

**CITY OF MASON
REGULAR CITY COUNCIL MEETING
MINUTES OF OCTOBER 7, 2013**

Clark called the meeting to order at 7:32 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan. Ferris 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. Cwierniewicz, City Clerk
Eric Smith, Finance Director/Treasurer
John Stressman, Chief of Police
David Haywood, Zoning & Development Director

ANNOUNCEMENTS

- Chamber Raffle – Bestsellers – October 10, 2013

PEOPLE FROM THE FLOOR

None.

PRESENTATION

Christian Andersen, System Manger of WOW, gave an update of the rebuild being conducted throughout Michigan. He stated that the city of Mason is scheduled for the beginning of 2014.

EXECUTIVE SESSION – PERSONNEL ISSUE

MOTION by Naeyaert,
to adjourn to executive session to discuss a matter regarding a personnel issue.

ROLL CALL VOTE:

Yes (7) Brown, Bruno, Droscha, Ferris, Mulvany, Naeyaert, Clark

No (0)

MOTION APPROVED UNANIMOUSLY

The meeting adjourned to executive session at ~~[DELETE] 8:24~~ [INSERT] 7:41 p.m. The meeting reconvened at 9:48 p.m.

MOTION by Naeyaert, second by Droscha,
to modify the action to three days and two full days be restored on the
personnel matter.

ROLL CALL VOTE:

Yes (6) Brown, Bruno, Clark, Droscha, Mulvany, Naeyaert

No (1) Ferris

MOTION APPROVED

PUBLIC HEARINGS

Authorizing the City of Mason to Establish an Obsolete Property Rehabilitation Act District

Colburn spoke to the process to establish an obsolete property rehabilitation district as well as the process of property rehabilitation.

Clark opened the public hearing at 9:53 p.m.

Jeff Burdick, Executive Director of Ingham County Land Bank, elaborated on the letter of request he submitted regarding establishing an obsolete property rehabilitation district.

Being there were no further comments, Clark closed the public hearing at 9:55 p.m.

Resolution 2013-43—To Establish an Obsolete Property Rehabilitation Act District Pursuant to 2000 PA 146

MOTION by Naeyaert, second by Droscha,
to consider Resolution No. 2013-43 read.

MOTION APPROVED UNANIMOUSLY

Resolution No. 2013-43 was introduced by Ferris, seconded by Bruno.

**CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2013-43
A RESOLUTION TO ESTABLISH AN OBSOLETE PROPERTY
REHABILITATION ACT DISTRICT PURSUANT TO 2000 PA 146
October 7, 2013**

At a regular meeting of the City Council of the City of Mason, Ingham County, Michigan, held on the 7th day of October, 2013, at the City Council Chambers, located at 201 W. Ash Street, Mason, Michigan, at 7:30 p.m., the following resolution was offered by Council member Ferris and seconded by Council member Bruno:

WHEREAS, a qualified local governmental unit has the authority, pursuant to section 3 of Act No. 146 of the Public Acts of 2000, to establish an "Obsolete Property Rehabilitation Act District" within the city of Mason upon the written request filed by the owner of property comprising at least 50% of all taxable value of the property to be located within a proposed Obsolete Property Rehabilitation Act District; and

WHEREAS, the City of Mason, Ingham County, was declared and remains a "qualified local governmental unit" within the meaning of subsection 2(k) of 2000 PA 146 by determination of the Michigan State Tax Commission adopted at its June 12, 2012 meeting; and

WHEREAS, the Ingham County Land Bank has filed a written request with the Mason City Clerk requesting that the City establish an Obsolete Property Rehabilitation Act District on certain tax-reverted property owned by the Ingham County Land Bank located in the city of Mason and described as follows:

East 2/3 of Lot 2; West 2/3 of Lot 3; and North 41 feet of Lot 9, Block 17, Section 9, T2N, R1W, City of Mason, Ingham County, Michigan.

TIN 33-19-10-09-110-021 - commonly known as 124 E. Ash Street

TIN 33-19-10-09-110-007 - commonly known as 140 E. Ash Street

TIN 33-19-10-09-110-015 - being a portion of Alley 17 of the Plat of the City of Mason

and

WHEREAS, the City of Mason finds that the property proposed for the Obsolete Property Rehabilitation Act District is "obsolete property" as defined by section 2(h) of Act 146, that it comprises at least 50% of all taxable value of the property to be located within the proposed Obsolete Property Rehabilitation Act District and otherwise meets the requirements set forth in section 3(1) of 2000 PA 146; and

WHEREAS, written notice has been given by mail to all owners of real property located within the proposed district and to the public by newspaper advertisement in the *Ingham County Community News* of the hearing on the establishment of the proposed district as required by Act 146; and

WHEREAS, on October 7, 2013, a public hearing was held regarding the establishment of the proposed Obsolete Property Rehabilitation Act District and all residents and taxpayers of the City of Mason were afforded an opportunity to appear and be heard thereon; and

WHEREAS, the City of Mason deems it to be in the public interest of the City of Mason to establish the Obsolete Property Rehabilitation Act District as proposed by the applicant;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Mason that the following described parcels of land situated in the city of Mason, Ingham County, Michigan, to wit:

East 2/3 of Lot 2; West 2/3 of Lot 3; and North 41 feet of Lot 9, Block 17, Section 9, T2N, R1W, City of Mason, Ingham County, Michigan.

