

**CITY OF MASON  
REGULAR CITY COUNCIL MEETING  
MINUTES OF APRIL 21, 2014**

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, Naeyaert  
Absent: Councilmember: Mulvany  
Also present: Martin A. Colburn, City Administrator  
Deborah J. Cwiertniewicz, City Clerk  
Eric Smith, Finance Director/Treasurer  
David Haywood, Zoning & Development Director  
Ken Baker, DPW Superintendent  
John Stressman, Chief of Police  
Tom Yeadon, City Attorney

**ANNOUNCEMENTS**

- Good Morning Mason – Ingham County Fairgrounds – April 22, 2014
- Mason State Bank 5K Run/Walk – May 2, 2014
- Arbor Day Celebration – April 25, 2014 – Hayes Park

**PEOPLE FROM THE FLOOR**

Roger Bauer of 608 East Maple Street commented that the record of his comments at the April 7, 2014 meeting were incorrect and he restated his comment.

**Presentations**

**Cheryl Lyons, Mason Branch – Capital Area District Library (CADL) 2013 Annual Report**

Cheryl Lyons, Head Librarian of the Mason Branch of the Capital Area District Libraries introduced Library Director Maureen Hirten, and Board Members Sally Trout and Debora Bloomquist. She highlighted 2013 events celebrated in honor of the fifteenth anniversary with CADL as well as the 75<sup>th</sup> anniversary of the building.

**CONSENT AGENDA**

By consensus of Council, the Minutes dated April 7, 2014 were removed from the Consent Agenda.

MOTION by Droscha, second by Brown,  
to approve the Consent Agenda as follows:  
A. Motion – Approval of Bills - \$46,457.04

MOTION APPROVED UNANIMOUSLY

**REGULAR BUSINESS**

**Motion – Approval of Minutes – Regular Council Meeting: April 7, 2014**

MOTION by Naeyaert, second by Droscha,  
to amend the Minutes of April 7, 2014 under “People from the Floor, Roger Bauer,” last line, by striking “improvements for Maple Street be included in the 2014-2015 FY Budget.” and insert, “Council review street construction specs to prolong the life of the streets.”

MOTION APPROVED UNANIMOUSLY

MOTION by Naeyaert, second by Droscha,  
to approve the amended Minutes of April 7, 2014.  
MOTION APPROVED UNANIMOUSLY

**Resolution 2014-17—A Resolution to Accept Evans Street, Goodman Street, Price Street and Ware Street as Public Streets**

MOTION by Naeyaert, second by Droscha  
to consider Resolution No. 2014-17 read.  
MOTION APPROVED UNANIMOUSLY

Resolution No. 2014-17 was introduced by Droscha and seconded by Naeyaert.

**CITY OF MASON  
CITY COUNCIL RESOLUTION NO. 2014-17  
A RESOLUTION TO ACCEPT EVANS STREET, GOODMAN STREET,  
PRICE STREET AND WARE STREETS AS PUBLIC STREETS  
April 21, 2014**

**WHEREAS**, the City of Mason held a regular meeting in the Council Chambers of City Hall on April 21, 2014; and

**WHEREAS**, the City of Mason did acquire title to Evans Street, Goodman Street, Price Street, and Ware Street on October 15, 2012; and

**WHEREAS**, the Mason City Council did accept the streets and utilities in the Summerwood Subdivision on August 20, 2012, by Resolution No. 2012-24; and

**WHEREAS**, it is necessary to furnish certain information to the State of Michigan to place these streets within the City of Mason Streets System for the purpose of obtaining funds under Act 51, PA. 1951 as amended; now

