

**CITY OF MASON  
REGULAR CITY COUNCIL MEETING  
MINUTES OF MAY 7, 2007**

Clark called the meeting to order at 7:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan. Bruno led the Pledge of Allegiance and offered the invocation.

Present: Councilmembers: Bruno, Clark, Coady, Mulvany, Naeyaert, Preadmore, Whipple  
Also present: Martin Colburn, City Administrator  
Kathy Revels, Finance Director/Treasurer  
John Stressman, Police Chief  
Dennis McGinty, City Attorney  
Deborah Cwierniewicz, Deputy City Clerk

**APPROVAL OF MINUTES - REGULAR COUNCIL MEETING: April 16, 2007**

The Minutes of April 16, 2007 were approved as submitted.

**APPROVAL OF BILLS**

MOTION by Naeyaert, second by Bruno,  
to approve the payment of bills in the amount of \$61,522.12 as submitted.  
MOTION APPROVED UNANIMOUSLY

**PEOPLE FROM THE FLOOR**

None.

MOTION by Whipple, second by Preadmore,  
to amend the agenda by inserting under regular business, "Item No. 8(C) First Reading - Ordinance No. 160 - An Ordinance to Amend Section 46-34 – Hours of Operation – of Chapter 46 – Parks and Recreation – of the Mason City Code," and adjust the following agenda items accordingly.  
MOTION APPROVED UNANIMOUSLY

**PUBLIC HEARING**

**FY 2007-2208 Budget**

Clark opened and closed the public hearing at 7:32 p.m. as there were no comments.

**Resolution No. 2007-18 – Adoption of the FY 2007-2008 Budget**

Colburn spoke to the budget proposed for FY 2007-2008. Resolution No. 2007-18 was Introduced by Bruno and seconded by Naeyaert. Discussion was held regarding the addition of a generator for the James Pelton Fire Station to the Budget; and if so, the value of an automatic transfer switch versus a manual switch.

MOTION by Whipple, second by Naeyaert,  
to amend the FY 2007-2008 Budget by adding a \$30,000.00 line item for a generator with an automatic transfer switch for the Fire Station.  
Yes (6) Bruno, Coady, Naeyaert, Preadmore, Whipple, Clark  
No (1) Mulvany  
MOTION APPROVED

Colburn stated that the Fire Chief requested \$15,000.00 to purchase dress uniforms for the Fire Fighters. The Administrator cut the budget line item to \$7,500.00. Following budget discussions, Colburn compromised at \$10,000.00. It was suggested to include \$5,000.00 in the next fiscal budget year rather than amend the budget. Also, it was stated that the Council should adhere to the Administrator's recommendation. It was further discussed that the Fire Department obtains old police shirts from various departments. When they attend ceremonies and funeral services, they do not look like a cohesive department because their uniforms do not match.

MOTION by Whipple, second by Naeyaert,  
to increase the amount budgeted for dress uniforms for the Fire Department to \$15,000.00.

ROLL CALL VOTE:

Yes (5) Coady, Naeyaert, Preadmore, Whipple, Clark

No (2) Bruno, Mulvany

MOTION APPROVED

Discussion was held whether to budget money to set aside for the new City Hall/Police Department project.

MOTION by Coady, second by Mulvany,  
to amend the FY 2007-2008 Budget by designating \$500,000.00 of the projected surplus into a  
line item to fund the new City Hall and Police Department complex.

MOTION APPROVED UNANIMOUSLY

**CITY OF MASON  
CITY COUNCIL RESOLUTION NO. 2007-18  
ADOPTION OF THE FY 2007-2008 BUDGET  
May 7, 2007**

**WHEREAS**, the City Council of the City of Mason did hold a public hearing on the proposed 2007-2008 fiscal year budget on Monday, May 7, 2007 as prescribed by law; and

**NOW THEREFORE BE IT RESOLVED**, that the proposed 2007-2008 Operating Budget herewith filed with the City Clerk, providing for the sums of \$11,812,295.00 to expend for municipal purposes of the General Fund, Special Revenue Funds, Capital Project Funds, Trust and Agency Funds, Enterprise Funds, Intergovernmental funds, and Special Assessment Funds for the 2007-2008 fiscal year, and the said amount of \$2,891,675 shall be raised by taxes, or a levy of 13.25 mills, upon real and personal property of the City of Mason; and

**RESOLVED FURTHER**, that whereas the Downtown Development Authority (DDA) budget for 2007-2008 is forwarded to the City Council for its approval, and whereas the captured State Taxable Valuation for the DDA District is \$3,523,111, the sum of \$39,695 shall be placed in the DDA Fund along with other taxing jurisdictions' appropriate tax dollar amounts, and together this money will be used for future public improvements within the District, and bond payments; and

**RESOLVED FURTHER**, that whereas the Local Development Finance Authority (LDFA) budget for 2007-2008 is forwarded to the City Council for its approval, and whereas the captured State Taxable Valuation for the LDFA District is \$27,269,897; the sum of \$150,580 shall be placed in the LDFA Fund along with other taxing jurisdictions' appropriate tax dollar amounts, and together this money will be used for future public improvements within the District, and bond payments; and

**RESOLVED FURTHER**, that the 2007-2008 Governmental Fund Budgets shall be automatically amended on July 1, 2007 to re-appropriate encumbrances outstanding and reserved on June 30, 2007; and

**NOW, THEREFORE, BE IT FINALLY RESOLVED**, that the City Council of the City of Mason hereby adopts the 2007-2008 proposed fiscal year budget which is currently on file in the office of the City Clerk.

