

**CITY OF MASON
REGULAR CITY COUNCIL MEETING
MINUTES OF JANUARY 7, 2008**

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

Present: Councilmembers: Bruno, Clark, Mulvany, Naeyaert, Preadmore, Waltz, Whipple
Also present: Martin Colburn, City Administrator/Clerk
Kathy Revels, Finance Director/Treasurer
Roland Olney, DPW Director
Ken Baker, Street & Water Superintendent
Dennis McGinty, City Attorney
Deborah Cwierniewicz, Deputy City Clerk

APPROVAL OF MINUTES - REGULAR COUNCIL MEETING: December 17, 2008

MOTION by Whipple, second by Preadmore,
to amend the Minutes by revising the second paragraph, page 2, to read as follows:
"Discussion was initiated by Council Member Whipple regarding comments in the Administrator's self evaluation form relating to the relationship between Council and Mr. Colburn. Colburn clarified the written comment referring to the "elephant in the room" stating that he was inferring that the incident in December of 2006, involving the arrest of Council Member Whipple, caused tension between Council and himself. Whipple questioned whether the comment was too vague and should be rewritten with more specific language. It was the opinion of the City Attorney that the City Administrator's comments should not be adjusted by the Council. Whipple clarified that his request was to the Administrator only and not for action by the Council. Administrator Colburn determined that the comment would remain as written."

Yes (2) Preadmore, Whipple

No (5) Bruno, Clark, Mulvany, Naeyaert, Waltz

MOTION FAILED

The Minutes of December 17, 2008, were approved as submitted.

APPROVAL OF BILLS

MOTION by Preadmore, second by Bruno,
to approve the payment of bills in the amount of \$403,266.69 as submitted.

MOTION APPROVED UNANIMOUSLY

PEOPLE FROM THE FLOOR

None.

MOTION by Preadmore, second by Bruno,
To amend the agenda by moving Item No. 7(H) Discussion – Downtown Business District Snow Removal Along M-36 to Item No. 7(A), adjusting the ensuing agenda items in sequence.

MOTION APPROVED UNANIMOUSLY

REGULAR BUSINESS

Discussion – Downtown Business District Snow Removal Along M-36

Jane Surato, business owner of Golden Shear Hair Studio located at 120 E. Ash Street, stated business owners along M-36 have concerns regarding snow removal. When the state trunk line is cleared, snow is pushed back onto the previously cleared sidewalk. Discussion ensued regarding snow piled up at the curb and safe means of access from parking spots to the sidewalk for pedestrians.

Jeanean Blood, business owner of Yards of Fabric located at 116 E. Ash Street, echoed the same concerns, specifically for elderly customers. Once the snow is plowed back to the curb, it often becomes icy and hardens, making it difficult to remove with a snow shovel. She stated gutters are blocked and the melting snow doesn't drain properly.

Ms. Burton of 360 Pretty Lane gave a brief explanation of a recent incident where she had to walk in the street for three quarters of a block to the corner of Jefferson and Maple Streets. As an older lady, a small patch of ice is dangerous for her and she is not comfortable climbing over piles of snow.

Discussion ensued regarding snow removal on M-36 along the downtown businesses. Olney and Baker were asked to speak to the issue. Baker stated that a priority protocol for City street snow removal is in place. Although the parking and street along M-36 are maintained by the State of Michigan, if the area has not been cleared when they get to the downtown, the City plows the business area of M-36.

Resolution No. 2008-01 – Resolution Establishing City Council & Planning Commission Meeting Dates for the Year 2008

Colburn informed Council the first City Council meeting in November has been omitted from the schedule to allow for the extensive preparation needed to administer the November 4, 2008, Presidential Election. Further options were discussed. Resolution No. 2008-01 was introduced by Bruno and seconded by Mulvany.

MOTION by Naeyaert, second by Preadmore, to amend Resolution No. 2008-01 by inserting the following language, * (second meeting date to be announced), after November 17, in the list of City Council meeting dates.

