

**CITY OF MASON
COUNCIL MEETING
NOVEMBER 27, 2000**

Mayor McCurley called the meeting to order at 7:09 p.m.

ROLL CALL

Councilmembers present were as follows: 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 November 13, 2000 Council Meeting was made by Councilmember Davis, seconded by Councilmember Muennich. VOTE: ALL YEAS

A motion to approve the minutes of the November 20, 2000 Council Work Session was made by Councilmember Muennich, seconded by Councilmember Pelfrey. VOTE: 6 YEAS, 1 ABSTAIN (Staten)

SWEARING IN OF JACK CLASEN TO MASON LIBRARY BOARD

Mayor McCurley swore in Jack Clasen to serve on the Library Board. Sarah Brown, Library Director, said a new Children's Meeting Room is planned for the near future.

RECOGNITION OF VISITORS

None

RESOLUTION 2000-20 DESIGNATING DEPOSITORY FOR ACTIVE AND INTERIM DEPOSITS

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

Scot Lahrmer explained to Council this legislation is necessary to establish depositories for active and interim funds. In an effort to accomplish this, he further explained, the City had received several responses to the requests for proposals and all were examined to ensure they qualified according to the Ohio Revised Code. Fifth Third Bank was selected as the City's depository for all active and interim deposits and the other institutions are mentioned in the legislation in an effort to maintain additional relationships. The agreements entered into are good for one-year term and include a renewal clause.

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

A motion to adopt Resolution 2000-20 was made by Councilmember Davis, 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 Councilmember Davis, seconded by Councilmember Staten. VOTE: ALL YEAS

Scot Lahrmer stated this legislation was brought before Council at the November 13 meeting and there was a question regarding the accuracy of the cost. At that time it was suggested it be a first reading until the numbers could be reviewed. Upon examination, it was determined the cost was in error and the new cost is \$26,884. This legislation reflects this correction.

A motion to amend the ordinance to reflect the cost approval was made by Councilmember Davis, seconded by Councilmember Beck. VOTE: ALL YEAS

A motion to adopt Ordinance 2000-174 as amended was made by Vice Mayor Fox, seconded by Councilmember Beck. VOTE: ALL YEAS

ORDINANCE 2000-178 APPROVING THE PRELIMINARY PLAT OF AVALON FARMS SUBDIVISION

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

David Riggs, Assistant City Engineer, addressed Council and stated this development is located on SR 741 south of Bunnel Road. It contains 65 single family lots on 70.4 acres. Planning Commission recommended approval of this plat contingent upon compliance with the engineering comments. They include labeling the names of the adjacent zoning and property owners, labeling all rear yard setback lines, include description of side yard setbacks in the general notes, show landscaping and buffering easement and submission of an application for a variance to allow more than five percent flag lots.

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

A motion to adopt Ordinance 2000-178 with contingencies was made by Councilmember Davis, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

ORDINANCE 2000-179 APPROVING THE REPLAT OF EAGLE VIEW VILLAGE, SECTION TWO, PHASE 32, LOTS 217-220

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

Scot Lahrmer stated the purpose of this legislation is to replat the section so the developer may be able to sell the individual condominium units.

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

A motion to adopt Ordinance 2000-179 was made by Councilmember Muennich, seconded by Councilmember Pelfrey. VOTE: ALL YEAS

ORDINANCE 2000-180 AMENDING THE ZONING CODE AND ZONING MAP OF THE CITY OF MASON, OHIO, TO PROVIDE FOR THE REZONING OF APPROXIMATELY 4.102 ACRES FROM HT-1 TO I-1 LOCATED ON THE SOUTHWEST CORNER OF EASY STREET AND CASTLE DRIVE IN THE CASTLE PARK INDUSTRIAL SUBDIVISION (ASHLEY WARD)

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

Mayor McCurley set the public hearing for this legislation for January 8, 2001 at approximately 7:05 p.m.

ORDINANCE 2000-181 AUTHORIZING THE CITY MANAGER TO APPROVE A CHANGE ORDER IN THE AMOUNT OF \$38,864.50 TO INCREASE THE CONTRACT OF THORNTON LANDSCAPE FOR THE MASON-MONTGOMERY ROAD LANDSCAPING PROJECT

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 approve additional costs associated with the Mason-Montgomery Road landscaping project. He stated more trees were required in the Cedar Village area and in front of the Lutrell property. He also stated there was difficulty in locating the crossovers installed when the road was widened which complicated the job. This legislation will close out the contract with Thornton Landscape for this project.

