

**CITY OF MASON  
REGULAR CITY COUNCIL MEETING  
MINUTES OF JULY 18, 2016**

Mayor Waltz called the meeting to order at 7:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan. Councilmember Clark 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**

Councilmember Clark informed Council of the recent passing of Tim Whipple, Ingham/Dansville Township Fire Chief. He gave a brief eulogy of Chief Whipple and informed Council that the Funeral Service will be held July 23, 2016 at the Dansville High School, 1264 South St., Dansville MI 48819.

**PEOPLE FROM THE FLOOR**

John Langdon, Governmental/Public Affairs Coordinator of Michigan Association of Railroad Passengers, addressed Council as spokesperson for Coast to Coast Passenger Rail Ridership. He provided Council with an executive summary regarding the initiative to operate a passenger rail service across Michigan from Holland to Detroit. He stated that if it is successful, it would probably be at least 10 years before train service could begin.

**PRESENTATIONS**

**2015 Annual Report – Capital Area District Library (CADL), Mason Branch – Cheryl Lyons**

Mason Head Librarian Cheryl Lyons gave a brief presentation of the 2015 Mason Library Annual Report. CADL Representatives were present.

MOTION by Brown, second by Droscha,  
to accept the 2015 Annual Report for the Mason Library and place it on file.

**MOTION APPROVED**

**PUBLIC HEARING**

**Public Comments Regarding the Completion of the 124-140 East Ash Street Redevelopment Project**

Mayor Waltz opened the public hearing at 7:51 p.m. to receive comments regarding the completion of the 124-140 East Ash Street redevelopment project. He closed the public hearing at 7:52 p.m. as there were no comments.

Stuart commented that at the time of approval, the Ash Street project was projected to be an approximate \$2.25 million dollar investment and at the end was a 2.8 million dollar investment in the community. This is a great example of a project that was a joint partnership by the State of Michigan, local partners and private investors to turn the

building around. It is a fully occupied building that is a successful mark for our community.

Brown stated that there was an article written by Mayor Waltz in the “Michigan Municipal League Review” magazine regarding this development.

**CONSENT AGENDA**

It was the consensus of Council to remove Consent Agenda Item (E) “Motion – Approval of Directory of Charges” and Item (F) “Resolution – Approval to Waive the Formal Bid Process and Approve the Purchase of a New SCADA Computer and Backup Computer from Automation Engineering Ltd” to Regular Business.

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

- A. Motion – Approval of Minutes: Regular Council Meeting: June 20, 2016
- B. Approval of Bills in the Amount of \$ 619,480.58
- C. Motion – Approval of Street Closure Request – Sun Dried Festival
  - Approve the request for the Sun Dried Music Festival Incorporated street closures as requested and grant a waiver of the amplified music for the identified times.
- D. Resolution – Approve an Increase to the City of Mason Utility Rates

**CITY OF MASON  
CITY COUNCIL RESOLUTION NO. 2016-25  
APPROVE AN INCREASE of 1.5% TO THE CITY OF MASON UTILITY RATES  
July 18, 2016**

**WHEREAS**, the City of Mason is anticipating significant capital improvements to the infrastructure of the water system and the sewer system as outlined in the Master Plan, Capital Improvement Plan, Street Improvement Plan, and City of Mason Budget; and

**WHEREAS**, the most significant capital improvement is a result of an Administrative Consent Order (ACO) from the Michigan Department of Environmental Quality (MDEQ) requiring the City to make significant improvements to the Publicly Owned Treatment Works (POTW) plant; and

**WHEREAS**, the Mason City Council is charged with assigning a just and reasonable rate for supplying the users of the water system and the sewer system with utility services as the City may provide; and

**WHEREAS**, the Water and Sewer Fund is a Proprietary Fund which, by definition, is financed primarily by user charges; and

**WHEREAS**, the 2016/2017 City of Mason Budget was submitted by the Finance Department, and the Water and Sewer Fund Analysis was completed and recommends the following:

- Water Base Charge will be \$6.31.
- Water Charge will be \$3.67 per 1,000 gallons after the first 2,000 gallons.
- Water Capital Improvement Charge will be \$2.59 per 1,000 gallons of water sold.
- Water Meter Charge will be \$2.60.
- Sprinkler Meter Charge will be \$1.70
- Sewer Base Charge will be \$10.27.
- Sewer Charge will be \$5.18 per 1,000 gallons after the first 2,000 gallons.
- Sewer Capital Improvement Charge will be \$.70 per 1,000 gallons of water sold.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mason City Council establishes the above listed rates for the Water and Sewer Fund effective for the first billing period commencing on or after July 18, 2016.