MOTION APPROVED UNANIMOUSLY

**CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2008-01
ESTABLISHMENT OF CITY COUNCIL AND PLANNING COMMISSION
MEETING DATES FOR THE YEAR 2008
January 7, 2008**

BE IT HEREBY RESOLVED by the City Council of the City of Mason that the following are the dates of the regular **City Council** meetings for the calendar year 2008, and that said meetings are to be held on the first and third Mondays of each month, with one holiday exception scheduled as a *Tuesday meeting, and the November 3, stricken due to the meeting date occurring on the Monday before the General Presidential Election Day; and

- | | |
|-------------------|--|
| January 7 and 21 | July 7 and 21 |
| February 4 and 18 | August 4 and 18 |
| March 3 and 17 | September *2 and 15 |
| April 7 and 21 | October 6 and 20 |
| May 5 and 19 | November 17 and *(second meeting date to be announced) |
| June 2 and 16 | December 1 and 15 and; |

BE IT FURTHER RESOLVED, that the following are the dates of the regular **Planning Commission** meetings for the calendar year 2008, and that said meetings are to be held on the second Tuesday after the first Monday of the respective months, with one exception scheduled as a *Wednesday meeting due to the Presidential Primary, January 15, and one holiday exception scheduled as a *Wednesday meeting:

January *16	May 13	September 9
February 12	June 10	October 14
March 11	July 15	November *12
April 15	August 12	December 9 and;

BE IT FURTHER RESOLVED, that these meetings will be held in the City Council Chamber, City Hall, 201 W. Ash Street, Mason, Michigan, with the City Council's meetings to commence at 7:30 p.m. and the Planning Commission's meetings to commence at 6:30 p.m.; and

BE IT FURTHER RESOLVED, that the City Clerk shall cause these dates to be published in a local newspaper.

RESOLUTION APPROVED UNANIMOUSLY

Resolution No. 2008-02 – A Resolution to Participate in the Capital Area District Library (CADL) Capital Improvement Plan (CIP)

Colburn introduced Sally Trout, CADL Board Member and Mason's CADL representative, Sue Hill, CADL Director, Deborah Debra Bloomquist, CADL Board Member, and Barbara Faiks, CADL Mason Branch Library Head. He commented briefly regarding CADL's CIP study dated September 19, 2007 and its compatibility with the City's objectives. Clark stated that Ms. Ferris had asked to comment on this item of business.

Elaine Ferris, Friends of the Library President, stated the Friends of the Library recommend support of Resolution No. 2008-02.

Resolution No. 2008-02 was introduced by Bruno and seconded by Mulvany.

**CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2008-02
A RESOLUTION TO PARTICIPATE IN CAPITAL AREA
DISTRICT LIBRARY'S CAPITAL IMPROVEMENT PLAN
January 7, 2008**

WHEREAS, the Capital Area District Library (CADL) is a public library operating pursuant to the District Library Establishment Act and serving the citizens of the City of Mason and the Greater Ingham County area; and

WHEREAS, CADL has embarked on a Capital Improvement Plan (CIP) dated September 19, 2007, seeking to expand its services and facilities by constructing new libraries and renovating and expanding existing libraries throughout the library district; and

WHEREAS, in the CADL CIP, a new library facility would be constructed within the City of Mason to provide additional library facilities and resources to further enrich the City of Mason citizens, adding cultural and educational value to the community, making it the best place to live, work, learn and play; and

WHEREAS, the CIP calls for a millage question on an upcoming election ballot to raise approximately \$83.13 million dollars; and

WHEREAS, upon successful passage by the voters of CADL's CIP millage, CADL intends to allocate \$5,971,049 for the construction of a library in the City of Mason; and

WHEREAS, upon the successful passage of the millage by the voters, the City of Mason supports CADL's CIP; and

WHEREAS, as a necessary prerequisite to CADL's CIP, the City of Mason will provide and convey real property within the City of Mason to CADL for the construction of a new library facility consistent with the CIP concept; and

WHEREAS, as a necessary prerequisite to the City of Mason, the City will be provided equal status of "Participating Membership" by the CADL Board with all rights and privileges of such status; and

WHEREAS, CADL will have exclusive control of all library operations pursuant to the District Library Establishment Act, and would also be responsible for all construction and operational costs for the facility.

NOW THEREFORE BE IT RESOLVED, that the Mason City Council does hereby agree to participate in CADL's CIP and hereby commits to donating real property within the City of Mason that is construction ready and acceptable to CADL for a new CADL library facility for as long as the property is used as a public library. The City of Mason's commitment is contingent upon voter approval of CADL's millage request for the CIP, the City acquiring "Participating Membership" status from CADL's Board, and an appropriation in compliance of Section 8.5 of the City Charter. The specific real property and agreement terms would be identified following successful passage of CADL's CIP and supporting millage.

