

**CITY OF MASON
COUNCIL MEETING
JULY 8, 2002**

Mayor McCurley called the meeting to order at 7:04 p.m.

ATTENDANCE

The following members of Council were present: Jim Fox, Dick Staten, Victor Kidd, Peter Beck, Charlene Pelfrey and John McCurely. Tom Grossmann was absent at this time but joined the meeting later.

APPROVAL OF MINUTES

A motion to approve the minutes of the June 24, 2002 Council meeting was made by Councilmember Kidd, seconded by Vice Mayor Fox. VOTE: ALL YEAS

RECOGNITION OF VISITORS—None

RESOLUTION 2002-09 PROCLAIMING JULY AS NATIONAL PARKS & RECREATION MONTH

A motion to read by title only was made by Vice Mayor Fox, seconded by Councilmember Staten. VOTE: ALL YEAS (6)

The title was read by Tim Garry, acting Law Director. Eric Hansen explained to Council the purpose of this legislation is to recognize that parks and recreation services are essential to the quality of life for our residents. He stated Mason has over 240 acres of parkland in 6 parks.

A motion to suspend the rule was made by Councilmember Kidd, seconded by Vice Mayor Fox. VOTE: ALL YEAS (6)

A motion to adopt Resolution 2002-09 was made by Councilmember Pelfrey, seconded by Vice Mayor Fox. VOTE: ALL YEAS (6)

Councilmember Grossmann joined the meeting at this time.

RESOLUTION 2002-08 ADOPTING THE BUDGET OF THE CITY OF MASON FOR THE YEAR JANUARY 1, 2003 THROUGH DECEMBER 31, 2003

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

Mayor McCurley opened the Public Hearing at 7:09 p.m. Eric Hansen explained this is a housekeeping item that is required by the State of Ohio. Compliance is necessary so the City may receive the local government funds that are available. There were no comments in favor or opposition to this legislation. Mayor McCurley closed the Public Hearing at 7:10 p.m.

A motion to adopt Resolution 2002-08 was made by Councilmember Staten, seconded by Councilmember Beck. VOTE: ALL YEAS

ORDINANCE 2002-87 AMENDING THE ZONING CODE AND ZONING MAP OF THE CITY OF MASON, OHIO, TO PROVIDE FOR THE REZONING OF APPROXIMATELY 24 ACRES FROM R-1, R-4 AND B-3 TO B-1 CENTRAL BUSINESS DISTRICT PUD AND APPROVAL OF THE CONCEPT PLANNED UNIT DEVELOPMENT PLAN FOR ST SUSANNA'S EDUCATIONAL AND WORSHIP CENTER

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

Mayor McCurley opened the Public Hearing at 7:19 p.m. Allyn Kuennen, the City Planner explained to Council the details of the zoning request. He stated St.Susanna's is proposing a long-range plan that may take several years to complete. He stated the plan requires the rezoning of the 24-acre site to a B-1 PUD. He said access to the future church site is from two points off US 42. Mr. Bob Doran spoke in favor of the project. He is the architect for the project. Kurt Alexander of 5300 Hidden Creek Circle addressed some concerns his neighborhood has over the project. He stated he is representing the homeowners of the Lakeside Subdivision. He said that while they are agreeable to the property being utilized by a church rather than a large retailer, they are concerned over the future erosion issues. He distributed a report and requested the Clerk of Council include it in the minutes. (See Attachment A.) He stated they are concerned the plans are working with a 20 year old FEMA study that is obsolete and does not reflect the current conditions. He requested a new FEMA study be done to correctly evaluate the erosion situation. He stated their other concerns deal with traffic around the medical center, which will impact their quality of life. He asked why this is the best route. Richard Fair stated City Council last year passed a very restrictive flood plain ordinance, which allows for only one tenth of a foot restriction as compared to the state requirement of one-foot restriction. He also said final construction drawings will show if this project will impact the area. Until then, it cannot be accurately determined. Richard Fair stated the Stormwater Utility will look at improving the flood plain but it realistically won't happen for 2 to 3 years. He explained Davis Run is being reviewed this year and will impact this area by allowing less discharge. Kurt Alexander requested a copy of the studies submitted to the City.

