

**CITY OF MASON
REGULAR CITY COUNCIL MEETING
MINUTES OF AUGUST 15, 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 asked for a moment of silence in memory of Mason Fire Fighter Tim Scott. He followed with a brief tribute of Tim's life and commitment to his community. He also gave a brief tribute in memory of Dick Ghinelli, who was dedicated in serving his community. 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
Michelle Pietsch, Asst. Finance Director/Treasurer

ANNOUNCEMENTS

None.

PEOPLE FROM THE FLOOR

None.

CONSENT AGENDA

It was the consensus of Council to remove Consent Agenda Item (D) Motion – Approval of Amended 2016-2017 Fiscal Year Budget and Item (F) Motion – Street Closure Request: Riverwalk Meadows Homeowners Annual Picnic to Regular Business.

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

- A. Motion – Approval of Minutes: Regular Council Meeting: July 18, 2016
- B. Approval of Bills in the Amount of \$ 505,717.17
- C. Motion – Approval of Amended Directory of Charges
 - approve the following changes to the Directory of Charges:
 1. Remove FOIA Requests/Copy Rate
 2. Remove \$400.00 5th alarm within 120 days
- D. Resolution – Approval of the Mason Fire Department to Participate in the Ingham County Mutual Aid Box Alarm System (MABAS)

**CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2016-29
APPROVAL OF THE MASON FIRE DEPARTMENT TO PARTICIPATE
IN THE INGHAM COUNTY MUTUAL AID BOX ALARM SYSTEM (MABAS)
August 15, 2016**

WHEREAS, the City of Mason has the power, privilege and authority to maintain and operate a fire department providing fire protection, fire suppression, technical rescue, hazardous incident response, and other emergency response services ("Fire Services");

WHEREAS, Fire Services can further be improved by cooperation between political subdivisions during times of public emergency, conflagration or disaster ("Incidents");

WHEREAS, the Michigan Constitution of 1963, Article 7, § 28, and the Urban Cooperation Act of 1967, Act No. 7 of the Public Acts of 1967, Ex. Sess., being MCL 124.501 et seq. (the "Act"), permit a political subdivision to exercise jointly with any other political subdivision any power, privilege or authority which such political subdivisions share in common and which each might exercise separately;

WHEREAS, the City of Mason desires to enter into an interlocal agreement, pursuant to the Act, to further improve Fire Services;

WHEREAS, the City of Mason desires to commit personnel and equipment to another Party if deemed reasonable upon the request of another Party;

WHEREAS, the Mutual Aid Box Alarm System (MABAS), is a mechanism that may be used for deploying personnel and equipment in a multi-jurisdictional or multi-agency emergency mutual aid response;

WHEREAS, as a result of entering into an interlocal agreement to further improve Fire Services, the Parties are creating the Ingham County MABAS Division; and

WHEREAS, the City of Mason has the authority to execute this Agreement pursuant to resolution of its governing body.

NOW, THEREFORE BE IT RESOLVED, that the City of Mason finds it is in the best interest of its citizens from a safety and fiscal standpoint to enter into the Interlocal Agreement creating the Ingham County MABAS Division and agrees to continue to appoint one member to the MABAS Executive Board.

MOTION APPROVED

REGULAR BUSINESS

Motion – Approval of Amended 2016-2017 Fiscal Year Budget

It was discussed that the Code Enforcement Officer will continue with the service of salvage vehicle inspections.

MOTION by Brown, second by Droscha,
to amend the 2016-2017 Fiscal Year Budget as presented.

MOTION APPROVED

Motion – Street Closure Request: Riverwalk Meadows Homeowners Annual Picnic

Discussion was held regarding the fees for having barricades put in place for street closures. It was the consensus of Council that neighborhood block events may choose to pay the fee or may pick them up and return the barricades at no fee.

MOTION by Bruno, second by Clark,
To approve the Riverwalk Meadows Homeowners Association's request for a cul-de-sac street closure at 408, 409, and 412 Raging River, Sunday, September 21, 2016, between 4:30 p.m. and 8:00 p.m. to allow the neighborhood to hold its annual picnic; the fee for placing and removing barricades will not be charged if the Association picks them up and returns them to the City.

MOTION APPROVED

It was the consensus of Council to move Agenda Item 8 (B) Resolution – Approval of Award of High Service Pump Numbers 2 and 3 Rehabilitation to Kennedy Industries Inc. from unfinished business to regular business, Agenda Item No. 7(C).

