

**CITY OF MASON
REGULAR CITY COUNCIL MEETING
MINUTES OF SEPTEMBER 21, 2015**

Mayor Waltz called the meeting to order at 7:32 p.m. in the Council Chambers at 201 West Ash Street, Mason, Michigan, 48854, led the Pledge of Allegiance and offered the invocation.

Present: Councilmembers: Brown, Bruno, Clark, Droscha, Ferris, Mulvany, Waltz
Absent: Councilmember: None
Also present: Patrick M. Price, Acting City Administrator
Deborah J. Cwierniewicz, City Clerk
Eric Smith, Finance Director/Treasurer
Thomas M. Hitch, City Attorney

ANNOUNCEMENTS

- Oracle Financial Solutions, 140 East Ash Street - Ribbon Cutting - September 29, 2015
- Mayor Pro Tem Brown announced the birth of Owen Isaac Brown, the first child born to he and his wife, Margaret, on Saturday, September 12, 2015, at 12:32 p.m. weighing in at 8 lbs., 13 oz. and 21 in. long.
- Mason High School Homecoming Parade – October 2, 2015
- Rummage Sale – Mason First United Methodist Church
- Rummage Sale – St James October 3, 2015
- Sesquicentennial Ball – Ingham County Fair Grounds Banquet Hall – October 3, 2015
- Class of 1970 Reunion – VFW Hall – October 3, 2015

PEOPLE FROM THE FLOOR

Jennifer Graham of 529 Main Court restated research she has shared with City Council on her concerns regarding oil and gas drilling in the area of Mason.

Waltz stated that for those interested, oil and gas would be a topic of discussion later in the meeting.

PRESENTATIONS

Sandra Dargatz, Ingham County Fair Executive Director, provided copies of a PowerPoint presentation to Council and gave a detailed update on the Economic Impact Survey.

Dominick Silvio, General Manager of WOW Mid-Michigan introduced himself and gave a brief update on the recent rate increase for Mason residents. He spoke regarding network and hardware updates, as well as proposed improvements for the network. Discussion ensued regarding Mr. Silvio providing consistent communication.

CONSENT AGENDA

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

- A. Approval of Minutes – Regular Council Meeting: September 8, 2015
- B. Approval of Bills: \$291,948.97
- C. Motion – Streets Closure Request – Mason High School Homecoming Parade

- Approved the use of Oak, Jefferson, Maple, and Barnes Streets for the Mason High School Homecoming Parade, October 3, 2015 between 5:00 p.m. and 7:00 p.m.

MOTION APPROVED

REGULAR BUSINESS

Discussion – City Attorney’s Legal Opinion on Gas and Oil Drilling

At the request of City Council, Attorney Tom Hitch spoke to the memorandum he provided Council, dated September 18, 2015, regarding regulatory powers of the City of Mason as it pertains to the Exploration of Oil and Gas. He stated that he had not changed his opinion as he provided in May, stating that the City was without regulatory authority when it came to the bottom hole, being the bottom of the well, wherever that may be. Due to new technology, the bottom hole may be a distance away from the wellhead site. He gave a brief summarization of Chapter 38 of the Mason Code.

He reported on his consultation with a couple of Michigan oil and gas attorneys, who agreed that the City of Mason doesn’t have jurisdiction, but that the Supervisor of Wells has full jurisdiction over all oil and gas wells including the prevention of waste of water and natural minerals.

Also, he consulted with Attorney Jim Olson of Traverse City, Michigan, who is a highly regarded environmental lawyer. The outcome was that Mr. Olson could cite no decisions that would make him believe that the research he had done was deficient or inadequate.

Discussion ensued. Clark thanked Attorney Hitch for his detailed memorandum on the matter. He suggested that staff look into the matter of issuing a permit for seismic testing. Mr. Price addressed comments that have come from residents at Council meetings to clarify what has been said over the last several weeks. He also clarified that there were residents that spoke and implied that the City had not done anything regarding the oil and gas concerns that residents had shared, stating that the truth is that Mason is ahead of most communities because an ordinance has been in place for many years that regulates oil and gas drilling.

Resolution No. 2015-46 – Approval to Purchase Two (2) 2015/2016 Ford F150 Pickup Trucks

MOTION by Brown, second by Droscha,
to consider the resolution, *Approval to Purchase Two (2) 2015/2016 Ford F150
Pickup Trucks*, read.

MOTION APPROVED

Introduced by Droscha, seconded by Mulvany, the resolution, *Approval to Purchase Two (2) 2015/2016 Ford F150 Pickup Trucks*.

**CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2015-46
APPROVAL TO PURCHASE TWO (2) 2015/2016 FORD F150 PICKUP TRUCKS
September 21, 2015**

WHEREAS, it is in the best interest of the City of Mason to schedule the replacement of vehicles within the motor vehicle pool; and

WHEREAS, the scheduled replacement of Truck No.12 and No.15 was approved in the Fiscal Year 2015 - 2016 Budget.

NOW THEREFORE BE IT RESOLVED, that the Mason City Council does hereby approve the purchase of two (2) 2015/2016 Ford F150 pickup trucks for \$21,886.00 each from Signature Ford.

RESOLUTION APPROVED

Resolution No. 2015-47 – Approval to Lease 2015 CAT 914K Front End Loader

MOTION by Droscha, second by Brown,
to consider the resolution, *Approval to Lease 2015 CAT 914K Front End Loader*, read.

MOTION APPROVED

Introduced by Mulvany, seconded by Droscha, the resolution, *Approval to Lease 2015 CAT 914K Front End Loader*.

**CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2015-47
APPROVAL TO LEASE 2015 CAT 914K FRONT END LOADER
September 21, 2015**

WHEREAS, it is in the best interest of the City of Mason to schedule the replacement of vehicles within the motor vehicle pool; and

WHEREAS, the scheduled replacement of the front end loader was approved in the Fiscal Year 2015 - 2016 Budget.

NOW THEREFORE BE IT RESOLVED, that the Mason City Council does hereby approve the lease of a 2015 CAT 914K front end loader for \$1,355.93 per month for three years to include

RESOLUTION APPROVED

UNFINISHED BUSINESS

None.

NEW BUSINESS

Discussion was held on the timing of the State controlled traffic light at the intersection of Ash and Jefferson Streets. It will be referred to the Traffic Commission.

CORRESPONDENCE

All correspondence was distributed.

LIAISON REPORTS

- Brown informed Council regarding Planning Commission business.
- Ferris informed Council that there is still time to purchase a Sesquicentennial Legacy Tree before the end of the year.

COUNCILMEMBER REPORTS

Ferris reported on the Ingham County Regional Trails and Parks Planning Process public forum. She also reported on the Michigan Municipal League Annual Convention held September 16 - 18, 2015.

Mayor Waltz reported on the Mason Public School Strategic Planning Task Force. He also reported on the Michigan Municipal League Annual Convention held September 16 - 18, 2015.

Droscha gave a brief report of the Mason Public School Steering Committee.

ADMINISTRATOR'S REPORT

Price informed Council regarding City business. He commended DPW Director Ken Baker, POTW Superintendent Sam Bibler, and DPW Foreman Kirk Crawford for their diligence in restoring operations efficiently following the storm last Friday.

ADJOURNMENT

The meeting adjourned at 9:42 p.m.

Deborah J. Cwierniewicz, City Clerk

Michael F. Waltz, Mayor