Yes (6) Bruno, Clark, Mulvany, Naeyaert, Preadmore, Whipple

No (1) Waltz

RESOLUTION APPROVED

Resolution No. 2008-03 – Establishment of a Receiving Board for 2008 Elections

Resolution No. 2008-03 was introduced by Mulvany and seconded by Bruno.

**CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2008-03
ESTABLISHMENT OF A RECEIVING BOARD
FOR 2008 ELECTIONS
January 7, 2008**

WHEREAS, Michigan Election Law states that the legislative body of a city may, by resolution, provide that one or more additional boards of election inspectors be appointed to serve as a Receiving Board at an election at which the ballots are counted and certified at the precinct; and

WHEREAS, not less than two election inspectors in a precinct, representing each of the major political parties, shall deliver to the Receiving Board for that precinct materials for canvassing in sealed containers, as required by Michigan Election Law; and

WHEREAS, the Receiving Board shall open the sealed containers and review the statement of votes to determine that the number of individuals voting recorded in the poll book equals the number of ballots issued to electors, as shown by the statement of votes; and

WHEREAS, the Election Commission shall appoint two election inspectors from differing major political parties as the Receiving Board; and

WHEREAS, the City Clerk as Chair of the City of Mason Election Commission recommends that Receiving Boards be established for each election held in 2008.

NOW THEREFORE, BE IT HEREBY RESOLVED, that the Mason City Council authorizes a Receiving Board for each election held in the year 2008.

RESOLUTION APPROVED UNANIMOUSLY

Motion – Bid – Tree Trimming and Removal

The City enters into an annual contract for tree maintenance services. Ayles Tree Service has typically been the low bidder and has performed their job to the satisfaction of the City for over 30 years. Staff requested the formal bid process be waived and recommended acceptance of the proposal from Ayles Tree Service.

MOTION by Bruno, second by Preadmore,
to waive the formal bid process and award the tree trimming contract to Ayles
Tree Service for the amount of \$27, 505.00.
MOTION APPROVED UNANIMOUSLY

Motion – Bid – DPW Fence Project

A bid was let for the furnishing and installation of fence around the DPW storage yard on N. Jefferson
Street.

MOTION by Whipple, second by Bruno,
to award the bid for the DPW Fence Project to Clery Fence Co. for the amount of
\$11,990.00.
MOTION APPROVED UNANIMOUSLY

Motion – Bid – Purchase of a 2008 Half-Ton Pick-Up Truck

Quotes were requested under the Oakland County bid, State of Michigan bid, and from two local
dealers for a F-150 Ford 2008 half-ton pick-up truck. Staff recommended the apparent low quote,
Central Ford Truck.

MOTION by Whipple, second by Waltz,
to waive the formal bid sealed bid process and approve the purchase of a F-150
Ford, 2008, half-ton pick-up truck from Central Ford Truck in the amount of
\$15,309.50.
MOTION APPROVED UNANIMOUSLY

Motion – Amend the 2007-2008 Fiscal Year Budget

Revels outlined seven amendments to the 2007-2008 Fiscal Year Budget for the quarter ending in
December 2007, for approval.

MOTION by Whipple, second by Waltz,
to amend the 2007-2008 Fiscal Year Budget, Item Nos. 6-12, as presented.
MOTION APPROVED UNANIMOUSLY

UNFINISHED BUSINESS

None.

NEW BUSINESS

Naeyaert stated she wanted to respectfully remind residents to clear their sidewalks. Whipple
informed staff the catch basin on the northwest corner of Lawton and Ash Streets has been blocked
for several weeks.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Naeyaert informed Council there are two public meetings scheduled for public review and comment of the Five-Year Update to the Community Recreation Plan on January 17 and 22, at 6:30 p.m. – 8:30 p.m. in the City Hall Community Room located downstairs.

ADMINISTRATOR'S REPORT

Colburn informed the Council regarding current city business. He informed Council that budget work session meetings have been tentatively scheduled for April 9 and 10, 2008.

PEOPLE FROM THE FLOOR

None.

ADJOURNMENT

The meeting adjourned at 8:41 p.m.

Martin A. Colburn, City Clerk

Leon Clark, Mayor