Resolution – Approval of Award of High Service Pump Numbers 2 and 3 Rehabilitation to Kennedy Industries Inc.

MOTION by Bruno, second by Droscha,
to consider Resolution – Approval of Award of High Service Pump Nos. 2
and 3 Rehabilitation to Kennedy Industries Inc. read.

MOTION APPROVED

Introduced by Droscha and seconded by Ferris, Resolution – Approval of Award of High Service Pump Numbers 2 and 3 Rehabilitation to Kennedy Industries Inc.

**CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2016-30
APPROVAL OF AWARD OF HIGH SERVICE PUMP
NOS. 2 AND 3 TO KENNEDY INDUSTRIES INC
August 15, 2016**

WHEREAS, it is in the best interests of the City of Mason to maintain our water plant; and

WHEREAS, high service pump numbers 2 and 3 are in need of rehabilitation.

NOW THEREFORE BE IT RESOLVED, that the Mason City Council does hereby approve the award of high service pump numbers 2 and 3 rehabilitation to Kennedy Industries Inc in the amount of \$25,950.00 and authorizes the City Administrator to execute any other related documents.

RESOLUTION APPROVED

UNFINISHED BUSINESS

Resolution – Approval to Waive the Formal Bid Process and Approve the Purchase of a New Supervisory Control and Data Acquisition (SCADA) Computer and Backup Computer from Automation Engineering Ltd.

Stuart stated that this item was deferred to allow staff to explore alternative companies and costs and whether the operating system was appropriate. Estimates were garnered and the low estimate was in the amount of \$175,000, compared to \$22,800 bid amount recommended by staff. Any change in the company would require replacing the software and hardware due to the integrated system.

Waltz reminded Council that this resolution was considered read at the July 18 regular meeting.

Introduced by Droscha and seconded by Ferris, Resolution - Approval to Waive the Formal Bid Process and Approve the Purchase of a New Supervisory Control and Data Acquisition SCADA Computer and Backup Computer from Automation Engineering Ltd.

**CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2016-31
APPROVAL TO WAIVE THE FORMAL BID PROCESS AND APPROVE THE PURCHASE OF A
NEW SCADA COMPUTER AND BACKUP COMPUTER FROM AUTOMATION ENGINEERING LTD
August 15, 2016**

WHEREAS, the City of Mason budgeted the Supervisory Control and Data Acquisition (SCADA) computer and software replacement in the 2016/2017 budget;

WHEREAS, this is a single source provider for the SCADA project; and

WHEREAS, the quote received from Automation Engineering of \$22,824.13 is within the budget of \$35,000.00.

BE IT HEREBY RESOLVED that the Mason City Council approves to waive the formal bid process and approve the purchase of a new SCADA computer and backup computer from Automation Engineering Ltd for \$22,824.13 and authorizes signature authority to the City Administrator.

Yes (6) Brown, Clark, Droscha, Ferris, Mulvany, Waltz

No (1) Bruno

RESOLUTION APPROVED

Discussion was held regarding the schedule to proceed with the evaluation of the City Administrator. It was the consensus of Council to hold a work session with Mr. Pat Price prior to the September 6, 2016, regular meeting. A closed session will be placed on the September 6, 2016 agenda regarding the City Administrator's evaluation prior to the next regular meeting. The session will be informal with written comments from each Council Member, without scoring. Administrator Stuart requested that the evaluation be held in closed session.

Discussion – Formal Opinion on Canceling City Council Meetings (Mayor Waltz)

Waltz stated that there had been a motion at the last meeting to seek a legal opinion from the City Attorney to whether the current procedure of cancelling a Council meeting was in compliance with the City Charter. He cited the verbal opinion given by City Attorney McGinty from the November 17, 2014, Minutes, "The approved schedule would need to be amended to set a second meeting date. The Council may determine to cancel any meeting for a legitimate reason." Waltz stated that this opinion would apply and prevent further attorney fees, as Council has determined. After much discussion it was the consensus of Council that the motion stand and a current legal opinion be requested.

