

**CITY OF MASON
REGULAR CITY COUNCIL MEETING
MINUTES OF OCTOBER 3, 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 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. Cwiertniewicz, City Clerk

ANNOUNCEMENTS

- Mason Kiwanis Club – Blood Drive – St. James Church – October 6, 2016
- Downtown Bike Rack Ribbon Cutting Ceremony – October 5, 2016

PRESENTATION

William I. Tucker IV, Abraham & Gaffney – 2015-2016 Audit

Mr. William I. Tucker IV, CPA from Abraham & Gaffney, stated that he performed the 2015-2016 audit of the City's records. Mr. Tucker presented the financial statements to Council. He stated that the City would again receive an unqualified opinion, the best opinion that can be given. He added that it is a pleasure to work with the City, Eric Smith, and Michelle Pietsch.

MOTION by Droscha, second by Brown,
to accept the 2015-2016 Audit and place it on file.

MOTION APPROVED

CONSENT AGENDA

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

- A. Motion – Approval of Minutes: Regular Council Meeting: September 19, 2016
- B. Approval of Bills in the Amount of \$162,029.25
- C. Resolution – Appointment to Planning Commission by the Mayor

**CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2016-38
MAYORAL APPOINTMENT TO THE PLANNING COMMISSION
October 3, 2016**

WHEREAS, "The Mason Planning Commission" was established as prescribed by the Michigan Planning Enabling Act, 2008 PA 33;

WHEREAS, the Planning Commission shall have such lawful powers as may be necessary to enable it to promote local planning and otherwise carry out the purposes of the Michigan Planning Enabling Act, 2008 PA 33;

WHEREAS, a vacancy occurred on the Planning Commission due to the loss of Commissioner Tim Scott on August 8, 2016, whose term expires on December 31, 2017;

WHEREAS, Mr. Mark Howe applied on September 2, 2016 to be considered as a candidate to serve on the Planning Commission;

WHEREAS, Mr. Howe is a qualified candidate in good standing.

BE IT HEREBY RESOLVED, that the Mayor, with confirmation by the City Council, does hereby

appoint Mark Howe to the Planning Commission of the City to fill the remainder of the unexpired term, commencing October 3, 2016 and expiring on December 31, 2017.

- D. Resolution – Accept Change Order No. 1 of \$824.50 for Alterations to the Mason Fire Department Fire Pumper/Tanker Replacement of Tanker 807

**CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2016-39
ACCEPT CHANGE ORDER NO. 1 OF \$824.50 FOR ALTERATIONS
TO THE MASON FIRE DEPARTMENT FIRE PUMPER/TANKER
REPLACEMENT OF TANKER 807
October 3, 2016**

WHEREAS, in October of 2015 the Mason City Council approved Resolution 2015-48 to accept a bid of \$349,794.00 to purchase a 3,000 gallon pumper/tanker from Spartan ERV (Emergency Rescue Vehicle) to replace Existing Tanker 807;

WHEREAS, the above-mentioned resolution also included a provision to purchase up to \$17,000.00 for necessary accessory equipment bringing the total cost to \$366,794.00;

WHEREAS, the Mason Fire Department requested that the two-way radio and arrow stick controller/emergency lights be housed in the console between the two front seats;

WHEREAS, adequate room was not available to accommodate this feature;

WHEREAS, Spartan ERV was willing to move the arrow stick controller/emergency lights to an overhead console which freed up enough space in the console between the two front seats for the two-way radio; and

WHEREAS, the overall cost to make this change was originally \$938.50 but Spartan ERV gave Mason Fire Department a \$159.00 credit which brought the total cost to \$824.50.

NOW THEREFORE BE IT RESOLVED, that the Mason City Council approves the expenditure as part of the Fiscal Year 2016-2017 budget, with the Change Order No. 1 increase of \$824.50 and authorizes the City Administrator signature authority.

MOTION APPROVED

REGULAR BUSINESS

Ordinance – Introduction and First Reading of Ordinance Amending the Mason City Code by Adding a New Chapter to Add a Post Construction Storm Water Management Chapter; Findings and Ordinance Purpose

A brief discussion ensued regarding post construction storm water management. Ken Baker was asked to comment on the guidance manual.

MOTION by Droscha, second by Brown,
to introduce an Ordinance Amending the Mason City Code by Adding a New Chapter to Add a Post Construction Storm Water Management Chapter; Findings and Ordinance Purpose and consider it read for the first time.

MOTION APPROVED

Ordinance – Introduction and First Reading of Ordinance to Rezone 0.15 Acres of Land Located at 127 North Lansing Street from M-1 Light Manufacturing to R2F Two-Family Residential

MOTION by Brown, second by Droscha,

to introduce an Ordinance to Rezone 0.15 Acres of Land Located at 127 North Lansing Street from M-1 Light Manufacturing to R2F Two-Family Residential and consider it read for the first time.

MOTION APPROVED

Resolution – Approval of City Administrator’s Evaluation Process and Evaluation Tool

Stuart explained the proposed evaluation process and evaluation tool for the City Administrator.

MOTION by Droscha, second by Brown,
to consider the resolution for Approval of City Administrator’s Evaluation Process
and Evaluation Tool read.

MOTION APPROVED

Introduced by Ferris and seconded by Mulvany, a resolution for Approval of City Administrator’s Evaluation Process and Evaluation Tool.

**CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2016-40
APPROVAL OF CITY ADMINISTRATOR’S EVALUATION PROCESS
AND EVALUATION TOOL
October 3, 2016**

WHEREAS, it is the responsibility of the City Administrator to properly administer the affairs of the city and it is the responsibility of the City Council to verify that the City Administrator is performing the duties of the office in a manner consistent with the law and the expectations of the City Council;

WHEREAS, in order to establish and maintain an effective relationship between the City Council and the City Administrator, it is essential that the City Council establish an ongoing structured process for evaluating the job performance of the City Administrator in accomplishing the goals of the City Council and in carrying out assigned responsibilities as prescribed by state statute, city charter, city ordinance, and action of the City Council;

WHEREAS, a meaningful process for evaluating the job performance of the City Administrator should allow discussion of the strengths and weaknesses of the City Administrator as demonstrated by past actions with the objective of continuous improvement in the effectiveness of job performance, and should allow the City Council and the City Administrator to clarify and refine respective roles, relationships, expectations, and responsibilities, as well as identify specific objectives of the City Council;

WHEREAS, an objective and thorough analysis of job performance is a prerequisite for the determination of appropriate and justifiable compensation and benefit levels for the City Administrator;

NOW THEREFORE, BE IT RESOLVED, that the City Council shall conduct a formal evaluation of the job performance of the City Administrator on an annual basis and that the City Council shall conduct the formal performance evaluation according to the following process guidelines:

1. The formal performance evaluation shall generally occur during the third and fourth quarter of each calendar year. Although the process is expected to occur on an annual basis, the City Council may initiate an evaluation at any time.
2. The formal performance evaluation process shall be conducted during public meetings unless such evaluation is requested in closed session by the City Administrator pursuant to the Open Meetings Act. If a closed session is requested, all records created as a result of the process shall be exempt from disclosure to the extent provided by law and this resolution.
3. The formal performance evaluation process shall include the attached "City

Administrator Performance Evaluation and Development Form" (Attachment A), as approved by the City Council through this resolution.

4. The formal performance evaluation process shall include the following events which shall occur no later than the day noted:
 - a. First regular City Council meeting in October: The City Administrator shall distribute to each Council member the following documents:
 - i. A blank copy of the "City Administrator Performance Evaluation and Development Form."
 - ii. A copy of the "Employment Contract Between the City Administrator and the City Council."
 - iii. A copy of this resolution.
 - b. By October 31st: Each Council member shall complete the "City Administrator Performance Evaluation and Development Form" (Attachment A) and return completed forms to the Mayor or Mayor Pro Tem.
 - c. Five days prior to the first regular City Council meeting in December: The Mayor or Mayor Pro Tem shall tabulate and summarize the results of the individual Council member evaluations in the form of a composite "City Administrator Performance Evaluation and Development Form" and distribute a copy of the composite form to each Council member and the City Administrator. The Mayor shall return to each Council member the respective individual Council member evaluation form as soon as possible.
 - d. First regular City Council meeting in December: The City Council shall meet with the City Administrator for the purpose of evaluating the job performance of the Administrator. At minimum, the following topics shall constitute the agenda for the evaluation meeting:
 - i. Review and discuss the composite "City Administrator Performance Evaluation and Development Form."
 - ii. Engage in general discussion regarding the job performance of the City Administrator.
 - iii. Discuss specific objectives for the City Administrator for the upcoming twelve months.
 - iv. Discuss revision of the "Employment Contract between the City Administrator and the City Council."
 - e. Second regular City Council meeting in December: The Mayor or Mayor Pro Tem shall prepare and submit for Council approval, or approval with modification, a written summary of the conclusions of the City Council regarding the performance of the City Administrator, including a description of those areas where job performance has been better than expected, a description of those areas where job performance improvement is expected, and any action plans to be supported by the City Council to aid in said improvement. The written summary shall also set forth the specific objectives of the City Administrator for the next twelve months.
 - f. Second regular City Council meeting in December: The Mayor or Mayor Pro Tem may submit to the City Council proposed revisions to the "Employment Contract between the City Administrator and the City Council".
5. Upon approval, the written summary of the conclusions of the City Council regarding the performance of the City Administrator shall be filed, along with the composite "City Administrator Performance Evaluation and Development Form," in the personnel file of the City Administrator.

BE IT FINALLY RESOLVED, that this resolution shall nullify and supersede Resolutions 2001-49, 2003-12, 2004-06, and 2005-06 as well as any other process for evaluation of the performance of the city administrator.

RESOLUTION APPROVED

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

All correspondence was distributed. Bruno asked if it was possible to have the City Attorney take action to stop the tax tribunal cases that have been ongoing for a number of years.

LIAISON REPORT

No report at this time.

COUNCILMEMBER REPORT

No report at this time.

ADMINISTRATOR'S REPORT

Stuart informed Council regarding City business. She informed Council that a major motion picture, directed by Kathryn Bigelow, would be shooting scenes downtown tomorrow. Also, Saturday, October 8, is the City of Mason Open House sponsored by the Fire Department, and the trail extension will be presented to Council at their next meeting.

ADJOURNMENT

There being no further business, the meeting adjourned at 8:43 p.m.

Deborah J. Cwierniewicz, City Clerk

Michael F. Waltz, Mayor