CITY OF MASON
REGULAR CITY COUNCIL MEETING
MINUTES OF DECEMBER 21, 2015

Mayor Waltz called the meeting to order at 7:30 p.m. in the Council Chambers at 201 West Ash Street, Mason, Michigan, 48854.

Present:	Councilmembers: Brown, Bruno, Clark, Droscha, Ferris, Mulvany, Waltz
Absent:	Councilmember: None
Also present:	Patrick M. Price, Acting City Administrator
	Deborah J. Cwiertniewicz, City Clerk
	Deborah S. Stuart, City Administrator as of January 1, 2016

CITY OF MASON FIRE DEPARTMENT HONOR GUARD

All those in attendance rose for the presentation of the colors. The City of Mason Fire Department Honor Guard entered the meeting, escorted by two Mason Police Department officers. Two honor guards unfolded and presented the flag while the Pledge of Allegiance was recited. Council Member Clark offered the invocation, concluding with the words of Linus Van Pelt.

Mayor Waltz invited Council and city staff to move to the front of the dais for a brief ceremony to dedicate the flag. He stated that Mason was incorporated on March 9, 1865. On March 9, 2015, 150 years later, this flag was flown over our nation's capitol. On April 6, 2015, the flag was presented to the City of Mason by the Congressman Bishop and his staff and accompanied by a certificate the Mayor read. Mayor Pro Tem Brown, Sesquicentennial Chairperson, commented on events that commemorated the year.

The color guard folded the flag and presented it to Mayor Waltz, who placed it in a shadow box. He presented the flag and certificate to Acting City Administrator for placing in a place of honor at City Hall. At this time, Mayor Waltz and City Council presented Mr. Price with a commemorative appreciation gift acknowledging his service for the second half of the sesquicentennial year in his role as city administrator.

Mayor Waltz thanked the Mason Fire Department Honor Guard, Mason Police Department escorts, Congressman Bishop's office for the gift of the flag, and the Mason Area Chamber of Commerce for providing the shadow box.

ANNOUNCEMENTS

None.

PEOPLE FROM THE FLOOR

None.

PRESENTATIONS

Police Chief John Stressman Introducing Kevin Bradley and Michael Johnson Newly Appointed Reserve Officers

Chief of Police Stressman commented on the re-instated Reserved Officer Program that was terminated 2004. He stated that the allocated funds were available for the program once again.

Oath of Office – Reserve Officers
City Clerk Cwiertniewicz administered the oath of office to Mr. Kevin Bradley and Mr. Michael Johnson.

Administrator Price stated that Mr. Johnson's mother, Jacqui Johnson, was honored as "2015 Employee of the Year."

CONSENT AGENDA

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

A. Approval of Minutes
   - Regular Council Meeting: December 7, 2015
B. Approval of Bills: $66,045.68

MOTION APPROVED

REGULAR BUSINESS

Resolution – Approval of Award of Ash Street Well Rehabilitation to Northern Pump & Well

MOTION by Droscha, second by Ferris,
to consider City Council Resolution, Approval of Award of Ash Street Well Rehabilitation to Northern Pump & Well read.
MOTION APPROVED

Introduced by Clark, second by Bruno, City Council Resolution – Approval of Award of Ash Street Well Rehabilitation to Northern Pump & Well.

Discussion was held that it was not clear whether payment had been made for the evaluation work done by Northern Pump & Well or if it were included in the total cost for the project.

MOTION by Bruno, second by Droscha,
to table City Council Resolution, Approval of Award of Ash Street Well Rehabilitation to Northern Pump & Well, to the next regular City Council meeting to obtain clarification on whether there is an outstanding amount due to Layne Christianson, which would therefore exceed the low bid amount being considered.
MOTION APPROVED

Resolution – Rejecting the Determination of Compensation for Elected Officials in the City of Mason

Scott Preadmore, Local Officer's Compensation Commission (LOCC) member, spoke regarding the manner of determination used by the Commission. It was explained that the raise in compensation would be for the officials elected to serve the 2017-2019 term of office.