NEW BUSINESS

Motion – Designation of Voting Delegate and Alternate to the 2016 Michigan Municipal League (MML) Annual Meeting

The Annual Michigan Municipal League (MML) Convention will be held on Mackinaw Island, September 14 - 16, 2016. The Annual Business Meeting is scheduled to be held Wednesday, September 14, 2016, at 1:30 p.m. In accordance with the League Bylaws, Council is requested to designate, by formal action, one official who will attend the Convention as your official voting representative and one alternate. The official representative has voting privilege in the election of trustees, on policy, and other business.

Mulvany stated that the convention should be boycotted due to the location and hotel cost at this critical financial time for Michigan cities. It was discussed whether to appoint an alternate delegate at another time if necessary.

MOTION by Droscha, second by Brown,

to appoint Mayor Michael Waltz to serve as the City of Mason principal official representative at the 2016 MML Annual Business Meeting held in conjunction with the 2016 MML Convention.

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

No (2) Bruno, Clark

MOTION APPROVED

CORRESPONDENCE

All correspondence was distributed.

LIAISON REPORTS

- Droscha informed Council regarding Traffic Commission business.
- Brown informed Council regarding Planning Commission business.

COUNCILMEMBER REPORTS

None.

ADMINISTRATOR'S REPORT

Stuart informed Council regarding current City business, highlighting the following matters: Well Nos. 9 and 10 are operational, street construction has begun on Oak and Park streets, a recommendation will be presented at the next meeting regarding the proposal of Capital Area Airport for the City requesting the City assume management of the Jewitt Airport. She thanked those who assisted the City of Mason in the past week in its time of need with the loss of Fire Fighter Tim Scott; Fire Department Fire Chief Brian Ball of Delhi Township, recently retired Fire Chief Mike Hammel and Chaplin Bradshaw of the City of Lansing, reverend Donna Minarik of Mason First United Methodist Church, and Dansville Fire Department.

Brown commended Administrator Stuart for her leadership and the resource she was to staff, as well as for the community during this time.

MOTION by Clark, second by Bruno,
to amend the agenda by inserting another People from the Floor as Agenda
Item No. 14.

MOTION APPROVED

PEOPLE FROM THE FLOOR

Mark Howe, Assistant Fire Chief, thanked Council for allowing him to speak at this time. He wanted to inform Council of the outstanding job that was performed by the City of Mason staff following the loss of Fire Fighter Tim Scott. He stated that the Police Department was professional and kind. Both Sgt. Hanson and Sgt. Reckling were awesome and took care of the family and those who were touched by the tragic event. He acknowledged Mason staff Ken Baker, DPW Director, Deborah Cwierniewicz, City Clerk, and Council Members. He stated that City Administrator Deborah Stuart was an excellent leader, as well as compassionate and supportive.

Clark stated that he felt it necessary to inform Council of Mr. Mark Howe's superior fortitude. He stated that whether the tragedy was in Mason with one of his own, or in a neighboring community, responsibility lands on the shoulders of Mark Howe, who consistently manages the situation through. He gave great honor to Mr. Howe for carrying a demanding load with determined fortitude.

CLOSED SESSION - AFSCME CONTRACT NEGOTIATIONS

MOTION by Brown,
to adjourn to closed session to consider AFSCME Contract Negotiations.
Yes (7) Brown, Bruno, Clark, Droscha, Ferris, Mulvany, Waltz
No (0)
MOTION APPROVED

Council adjourned to executive session at 8:56 p.m. and reconvened at 9:23 p.m.

MOTION by Clark, second by Bruno,
to consider Resolution – Approval of Award of High Service Pump Numbers
2 and 3 Rehabilitation to Kennedy Industries Inc. read.
Yes (7) Brown, Bruno, Clark, Droscha, Ferris, Mulvany, Waltz
No (0)
MOTION APPROVED

Resolution – AFSCME Agreement was introduced by Droscha and seconded by Ferris.

**CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2016-31
AFSCME AGREEMENT
August 15, 2016**

BE IT HEREBY RESOLVED by the Mason City Council that it does hereby ratify an Agreement between the City of Mason and Mason City Employees, Chapter of Local #1390, Council 25, American Federation of State, County and Municipal Employees, dated September 2, 2016 – June 30, 2019; and

BE IT FURTHER RESOLVED, the Mayor and City Administrator are hereby authorized to execute said Agreement on behalf of the City Council.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:25 p.m.

Deborah J. Cwierniewicz, City Clerk

Michael F. Waltz, Mayor