**Therefore Be It Resolved,**

1. That the center line of said street is described as:

A parcel of land in the Northeast 1/4 of Section 7, T2N, R1W, Vevay Township, Ingham County, Michigan, the boundary of said parcel described as: Commencing at the Northeast corner of said Section 7; thence N89°45'11"W along the North line of said Section 7 a distance of 990.00 feet; thence S00°03'53"E along the West line of Coventry Woods Condominium as recorded in Liber 2609, Page 158, Ingham County Records 33.00 feet to the South line of Columbia Road and the point of beginning of this description; thence continuing S00°03'53"E 17.00 feet; thence N89°45'11"W parallel with said North line 0.89 feet; thence Southwesterly 216.50 feet along a curve to the right, said curve having a radius of 183.00 feet, a delta angle of 67°47'05" and a chord length of 204.09 feet bearing S39°28'10"W; thence S00°03'53"E 1114.14 feet; thence N89°45'13"W 66.00 feet; thence N00°03'53"W 120.00 feet; thence N89°46'13"W 377.51 feet; thence Northwesterly 42.81 feet along a curve to the right, said curve having a radius of 183.00 feet, a delta angle of 13°24'12" and a chord length of 42.71 feet bearing N83°04'07"W; thence Northeasterly 70.54 feet along a curve to the left, said curve having a radius of 183.00 feet, a delta angle of 22°05'07" and a chord length of 70.10 feet bearing N29°13'03"E; thence Southeasterly 8.45 feet along a curve to the left, said curve having a radius of 117.00 feet, a delta angle of 4°08'24" and a chord length of 8.45 feet bearing S87°42'01"E; thence S89°46'13"E 377.17 feet; thence N00°03'53"W 920.27 feet; thence N11°13'37"E 67.23 feet; thence Northeasterly 166.72 feet along a curve to the left, said curve having a radius of 117.00 feet, a delta angle of 81°38'43" and a chord length of 152.97 feet bearing N49°25'27"E; thence N00°14'49"E 17.00 feet to said South line of Columbia Road; thence S89°45'11"E 67.24 feet to the point of beginning; Also a parcel of land in the Northeast 1/4 of Section 7, T2N, R1W, Vevay Township, Ingham County, Michigan, the boundary of said parcel described as: Commencing at the Northeast corner of said Section 7; thence N89°45'11"W along the North line of said Section 7 a distance of 990.00 feet; thence S00°03'53"E 33.00 feet to the South line of Columbia Road; thence N89°45'11"W along said South line 67.24 feet to the point of beginning of this description; thence S00°14'49"W 17.00 feet; thence N89°45'11"W parallel with said North line 633.98 feet; thence Southeasterly 166.72 feet along a curve to the left, said curve having a radius of 117.00 feet, a delta angle of 81°38'42" and a chord length of 152.97 feet bearing S48°55'50"E; thence S89°45'11"E parallel with said North line 402.46 feet; thence S11°13'37"W 67.23 feet; thence N89°45'11"W parallel with said North line 375.13 feet; thence S00°01'16"W 863.02 feet; thence Southwesterly 130.55 feet along a curve to the right, said curve having a radius of 183.00 feet, a delta angle of 40°52'31" and a chord length of 127.80 feet bearing S20°27'32"W; thence S40°53'47"W 1.60 feet; thence Southwesterly 65.40 feet along a curve to the left, said curve having a radius of 167.00 feet, a delta angle of 23°28'07" and a chord length of 67.53 feet bearing S29°09'44"W; thence West 68.23 feet; thence Northeasterly 79.15 feet along a curve to the right, said curve having a radius of 233.00 feet, a delta angle of 19°28'11" and a chord length of 78.80 feet bearing N22°07'51"E; thence N89°58'44"W 79.47 feet; thence N00°01'16"E 66.00 feet; thence S89°58'44"E 99.83 feet; thence Southeasterly 22.94 feet along a curve to the right, said curve having a radius of 183.00 feet, a delta angle of 7°10'58" and a chord length of 22.93 feet bearing S86°23'15"E; thence Northeasterly 43.77 feet along a curve to the left, said curve having a radius of 117.00 feet, a delta angle of 21°26'04" and a chord length of 43.51 feet bearing N10°44'18"E; thence N00°01'16"E 609.68 feet; thence N89°58'44"W 130.80 feet; thence N00°01'16"E 65.00 feet; thence S89°58'44"E 130.80 feet; thence N00°01'16"E 195.00 feet; thence Northwesterly 218.22 feet along a curve to the right, said curve having a radius of 183.00 feet, a delta angle of 68°19'18" and a chord length of 205.52 feet bearing N39°14'40"W; thence N89°45'11"W parallel with said North line 0.73 feet; thence N00°01'16"E 17.00 feet to said South line of Columbia Road; thence S89°45'11"E along said South line 701.22 feet to the point of beginning; said parcel containing 5.82 acres more or less; said parcel subject to all easements and restrictions if any.