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

A motion to adopt Ordinance 2000-181 was made by Councilmember Muennich, seconded by Councilmember Davis. VOTE: ALL YEAS

ORDINANCE 2000-182 DECLARING CERTAIN PERSONAL PROPERTY AS SURPLUS PROPERTY AND AUTHORIZING THE CITY MANAGER TO ADVERTISE AND TO ENTER INTO A CONTRACT FOR SALE OF SAID PERSONAL PROPERTY

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

Eric Hansen explained to Council the City has an opportunity to sell to the highest bidder the doublewide trailer the city used as a temporary fire station during the construction of Station #52. The highest bid received was from Mr. Michael Siders for \$23,177. Ordinance 2000-182 approves this sale of property. Mr. Hansen went on to explain the next Ordinance 2000-183, allows the City to participate in a local auction house for selling surplus vehicles. This is a method the City has used in the past and is beneficial for receiving a more competitive bid for the merchandise and relieves City administration of the burden of organizing a full auction.

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

A motion to adopt Ordinance 2000-182 was made by Councilmember Davis, seconded by Councilmember Beck. VOTE: ALL YEAS

ORDINANCE 2000-183 DECLARING CERTAIN VEHICLES AS SURPLUS PROPERTY AND AUTHORIZING THE CITY MANAGER TO ADVERTISE, AUCTION AND TO ENTER INTO A CONTRACT FOR THE SALE OF SAID VEHICLES

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 Beck. VOTE: ALL YEAS

A motion to adopt Ordinance 2000-183 was made by Vice Mayor Fox, seconded by Councilmember Davis. VOTE: ALL YEAS

ORDINANCE 2000-184 AMENDING ORDINANCE NO.99-192 TO ESTABLISH NEW RATES FOR THE LOU EVES MUNICIPAL SWIMMING POOL LOCATED AT CORWIN M. NIXON PARK

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

Scot Lahrmer stated this year the pool has a slight negative balance at the end of the season in the amount of \$39.58. He stated this slight loss is attributed to the rising operation costs and a small decrease in the attendance related to the cooler summer. Because of moderate increases in the expenses of operations the past few years, it will be necessary to slightly increase the 2001 season pass rate. The Park Board recommended an increase. It was recommend the daily rate stay the same and the season passes increase by 5%. Council discussion followed. It was stated the City has always intended the pool to pay for itself. It was requested a pre-season log of sales be kept to evaluate how many residents actually buy the passes early. It was suggested some option such as a discount be given residents who want to buy passes early. This was referred to the Park Board for consideration.

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

A motion to adopt Ordinance 2000-184 was made by Vice Mayor Fox, seconded by Councilmember Davis. VOTE: ALL YEAS

ORDINANCE 2000-185 DELEGATING AUTHORITY TO MAKE DECLARATIONS OF OFFICIAL INTENT AND ALLOCATIONS WITH RESPECT TO REIMBURSEMENTS OF TEMPORARY ADVANCES DURING 2001 MADE FOR CAPITAL EXPENDITURES FOR THE CITY WATER SYSTEM TO BE MADE FROM SUBSEQUENT BORROWINGS.

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

Scot Lahrmer stated the next three ordinances are related as they all deal with the City's intent for reimbursement of expenses associated with the construction and improvements to the water and sewer systems and the construction of a new municipal facility. He further stated the City will issue bonds to cover the expenses of these projects however, prior to their issuance it will be necessary to finance some of the construction. This legislation will allow the city to be reimbursed through the issuance on debt for those expenses.

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

A motion to adopt Ordinance 2000-185 was made by Councilmember Muennich, seconded by Councilmember Davis. VOTE: ALL YEAS

ORDINANCE 2000-186 DELEGATING AUTHORITY TO MAKE DECLARATIONS OF OFFICIAL INTENT AND ALLOCATIONS WITH RESPECT TO REIMBURSEMENTS OF TEMPORARY ADVANCES DURING 2001 MADE FOR CAPITAL EXPENDITURES FOR THE CITY SEWER SYSTEM TO BE MADE FROM SUBSEQUENT BORROWINGS.

