

**CITY OF MASON  
REGULAR CITY COUNCIL MEETING  
MINUTES OF FEBRUARY 4, 2013**

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

Present: Councilmembers: Brown, Bruno, Clark, Droscha, Ferris, Mulvany, Naeyaert  
Absent: Councilmember: None  
Also present: Martin A. Colburn City Administrator  
Deborah J. Cwiertniewicz, City Clerk  
David Haywood, Zoning & Development Director  
James Duthie, Code Enforcement Officer  
Dennis McGinty, City Attorney

**ANNOUNCEMENTS**

None.

**PEOPLE FROM THE FLOOR**

None.

**PUBLIC HEARING**

**Five-Year Recreation Plan**

Mayor Clark opened the public hearing at 7:35 p.m.

Pam Lower of 703 South Barnes Street stated that she is part of the Rayner Park Rally Club and asked questions regarding the budget and tree planting locations.

Meg Lechleitner of 402 ½ Apt. 3, South Jefferson Street, Bailey Cole of 785 East Maple Street, and Brianna Lound of 534 Maine Court stated that they are working toward their Girl Scout Silver Award. To accomplish this, they would like to build a dog park in the city of Mason and gave a variety of details that the park would include. A location has not been identified as yet.

Barb Tornholm of 703 Roosevelt Street elaborated on the points of her proposal she provided to Council regarding indoor physical fitness facilities.

Councilmember Ferris suggested identifying a space for artwork facilities as well as space in existing parks for public art.

Councilmember Brown stated that a resident who contacted him, asked that Council consider expansion of city trails within the city as well as connecting to trails in other communities.

Mayor Clark closed the public hearing at 7:50 p.m.

**CONSENT AGENDA**

MOTION by Naeyaert, second by Droscha,  
to approve the Consent Agenda as follows:

- A. Approval of Minutes – Regular Council Meeting: January 21, 2013
- B. Approval of Bills: \$43,097.77

**MOTION APPROVED UNANIMOUSLY**

**REGULAR BUSINESS**

**Second Reading – Ordinance No. 192 – An Ordinance to Amend the Use District Map, as Adopted Pursuant to Section 94-62 of the Mason Code, to Rezone 3.18 Acres of Land Located At 312 North Street from O-1 Office/M-2 General Manufacturing to C-1 Central Business**

MOTION by Naeyaert, second by Brown,  
to consider Ordinance No. 192 read for the second time and adopted.  
**MOTION APPROVED UNANIMOUSLY**

It was discussed to remand the rezoning request back to the Planning Commission to demonstrate thorough consideration because the applicant is the city engineer, and to acquire clearer findings of fact on the matter.

**VOTE:**

Yes (5) Brown, Droscha, Ferris, Mulvany, Naeyaert  
No (2) Bruno, Clark  
**MOTION APPROVED**

**CITY OF MASON  
ORDINANCE NO. 192**

**AN ORDINANCE TO AMEND THE USE DISTRICT MAP, AS ADOPTED PURSUANT TO SECTION 94-62 OF THE MASON CODE, TO REZONE 3.18 ACRES OF LAND LOCATED AT 312 NORTH STREET FROM O-1 OFFICE/M-2 GENERAL MANUFACTURING TO C-1 CENTRAL BUSINESS**

THE CITY OF MASON ORDAINS: The zoning map of the City of Mason adopted by Section 94-62 of Chapter 94 of the Mason City Code, being the zoning code of the City of Mason, is hereby amended as follows:

That property legally described as: A part of the East ½ of the Southeast ¼ of Section 5, T2N, R1W, City of Mason, Ingham County, Michigan, described as beginning at a point which is N00d01'04"W 760.47 feet along the North-South ¼ line and N89d44'03"E 1416.60 feet along the North line of North Street from the South ¼ Corner of Section 5; thence N00d23'30"W 268.00 feet; thence N17d34'41"W 236.33 feet; thence S85d51'19"E 344.89 feet; thence S00d13'22"E 467.10 feet to the North line of North Street; thence S89d44'03"W 272.61 feet along said North line to the point of beginning containing 3.18 acres of land more or less and subject to any easements or rights of way of record be rezoned from O-1 Office/M-2 General Manufacturing to C-1 Central Business.