Noble Johnston of 316 S. West Street addressed Council and stated this will greatly impact his property. He said more buses will be passing in front of his home and he is concerned about the water on his property. He requested notification from the City on any further meetings regarding this matter.

Mr. Richard Cox owner of Al's Heating located at 657 Reading Road addressed Council and asked about a traffic signal that was to be installed on US 42. He said the finances were set-aside for it but it has never been installed. He also asked about the Central Business District as he would like his business to be included in that classification. Allyn Kuennen responded the City was waiting to determine what location would be the most beneficial for the signal and he stated the Church is included in the Central Business District due to the location on Fifth Avenue and the B-1 use. Addressing the comments

regarding the water retention issues, Allyn stated this project will actually improve the current situation since there are no retention /detention ponds on the site now. Mayor McCurley closed the Public Hearing at 8:04 p.m.

Mayor McCurley stated he had received a letter from Beverly Barr the owner of 600 Reading Road and 304 E. Fifth Avenue opposing the vacating of any portion of West Street. Allyn Kuennen stated the joining property owners must agree to the process or it will not be vacated. Councilmember Grossmann asked if Council approved the zoning now, will the other concerns be addressed when the drawings are prepared and the studies completed? Richard Fair answered that is correct. The drawings will bring out the other issues so they can be addressed in detail. Mayor McCurley stated this project has been reviewed two or three times before Planning Commission and this is a good use for the property. Vice Mayor Fox stated he would be concerned if a road was not provided around the medical center for transportation between the two sites. He said otherwise, you are creating a situation where cars will pull onto US 42 and immediately need to turn onto the other site. He said this is a safety concern. Councilmember Staten asked if we approve the plan, are we dictating the access points for the site. Allyn Kuennen said a note on the drawing clarifies the access points are to be determined once the traffic studies are complete. The Law Director stated that was sufficient documentation.

A motion to adopt Ordinance 2002-87 was made by Councilmember Kidd, seconded by Vice Mayor Fox. VOTE: ALL YEAS

RESOLUTION 2002-10 ACCEPTING THE NEW CONTRACT OF THE WARREN COUNTY COMBINED HEALTH DISTRICT

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

Scot Lahrmer stated this legislation is necessary because the City of Carlisle has been added to the Health District therefore requiring it be formally established with those members.

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

A motion to adopt Resolution 2002-10 was made by Vice Mayor Fox, seconded by Councilmember Staten. VOTE: ALL YEAS

ORDINANCE 2002-104 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH HANSON PIPE AND PRODUCTS FOR THE PURCHASE OF STORM SEWER CONSTRUCTION MATERIALS NECESSARY FOR THE EAGLE VIEW VILLAGE AND CINTAS STORM SEWER PROJECT

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

Scot Lahrmer stated this legislation required the purchase of the materials necessary for the EagleView/Cintas Storm Sewer Project. He said this project would be done by the staff from Public Works. The job was bid with one company responding Hanson Pipe and Products, at a cost of \$44,675. He said the result will reduce the business flooding in the Cintas Commerce Park and vicinity.

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

A motion to adopt Ordinance 2002-104 was made by Vice Mayor Fox Councilmember Kidd, seconded by. VOTE: ALL YEAS

ORDINANCE 2002-105 AUTHORIZING PAYMENT TO THE MASON CITY SCHOOL DISTRICT IN THE SUM OF \$14,000 FOR USE OF THE RECTRAC SOFTWARE APPLICATIONS

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

Scot Lahrmer stated the Mason City School District is purchasing the comprehensive computer software package known as RecTrac. He said this software can also be utilized by the Community Center staff and provide the necessary methods of processing the numerous daily transactions associated with the operation of the facility. Following discussions regarding the cost to purchase this software, it was determined a fair share for the City to pay to utilize the package was 20% of the purchase price. This legislation allows for a not to exceed cost of \$14,000.

