4950 White Blossom Boulevard addressed Council and stated he was unhappy with the high water/sewer bill he has been receiving since he installed a sprinkler system. He stated the problem specifically is the sewer charge since the water does not utilize the sewer utility. He asked if Council had looked into the matter. Vice Mayor Fox stated the Utility Committee had reviewed this in the past and it was determined the rates were originally established to encourage conservation. He also stated the City's bonding is established based on this rate. It is still the City's position to encourage conservation. Mr. Wallace replied if the City is concerned about conservation they should be certain the irrigation in the islands does not water the streets. He also stated he was certain the City did not have to pay water bills for the areas they are maintaining and installing irrigation systems.

Mr. Bill Liedhegner of 626 Lindemann Lane addressed Council and asked if the new water bill cost the City more money. Eric Hansen stated the entire process had been revisited and it was actually less expensive overall.

ORDINANCE 2000-168 ACCEPTING THE PUBLIC IMPROVEMENTS FOR LEXINGTON PARKS, SECTION 7, AND RELEASING THE PERFORMANCE BOND

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

Richard Fair explained to Council this section of the subdivision is zoned R-3 and contains 27 single-family lots. The Public Utilities, Public Works and Engineering Departments have inspected the public improvements and are recommending acceptance contingent on submission of a one-year maintenance bond.

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

A motion to adopt Ordinance 2000-168 contingent on submission of a one-year maintenance bond was made by Councilmember Muennich, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

ORDINANCE 2000-169 RESCINDING ORDINANCES 99-179 AND 2000-21 AND ACCEPTING ANNEXATION ON APPLICATION OF THE OWNER OF CERTAIN PROPERTY CONTAINING 101.7063 ACRES LCATED IN DEERFIELD TOWNSHIP TO THE CITY OF MASON, OHIO

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

Scot Lahrmer stated this legislation is being proposed for passage due to the Ohio Supreme Courts recent decision not to hear the case. Deerfield Township appealed the County Commissioners decision to grant the annexation. It was taken to the Common Pleas Court and the Court of Appeals with the decision remaining unchanged. It is now time for the City to accept the annexation of the property owned by the Mason City Schools and located on Mason Montgomery Road north of Bethany Road.

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

A motion to adopt Ordinance 2000-169 was made by Vice Mayor Fox, seconded by Councilmember Muennich. VOTE: ALL YEAS

ORDINANCE 2000-170 AUTHORIZING THE CITY MANAGER TO EXECUTE AND PRESENT TO THE BOARD OF COUNTY COMMISSIONERS OF WARREN COUNTY A PETITION FOR A CHANGE OF TOWNSHIP BOUNDARIES

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

Scot Lahrmer stated with the passage of the Ordinance 2000-169, it is now appropriate to bring the annexed property into Mason Township. He stated this is necessary to share inside millage revenues with the Mason City Schools.

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

A motion to adopt Ordinance 2000-170 was made by Councilmember Staten, seconded by Vice Mayor Fox. VOTE: ALL YEAS

ORDINANCE 2000-171 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT TO PURCHASE WITH JOSEPH AND ALTA LASSEN FOR THE ACQUISITION OF PROPERTY LOCATED AT 620 MASON-MONTGOMERY ROAD, MASON, OHIO

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

Scot Lahrmer stated the City has negotiated with Joseph and Alta Lassen to purchase their property located at 620 South Mason Montgomery Road. This is one of the 11 properties that abut the City's land where the new high school and recreation center are being built. The purchase price of \$156,272 was agreed upon and derived from an appraisal that the City hired a firm to conduct.

