

**CITY OF MASON
REGULAR CITY COUNCIL MEETING
MINUTES OF NOVEMBER 21, 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 Brown led the Pledge of Allegiance and offered the invocation.

Present: Councilmembers: Brown, Bruno, Clark, Droscha, Ferris, Waltz
Absent: Councilmembers: Mulvany
Also present: Deborah S. Stuart, City Administrator
Deborah J. Cwiertniewicz, City Clerk

ANNOUNCEMENTS

- Mason Kiwanis Community Thanksgiving Day Dinner will be held at the Mason First United Methodist Church on Thursday, November 21, 2016.
- Lighted Parade and Christmas Tree Lighting – Downtown Mason – November 22, 2016. Councilmember Elaine Ferris, 2016 Citizen of the Year will light the Christmas Tree assisted by the winning fifth grader in the poster contest to officially give the order.
- Small Business Saturday – November 23, 2016 - Shop Local!
- Mayor Waltz thanked Mayor Pro Tem Brown for presiding over the November 9th City Council Meeting.

PEOPLE FROM THE FLOOR

None.

CONSENT AGENDA

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

- A. Approval of Minutes: Regular Council Meeting: November 9, 2016
- B. Approval of Bills in the Amount of \$58,670.32
- C. Approval of Excused Absence for Councilmember Droscha for December 19th Meeting
 - Excuse the absence of Councilmember Droscha for the December 19th Meeting.
- D. Resolution - Approval for Bad Brewing Company to Use the City Right-of-Way for an Outdoor Beer Festival on January 28, 2017

**CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2016-45
APPROVAL FOR BAD BREWING COMPANY TO USE THE CITY RIGHT-OF-WAY
FOR AN OUTDOOR BEER FESTIVAL ON JANUARY 28, 2017
November 21, 2016**

WHEREAS, the City of Mason promotes special events that provide the community with entertainment and refreshment for their enjoyment;

WHEREAS, Mr. Brian Rasdale, owner of Bad Brewing Company, has applied on behalf of the company to hold an outdoor beer festival on January 28, 2017;

WHEREAS, Mr. Rasdale is requesting to close the alley between Jefferson and Park streets for the hours 1:00 p.m. – 9:00 p.m.

THEREFORE, BE IT RESOLVED by the City Council of the City of Mason that permission is hereby granted for Bad Brewing Company to utilize the City of Mason right-of-way by closing the alley between Jefferson and Park streets for the hours 1:00 p.m. – 9:00 p.m. to hold an outdoor beer festival January 28, 2017.

- E. Resolution – Approval of Special Assessment Resolutions No. 1 and 2 for Project 2017-1

**CITY OF MASON
2017 SIDEWALK IMPROVEMENTS
SPECIAL ASSESSMENT RESOLUTION NO. 1**

**PROJECT 2017-1
November 21, 2016**

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: 201 E Ash, 216 E Ash, 220 E Ash, 226 E Ash, 405 S Barnes, 520 S Barnes, 603 S Barnes, 604 S Barnes, 611 S Barnes, 100 Corbin, 111 E Elm, 115 E Elm, 116 E Elm, 121 E Elm, 122 E Elm, 226 E Elm, 327 E Elm, 408 E Elm, 416 E Elm, 417 E Elm, 423 E Elm, 426 E Elm, 427 E Elm, 435 E Elm, 224-226 W Elm, 225 W Elm, 227 W Elm, 228 W Elm, 235 W Elm, 238 W Elm, 305 W Elm, 306 W Elm, 309 W Elm, 315-317 W Elm, 320 W Elm, 324 W Elm, 837 Eugenia, 848 Eugenia, 849 Eugenia, 897 Franklin Farm, 630-632 Henderson, 525 Holt, 100 N Jefferson, 103 N Jefferson, 107 N Jefferson, 115 N Jefferson, 119 N Jefferson, 123 N Jefferson, 137-139 N Jefferson, 141-143 N Jefferson, 150 N Jefferson, 154 N Jefferson, 172-188 N Jefferson, 196 N Jefferson, 235 N Jefferson, 238 N Jefferson, 245 N Jefferson, 250 N Jefferson, 255 N Jefferson, 420 N Jefferson, 440 N Jefferson, 444 N Jefferson, 456 N Jefferson, 457 N Jefferson, 525-527 S Jefferson, 601 S Lansing, 605 S Jefferson, 801 Northbrook, 809 Northbrook, 817 Northbrook, 825 Northbrook, 850 Northbrook, 852 Northbrook, 856 Northbrook, 857 Northbrook, 858 Northbrook, 859 Northbrook, 125 Okemos, 524 S Rogers, 531 Steele; 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.

