

**CITY OF MASON
REGULAR CITY COUNCIL MEETING
MINUTES OF MAY 5, 2014**

Clark called the meeting to order at 7:30 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. Cwiertniewicz, City Clerk
Eric Smith, Finance Director/Treasurer
David Haywood, Zoning & Development Director
John Stressman, Chief of Police
Kerry Minshall, Fire Chief
Mark Howe, Assistant Fire Chief

ANNOUNCEMENTS

None.

PEOPLE FROM THE FLOOR

None.

CONSENT AGENDA

MOTION by Naeyaert, second by Brown,
to amend the consent agenda by inserting Item No. 6(C) Motion – Street Closure
Request to Hold the Annual Car Show.
MOTION APPROVED UNANIMOUSLY

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

- A. Approval of Minutes – Regular Council Meeting: April 21, 2014
- B. Approval of Bills: \$42,040.84
- C. Motion – Street Closure Request to Hold the Annual Car Show
 - Approve street closures, Jefferson Street from Ash Street to Sycamore Street; Maple Street from Barnes Street to the Mason State Bank parking lot entrance; and the west lane of Barnes Street from Maple Street to Ash Street between the hours of 8:00 a.m. – 5:00 p.m.

MOTION APPROVED UNANIMOUSLY

REGULAR BUSINESS

Resolution No. 2014-23 – Accept Change Order No. 4 to Mason 2013/2014 Local Streets
Marty Sekrenes of Wolverine Engineers, Inc., stated that after pulverizing the streets in the Hunting Meadows Subdivision, it was discovered that the base materials were inferior and need to be replaced with an engineered fill. Discussion ensued regarding the change orders for this project.

MOTION by Naeyaert, second by Droscha
to consider Resolution No. 2014-23 read.
MOTION APPROVED UNANIMOUSLY

Resolution No. 2014-23 was introduced by Ferris and seconded by Mulvany.

**CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2014-23
ACCEPT CHANGE ORDER NO. 4 FOR MASON 2013/2014 LOCAL STREETS
May 5, 2014**

WHEREAS, the City of Mason went out for public bids for the construction of the local streets of North Street from Mason Street to Cedar Street, Temple Street from East Columbia Street to Ash Street and are now addressing Change Order No. 4 for Hunting Meadows Drive, Stag Thicket Lane, Eagles Nest Court; and

WHEREAS, bids were received and publicly opened on May 14, 2013; and

WHEREAS, the low bidder was Reith-Riley Construction with an original bid of \$521,502.29; and

WHEREAS, Change Order No. 4 to the above-referenced Local Streets project reflects the prices to excavate poor materials and replace them with an engineered fill—geo-textile fabric—in portions of all streets in the Hunting Meadows Subdivision; and

BE IT HEREBY RESOLVED, that the Mason City Council approves the expenditures as part of the Fiscal Year 2013-2014 budget, with the Change Order No. 4 increase of \$57,000.00 and authorizes the City Administrator signature authority.

RESOLUTION APPROVED UNANIMOUSLY

Resolution No. 2014-24 – Resolution Adopting an Inspection of Records Policy

MOTION by Naeyaert, second by Droscha,
to consider Resolution No. 2014-24 read.

MOTION APPROVED UNANIMOUSLY

Resolution No. 2014-24 was introduced by Ferris and seconded by Mulvany.

MOTION by Naeyaert, second by Droscha,
to amend Resolution No. 2014-24 in the last clause by striking the following language, Deborah J. Cwierniewicz, by virtue of her appointment on May 17, 2010 by the Mason City Council as an Administrative Officer to the office of City Clerk, of which she was charged with performing the duties and responsibilities of City Clerk, effective July 1, 2010.

MOTION APPROVED UNANIMOUSLY

**CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2014-24
A RESOLUTION ADOPTING AN INSPECTION OF RECORDS POLICY
May 5, 2014**

WHEREAS, the City of Mason adopted City Council Resolution No. 2000-06 – FREEDOM OF INFORMATION ACT (FOIA) POLICY, April 3, 2000, in accordance with Public Act 442 of 1976; and

WHEREAS, public records subject to FOIA may be accessed for inspection and examination at the Mason City Hall, 201 West Ash Street, Mason, Michigan, during regular business hours, Monday – Friday, 8:00 a.m. – 5:00 p.m.; and

WHEREAS, reasonable efforts are made during these hours to accommodate in-person requests for immediate access to available records; however, the City of Mason reserves the right to require a written request and may require additional time to process the request in accordance with FOIA; and

WHEREAS, copies of records may be requested in person or in writing per FOIA, and a fee for copies will applied per the request; and

WHEREAS, in accordance with FOIA, the City of Mason charges a fee to cover its costs for search, examination, and review and the separation of exempt information in those instances where failure to charge a fee would result in unreasonably high costs to the City. The fee is limited to actual

duplication, mailing and labor costs. The first \$20.00 of a fee will be waived for a person who submits an affidavit stating that he/she is receiving public assistance or, if not receiving public assistance, stating facts showing inability to pay the cost because of indigency. If it is estimated that the cost of a public record or series of public records will exceed \$50.00, a good faith deposit for half the estimated fee will be required. These fees do not apply to public records prepared under an act or statute specifically authorizing the sale of those public records to the public, or if the amount of the fee for providing a copy of the public record is otherwise specifically provided by an act or statute; now

THEREFORE BE IT RESOLVED, that the City Council of the City of Mason hereby confirms that the City of Mason shall protect public records from loss, unauthorized alteration, mutilation or destruction. Only pencils, no pens or ink, may be used to take notes when inspecting public records. Records may be scanned or photographed. City staff may be assigned to watch over records. Books, records or files cannot be removed from Mason City Hall for inspection.

THEREFORE BE IT FINALLY RESOLVED, that the designated FOIA Coordinator is the City Clerk.

RESOLUTION APPROVED UNANIMOUSLY

UNFINISHED BUSINESS

None.

NEW BUSINESS

Discussion was held regarding the time table for repairing the Wheaton's Framing & Art Gallery building, causing the alley to be closed. Also discussed were illegally placed signs in the right-of-way, and grant opportunities for city wide recycling.

CORRESPONDENCE

All correspondence was distributed

LIAISON REPORTS

- Ferris informed Council regarding Tree Commission business. Naeyaert added information regarding the sesquicentennial Legacy Tree program.
- Droscha informed Council regarding Traffic Commission business
- Brown informed Council regarding the Sesquicentennial Committee business

COUNCILMEMBER REPORTS

- Brown reported on the conference he recently attended, Next City 2014 Vanguard
- Ferris reported on the conference she recently attended, United Methodist Women Quadrennial Assembly; specifically, the Politics or Personal seminar.

ADMINISTRATOR'S REPORT

Colburn informed Council regarding city business.

ADJOURNMENT

The meeting adjourned at 7:57 p.m.

Deborah J. Cwierniewicz, City Clerk

Leon R. Clark, Mayor