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

A motion to adopt Ordinance 2000-171 was made by Vice Mayor Fox, seconded by Councilmember Muennich. VOTE: ALL YEAS

ORDINANCE 2000-172 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT TO PURCHASE WITH ROBERT CHACE AND MARIAN CHACE, AS TRUSTEES OF THE ROBERT CHACE TRUST DATED SEPTEMBER 9, 1998 FOR THE ACQUISITION OF PROPERTY LOCATED AT 526 MASON-MONTGOMERY ROAD, MASON, OHIO

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

Scot Lahrmer stated the City has negotiated the purchase of the property owned by Bob and Marian Chace at 526 South Mason Montgomery Road. The purchase price agreed upon is \$69,400. This property is located in front of the property owned by the City and being utilized for the new high school and recreation center.

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

A motion to adopt Ordinance 2000-172 was made by Vice Mayor Fox, seconded by Councilmember Beck. VOTE: ALL YEAS

ORDINANCE 2000-173 AUTHORIZING THE CITY MANAGER TO APPROVE A CHANGE ORDER IN THE AMOUNT OF \$169,195.06 TO INCREASE THE CONTRACT OF OHIO DEPARTMENT OF TRANSPORTATION FOR THE TYLERSVILLE ROAD EXTENSION AND WIDENING PROJECT

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

Scot Lahrmer stated at the request of the City, ODOT has directed the contractor of the Tylersville Road project to construct a 12-inch water main on the new alignment of Stitt Road from Western Row Road to Brantford Way, repair the traffic signal at US 42 and Tylersville Road and add median raceway crossovers for a future irrigation system. All of these items were not part of the original contract. Therefore, the City is requested to pay for 100% of the added expense. The costs are not to exceed \$169,195.06.

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

A motion to adopt Ordinance 2000-173 was made by Vice Mayor Fox, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

ORDINANCE 2000-174 AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH ROBERT C. RHEIN INTERESTS, INC. REGARDING REIMBURSEMENT FOR THE COST OF OVERSIZING AND EXTENDING A WATER LINE ON BETHANY ROAD IN FRONT OF THE ARBOR CREEK SUBDIVISION AND THE EXTENSION OF A SANITARY SEWER MAIN

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

Scot Lahrmer stated the purpose of this legislation is to reimburse Robert C. Rhein Interests, Inc. for the extension of a 16 inch water main across the Sensbach property on Bethany Road, upsize the proposed 8 inch water main to a 12 inch main from Melampy Creek Lane to the west property line of the Arbor Creek subdivision and extend 200 feet of 8 inch sanitary sewer to the Sensbach property. The total costs associated with these items are \$37,654. Scot Lahrmer further explained this project benefits the City by allowing for future extension to the north and eliminating the need to negotiate easements in the future. He also stated this makes the line easier to maintain and it allows the City to loop the system to other developments in the area thus increasing the integrity of the water supply.

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

A motion to adopt Ordinance 2000-174 was made by Councilmember Muennich, seconded by Councilmember Pelfrey.

Vice Mayor Fox expressed concern over the cost differential between an 8 and 12-inch line. He requested we exam this further before adoption.

Councilmember Muennich and Councilmember Pelfrey withdrew their motion to adopt. This legislation stands as a first reading.

ORDINANCE 2000-175 MODIFYING THE COMPENSATION FOR LEGAL SERVICES AND DECLARING AN EMERGENCY

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

Scot Lahrmer stated this legislation increases the Law Director's pay from \$21,000 to \$22,000. This is effective from July 1, 2000. He also explained this legislation increases the legal services rate from \$126 per hour to \$131 per hour. One exception to the \$131 rate is litigation and labor negotiations that are being proposed at \$144 per hour. The Finance Committee recommends approval.

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

A motion to adopt Ordinance 2000-175 was made by Councilmember Pelfrey, seconded by Councilmember Beck. VOTE: ALL YEAS

ORDINANCE 2000-176 MODIFYING THE COMPENSATION FOR PROSECUTION SERVICES AND DECLARING AN EMERGENCY

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

Scot Lahrmer stated the City's Prosecutor had his current pay established in 1992. Since that time, the caseload had increased substantially. The Finance Committee recommends a 4% increase to \$21,000 effective July 1, 2000. Councilmember Pelfrey asked why this had not been reviewed since 1992 and asked that it be reviewed more frequently in the future.

