

**CITY OF MASON
REGULAR CITY COUNCIL MEETING
MINUTES OF MARCH 3, 2008**

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

Present: Councilmembers: Clark, Mulvany, Naeyaert, Waltz, Whipple
Absent: Councilmembers: Bruno, Preadmore
Also present: Martin Colburn, City Administrator/Clerk
Kathy Revels, Finance Director/Treasurer
Dennis McGinty, City Attorney
Deborah Cwierthiewicz, Deputy City Clerk
John Stressman, Chief of Police
Ed Hude, Police Sergeant
David Haywood, Planning & Zoning Director

APPROVAL OF MINUTES - REGULAR COUNCIL MEETING: February 18, 2008

The Minutes of February 18, 2008, were approved as submitted.

APPROVAL OF BILLS

MOTION by Naeyaert, second by Whipple,
to approve the payment of bills in the amount of \$167,508.22 as submitted.
MOTION APPROVED UNANIMOUSLY

PEOPLE FROM THE FLOOR

None.

PUBLIC HEARING

Application for Industrial Facilities Exemption Certificate and Industrial Facilities Exemption Agreement with Nitrex

Clark opened the public hearing at 7:35 p.m. David Buck, representative for applicant, Nitrex, Inc., spoke regarding the \$1,649,800.00 investment Nitrex is expending to install a new furnace which will result in the creation of three additional jobs. Clark closed the public hearing at 7:40 p.m.

REGULAR BUSINESS

Resolution No. 2008-09 – Approval of Application for Industrial Facilities Exemption Certificate and Industrial Facilities Exemption Agreement with Nitrex

Resolution No. 2008-07 was introduced by Whipple and seconded by Mulvany.

**CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2008-09
APPROVAL OF APPLICATION FOR INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE
AND INDUSTRIAL FACILITIES EXEMPTION AGREEMENT WITH NITREX
March 3, 2008**

WHEREAS, the State of Michigan has enacted 1974 PA 198 allowing industrial property owners property tax abatement under certain conditions; and

WHEREAS, Nitrex, Inc. has submitted an application to the City for tax abatement pursuant to Act 198, whereby property taxes would be abated or reduced on new industrial facilities to be acquired by the applicant consisting of land and building improvements of \$95,800.00 and machinery, equipment, furniture and fixtures of approximately \$1,554,000.00, with said improvements totaling \$1,649,800.00 as set forth in the applicant's application to the City Clerk dated January 11, 2008; and

WHEREAS, the City Council has adopted Council Resolution No. 97-44, after a public hearing on November 17, 1997, duly noticed by publication, to establish Industrial Development District pursuant to Act 198 to encompass the land and territory within which the Applicant proposes to acquire and maintain the building, land improvements, machinery and equipment to be acquired by the Applicant; and

WHEREAS, the description of said property is:

Parcel 33-19-10-05-126-014

COM NW COR SEC 5, 1616.75 FT S 89-55-18 E ALG N SEC LN, S 00-34-55 E 384.43 FT TO POB, S 89-55-18 E 237.92 FT, S 19-31-11 E PLL WITH & 300 FT MEAS AT R/A TO PCRR R/W LN 281.28 FT, N 89-55-18 W 329.22 FT TO E LN OF KIM DR, N 00-34-55 W 265 FT TO POB SUBJ TO 66 FT WIDE ESMT OF INGRESS & EGRESS ON NW 1/4 OF SEC 5 T2N R1W. 1.725 AC CITY OF MASON

WHEREAS, Nitrex, Inc. wishes to install new building improvements and purchase new equipment, machinery, furniture and fixtures on the property legally described above; and

WHEREAS, Nitrex, Inc. has committed to the creation of three (3) additional jobs at their facility as a direct result of the installation of the new building improvements, equipment and machinery; and

WHEREAS, Nitrex, Inc. seeks an Industrial Facilities Exemption Certificate on the real and personal property for a term of twelve (12) years, as described in its Application, accepted January 11, 2008; and