E. Resolution – Approve Appointment to the Zoning Board of Appeals (ZBA) by the City Council

CITY OF MASON  
CITY COUNCIL RESOLUTION NO. 2016-26  
APPOINT JERRY SCHAFER TO THE ZONING BOARD OF APPEALS (ZBA)  
July 18 2016

**WHEREAS**, the zoning board of appeals was established in accordance with Public Act No. 207 of 1921 (MCL 125.581 et seq.);

**WHEREAS**, the duties and powers of the zoning board of appeals are established in Section 94-363 of the Mason Code as follows:

- Upon direct application, the zoning board of appeals shall hear and decide appeals from and review any order, requirement, decision, or determination made by the zoning official in accordance with section 94-364,
- Upon direct application, the zoning board of appeals shall have original jurisdiction to grant a variance from such dimensional requirements as lot area and width regulations, building height and bulk regulations, yard width and depth regulations, and off-street parking and loading space requirements. A variance shall be granted only in accordance with section 94-365,
- The zoning board of appeals shall have the power to:
  - (1) Interpret the provisions of this chapter so as to carry out the intent and purpose of Chapter 94,
  - (2) Determine the precise location of the boundary lines between zoning districts;

**WHEREAS**, a vacancy occurred on the Zoning Board of Appeals by the resignation of James Maddix, who was appointed by City Council Resolution No. 2015-05, with a term expiring on December 31, 2018; and

**WHEREAS**, Jerry Schaffer was appointed to the ZBA by City Council Resolution 2015-57, to serve as an alternate member and has informed the Mayor that he desires to serve as a member; and

**WHEREAS**, Mr. Schaffer is a qualified candidate in good standing.

**BE IT HEREBY RESOLVED**, that the City Council, with confirmation by the Mayor, does hereby appoint Jerry Schaffer to fill the unexpired term on the Zoning Board of Appeals commencing July 5, 2016 and expiring on December 31, 2018, leaving an unexpired term for an alternate member, expiring December 31, 2018.

MOTION by Brown, second by Droscha,  
to amend the agenda by moving Regular Business Item No. 9 (A)  
Resolution – Approve Appointment to the Zoning Board of Appeals  
(ZBA) by the City Council to the Consent Agenda.

MOTION APPROVED

VOTE ON THE MAIN MOTION

MOTION APPROVED

**REGULAR BUSINESS**

**Motion – Approval of Directory of Charges**

Various items and proposed fees in the Directory of Charges were discussed. Brown spoke regarding the mobile vendor fee recommended by the Planning Commission. Discussion ensued. Administrator Stuart recommended approving the document at this

time and an amended document would be presented to Council at the next regular meeting.

MOTION by Clark, second by Bruno,  
to amend the Directory of Charges on page 5, Mobile Food Vendor License by striking \$200.00 and inserting \$400.00.

Yes (4) Bruno, Clark, Droscha, Mulvany  
No (3) Brown, Ferris, Waltz

MOTION APPROVED

MOTION by Brown, second by Droscha,  
to approve the Directory of Charges dated July 18, 2016, as amended.

MOTION APPROVED

**Resolution – Authorize the Purchase and Installation of a Municipal Complex Security Camera/Data Recording System for City Hall and the Fire Department Facility**

MOTION by Droscha, second by Ferris,  
to consider the resolution, Authorizing to Waive the City's Formal Bid Process and Authorize the Purchase of a Municipal Complex Security Camera/Data Recording System for City Hall and the Fire Department Facilities, as read.