MOTION by Clark, second by Droscha,
to consider City Council Resolution – Rejecting the Determination of Compensation for Elected Officials in the City of Mason, read.
MOTION APPROVED

Introduced by Clark, seconded by Bruno, City Council Resolution, Rejecting the Determination of Compensation for Elected Officials in the City of Mason.

A brief discussion was held in favor of accepting the salary determination. It was also discussed that the salary for the office of councilmember was not an incentive, nor is it intended to be.

CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2015-54
A RESOLUTION REJECTING THE DETERMINATION OF COMPENSATION FOR ELECTED OFFICIALS IN THE CITY OF MASON
December 21, 2015

WHEREAS, the Local Officers Compensation Commission (LOCC) is established under the authority of Michigan Complied Laws section 115.5c; and

WHEREAS, the LOCC meets every odd numbered year to determine compensation for elected officials; and

WHEREAS, the LOCC met in a public meeting on December 10th, 2015; and

WHEREAS, the LOCC determination of compensation is as follows:

- City Council Member - $60 per meeting
- Mayor - $70 per meeting; and

WHEREAS, the LOCC determined that the annual budgeted amount for City Council compensation shall not exceed $15,000; and

WHEREAS, pursuant to Mason City Charter, Section 5.6, the compensation of any elective officer shall not be increased or decreased from the time of his/her election until the end of the term of office for which he/she was elected; and

WHEREAS, the compensation determination of the LOCC shall be final unless rejected by resolutions adopted by 2/3 of the members of City Council.

NOW BE IT HEREBY RESOLVED, that the Mason City Council, rejects the determination of compensation of the Local Officers Compensation Commission.

Yes (6) Bruno, Brown, Clark, Droscha, Ferris, Mulvany, Waltz
No (1) Mulvany

RESOLUTION APPROVED

Resolution – 2016 Sidewalk Special Assessment Resolution No. 1, Project 2016-1 and 2016 Sidewalk Special Assessment Resolution No. 2, Project 2016-1

MOTION by Brown, second by Droscha,
to consider 2016 Sidewalk Special Assessment Resolution No. 1, Project 2016-1 and 2016 Sidewalk Special Assessment Resolution No. 2, Project 2016-1,read.
MOTION APPROVED

Introduced by Bruno, seconded by Clark, 2016 Sidewalk Special Assessment Resolution No. 1, Project 2016-1 and 2016 Sidewalk Special Assessment Resolution No. 2, Project 2016-1

CITY OF MASON
2016 SIDEWALK IMPROVEMENTS
SPECIAL ASSESSMENT RESOLUTION NO. 1
PROJECT NO. 2016-1
December 21, 2015

WHEREAS, upon its own motion and without petition, the City Council of the City of Mason desires to be advised of the feasibility of certain sidewalk improvements within the City, generally described as follows:

The installation of sidewalks and related improvements, and/or the replacement of sidewalk in the

public right-of-way of the following properties and along and adjacent to the following streets: V/L Cedar St, Hartwell Terrace, 201 E Ash, 306 E Ash, 314 E Ash, 315 E Ash, 322 E Ash, 323 E Ash, 328 E Ash, 333 E Ash, 400 E Ash, 403 E Ash, 405 E Ash, 423 E Ash, 430-432 E Ash, 435 E Ash, 438 E Ash, 522 E Ash, 534 E Ash, 540 E Ash, 544 E Ash, 549 E Ash, 621 E Ash, 625 E Ash, 703 E Ash, 715 E Ash, 732 E Ash, 739 E Ash, 759 E Ash, 809 E Ash, 819 E Ash, 831 E Ash, 837 E Ash, 755-757 W Ash, 803 W Ash, 809 W Ash, 624 S Barnes, 625 S Barnes, 702 S Barnes, 1100 S Cedar, 1103 S Cedar, 100-102 E Cherry, 122 E Cherry, 126 E Cherry, 210 E Cherry, 223 E Cherry, 226 E Cherry, 227 E Cherry, 232 E Cherry, 615 S Jefferson, 144 W Kipp, 216 W Kipp, 1010 S Lansing, 216 E Oak, 305 E Oak, 401 Peachtree, 405 S Rogers, 415 S Rogers, 518 S Rogers, 519 S Rogers, 703 S Rogers, 316 Walnut; and

WHEREAS, an estimate of the expenses of the Project and engineering drawings must be made, and the proposed special assessment district therefore must be determined.

