

**CITY OF MASON  
REGULAR CITY COUNCIL MEETING  
MINUTES OF APRIL 20, 2015**

Mayor Pro Tem Brown called the meeting to order at 7:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan, 48854. He led the Pledge of Allegiance and offered the invocation.

Present: Councilmembers: Brown, Bruno, Clark, Droscha, Ferris, Mulvany  
Absent: Councilmember: Waltz  
Also present: Martin A. Colburn, City Administrator  
Deborah J. Cwierniewicz, City Clerk  
Eric Smith, Finance Director/Treasurer  
Ken Baker, DPW Director

**ANNOUNCEMENTS**

- Arbor Day Celebration – Maple Grove Cemetery – April 25, 2015
- Dart Bank – 90<sup>th</sup> Anniversary Ribbon Cutting – April 25, 2015
- Fire Department Pancake Breakfast – May 2, 2015
- Spring Fling Swing Thing – Rayner Park – May 2, 2015
- Blood Drive – St. James Church – May 23, 2015

**PEOPLE FROM THE FLOOR**

Rita Vogel of 424 South Jefferson Street thanked the Council for their work on the budget this year. She commented on downtown cleanliness and stated support for the Good Bites Food Truck request to occupy the public right-of-way.

**PRESENTATIONS**

**Chief of Police John Stressman Introducing New Police Officer**

Stressman introduced newly hired Officer Joseph Fairbotham.

**PUBLIC HEARING**

**Grant Application for Approximately \$188,800.00 to the Michigan State Housing Development Authority (MSHDA) CDBG Rental Rehabilitation Program**

Brown opened the public hearing at 7:42 p.m.

Colburn commented regarding the grant application for downtown rental rehabilitation through Michigan State Housing Development Authority (MSHDA) Community Development Block Grant (CDBG) Program. The grant would provide approximately \$188,800.00 that would be used to rehabilitate four rental units located at 368 South Jefferson Street.

Shanda Johnston of Revitalize, LLC spoke regarding the rehabilitation of the units planned for this project.

Jamie and Scott Robinson, property owners of the units planned for improvements, thanked the City and all those involved for bringing the rehabilitation program to the downtown building owners, and for working with Bruce Johnston of Revitalize, LLC.

Brown closed the public hearing at 7:47 p.m. being there were no further comments.

**Resolution No. 2015-16 – Authorizing City of Mason to Apply to MSHDA Rental Rehabilitation Grant for 368 South Jefferson Street Through CDBG Program**

MOTION by Droscha, second by Ferris,  
to consider Resolution No. 2015-16 read.

**MOTION APPROVED**

Resolution No. 2015-16 was introduced by Bruno and seconded by Clark.

**CITY OF MASON  
CITY COUNCIL RESOLUTION NO. 2015-16  
AUTHORIZING THE CITY OF MASON TO APPLY TO THE MICHIGAN STATE  
HOUSING DEVELOPMENT AUTHORITY RENTAL REHABILITATION GRANT  
FOR 368 SOUTH JEFFERSON STREET, MASON, MICHIGAN, THROUGH THE  
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM  
APRIL 20, 2015**

**WHEREAS**, the City of Mason is working cooperatively with the owners (Scott & Jamie Robinson) of the properties located at 368 South Jefferson Street to apply for a Community Development Block Grant (CDBG) for the rehabilitation of properties; and

**WHEREAS**, the grant is to assist in eliminating all blighted conditions and fully rehabilitating the second and third story interior; and

**WHEREAS**, the concept is to develop the second and third floor within the building in Mason's historic downtown into four new affordable housing apartments, two 2- bedroom and two 1- bedroom apartments; and

**WHEREAS**, the City Council held a Public Hearing the evening of April 20, 2015, in regard to a CDBG being applied for by the City of Mason through the Michigan State Housing Development Authority (MSHDA); and

**WHEREAS**, the grant request is for \$188,800.00, or \$40,000.00 per unit, to rehabilitate the second and third floors into four habitable dwellings built to code. As required through the CDBG because of its federal funding, 51% or more of the housing units must be designated for low to moderate income housing tenants for a minimum of five years; and

**WHEREAS**, the City is utilizing Revitalize, LLC, as the designated third party administrator to assist the city in administering these program funds.

**BE IT HEREBY RESOLVED**, by the Mason City Council, that this Public Hearing and Resolution authorizes the City of Mason to apply to MSHDA for a rental rehabilitation grant for 368 South Jefferson Street, Mason, Michigan, through the CDBG Program to reduce blight within the City of Mason and place these properties into productive use.

**RESOLUTION APPROVED**

**CONSENT AGENDA**

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

- Approval of Minutes - Regular Council Meeting: April 6, 2015
- A. Approval of Bills - \$21,395,64
- B. Motion – Street Closure Requests - Mason Area Chamber of Commerce (MACC) Events
  - approve street closures and the use of right-of-way as requested in the special event applications for the 2015 MACC events, as well as the use of specified equipment, electrical power, and a waiver of permit and fees for the annual community events.
- C. Motion – Mason Lions Club – Use of Public Right-of-Way for White Cane Drive
  - approve the Mason Lions Club's request to use the public right-of-way for their annual White Cane Drive on the sidewalks of Mason Friday, April 24<sup>th</sup> and

Saturday, April 25<sup>th</sup> as requested in the submitted letter.

