

**CITY OF MASON  
REGULAR CITY COUNCIL MEETING  
MINUTES OF February 1, 2016**

Waltz 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, Waltz  
Absent: Councilmember: None  
Also present: Deborah S. Stuart, City Administrator  
Deborah J. Cwierniewicz, City Clerk  
Eric Smith, Finance Director/Treasurer

**ANNOUNCEMENTS**

- Ingham County Trails and Parks Task Force is meeting Thursday, February 4, 2016.
- Thank you to Council Member Bruno and those who assisted him in placing the Sesquicentennial Time Capsule in the base of the Stevens T. Mason bust in the City Hall lobby.
- Mason High School is hosting more than 20 high school and college jazz bands February 2, 2016.

**PEOPLE FROM THE FLOOR**

Jack Carmichael of 519 South Rogers Street commented regarding concerns he has regarding potential oil drilling in Vevay Township. He read his written comments and provided them to Council.

**CONSENT AGENDA**

It was the consensus of Council to remove Item No. C. Motion – Reschedule the March 7, 2016 City Council Meeting due to the March 8, 2016 Presidential Primary Election from the consent agenda and place it under regular business, renumbering the items accordingly.

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

- A. Motion – Approval of Minutes – Regular Council Meeting: February 1, 2016
- B. Motion – Approval of Bills - \$158,902.29
- C. Motion – Approval of Excused Absences for Councilmember Bruno
  - Excuse Councilmember Bruno from the City Council meetings of February 15, March 7 and 21, 2016.

MOTION APPROVED

**REGULAR BUSINESS**

**Resolution – Approval of the Memorandum of Understanding between Delhi Township and the City of Mason to Provide Fire Services in a Portion of Alaiedon Township**

MOTION by Droscha, second by Brown,  
to consider City Council Resolution – Approval of the Memorandum of Understanding Between Delhi Township and the City of Mason to Provide Fire Services in a Portion of Alaiedon Township read.

MOTION APPROVED

Introduced by Ferris, seconded by Clark, City Council Resolution – Approval of the Memorandum of Understanding Between Delhi Township and the City of Mason to Provide Fire Services in a Portion of Alaiedon Township.

CITY OF MASON  
CITY COUNCIL RESOLUTION NO. 2016-04  
APPROVAL OF THE MEMORANDUM OF UNDERSTANDING  
BETWEEN DELHI TOWNSHIP AND THE CITY OF MASON TO  
PROVIDE FIRE SERVICES IN A PORTION OF ALAIEDON TOWNSHIP  
February 1, 2016

**WHEREAS**, the Delhi Township is contracted by Alaiedon Township to provide Fire Services for Alaiedon Township;

**WHEREAS**, the City of Mason has previously entered into a Memorandum of Understanding with Delhi Township to provide fire services as the primary responder to a portion of Alaiedon Township (Resolution: 2015-09);

**WHEREAS**, the City of Mason is committed to being a regional partner and working with the surrounding townships; and

**WHEREAS**, Delhi Township and the City of Mason desire to renew the agreement, with increased Standby fees, that is beneficial to all parties.

**NOW THEREFORE BE IT RESOLVED**, that the City Council approve the Memorandum of Understanding between Delhi Township and the City of Mason to provide Fire Services in a portion of Alaiedon Township; and

**NOW THEREFORE BE IT FINALLY RESOLVED**, that the City Council authorize the City Administrator and the Fire Chief to execute the agreement on their behalf.

**RESOLUTION APPROVED**

**Motion – Approval of Change Order to the Awarded Contract for the Ash Street Well Rehabilitation**

MOTION by Clark, second by Droscha,  
to approve the Change Order to the Awarded Contract for the Ash Street Well Rehabilitation in the amount of \$2,965.

**MOTION APPROVED**

**Motion – Reschedule the March 7, 2016 City Council Meeting due to the March 8, 2016 Presidential Primary Election**

Discussion was held regarding rescheduling the March 7, 2016 Council meeting due to the March 8, 2016 Presidential Primary Election.

MOTION by Brown, second by Droscha,  
to deferred rescheduling the March 7, 2016 Council meeting to the next regular Council meeting to allow administration to present alternative dates.

**MOTION APPROVED**

**UNFINISHED BUSINESS**

None.

**NEW BUSINESS**

**Resolution – Resolution Calling for the Repeal of Public Act 269**

MOTION by Brown, second by Droscha,  
to consider City Council Resolution – Resolution Calling for the Repeal of  
Public Act 269 read.

Introduced by Ferris, seconded by Bruno, City Council Resolution – Resolution Calling for  
the Repeal of Public Act 269.

**CITY OF MASON  
CITY COUNCIL RESOLUTION NO. 2016-05  
CALLING FOR THE REPEAL OF PUBLIC ACT 269  
February 1, 2016**

**WHEREAS**, Public Act 269 (Senate Bill 571) was signed into law, with immediate effect, on  
January 6, 2016, and

**WHEREAS**, this new law prohibits a public body, or a person acting for a public body, from using  
public funds or resources for the purpose of communicating any information to the electorate  
regarding a local ballot question that is to appear on the ballot, within 60 days of an election, and

**WHEREAS**, this law places an immediate gag order on entities with ballot questions on the March  
8 ballot and every election thereafter; and

**WHEREAS**, municipal elected and appointed officials have a civic and legal duty to the residents of  
their communities to fully inform them regarding the issues placed before them, upon which they  
may exercise their constitutional right to vote; and

**WHEREAS**, existing laws, including the former language in Section 57, and decades of guidance  
from the Michigan Secretary of State, already prohibit the use of public funds to advocate for or  
against ballot issues; and

**WHEREAS**, existing laws already provided for an allowance for elected and appointed officials to  
express their views without fear of violating the act; and

**WHEREAS**, because the new law bans only communication on local ballot issues, it creates  
inconsistent treatment of statewide ballot questions versus local initiatives; and

**WHEREAS**, there are substantial questions regarding the constitutionality and legality of the new  
law, including a possible ban on freedom of speech;

**NOW, THEREFORE, BE IT RESOLVED**, that the Mason City Council calls for the Michigan  
Legislature to immediately repeal the new language in Section 57, subsection (3) of PA 269 of  
2015; and

**BE IT FINALLY RESOLVED**, that a copy of this Resolution shall be forwarded to the city's state  
legislators in the Michigan House of Representatives and the Michigan Senate.

**VOTE:**

Yes (5) Brown, Clark, Droscha Ferris, Mulvany, Waltz

No (1) Bruno

**RESOLUTION APPROVED**

Clark asked Administrator Stuart to gather information regarding Lansing's clothing drop  
box ordinance.

**CORRESPONDENCE**

All correspondence was distributed.

**LIAISON REPORTS**

- Mulvany informed Council regarding Historic District Commission business.
- Droscha informed Council regarding Traffic Commission business. Clark stated that the Okemos Street is marked as it is due to a request of the residents that live there.

**COUNCILMEMBER REPORTS**

None.

**ADMINISTRATOR'S REPORT**

Stuart informed Council regarding city business.

**ADJOURNMENT**

The meeting adjourned at 8:17 p.m.

---

Deborah J. Cwierniewicz, City Clerk

---

Mike Waltz, Mayor