NOW THEREFORE BE IT RESOLVED, that

1) The City Council does hereby tentatively declare its intention to proceed with the Project;

2) The City Administrator and/or Treasurer are hereby ordered to cause plans showing the Project, the location thereof, the proposed special assessment district, and estimates of the cost of the Project, to be prepared by Wolverine Engineers and Surveyors, Inc., Mason, Michigan;

3) The City Administrator, when the engineering plans and estimates for the Project are completed, is ordered to file same with the City Clerk, and said plans and estimates shall be made available for public inspection;

4) The City Administrator and/or Treasurer are hereby further authorized to proceed with all other necessary actions to initiate the Project;

5) All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be, and the same are, hereby rescinded.

RESOLUTION APPROVED

CITY OF MASON
2016 SIDEWALK IMPROVEMENTS
SPECIAL ASSESSMENT RESOLUTION NO. 2
PROJECT NO. 2016-1
December 21, 2015

WHEREAS, the City Council has ordered plans and estimates of costs of certain sidewalk improvements described more specifically below, to be made; and

WHEREAS, the City Council of the City of Mason, deems it advisable and necessary for the public health, safety and welfare of the City and its inhabitants to carry out the following generally described sidewalk improvement project:.

The installation of sidewalks and related improvements, and/or replacement of sidewalk in the public right-of-way of the following properties and along and adjacent to the following streets: V/L Cedar St, Hartwell Terrace, 201 E Ash, 306 E Ash, 314 E Ash, 315 E Ash, 322 E Ash, 323 E Ash, 328 E Ash, 333 E Ash, 400 E Ash, 403 E Ash, 405 E Ash, 423 E Ash, 430-432 E Ash, 435 E Ash, 438 E Ash, 522 E Ash, 534 E Ash, 540 E Ash, 544 E Ash, 549 E Ash, 621 E Ash, 625 E Ash, 703 E Ash, 715 E Ash, 732 E Ash, 739 E Ash, 759 E Ash, 809 E Ash, 819 E Ash, 831 E Ash, 837 E Ash, 755-757 W Ash, 803 W Ash, 809 W Ash, 624 S Barnes, 625 S Barnes, 702 S Barnes, 1100 S Cedar, 1103 S Cedar, 100-102 E Cherry, 122 E Cherry, 126 E Cherry, 210 E Cherry, 223 E Cherry, 226 E Cherry, 227 E Cherry, 232 E Cherry, 615 S Jefferson, 144 W Kipp, 216 W Kipp, 1010 S Lansing, 216 E Oak, 305 E Oak, 401 Peachtree, 405 S Rogers, 415 S Rogers, 518 S Rogers, 519 S Rogers, 703 S Rogers, and 316 Walnut;

Further, the City Council deems it advisable to defray all or a portion of the cost of the Project through special assessments assessed against the properties specially benefited thereby; and

WHEREAS, the City Council desires to proceed further with the Project.

NOW THEREFORE BE IT RESOLVED, that:

1) The City Council tentatively declares its intention to proceed with the Project as generally described above, and to defray all or a portion of the cost thereof by special assessments against the properties specially benefited thereby in the proposed sidewalk improvement special assessment district;

2) There is hereby tentatively designated a special assessment district against which all or a portion of the costs of the Project are to be assessed, consisting of the lots and parcels of land described in **Exhibit A,** attached hereto and made a part hereof by reference;

3) The City Council shall meet at a regular meeting in the City Hall, 201 West Ash Street, Mason, Michigan 48854, on Monday, the 18th day of January, 2016 at 7:30 p.m., at which time and place the City Council will hear any objections to the Project and to the proposed special assessment district therefore;

4) The City Clerk is hereby ordered to cause notice of such hearing to be made to the owners of the lots and parcels of land described in **Exhibit A,** attached hereto and made a part hereof by reference, pursuant to Section 66-4 of the Mason Code and the provisions of the City Charter. Said notice shall be in substantially the following form:

NOTICE OF HEARING

CITY OF MASON
INGHAM COUNTY, MICHIGAN

NOTICE OF PUBLIC HEARING ON THE
SPECIAL ASSESSMENT ROLL FOR THE
SIDEWALK IMPROVEMENTS
SPECIAL ASSESSMENT PROJECT NO. 2016-1

TO THE RESIDENTS AND PROPERTY OWNERS OF THE CITY OF MASON, INGHAM COUNTY, MICHIGAN, the owners of the land described below within the proposed Sidewalk Special Assessment District 2016-1, and any other interested persons:

PLEASE TAKE NOTICE that the City Council of the City of Mason, acting on its own initiative, proposes to make the following generally-described sidewalk improvements with respect to the proposed Sidewalk Improvement Special Assessment District-Project 2016-1:

The installation of sidewalks and related improvements, and/or replacement of sidewalk in the public right-of-way of the following properties and along and adjacent to the following streets:
V/L Cedar St, Hartwell Terrace, 201 E Ash, 306 E Ash, 314 E Ash, 315 E Ash, 322 E Ash, 323 E Ash, 328 E Ash, 333 E Ash, 400 E Ash, 403 E Ash, 405 E Ash, 423 E Ash, 430-432 E Ash, 435 E Ash, 438 E Ash, 522 E Ash, 534 E Ash, 540 E Ash, 544 E Ash, 549 E Ash, 621 E Ash, 625 E Ash, 703 E Ash, 715 E Ash, 732 E Ash, 739 E Ash, 759 E Ash, 809 E Ash, 819 E Ash, 831 E Ash, 837 E Ash, 755-757 W Ash, 803 W Ash, 809 W Ash, 624 S Barnes, 625 S Barnes, 702 S Barnes, 1100 S Cedar, 1103 S Cedar, 100-102 E Cherry, 122 E Cherry, 126 E Cherry, 210 E Cherry, 223 E Cherry, 226 E Cherry, 227 E Cherry, 232 E Cherry, 615 S Jefferson, 144 W Kipp, 216 W Kipp, 1010 S Lansing, 216 E Oak, 305 E Oak, 401 Peachtree, 405 S Rogers, 415 S Rogers, 518 S Rogers, 519 S Rogers, 703 S Rogers, and 316 Walnut;

TAKE FURTHER NOTICE that the City Council will meet on Monday, the 18th day of January 2016, at 7:30, p.m., in the City Hall, 201 West Ash Street, Mason, Michigan 48854, for the purpose of hearing any objections to the proposed sidewalk improvement project and the proposed special assessment district therefore.

Appearance and protest at the hearing, in person or in writing, are required in order to appeal the action of the City Council in approving the proposed sidewalk improvement project, the special assessment district or the amount of the special assessment to the state tax tribunal. A property owner or party in interest, or his or her agent, may appear in person at the hearing to protest the special assessment proceedings or may file his or her appearance and protest by letter and his or her personal appearance will not be required. The owner or any person having an interest in the real

property who protests in person or in writing at the hearing may file a written appeal of a special assessment with the state tax tribunal within 35 days of the date the special assessment roll is confirmed by the City Council.

Further information regarding the street and sidewalk improvement special assessment project is available at the City Clerk's offices, City Hall, 201 West Ash Street, Mason, Michigan 48854.

Dated: December 21, 2015

Deborah Cwiertniewicz, City Clerk
City of Mason
Ingham County, Michigan

5) All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be, and the same are, hereby rescinded.

RESOLUTION APPROVED

Resolution – Accepting the Transfer of Parcel Nos. 33-19-10-05-252-001, 33-19-10-05-252-009 and 33-19-10-08-151-006

A brief discussion was held regarding diseased Ash trees on the parcels considered for acceptance by the City.

MOTION by Droscha, second by Brown,
to consider City Council Resolution, Accepting the Transfer of Parcel Nos. 33-19-10-05-252-001, 33-19-10-05-252-009 and 33-19-10-08-151-006, read.
MOTION APPROVED

Introduced by Clark, seconded by Bruno, City Council Resolution, Accepting the Transfer of Parcel Nos. 33-19-10-05-252-001, 33-19-10-05-252-009 and 33-19-10-08-151-006.