2. That said streets are located within a City right-of-way and is under the control of the City of Mason.
3. That said streets are public streets and are for public street purposes.
4. That said streets are accepted into the City of Mason Local Street System and were open to the public on October 15, 2012.

**RESOLUTION APPROVED UNANIMOUSLY**

**Resolution 2014-18—A Resolution to Adopt the City of Mason Community Development Block Grant (CDBG) Rental Rehabilitation Program Guidelines**

MOTION by Naeyaert, second by Droscha,  
to consider Resolution Nos. 2014-18, 2014-19, and 2014-20 read.  
**MOTION APPROVED UNANIMOUSLY**

Resolution No. 2014-18 was introduced by Naeyaert and seconded by Droscha.

**CITY OF MASON  
CITY COUNCIL RESOLUTION NO. 2014-18  
RESOLUTION TO ADOPT THE CITY OF MASON COMMUNITY DEVELOPMENT  
BLOCK GRANT (CDBG) RENTAL REHABILITATION PROGRAM GUIDELINES  
April 21, 2014**

**WHEREAS**, the City of Mason is working with the Michigan State Housing Development Authority (MSHDA), and the Michigan Economic Development Corporation (MEDC) to obtain grant funding to rehabilitate the properties at 124 and 140 E. Ash Street; and

**WHEREAS**, as part of the grant application process, new policies and guidelines must be in place, including Community Development Block Grant (CDBG) Rental Rehabilitation Program Guidelines; and

**WHEREAS**, these guidelines are intended to set forth the policies and identify the priorities of the City of Mason's Community Development Block Grant (CDBG) Rental Rehabilitation Program (Program) and set forth the format that will cover general policies of the Program; and

**WHEREAS**, the primary emphasis of this Program is to provide safe, decent, sanitary, and affordable rental housing to lower income residents of the City of Mason within the targeted Downtown Development Area; and

**WHEREAS**, Financial Assistance will be provided to eligible landlords to upgrade existing rental units or rehabilitate vacant space into rental units by improving energy efficiency, repairing health and safety deficiencies, and improving basic livability standards.

**BE IT HEREBY RESOLVED**, that the Mason City Council of the City of Mason approves adopting the Community Development Block Grant Rental Rehabilitation Program Guidelines.

**RESOLUTION APPROVED UNANIMOUSLY**

**Resolution 2014-19—A Resolution to Adopt the City of Mason Section 3 Policy and Handbook**

Resolution No. 2014-19 was introduced by Droscha and seconded by Naeyaert.

Bruce Johnston, City Housing Consultant, responded to Council questions regarding the City of Mason Section 3 Policy.