MOTION APPROVED

**REGULAR BUSINESS**

**First Reading – Ordinance No. 199 – To Amend the Use District Map**

Haywood elaborated on his submitted report regarding a proposed ordinance to amend the use district map by rezoning 1.09 acres of land owned by Dart Bank from O-1 Office to C-1 Central Commercial, which would allow reconstruction of the bank facilities, drive-thru, and eliminate development standards involved with the O-1 Office zoning district.

MOTION by Droscha, second by Ferris,  
to introduce Ordinance No.199 and consider it read for the first time.

MOTION APPROVED

**Resolution 2015-17 – Authorization to Award Reconstruction of Alley Behind 124/140 East Ash Street**

Baker elaborated on his submitted report recommending awarding the reconstruction of the alley storm and sanitary sewers behind 124/140 East Ash Street.

MOTION by Droscha, second by Ferris,  
to consider Resolution No. 2015-17 read.

MOTION APPROVED

Resolution No. 2015-17 was introduced by Clark and seconded by Bruno.

**CITY OF MASON  
CITY COUNCIL RESOLUTION NO. 2015-17  
AUTHORIZATION TO AWARD THE RECONSTRUCTION OF ALLEY BEHIND 124/140 EAST ASH  
STREET WHICH INCLUDES THE REPLACEMENT OF THE STORM AND SANITARY SEWERS  
APRIL 20, 2015**

**WHEREAS**, the City of Mason went out to public bid for the reconstruction of the alley behind 124/140 East Ash Street which includes the storm and sanitary sewers; and

**WHEREAS**, bids were received and publicly opened on April 14, 2015; and

**WHEREAS**, the low bidder is Mauldon Brothers Construction with a bid of \$151,197.50.

**BE IT HEREBY RESOLVED**, that the Mason City Council approves the expenditures as part of the Fiscal Year 2014-2015 Budget of \$151,197.50 for the reconstruction of the alley behind 124/140 East Ash Street, which includes the storm and sanitary sewers, and authorizes the City Administrator signature authority.

RESOLUTION APPROVED

**Motion – Request to Occupy the City Right-of-Way**

Cwiertniewicz spoke regarding the request for a food truck vendor to occupy the downtown parking spaces. Staff agreed that being there is no adopted regulation for this use, it would be most important to first compile and enact an ordinance regulating mobile and cart food vending to avoid setting precedence. A lengthy discussion ensued.

Nicole Austin, Good Bites Manager, spoke regarding her request to obtain permission to park the good bites food truck in the downtown parking space on Jefferson Street in front of Bad Brewing up to three days a week serving lunch and dinner, including an amount of time to set up prior to opening.

MOTION by Droscha, second by Ferris,  
to recess.

Yes (4) Droscha, Ferris

No (2) Bruno, Brown, Clark, Mulvany

MOTION FAILED

Droscha authored and read into the record a resolution, as follows:

“Whereas, Good Bites Food Truck opened for business on May 31, 2014 and has been under a Peddlers License since their opening; and

Whereas, Good Bites utilizes local farmers and local food sources; and

Whereas, Place Making is important to the City of Mason and Good Bites Truck does create Place Making; and

Whereas, this resolution temporarily supersedes the current Traffic Control Order at 440 South Jefferson Street.

Therefore, Be It Resolved, to give permission to Good Bites Truck to park in front of Bad Brewing in the right-of-way, up to three days per week from 8:00 a.m. to 10:00 p.m.”

Resolution No. 2015-18 was introduced by Droscha and seconded by Bruno.

Discussion ensued regarding concerns of liability and other matters that were not addressed by the resolution, as well as the lack of downtown parking. Information provided by Sgt. Hude, including, Traverse City: Chapter 865 Mobile Food Vending, National League of Cities: Food on Wheels: Mobile Vending Goes Mainstream, and National League of Cities Issue Paper: Mark’s Carts, was cited relating to mobile food vending, stating that the ordinance was multifaceted. The National League of Cities indicates many prohibitions for parking in certain areas and allowable distance for locating to an established business. Also, it was stated that the development of an ordinance was months away from being completed.

VOTE ON RESOLUTION NO. 2015-18:

Yes (1) Droscha

No (5) Bruno, Brown, Clark, Ferris, Mulvany

RESOLUTION FAILED

### **UNFINISHED BUSINESS**

No unfinished business.

### **NEW BUSINESS**

MOTION by Droscha, second by Ferris,  
to excuse the absence of Mayor Michael Waltz from the April 20, 2015 meeting.

MOTION APPROVED

Following discussion regarding the trash receptacles in the downtown, staff was requested to place this matter on the next meeting agenda.

Staff was requested to begin drafting an ordinance permitting and regulating the use food trucks.

## **CORRESPONDENCE**

All correspondence was distributed.

## **LIAISON REPORTS**

- Brown informed Council regarding Planning Commission business.

## **COUNCILMEMBER REPORTS**

- Brown reported that he, Council Member Ferris, and Planning Commissioner Ann Barna attended a Place Making Workshop Wednesday, April 15, 2015.

## **ADMINISTRATOR'S REPORT**

- Colburn informed Council regarding city business.

## **ADJOURNMENT**

The meeting adjourned at 8:56 p.m.

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Deborah J. Cwierniewicz, City Clerk

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Mike Waltz, Mayor