**CITY OF MASON
2017 SIDEWALK IMPROVEMENTS
SPECIAL ASSESSMENT RESOLUTION NO. 2
PROJECT 2017-1
November 21, 2016**

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: 201 E Ash, 216 E Ash, 220 E Ash, 226 E Ash, 405 S Barnes, 520 S Barnes, 603 S Barnes, 604 S Barnes, 611 S Barnes, 100 Corbin, 111 E Elm, 115 E Elm, 116 E Elm, 121 E Elm, 122 E Elm, 226 E Elm, 327 E Elm, 408 E Elm, 416 E Elm, 417 E Elm, 423 E Elm, 426 E Elm, 427 E Elm, 435 E Elm, 224-226 W Elm, 225 W Elm, 227 W Elm, 228 W Elm, 235 W Elm, 238 W Elm, 305 W Elm, 306 W Elm, 309 W Elm, 315-317 W Elm, 320 W Elm, 324 W Elm, 837 Eugenia, 848 Eugenia, 849 Eugenia, 897 Franklin Farm, 630-632 Henderson, 525 Holt, 100 N Jefferson, 103 N Jefferson, 107 N Jefferson, 115 N Jefferson, 119 N Jefferson, 123 N Jefferson, 137-139 N Jefferson, 141-143 N

Jefferson, 150 N Jefferson, 154 N Jefferson, 172-188 N Jefferson, 196 N Jefferson, 235 N Jefferson, 238 N Jefferson, 245 N Jefferson, 250 N Jefferson, 255 N Jefferson, 420 N Jefferson, 440 N Jefferson, 444 N Jefferson, 456 N Jefferson, 457 N Jefferson, 525-527 S Jefferson, 601 S Lansing, 605 S Jefferson, 801 Northbrook, 809 Northbrook, 817 Northbrook, 825 Northbrook, 850 Northbrook, 852 Northbrook, 856 Northbrook, 857 Northbrook, 858 Northbrook, 859 Northbrook, 125 Okemos, 524 S Rogers, 531 Steele; and

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 19th day of December, 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 2017-1**

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 2017-1, 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 2017-1:

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:

201 E Ash, 216 E Ash, 220 E Ash, 226 E Ash, 405 S Barnes, 520 S Barnes, 603 S Barnes, 604 S Barnes, 611 S Barnes, 100 Corbin, 111 E Elm, 115 E Elm, 116 E Elm, 121 E Elm, 122 E Elm, 226 E Elm, 327 E Elm, 408 E Elm, 416 E Elm, 417 E Elm, 423 E Elm, 426 E Elm, 427 E Elm, 435 E Elm, 224-226 W Elm, 225 W Elm, 227 W Elm, 228 W Elm, 235 W Elm, 238 W Elm, 305 W Elm, 306 W Elm, 309 W Elm, 315-317 W Elm, 320 W Elm, 324 W Elm, 837 Eugenia, 848 Eugenia, 849 Eugenia, 897 Franklin Farm, 630-632 Henderson, 525 Holt, 100 N Jefferson, 103 N Jefferson, 107 N Jefferson, 115 N Jefferson, 119 N Jefferson, 123 N Jefferson, 137-139 N Jefferson, 141-143 N Jefferson, 150 N Jefferson, 154 N Jefferson, 172-188 N Jefferson, 196 N Jefferson, 235 N Jefferson, 238 N Jefferson, 245 N Jefferson, 250 N Jefferson, 255 N Jefferson, 420 N Jefferson, 440 N Jefferson, 444 N Jefferson, 456 N Jefferson, 457 N Jefferson, 525-527 S Jefferson, 601 S Lansing, 605 S Jefferson, 801 Northbrook, 809 Northbrook, 817 Northbrook, 825 Northbrook, 850 Northbrook, 852 Northbrook, 856 Northbrook, 857 Northbrook, 858 Northbrook, 859 Northbrook, 125 Okemos, 524 S Rogers, 531 Steele; and;

TAKE FURTHER NOTICE that the City Council will meet on Monday, the 19th day of December 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.

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

MOTION APPROVED

REGULAR BUSINESS

Resolution – Accept Change Order No. 1 of \$13,110.43 for Alterations to the 2016 Waste Water Treatment Plant Improvements

Stuart commented on her research of the proposed change order for alterations to the 2016 Waste Water Treatment Plant. She stated that it is not uncommon for minor errors to come up and be missed in a big package and that this is the purpose of having a contingency reserve. There are \$15,000 in credits estimated on this project based on other items coming in under budget that would balance within that change order before it would reach the contingency line item. She recommended approval of the resolution.

MOTION by Droscha, second by Brown,
to consider Resolution – Accept Change Order No. 1 of \$13,110.43 for Alterations
to the 2016 Waste Water Treatment Plant Improvements as read.

MOTION APPROVED

Introduced by Ferris and seconded by Brown, Resolution – Accept Change Order No. 1 of \$13,110.43 for Alterations to the 2016 Waste Water Treatment Plant Improvements.

Bruno stated that the error was the responsibility of the contractor and engineers; the City should not have to pay for the problem. He understood that it is not always possible to determine underground situations during construction and those types of changes are necessary.