**CITY OF MASON  
CITY COUNCIL RESOLUTION NO. 2014-19  
RESOLUTION AUTHORIZING THE CITY OF MASON  
TO ADOPT THE SECTION 3 POLICY AND HANDBOOK  
April 21, 2014**

**WHEREAS**, the City of Mason is working with the Michigan State Housing Development Authority (MSHDA), and the Michigan Economic Development Corporation (MEDC) to obtain grant funding to rehabilitate the properties at 124 and 140 E. Ash Street; and

**WHEREAS**, as part of the grant application process, new policies and guidelines must be in place, including a Section 3 Policy and Handbook; and

**WHEREAS**, Section 3 of the Housing and Urban Development Act of 1968 is a legislative directive that requires recipients of government financial assistance from the United States Department of Housing and Urban Development (HUD) for housing and community development programs to provide economic opportunities to low- and very low-income persons (regardless of race or gender); and

**WHEREAS**, Section 3 is activated when construction and rehabilitation projects create the need for new employment, contracting, or training opportunities; and

**WHEREAS**, recipients and contractors are not required to hire Section 3 Residents or award contracts to Section 3 Business Concerns other than what is needed to complete a covered project, however recipients and contractors should attempt to meet the required numerical goals for hiring and retaining low- and very low-income persons; and

**WHEREAS**, if the expenditures of the project do not result in new employment, contracting, or training opportunities, the requirement of Section 3 is not activated.

**BE IT HEREBY RESOLVED**, that the Mason City Council of the City of Mason approves adopting the Section 3 Policy and Handbook.

**RESOLUTION APPROVED UNANIMOUSLY**

**Resolution 2014-20—A Resolution to Adopt the City of Mason Fair Housing Policy**

Resolution No. 2014-20 was introduced by Ferris and seconded by Naeyaert.

**CITY OF MASON  
CITY COUNCIL RESOLUTION NO. 2014-20  
RESOLUTION AUTHORIZING THE CITY OF MASON TO ADOPT  
THE FAIR HOUSING POLICY  
April 21, 2014**

**WHEREAS**, the City of Mason is working with the Michigan State Housing Development Authority (MSHDA), and the Michigan Economic Development Corporation (MEDC) to obtain grant funding to rehabilitate the properties at 124 and 140 E. Ash Street; and

**WHEREAS**, as part of the grant application process, new policies and guidelines must be in place, including the City of Mason Fair Housing Policy; and

**WHEREAS**, the Fair Housing policy confirm that the City of Mason is committed to fair housing and will work aggressively to ensure that the City of Mason's housing development comply fully with all state, federal and local fair housing laws; and

**WHEREAS**, this policy designates Martin Colburn as the appointed fair housing contact person and establishes the requirement of a Fair Housing Log, which will be maintained by the City of Mason and will disclose information regarding any and all fair housing concerns and their outcomes; and

**WHEREAS**, fair housing issues identified in the community, such as in the newspaper, will be recorded in the log. Persons wishing to file a housing related complaint or concern will be referred to the Michigan Department of Civil Rights, HUD, and their local Fair Housing Center; and

**WHEREAS**, persons wishing to file a housing related complaint or concern will be referred to the Michigan Department of Civil Rights, HUD, and their local Fair Housing Center, and persons wishing to file a complaint or concern that is employment related will be referred to the Equal Employment Opportunity Commission and the Michigan Department of Civil Rights.

**BE IT HEREBY RESOLVED**, that the City Council of the City of Mason approves adopting the City of Mason Fair Housing Policy.

**RESOLUTION APPROVED UNANIMOUSLY**

**Resolution 2014-21—A Resolution Accepting the MSHDA Community Development Block Grant #MSC-2012-06454-HO for Rental Rehabilitation for 124 and 140 East Ash Street, Mason, Michigan**

MOTION by Naeyaert, second by Droscha,  
to consider Resolution No. 2014-21 read.  
MOTION APPROVED UNANIMOUSLY

Resolution No. 2014-21 was introduced by Droscha and seconded by Naeyaert.