THE CITY OF MASON FURTHER ORDAINS: That the requested rezoning is consistent with standards of approval for zoning ordinance amendments listed in Section 94-396(a) of the Mason zoning ordinance; and

THE CITY OF MASON FURTHER ORDAINS: That the Planning Commission at its January 15, 2013 meeting adopted Resolution No. 2013-01 recommending adoption of this ordinance; and

THE CITY OF MASON FURTHER ORDAINS: That the municipal water, sanitary sewer and storm sewer currently serves and is adequately for the site considering the proposed zoning district; and

THE CITY OF MASON FURTHER ORDAINS: That the official zoning map shall be marked evidencing this change, and that the City Clerk shall enter on the Official Zoning Map this ordinance number and the date of adoption thereof, and shall maintain a file containing a copy of this ordinance and map thereto attached, and

THE CITY OF MASON FURTHER ORDAINS: That the City Engineer is hereby directed to make the necessary corrections to the zoning district map evidencing this zoning change, including this ordinance number and the date of adoption thereof; and

THE CITY OF MASON FURTHER ORDAINS: That this ordinance shall become effective twenty days after its adoption, but not before it is published; and

THE CITY OF MASON FURTHER ORDAINS: That this ordinance shall be published within fifteen days after its adoption.

**ORDINANCE APPROVED**

**Resolution No. 2013-06 – A Resolution to Establish a Hearing Date to Consider Dead Hazardous Ash Trees on Vacant Private Property Known as 33-19-10-08-151-006**

MOTION by Naeyaert, second by Droscha,  
to consider Resolution No. 2013-06 read for the first time.  
**MOTION APPROVED UNANIMOUSLY**

Resolution No. 2013-06 was introduced by Droscha and seconded by Brown.

**CITY OF MASON  
CITY COUNCIL RESOLUTION NO. 2013-06  
A RESOLUTION TO ESTABLISH A HEARING DATE TO CONSIDER DEAD HAZARDOUS  
ASH TREES ON VACANT PRIVATE PROPERTY KNOWN AS 33-19-10-08-151-006  
February 4, 2013**

**WHEREAS**, as stated in Mason Code, it is unlawful to maintain dead hazardous trees after receiving written notification by the City; and

**WHEREAS**, staff was made aware of hazardous trees located on vacant property known as 33-19-10-08-151-006 on October 22, 2012; and

**WHEREAS**, upon inspection of the trees, staff confirmed a total of 4 dead hazardous Ash trees and on November 2, 2012, mailed a letter of notice to the property owner requesting voluntary compliance in removal of the trees; and

**WHEREAS**, the property owner failed to comply in a reasonable and definite time with the order to remove the trees;

**NOW, THEREFORE, BE IT HEREBY RESOLVED**, that the City Council does hereby establish a hearing date of February 18, 2013 at 7:30 p.m. in the City Council Chambers, 201 West Ash Street, Mason, Michigan, for the purpose of receiving public comment, and to consider a resolution that the Director of Public Works be authorized to remove the hazardous trees and that the cost of cutting and removal be assessed to the property and placed on the July, 2013 city tax roll.

**RESOLVED FURTHER** that the City Clerk shall serve a copy of this resolution on the property owner of record by ordinary mail at the address shown on the city tax roll.

**RESOLUTION APPROVED UNANIMOUSLY**

**Motion – Farm Lease Agreement**

The City owns land adjacent to Temple Street and 56.77 acres at the northwest corner of Kipp Road and Dexter Trail. Historically, the City has leased the approximate 56 acres for the purpose of raising crops. Every three years, the City accepts bids from interested parties. The City let a bid for both pieces of land for farming purposes. A bid opening was held and the eight sealed bids submitted were publicly read, January 29, 2013 at 10:00 a.m.

MOTION by Naeyaert, second by Droscha,  
to accept the bid proposal from Mr. Craig Hamlin of Hamlin Farms in the amount of \$62,201.10 and authorize the City Administrator to enter into a lease agreement for three years.

**MOTION APPROVED UNANIMOUSLY**

**UNFINISHED BUSINESS**

None.

**NEW BUSINESS**

Council requested to include a discussion item on the next regular meeting agenda regarding future use for the City owned parcel located at 224 South Jefferson Street.

**CORRESPONDENCE**

All correspondence was distributed.

**LIAISON REPORTS**

Droscha informed Council regarding Traffic Commission business.

**COUNCILMEMBER REPORTS**

None.

**ADMINISTRATOR'S REPORT**

Colburn informed Council regarding City business.

**ADJOURNMENT**

The meeting adjourned at 8:20 p.m.

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Deborah J. Cwierniewicz, City Clerk

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Leon R. Clark, Mayor