MOTION by Droscha, second by Bruno,
to amend Resolution – Accept Change Order No. 1 of \$13,110.43 for Alterations
to the 2016 Waste Water Treatment Plant Improvements by striking the amount
of \$13,110.43 and inserting \$1,122.15.

Yes (3) Bruno, Clark, Droscha

No (3) Brown, Ferris, Waltz

MOTION FAILED

MOTION by Droscha, second by Bruno,
to approve Resolution – Accept Change Order No. 1 of \$13,110.43 for Alterations
to the 2016 Waste Water Treatment Plant Improvements.

Yes (3) Brown, Ferris, Waltz

No (3) Bruno, Clark, Droscha

MOTION FAILED

MOTION by Bruno, second by Droscha,
to approve a change order in the amount of \$1,122.15 to relocate the force main
at the waste water treatment plant.

MOTION APPROVED

Resolution – Authorizing an Application to the Ingham County Regional Trails and Parks Millage Fund to the Extension of the Hayhoe Riverwalk Trail in the City of Mason

Stuart stated the Chief of Police was consulted regarding the location of the trailhead and that he supported the location and added that he felt the location would alleviate some of the traffic safety concerns they are confronting on Howell Road. She encouraged Council to approve authorizing an application to the Ingham County Regional Trails and Parks Millage Fund to the extension of the Hayhoe Riverwalk Trail in the City of Mason.

MOTION by Droscha, second by Ferris,
to consider Resolution – Authorizing an Application to the Ingham County Regional Trails and Parks Millage Fund to the Extension of the Hayhoe Riverwalk Trail in the City of Mason as read.
MOTION APPROVED

Introduced by Ferris and seconded by Brown, Resolution – Authorizing an Application to the Ingham County Regional Trails and Parks Millage Fund to the Extension of the Hayhoe Riverwalk Trail in the City of Mason.

**CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2016-44
AUTHORIZING AN APPLICATION TO THE INGHAM COUNTY REGIONAL
TRAILS AND PARKS MILLAGE FUND TO THE EXTENSION OF THE
HAYHOE RIVERWALK TRAIL IN THE CITY OF MASON
November 21, 2016**

WHEREAS, the City of Mason is eligible to apply for Ingham County Trails and Parks Millage funds for the purpose of regional recreational amenity maintenance;

WHEREAS, the Ingham County Trails and Parks Comprehensive Report identifies the Hayhoe Riverwalk Trail Extension (the "Project") as an eligible project under new construction;

WHEREAS, the Project is critical to the functionality of the Hayhoe Riverwalk Trail as a major regional connector trail to Delhi and Vevay Townships, as supported by the City's Master Plan and Recreation Plan;

WHEREAS, the City Council believes the Project will be an asset to the community and that allocating \$21,000 from the General Fund (reallocating funding reimbursed for the Pedestrian Bridge) and \$40,341 from the Rayner Bond Fund is in the best interest of the City of Mason residents and will leverage over 90% of the project costs;

WHEREAS, the estimated Project cost is \$1,004,325 and is expected to be funded by the following sources:

- Dart Foundation \$50,000
- Lisa and George Hayhoe \$200,000
- City of Mason \$61,341;

WHEREAS, the remaining gap for the Project will be requested of the Ingham County Regional Trails and Parks Millage Fund.

NOW THEREFORE BE IT RESOLVED, the City Council hereby authorizes the City Administrator to submit a grant request to the Ingham County Trails and Parks Millage Fund for the Project and negotiate final terms of the grant agreement consistent with this resolution, if selected for funding;

BE IT FURTHER RESOLVED, the City Council hereby authorizes the budget amendments within the current fiscal year required to facilitate this project consistent with this resolution, if selected for funding prior to July 1, 2017.

RESOLUTION APPROVED

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

All correspondence was distributed.

LIAISON REPORT

Brown informed Council regarding Planning Commission business.

MOTION by Brown and seconded by Droscha,
to excuse the absence of Councilmember Mulvany.

MOTION APPROVED

COUNCILMEMBER REPORT

Brown reported that he served on the Michigan Municipal League Newly Elected Officials Training panel last week. All three City of Mason Councilmembers Elect were in attendance.

ADMINISTRATOR'S REPORT

Stuart informed Council regarding City business. She updated Council regarding the purchase of Rayner Park, stating that it was in the hands of the County. They will endorse their part of the agreement and it would be recorded next week. She acknowledged Seth Pautz, a 12 year-old resident for donating his birthday money to the Food Bank for the second year in a row. There was a power surge at City Hall last week that caused severe damage to several UPS servers. The power outage was due to an accident in the area. A Letter of Intent from the Michigan Economic Development Corporation (MEDC) regarding the Kelsey project in downtown Mason has been received. It is construction will begin on their multi-story building in the spring of 2017.

ADJOURNMENT

There being no further business, the meeting adjourned at 8:05 p.m.

Deborah J. Cwierniewicz, City Clerk

Michael F. Waltz, Mayor