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

A motion to adopt Ordinance 2000-176 was made by Councilmember Staten, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

CITY MANAGER'S REPORT

- The Area Progress Council's Economic Outlook Breakfast will be held on November 21. All of Council is encouraged to attend.
- There will be a Council Worksession on November 20 at 6:00 p.m. for one hour. It will be held at Mason Christian Village in the Library.
- The City Manager will be out of town from December 5 through December 9. A motion to appoint Eric Hansen acting City Manager during Scot's absence was made by Vice Mayor Fox, seconded by Councilmember Staten. VOTE: ALL YEAS
- There will only be one Council meeting scheduled for the month of December due to the holidays. It will be held on December 11.
- Christmas in Mason will be held on Friday December 1. The Chamber has requested a donation from the City for \$3,000, which is an increase of \$500 over last year's contribution. A motion to approve the donation was made by Councilmember Muennich, seconded by Councilmember Beck. VOTE: ALL YEAS

- It was suggested a Steering Committee be formed to work with the consultants on the city's bike and pedestrian master plan. The following citizens have been contacted and are willing to serve: Jack Wright, Don Christianson, Jane Doster, Terry Dull, Sergeant Paul Lindenschmidt, a member of the Planning Commission and staff members Allyn Kuennen, Kurt Seiler and Michael Hecker. A motion to approve these citizens to the Steering Committee was made by Councilmember Muennich, seconded by Councilmember Beck. VOTE: ALL YEAS

COMMITTEE REPORTS

Vice Mayor Fox reported the Park Board had met and decided to recommend that all coaches attend a training course. The course deals with sportsmanship and keeping the sports program for youth as a recreational activity. At this time participation is voluntary.

Councilmember Beck stated there would be a meeting with the Economic Development Committee on Friday. He stated he and Councilmember Davis are still working on the lease agreement with the schools.

Mayor McCurley reported the budget process is underway and the Finance Committee has had several meetings to complete the process.

COUNCIL OLD AND NEW BUSINESS

Councilmember Staten reported the site distance clearance problem on Bethany Road has not been improved. Staff should review it. He further stated there is a place for water to collect at Windemere and Bethany and this could be hazardous in the winter. Richard Fair stated the City has not paid the developer and Kurt Seiler is currently working with them on these matters.

Councilmember Muennich asked about the flashing yellow lights that warn motorists emergency vehicles are traveling in the vicinity. Councilmember Muennich asked if the matter could be reviewed.

Councilmember Beck stated there was a ceremony recognizing Veterans Day on Saturday. It was held at the Mason Health Care Center. He also stated this Wednesday there would be a meeting held at the Chamber of Commerce office for those interested in working on the Veterans Memorial for the new government center.

Councilmember Pelfrey reported she had attended an event at the Mason Christian Village where the second graders gave letters to the retired veterans that reside there. She reported it was a wonderful event and meant a great deal to the residents.

It was requested reflectors be placed on the side of streets that currently do not have streetlights. Richard Fair reported we typically do this on a couple of streets a year and it is included with the striping program.

At Christmas in Mason this year the street will be closed during the event. Signs will be posted.

AUDIENCE COMMENTS

Mr. Bill Liedhegner of 626 Lindemann Lane addressed Council and asked if there was an “all clear” signal when the sirens go off but no emergency exists. Currently there is none. He also asked what it costs the city when the township continues to battle annexations in court. The City Manager replied the City must defend against those legal battles so expenses are incurred. He also stated the schools incur costs when the annexation battle involves their property.

Lou Eves of Appaloosa Trail addressed Council. He stated the American Legion previously collected stated money for a Veteran’s Memorial. He volunteered to work on that committee.

ADJOURN

A motion to adjourn was made by Councilmember Muennich, seconded by Vice Mayor Fox. VOTE: ALL YEAS
TIME: 8:40 p.m.


Clerk of Council


Mayor