**CITY OF MASON  
CITY COUNCIL RESOLUTION NO. 2014-21  
A RESOLUTION ACCEPTING THE MSHDA COMMUNITY DEVELOPMENT  
BLOCK GRANT (CDBG) #MSC-2012-6454-HO FOR RENTAL REHABILITATION  
FOR 124 AND 140 EAST ASH STREET, MASON, MICHIGAN  
April 21, 2014**

**WHEREAS**, on August 19, 2013 the Mason City Council authorized forwarding an application to the Michigan State Housing Development Authority for a Rental Rehabilitation grant for 124 and 140 East Ash Street through the Community Development Block Grant Program; and

**WHEREAS**, the City of Mason, Ingham County Landbank and Ash Street Redevelopment, LLC have entered into a development agreement, working cooperatively to remove blight and rehabilitate the properties; and

**WHEREAS**, MSHDA has announced on April 2, 2014 the approval of our request for MSHDA funds in the amount of \$426,800 to be used for the creation of ten (10) new rental units including administrative costs at 124 and 140 East Ash Street, in downtown Mason (Ingham County); and

**WHEREAS**, to initiate and manage the grant, signature authority is necessary for the Chief Elected Official Mayor Leon Clark and City Administrator Martin Colburn for implementation and managing the grant; and

**WHEREAS**, a Public Hearing was held on April 7, 2014 to review the grant application and relevant aspects of the grant request, allowing public input.

**NOW THEREFORE BE IT RESOLVED**, that the City Council of the City of Mason hereby accepts MSHDA Community Development Block Grant #MSC-2012-6454-HO for rental rehabilitation at 124 and 140 East Ash Street and provide signature authority to Mayor Leon Clark and City Administrator Martin Colburn to implement the grant.

RESOLUTION APPROVED UNANIMOUSLY

**Resolution 2014-22—A Resolution to Amend the Budget to Move Funds from the Sewer Fund to the Water Fund and Waive the Bid Process to Set a New Screen in Well No. 8 and Rebuild the Pump**

Baker spoke regarding the issue of preventing Well No. 8 caving in to use it as a producing well for the city.

MOTION by Naeyaert, second by Droscha,  
to consider Resolution No. 2014-22 read.  
MOTION APPROVED UNANIMOUSLY

Resolution No. 2014-22 was introduced by Naeyaert and seconded by Droscha.

MOTION by Brown, second by Naeyaert,  
to amend Resolution No. 2014-22 in the last Whereas clause by inserting  
“to amend the FY 2013-2014 Budget and” between the words “requesting”  
and “to” in the first line.  
Yes (5) Brown, Clark, Droscha, Ferris, Naeyaert  
No (1) Bruno

Absent: (1) Mulvany  
MOTION APPROVED

**CITY OF MASON**  
**CITY COUNCIL RESOLUTION NO. 2014-22**  
**RESOLUTION AUTHORIZING THE CITY OF MASON APPROVE WAIVING THE BID PROCESS**  
**TO SET A NEW SCREEN IN WELL NO. 8 AND REBUILD THE PUMP**  
**April 21, 2014**

**WHEREAS**, the City of Mason's Well Number 8 was found to have a cave in at 300 feet in 2012 which caused a loss in production; and

**WHEREAS**, the City has a budget of \$30,000 to clean out the well and put it back in service; and

**WHEREAS**, the contractor Northern Pump and Well worked on trying to clean out this well for 50 hours with no success—they cleaned out the material down to 360 feet then the well caved back in again; and

**WHEREAS**, staff found that a type of drilling rig—Barber Rig—drills out debris and sets casing at the same time and this process has a proven track record for fixing these types of issues; and

**WHEREAS**, staff has obtained a quote from the only company that has one of these drilling rigs in Michigan—Birkmeier Well Drilling—to set a screen in Well No.8, repair the well and reinstall the pump; and

**WHEREAS**, staff is requesting to amend the FY 2013-2014 Budget and to waive the bid process and award the work to Birkmeier Well Drilling for \$28,829.00.

**BE IT HEREBY RESOLVED**, that the City Council of the City of Mason approves waiving the bid process and awarding the well and pump repair to Birkmeier for well drilling.