WHEREAS, the City Council met in public hearing on March 3, 2008, as heretofore resolved and noticed, for the purpose of considering approval of said application; and

WHEREAS, the City Council has afforded the applicant, the public, the Assessor, and all of the affected taxing units notice of an opportunity for all persons desiring to be heard, either orally or in writing, with respect to the approval of an Industrial Facilities Exemption Certificate for the applicant; and

WHEREAS, the granting of an Industrial Facilities Exemption Certificate to Nitrex, Inc. will not substantially impede the operations or financial soundness of the City of Mason; and

WHEREAS, the City Council has received and considered a proposed written agreement as required by Section 22 of Act 198 to be entered into between the City and Nitrex, Inc. containing the requirements for approval and the terms and conditions under which the Industrial Exemption Facilities Agreement shall be issued and retained;

BE IT HEREBY RESOLVED, that the application from Nitrex, Inc., dated January 11, 2008, for an Industrial Facilities Exemption Certificate for real and personal property improvements is hereby approved for a period of twelve (12) years; and

RESOLVED FURTHER, the City of Mason and Nitrex, Inc. shall enter into the written Agreement containing the requirement for approval and issuance of the Industrial Facilities Exemption Certificate and allowing for the revocation of the Certificate if conditions imposed by the City of Mason are not met.

RESOLUTION APPROVED UNANIMOUSLY

Motion - Request to Reassign Funds from the Report Management System to the Installation of a Wireless Data Link Connection between Mason Police Department and Ingham County Management Information System

Stressman stated that the existing Report Management System (RMS) data link connection between the Mason Police Department and their technology support source, Ingham County Management Information System (MIS) is failing. He is requesting to reallocate \$13,643.33 from the capital outlay fund to install a wireless data link connection. At the time the RMS was installed, he considered the need to replace the obsolete connection, but decided to address it when the new Police/City Hall facility was built. Brian Tort, owner and CEO of Central Solutions, Inc. explained the process and timeline to install a wireless data link connection. Discussion ensued to install a 4.9 frequency intended for public safety rather than the original 5.3 frequency proposed. Steve Waters of Ingham County Management Information System did not have anything to recommend or add to the decision.

MOTION by Naeyaert, second by Waltz,
to authorize the use of existing allocated funds of the Mason Police Department from the
Report Management System project to purchase a wireless data link connection and
enter into a maintenance agreement with Central Solutions of Mason in the amount of
\$13,643.33.

MOTION APPROVED UNANIMOUSLY

2007 Annual Report – Zoning and Development – David Haywood, Zoning & Development Director

Haywood briefly summarized the 2007 Annual Report for the Zoning and Development Department.
Discussion ensued regarding building permit requirements, fees and enforcement.

MOTION by Naeyaert, second by Whipple,
to accept the 2007 Annual Report for the Zoning & Development Department and place it
on file.

MOTION APPROVED UNANIMOUSLY

Presentation – Five-Year Recreation Plan Update – David Haywood, Zoning & Development Director

Haywood gave a brief review of the draft Five-Year Recreation Plan Update and informed Council
regarding a grant that the city could apply for at the same time the Five-Year Recreation Plan is
submitted. The Five-Year Recreation Plan allows eligibility for Department of Natural Resources grants.

UNFINISHED BUSINESS

Discussion was held regarding placement of the generator that was bid by the Fire Department.

NEW BUSINESS

Waltz informed Council regarding the recent Good Morning Mason and the Michigan Municipal League
training seminar he attended. Clark informed Council regarding Governor Granholm's visit to Bestseller's
Book Store.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Mulvany informed Council regarding current Historic District Commission business.

ADMINISTRATOR'S REPORT

Colburn informed Council regarding current city business.

PEOPLE FROM THE FLOOR

None.

ADJOURNMENT

The meeting adjourned at 9:24 p.m.

Martin A. Colburn, City Clerk

Leon Clark, Mayor