CITY OF MASON
CITY COUNCIL RESOLUTION NO 2015-55
RESOLUTION ACCEPTING THE TRANSFER OF PARCEL NOS. 33-19-10-05-252-001, 33-19-10-05-252-009 AND 33-19-10-08-151-006
December 21, 2015

WHEREAS, Public Act 123 of 1999, hereinafter sometimes referred to as the "Act", established an expedited process whereby property on which taxes have not been paid could be sold for unpaid taxes; and

WHEREAS, the Act creates a series of stages through which a property on which the taxes have not been paid must pass before that property can be sold; and

WHEREAS, the Act allowed each county in the State of Michigan to decide whether its treasurer or the State of Michigan would act as the governmental entity responsible for overseeing the stages through which a property on which the taxes have not been paid must pass before the property is sold; and

WHEREAS, the Act refers to the governmental entity responsible for overseeing the stages through which a property on which the taxes have not been paid must pass before the property is sold as the foreclosing governmental unit; and

WHEREAS, pursuant to a concurring resolution of the County Board of Commissioners, the Treasurer of Ingham, (hereinafter referred to as the "Treasurer"), is the foreclosing governmental unit under the Act with authority to take all actions, judicial or otherwise, required under the Act in order to sell property on which taxes have not been paid in Ingham County; and

WHEREAS, one of the stages through which a property on which the taxes have not been paid must pass before the property is sold in foreclosure; and

WHEREAS, pursuant to the Act fee simple title to a property on which the Treasurer has foreclosed vests in the Treasurer effective on the March 31 immediately succeeding the hearing for uncontested cases or 10 days after the conclusion of the hearing for contested cases, and

WHEREAS, the Act proscribes how the Treasurer is to dispose of property obtained by foreclosure; and

WHEREAS, the Act requires that the Treasurer give a list to the Clerk of Mason which list shall contain all the property in that city, village, township on which the Treasurer has foreclosed that has not been sold prior to December 1 of the year in which it is foreclosed upon; and
WHEREAS, the property for the current year is as follows:

Tax Parcel No. 33-19-10-05-252-001
Tax Parcel No. 33-19-10-05-252-009
Tax Parcel No. 33-19-10-08-151-006

WHEREAS, unless the City of Mason objects in writing, the Act requires the Treasurer to transfer to that City fee simple title to the property on that list; and

WHEREAS, the City of Mason may, in the future, receive from the Treasurer a list of property that will be transferred to it if it does not object; and

WHEREAS, the City of Mason wishes to obtain from the Treasurer the aforementioned properties upon which the Treasurer may foreclose.

NOW THEREFORE BE IT RESOLVED, that the City of Mason wishes to exercise its option under the Act to accept the transfer of these properties foreclosed upon by the Treasurer but not sold.

RESOLUTION APPROVED

Resolution – Approve Mayoral Appointments to City Boards and Commissions

MOTION by Droscha, second by Brown,
to consider City Council Resolutions, Approve Mayoral Appointments to City Boards and Commissions, and City Council Appointments to City Boards and Commissions read.
MOTION APPROVED

Clark stated concern regarding the non-resident Planning Commission position held by Mr. Ed Reeser. He feels that Mr. Reeser has been an excellent member on the Planning Commission, and has served for a number of years. However, Mr. Reeser moved to Dansville more than a year ago. Clark felt that an interested resident may be able to better serve the interests of the city as well as giving a resident an opportunity to serve. Clark stated that he would feel differently about it if Mr. Reeser lived in a neighboring township that the City collaborated with often. Finally, he stated that it is a disservice in disallowing an interested resident the opportunity to serve on the Planning Commission. Mulvany agreed in that the Planning Commission has been a place of training those interested in running for Council. Bruno agreed that a resident should have the opportunity to serve.