RESOLUTION APPROVED UNANIMOUSLY

**Motion – Enter into Contract for Services with Revitalize, LLC**

Bruce Johnston, City Housing Consultant, informed Council that funding compliance for all funding sources on the project will be staff's responsibility.

MOTION by Naeyaert, second by Brown,  
to enter into a Contract for Services with Revitalize, LLC.

Discussion was held whether to take action to enter into a Contract for Services with Revitalize, LLC, or Bruce Johnston, the sole member of the Limited Liability Company (LLC). Yeadon stated that for the purposes of assignment, the action should be to enter into a contract with Mr. Johnston. Mr. Johnston stated that the procurement was approved by Michigan State Housing Development Authority (MSHDA) and the selection of Revitalize LLC as the third party administrator through the original contract that was signed in development of these programs and bringing them to this point.

MOTION by Naeyaert, second by Brown,  
to amend the motion to enter into a Contract for Services with Revitalize,  
LLC by inserting "Bruce Johnston" prior to "Revitalize, LLC."

MOTION APPROVED UNANIMOUSLY

VOTE ON MAIN MOTION:  
MOTION APPROVED UNANIMOUSLY

**Motion – Approve Purchase of Required Parts to Fix Dehumidifier**

Baker informed Council regarding parts needed to upgrade the existing dehumidifier at the Water Treatment Plant. Staff provided three quotes received to install the parts and perform a start-up

for the project and recommended awarding the project to the low bidder, Anderson Air Conditioning Inc. It was the consensus of Council that staff would contact the original project engineering firm to see if they would guarantee their work. Bruno stated that the work needs to be done; however, he voted against the motion because it is the principle of the matter.

MOTION by Droscha, second by Brown,  
to approve the purchase of the required parts from the manufacturer for \$6,960.00,  
electrical work for \$1,500.00, and to award the installation and startup work to the  
low bidder, Anderson Air Conditioning Inc. for \$5,123.00 for a total project cost of  
\$13,583.00 to upgrade the dehumidifier at the Water Treatment Plant.  
Yes (5) Brown, Clark, Droscha, Ferris, Naeyaert  
No (1) Bruno  
Absent: (1) Mulvany  
MOTION APPROVED

### **Discussion—City Hall Landscape Estimate**

Haywood reported to City Council regarding its request for Blue Grass Lawn and Landscape Service to revise their scope of work for the City Hall landscape estimate to less than \$20,000. He stated that it has been reduced to \$19,995. However, the estimate does not include costs for pavers (\$800), colored mulch (\$400) and the first year maintenance (\$1,800). Bruno informed Council that installation of the military statues planned for the front of City Hall is estimated to be completed in thirty days. A brief discussion ensued.

MOTION by Naeyaert, second by Mulvany,  
to direct administration to provide Council with a budget amendment to enter into  
a contract with Blue Grass Lawn and Landscape Service in the amount of  
\$19,995 for the installation of landscaping in front of City Hall.  
Yes (4) Bruno, Clark, Droscha, Naeyaert  
No (2) Brown, Ferris  
Absent: (1) Mulvany  
MOTION APPROVED

### **UNFINISHED BUSINESS**

It was the consensus of Council to change the April 28, 2014, Budget Workshop meeting time from 6:00 p.m. to 7:00 p.m.

### **NEW BUSINESS**

MOTION by Droscha, second by Brown  
to excuse the absence of Councilmember Mulvany from the April 21, 2014 meeting.  
MOTION APPROVED UNANIMOUSLY

### **CORRESPONDENCE**

All correspondence was distributed

### **LIAISON REPORTS**

- Ferris informed Council regarding Tree Commission business
- Brown informed Council regarding the Sesquicentennial Committee business

### **COUNCILMEMBER REPORTS**

None.

**ADMINISTRATOR'S REPORT**

Colburn informed Council regarding city business.

**ADJOURNMENT**

The meeting adjourned at 9:03 p.m.

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Deborah J. Cwiertniewicz, City Clerk

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Leon R. Clark, Mayor