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

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

A motion to adopt Ordinance 2000-186 was made by Councilmember Davis, seconded by Vice Mayor Fox. VOTE: ALL YEAS

ORDINANCE 2000-187 DELEGATING AUTHORITY TO MAKE DECLARATIONS OF OFFICIAL INTENT AND ALLOCATIONS WITH RESPECT TO REIMBURSEMENTS OF TEMPORARY ADVANCES DURING 2001 MADE FOR CAPITAL EXPENDITURES FOR THE CITY MUNICIPAL BUILDING TO BE MADE FROM SUBSEQUENT BORROWINGS

A motion to read by title only was made by Councilmember Muennich, seconded by Vice Mayor Fox. 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 2000-187 was made by Vice Mayor Fox, seconded by Councilmember Davis. VOTE: ALL YEAS

ORDINANCE 2000-188 AMENDING COMMUNITY REINVESTMENT AREA NO. 7, DESIGNATING A HOUSING OFFICER, ESTABLISHING A COMMUNITY REINVESTMENT AREA HOUSING COUNCIL

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

Scot Lahrmer stated the State of Ohio allows local communities to amend existing CRA Districts to include additional properties. The State gives Mason City Council the authority to designate areas where tax incentives may be utilized to encourage revitalization of existing businesses or development of new business facilities. Ordinance 2000-188 amends District #7 for that purpose.

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

A motion to adopt Ordinance 2000-188 was made by Vice Mayor Fox, seconded by Councilmember Muennich. VOTE: ALL YEAS

COMMUNITY REINVESTMENT AREA #7 APPLICATION FOR PENCORP

Scot Lahrmer stated the PenCorp company is a manufacturer of heavy-duty transportation lifting systems that has been in business for 27 years and is currently located in Virginia. This firm is looking to expand in the Mason area which will result in 20 jobs within the first three years and a new facility valued at more than \$1.3 million. He also stated the firm's projected investment in machinery, equipment and inventory is \$750,000. The Economic Development Committee has reviewed this venture and is recommending Council approve a 100% tax incentive for five years on the value of the new building as authorized by the State of Ohio Community Reinvestment Area Program and contingent upon the company making an annual estimated payment of \$5,300 to the Mason City School District for the term of the abatement. A motion to approve the abatement was made by Councilmember Muennich, seconded by Councilmember Beck. VOTE: ALL YEAS

The owner of the firm, Mr. Robert Penderbury, joined the meeting just after Council had voted on this abatement. He addressed Council and thanked them for their support in granting the abatement and stated he was looking forward to breaking ground on the facility.

CITY MANAGER'S REPORT

The City has received a request for a variance from the Beach Water Park to decorate the utility poles that lead up to their entrance. They have already received permission from the owner of the poles, Cinergy. A motion to grant the variance was made by Vice Mayor Fox, seconded by Councilmember Staten. VOTE: ALL YEAS

COMMITTEE REPORTS

It was reported by Councilmember Davis the Finance Committee has concluded the budget meetings and the legislation should be before Council at the next regular meeting.

Councilmember Beck reported the committee for the Veterans Memorial met for the first time and have scheduled another meeting for December 12, 2000 at 5:00 p.m. The meeting will be held at the Chamber office and the purpose will be to make committee assignments. He also stated a 501-3C will be established for this cause so contributions can be accepted.

COUNCIL OLD AND NEW BUSINESS

Christmas in Mason will be held on Friday December 1, 2000 from 6-9:00 p.m. There will be the addition of two more carriages this year plus fireworks, food, Santa and carolers.

Mayor McCurley stated the Warren County Drug Task Force held a meeting for local governments and suggested all governmental bodies donate one dollar per capita to the task force. This would allow them to add additional staff so that all calls could be answered. Currently, it is impossible to handle all of them. Mayor McCurley stated Chief Ferrell agrees with this approach as it unifies the entire county in the fight against drugs. Mayor McCurley stated Mason will be giving the largest amount since it is the largest city. A general discussion followed among Council. It was decided it would be preferable to see how other communities respond before making a financial commitment. It was also suggested all governmental bodies commit for a two-year period. The Law Director was instructed to include language in the legislation that refers to a substantial number of communities participating. All Council agreed it was a worthwhile cause.

Mayor McCurley read a letter from a student requesting a cement skate park. The request was referred to the Park Board.

Mayor McCurley read a letter from Tom Barr expressing his concern about the urban sprawl occurring in Deerfield Township being blamed on Mason.

AUDIENCE COMMENTS

Diane Clasen addressed Council and reminded everyone the Tree Committee was raffling a live spruce tree off at Christmas in Mason. All residents of Mason are encouraged to participate.

Cay Steinhauer addressed Council and stated she hoped a veteran's memorial would be done in a material that is permanent such as granite or bronze.


EXECUTIVE SESSION


A motion to adjourn into executive session for the purpose of discussing land acquisition was made by Councilmember Staten, 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 Davis, seconded by Councilmember Muennich. VOTE: ALL YEAS
TIME: 9:22 p.m.


Clerk of Council


Mayor