Brown stated that Mr. Reeser's leadership warrants his reappointment. He is an asset and pivotal to how the commission operates and functions. His meetings are effective. The topics are broad and everyone is allowed to contribute to the discussion. Mr. Reeser is a special circumstance because he has lived in Mason for many years and served on the Planning Commission for several years. Waltz stated that Mr. Reeser was a life-long resident, graduating from Mason High School, until he moved to Dansville. He has served on the Planning Commission since 2002, most of that as Chairperson. Waltz stated that he is not that recently removed from the City that this is something to take issue with at this time. In the file of Planning Commission applicants, there was only one valid applicant. Therefore he thought that Mr. Reeser made sense for the next three-year term. He ended by saying that it is good to have solid leadership at this time.

Introduced by Bruno, seconded by Clark, City Council Resolution – Mayoral Appointments to City

Boards and Commissions; and City Council Resolution – City Council Appointments to City Boards and Commissions.

CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2015-56
MAYORAL APPOINTMENTS TO CITY BOARDS AND COMMISSIONS
December 21, 2015

BE IT HEREBY RESOLVED, that the Mayor, with confirmation by the City Council, does hereby make the following appointments/reappointments to the specified boards and commissions of the city and that each term shall commence January 1, 2015 and expire on December 31 of the year noted.

Building Code & Sign Board	Gordon Wilson	2018
	Jettie Fientuch	2018
Board of Ethics	Margo Burrage	2018
	Harry Warner	2017
Downtown Development Authority	Brian Rasdale	2019
Historic District Commission	Rebecca Clinton	2018
	Rita Vogel	2018
Local Officers Compensation Commission	Margo Burrage	2020
Planning Commission	Ed Reeser	2018
	John Sabbadin	2018
	Lori Hagle	2018
Tree Commission	Brenda Hershberger	2018
	Jason Darling	2018

Yes (5) Brown, Droscha, Ferris, Mulvany, Waltz
No (2) Bruno, Clark

RESOLUTION APPROVED

CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2015 - 57
CITY COUNCIL APPOINTMENTS TO CITY BOARDS AND COMMISSIONS
December 21, 2015

BE IT HEREBY RESOLVED, that the City Council of the City of Mason does hereby make the following appointments/reappointments to the specified boards and commissions of the City and that each term shall commence January 1, 2016 and expire on December 31 of the year noted:

Board of Review	Gail Rouhier	2018
Building Authority	Kelly Merritt	2017
Cemetery Board	Kendra Sabbadin	2018
Election Commission	Marlon Brown	2016
Local Development Finance Authority	Mark Howe	2019
Utility Rate Study Committee	Jeff Shattuck	2018
	Angela Madden	2018
	Lori Hagle (filling an unexpired term)	2016

Zoning Board of Appeals	Angela Madden	2018
	Scott Akerson	2018
	Jerry Schaffer (alternate member)	2018

Yes (5) Brown, Droscha, Ferris, Mulvany, Waltz
No (2) Bruno, Clark

RESOLUTION APPROVED

UNFINISHED BUSINESS
City Clerk Cwiertniewicz was asked to provide an update on the proposed Food Truck Ordinance at the next regular meeting.

NEW BUSINESS
It was discussed that Great Lakes Engineering has completed the Columbia Street survey. It will be presented at a Council meeting in the near future. Also, concern was expressed that Kerns Street may need improvements prior to the 2018 street improvements.

CORRESPONDENCE
All correspondence was distributed.

LIAISON REPORTS
- Mulvany informed Council regarding Historic District Commission business.
- 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 Committee.
- Brown informed Council regarding Sesquicentennial Committee business. The Time Capsule is in the final stages of assembly. It will be sealed, dedicated, and placed for opening in 2040.
- Waltz informed Council regarding the recent Mason Board of Education meeting. A bond proposal has been approved to place on the 2016 May ballot. He elaborated on the plans of the Mason Public School Strategic Planning Task Force.
- Droscha also spoke regarding the Mason Public School Strategic Planning Task Force plans.

ADMINISTRATOR'S REPORT
Price informed Council regarding city business. Discussion ensued regarding Michigan Municipal League conduct a seminar relating to the city administrator evaluation process and procedure.

ADJOURNMENT
The meeting adjourned at 9:03 p.m.

Deborah J. Cwiertniewicz, City Clerk

Michael F. Waltz, Mayor