Yes (7) Bruno, Coady, Mulvany, Naeyaert, Preadmore, Whipple, Clark

No (0)

RESOLUTION APPROVED UNANIMOUSLY

**REGULAR BUSINESS**

**Second Reading and Adoption - Ordinance No. 153 – Designation of Certain Misdemeanors as Civil Infractions**

Motion by Preadmore, second by Whipple,  
to consider Ordinance No. 153 as read for the second time and adopted.

Yes (7) Bruno, Coady, Mulvany, Naeyaert, Preadmore, Whipple, Clark

No (0)

MOTION APPROVED UNANIMOUSLY

**Second Reading and Adoption - Ordinance No. 154 – Establishes a Municipal Ordinance Violations Bureau**

Stressman stated that the rates remain the same for the "Use or Possession of Tobacco by Minor" in the Schedule

of Civil Fines. However, the rate schedule progressively increases for the offense of selling tobacco to minors. The fine is intended to convey a message to minors.

Motion by Preadmore, second by Whipple,  
to consider Ordinance No. 154 as read for the second time and adopted.  
Yes (7) Bruno, Coady, Mulvany, Naeyaert, Preadmore, Whipple, Clark  
No (0)  
MOTION APPROVED UNANIMOUSLY

**First Reading - Ordinance No. 160 – Ordinance to Amend Section 46-34 – Hours of Operation – of Chapter 46 – Parks and Recreation – of the Mason City Code**

Motion by Bruno, second by Naeyaert,  
to consider Ordinance No. 160 as read for the first time.

Whipple informed the Council that the ordinance limits organized athletic events to not more than two events a week. Temporarily extending the hours of operation for city parks during sewer construction at Bond Park would allow softball teams that normally use Bond Park to utilize Hayes Park. The ordinance would take effect immediately upon the posting of this ordinance in ten public places.

Motion by Naeyaert, second by Coady,  
to amend the proposed amendment, Ordinance No. 160, by striking the last nine words following “administrator.”  
MOTION APPROVED UNANIMOUSLY

VOTE ON THE MAIN MOTION  
Yes (6) Coady, Mulvany, Naeyaert, Preadmore, Whipple, Clark  
No (1) Bruno  
MOTION APPROVED

Discussion was held to consider the ordinance read for the second time and adopted at this time to publicly post at an earlier date for the benefit of community notice. McGinty explained that second reading and adoption could be accomplished by five affirmative votes, allowing it to be posted May 8, 2007.

MOTION by Whipple, second Naeyaert,  
To consider Ordinance No. 160 read for the second time and adopted.

Further discussion included the following rationales: adopting the ordinance at this meeting would provide more than one day public notice, softball games begin May 23 and the league schedules will be published this week, and following normal procedures afford residents time to voice opposition or concerns.

VOTE ON THE MOTION:  
Yes (4) Naeyaert, Preadmore, Whipple, Clark  
No (3) Coady, Mulvany, Bruno  
MOTION FAILED (*five affirmative votes required for approval*)

**Resolution No. 2007-19 – Mayoral Appointment to the Building Code Board of Appeals**

Resolution No. 2007-19 was introduced by Naeyaert and seconded by Bruno. Clark addressed Mr. Kerr's qualifications for appointment to the Building Code Board of Appeals.

CITY OF MASON  
CITY COUNCIL RESOLUTION NO. 2007-19  
MAYORAL APPOINTMENT TO THE BUILDING CODE BOARD OF APPEALS  
May 7, 2007

**BE IT HEREBY RESOLVED**, that the Mayor, with confirmation by the City Council, does hereby appoint Ivan Kerr to the Building Code Board of Appeals to fill a vacancy expiring December 31, 2007.

YES (7) Bruno, Coady, Mulvany, Naeyaert, Preadmore, Whipple, Clark  
NO (0)  
RESOLUTION APPROVED UNANIMOUSLY

**Motion – Bid – Uniform Rental and Cleaning Service for the DPW**

Motion by Bruno, second by Preadmore,  
to approve the two-year contract Arrow Uniform Service for DPW uniforms supply and cleaning  
in the amount of \$13,940.00.

MOTION APPROVED UNANIMOUSLY

**UNFINISHED BUSINESS**

Mulvany informed the Council that he is not prepared to support the proposed sign ordinance and feels that another workshop is warranted. Discussion ensued. It was the consensus of the Council to include an agenda item under “Unfinished Business” for the next regular meeting to discuss the ordinance for a set time limit.

**NEW BUSINESS**

Naeyaert informed Council that the DPW fence is in need of attention.  
Preadmore stated that he will be attending an out-of-state conference and will be unable to attend the May 21, 2007 regular meeting; he requested to be excused.

Motion by Whipple, seconded by Preadmore,  
to excuse Councilmember Preadmore from the May 21, 2007 regular meeting.

MOTION APPROVED UNANIMOUSLY

**CORRESPONDENCE**

Distributed.

**LIAISON REPORTS**

- Mulvany informed Council regarding Historic District Commission business.
- Bruno informed Council regarding Tree Commission business.
- Clark informed Council regarding the annual Michigan Association of Mayors’ luncheon he attended.

**ADMINISTRATOR’S REPORT**

Colburn informed the Council regarding current city business.

**PEOPLE FROM THE FLOOR**

None.

**ADJOURNMENT**

The meeting adjourned at 10:18 p.m.

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Martin A. Colburn, City Clerk

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Leon Clark, Mayor