MOTION APPROVED

Resolution - Authorize To Waive The City's Formal Bid Process And Authorize The Purchase Of A Municipal Complex Security Camera/Data Recording System For City Hall And The Fire Department Facilities, was introduced by Bruno and seconded by Clark.

**CITY OF MASON  
CITY COUNCIL RESOLUTION NO. 2016-27  
AUTHORIZE TO WAIVE THE CITY'S FORMAL BID PROCESS AND AUTHORIZE THE PURCHASE OF A MUNICIPAL COMPLEX SECURITY CAMERA/DATA RECORDING SYSTEM FOR CITY HALL AND THE FIRE DEPARTMENT FACILITIES  
JULY 18, 2016**

**WHEREAS**, it is in the best interest of the City of Mason to protect its property and employees, and insure the quality of its service between employees and the citizens served; and

**WHEREAS**, the City of Mason's Municipal Complex is in need of updated, technologically sound security cameras and data storage as provided by Ingham County Innovation and Technology Department; and

**WHEREAS**, the security camera system was approved in the 2015-2016 Fiscal Year budget.

**BE IT HEREBY RESOLVED**, that the Mason City Council does approve the purchase of a Municipal Complex Security Camera/Data Recording System for City Hall and the Fire Department Facility.

RESOLUTION APPROVED

**Resolution – Approval to Waive the Formal Bid Process and Approve the Purchase of a New SCADA Computer and Backup Computer from Automation Engineering Ltd**

MOTION by Droscha, second by Brown,  
to consider the resolution, Approval to Waive the Formal Bid Process and Approve the Purchase of a New SCADA Computer and Backup Computer from Automation Engineering Ltd., as read.

MOTION APPROVED

Discussion was held regarding the value of soliciting bids and concern of is there another option. operating system to look at the options and the competition

MOTION by Bruno, second by Clark,  
to defer the resolution regarding the purchase of a new SCADA computer and backup computer to the August 15 meeting to allow staff to research the questions posed including, whether there are other options to consider, if Windows 7 the appropriate operating system, and if there may be another vendor to consider.

Yes (5) Brown, Bruno, Clark, Droscha, Waltz

No (2) Ferris, Mulvany

MOTION APPROVED

**UNFINISHED BUSINESS**

Bruno stated that he spoke with Former and Interim Administrator Price who asked about the progress of the city administrator evaluation. Discussion ensued on the matter and it was determined that the Mayor would distribute the evaluation prior to the next meeting. Council will complete and provide feedback regarding any changes.

**NEW BUSINESS**

Droscha stated that Section 6.1 of the Charter needs to amended or adhered to regarding holding City Council meetings. Waltz pointed out that Attorney McGinty stated that it is appropriate that Council cancel meetings for a legitimate reason. He extended that to say the Charter itself needs to be reviewed. Clark asked for a written opinion from the city attorney.

MOTION by Brown, second by Droscha,  
to request a formal written opinion on the matter of City Council's authority to cancel meetings by the Charter.

MOTION APPROVED

**CORRESPONDENCE**

All correspondence was distributed.

## **LIAISON REPORTS**

### **Planning Commission – Collection Bins Recommendation**

Brown commented on the Staff Agenda Report and report from Planning & Zoning Director Haywood for Council's discussion regarding the proposed ordinance to regulate clothing collection bins in the city. Council requested a recommendation from the Planning Commission, who recommended that no further action be taken at this time. The onus is on the property owner who has accepted the placement of a bin. Being there is no current issue, any matter that arises can be handled administratively. Discussion ensued.

## **COUNCILMEMBER REPORTS**

Ferris reported that the grand opening and ribbon cutting was held July 6, 2016, to celebrate the renovation of the lofts apartments above the Vault Deli.

## **ADMINISTRATOR'S REPORT**

Stuart informed Council regarding current City business, highlighting the following matters: City/County law enforcement cooperation, New Reserve Police Officer, Consumer Energy's solar garden and construction updates.

## **ADJOURNMENT**

There being no further business, the meeting adjourned at 9:13 p.m.

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Deborah J. Cwierniewicz, City Clerk

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Michael F. Waltz, Mayor