TIN 33-19-10-09-110-021 - commonly known as 124 E. Ash Street

TIN 33-19-10-09-110-007 - commonly known as 140 E. Ash Street

TIN 33-10-10-09-110-015 - being a portion of Alley 17 of the Plat of the City of Mason

be and hereby are established as an Obsolete Property Rehabilitation Act District pursuant to the provisions of Act No. 146 of the Public Acts of 2000, to be known as the City of Mason Obsolete Property Rehabilitation Act District No. 1.

RESOLUTION APPROVED UNANIMOUSLY

Motion – Authorizing City of Mason to Enter into Development Agreement for the Rehabilitation of 124 and 140 E. Ash Street

MOTION by Naeyaert, second by Droscha,
to approve the Development Agreement as to form.

MOTION APPROVED UNANIMOUSLY

CONSENT AGENDA

It was discussed to move the Minutes of September 16, 2013 to Regular Business.

MOTION by Naeyaert, second by Droscha,
to amend the Consent Agenda by moving Agenda Item No. 10(C) – Motion – Streets Closure Request for Mason High School Homecoming Parade, to the Consent Agenda, Item No. 9(C) and to move the agenda items under 10 – Regular Business as appropriate.

MOTION APPROVED UNANIMOUSLY

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

A. Approval of Minutes – Regular Council Meeting: September 3, 2013

B. Approval of Bills - \$543,742.12

C. Motion - Streets Closure Request for Mason High School Homecoming Parade
Approve the use of Oak, Jefferson, Maple, and Barnes Streets for the Mason High School Homecoming Parade, October 18, 2013 between 5:00 p.m. and 7:00 p.m.

MOTION APPROVED UNANIMOUSLY

REGULAR BUSINESS

Motion – Approval of Minutes – Regular Council Meeting: September 16, 2013

MOTION by Bruno, second by Droscha,
to correct the Minutes of September 16, 2013, page 6, in the title of Resolution No. 2013-41, delete the words, Award of Hayes Park Well Rehabilitation, and insert the words, Award of Well No. 8 Rehabilitation and Cleaning.

MOTION APPROVED UNANIMOUSLY

First Reading – Ordinance No. 195 – An Ordinance to Amend Section 94-151 of Chapter 94 – Zoning – of the Code of the City of Mason to Amend Subsection (D) to Add a New Subsection (4) to Permit the Sale of Repaired, Used Vehicles, by Special Use Permit as an Accessory Use to a Body and Paint Shop for Automobiles and Other Vehicles

MOTION by Droscha, second by Brown,
to take Ordinance No. 195 from the table.
MOTION APPROVED UNANIMOUSLY

Clark stated that Ordinance No. 195 was tabled to allow staff and the city attorney determine the appropriate procedure regarding consideration of zoning ordinance amendments. Specifically, whether it would be considered by the Planning Commission and then referred to the Council with a recommendation, or whether Council would hold first reading and then send it to the Planning Commission for their review and recommendation.

Clark stated his opinion being that Council could initiate zoning amendments, and refer them to the Planning Commission for review.

As a point of order, Brown stated that the motion made September 16, 2013 is on the floor, as a result of the motion to take the ordinance from the table. In recognition of the point of order, Clark restated the motion on the floor:

MOTION by Naeyaert, second by Droscha,
to consider Ordinance No. 195 read for the first time and refer it to the Planning Commission.
MOTION APPROVED UNANIMOUSLY

Resolution No. 2013-41 – Award of Well No. 8 Rehabilitation and Cleaning

It was discussed that Resolution No. 2013-41 was deferred from the September 16, 2013 meeting, requesting staff to provide the hourly rates from each bid.

MOTION by Droscha, second by Brown,
to consider Resolution No. 2013-41 read.
MOTION APPROVED UNANIMOUSLY

Resolution No. 2013-41 was introduced by Droscha, seconded by Mulvany.

**CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2013-41
AWARD OF WELL NO. 8 REHABILITATION AND CLEANING
SEPTEMBER 16, 2013**

WHEREAS, it is in the best interests of the City of Mason to maintain our wells; and

WHEREAS, Well No. 8 is in the need of rehabilitation; now

THEREFORE BE IT RESOLVED, that the Mason City Council does hereby approve the award of Well No. 8 rehabilitation and cleaning to Northern Pump and Well in the amount of \$15,963.00.

RESOLUTION APPROVED UNANIMOUSLY

UNFINISHED BUSINESS

None.

NEW BUSINESS

It was requested to include a report on Title VI Non-Discrimination Plan at the October 21, 2013 meeting.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

No reports at this time.

COUNCILMEMBER REPORTS

Droscha informed Council that he prepared a report on the sessions he attended at the MML Conference, as well as literature he collected. A brief discussion ensued regarding wireless infrastructure.

Clark reported on the sessions he attended at the MML Conference. He suggested that the City enter the Community Excellence Award at the 2014 Regional Meeting.

ADMINISTRATOR'S REPORT

Colburn informed Council regarding City business. He gave a brief report on the sessions he attended at the MML Conference.

ADJOURNMENT

The meeting adjourned at 10:34 p.m.

Deborah J. Cwierniewicz, City Clerk

Leon R. Clark, Mayor