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

A motion to adopt Ordinance 2002-104 was made by Vice Mayor Fox, seconded by Councilmember Staten. VOTE: ALL YEAS

COMMUNITY REINVESTMENT AREA #3 DEERFIELD MANUFACTURING

Michele Blair addressed Council and stated Deerfield Manufacturing, Inc., a local company for over 50 years, is planning an expansion. She stated this firm has recently been purchased by Ice Industries. They now plan to build an additional 51,200 square foot addition. This relates to an investment of \$1.7 million and 30 new jobs. She stated the increased revenue to the City will be \$581,494 with the school receiving \$241,625. This is projected over a 6-year period allowing for 100% real property improvements under the Community Reinvestment Area Program. Mr. Jeremy Lumbreezer, Controller addressed Council and stated the employees from this area are the reason they are keeping the expansion in Mason. Councilmember Grossmann stated the Economic Development Committee has reviewed this and recommends granting the abatement. A motion to abate 100% of real property taxes for 6 years under the Community Reinvestment Area Program and enter into a performance agreement was made by Councilmember Pelfrey, seconded by Councilmember Beck. VOTE: ALL YEAS

CITY MANAGER'S REPORT

Council is scheduled to tour the new Community Center and Municipal Center on July 15, 2002 at 6:00 p.m.

The July issue of *Mason Matters* will be sent to residents the week of July 15, 2002.

COMMITTEE REPORTS

Councilmember Beck stated the Veteran's Memorial Committee will meet at the American Legion on July 15, 2002 at 5:00. He said they are proceeding with the raffle of the 2002 Trailblazer and he thanked the civil war re-enactment participants for their contribution to the July 3 event.

Councilmember Staten reported on the Planning Commission meeting stating the site and landscape plan for Best Supply was approved with contingencies, Intelligrated revised landscape plan was approved with contingencies,, the Greenbrier Subdivision revised final PUD Plan was approved and the Oaks of Crooked Tree Section Seven final plat was approved.

COUNCIL OLD AND NEW BUSINESS

Vice Mayor Fox stated on July 14, 2002 the Modulators will be performing the concert in the park and on July 28 the Mason Community Band will be performing. He also mentioned the passing of former Councilmember, Cay Steinhaurer, and Volunteer in the Parks, Ballard Morton.

Councilmember Staten stated the signal on SR 741 is a big improvement and he asked about the status of the signals at Butler Warren Road and US 42. He asked Richard Fair to look into the matter. He stated the landscaping along Tylersville Road is not up to the City's standards and asked what was being done about it. Richard Fair replied they have been in communication with the contractor and the City does hold a performance bond on this company.

Councilmember Beck mentioned the Chamber Golf Outing is at Heritage Club and will be on July 22, 2002.

Mayor McCurley stated the Farmers Market will begin on July 13, 2002 at the old Thriftway site. He also thanked everyone for making the July 3rd event such a success.

RECOGNITION OF VISITORS--None

EXECUTIVE SESSION

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

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

A motion to add to the agenda Ordinances 2002-106 and 2002-107 was made by Councilmember Staten, seconded by Vice Mayor Fox. VOTE: ALL YEAS

ORDINANCE 2002-106 AUTHORIZING THE CITY MANAGER TO ENTER INTO A COLLECTIVE BARGAINING AGREEMENT WITH THE PATROL OFFICER'S UNIT OF THE FRATERNAL ORDER OF POLICE, OHIO LABOR COUNCIL, INC. AND DECLARING AN EMERGENCY

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

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

A motion to adopt Ordinance 2002-106 was made by Councilmember Pelfrey, seconded by Vice Mayor Fox. VOTE: ALL YEAS

ORDINANCE 2002-107 AUTHORIZING THE CITY MANGER TO ENTER INTO A COLLECTIVE BARGAINING AGREEMENT WITH THE SERGEANT'S UNIT OF THE FRATERNAL ORDER OF POLICE, OHIO LABOR COUNCIL, INC. AND DECLARING AN EMERGENCY

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

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

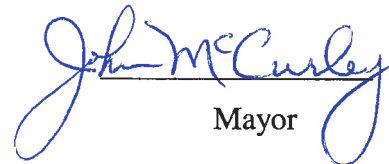
A motion to adopt Ordinance 2002-107 was made by Councilmember Pelfrey, seconded by Vice Mayor Fox. VOTE: ALL YEAS

ADJOURN

A motion to adjourn was made by Vice Mayor Fox, seconded by Councilmember Pelfrey. VOTE: ALL YEAS
TIME: 9:50 P.M.



Clerk of Council



Mayor