

CITY OF MASON

201 West Ash St.
Mason, MI 48854-0370

City Hall 517-676-9155
Fax 517-676-1330

CITY COUNCIL MEETING - COUNCIL CHAMBER

Monday, May 6, 2013

7:30 p.m.

Agenda

1. Call to Order
2. Roll Call
3. Pledge of Allegiance and Invocation
4. Announcements
5. People from the Floor
6. Presentations
 - A. Pat Hicks – Sundried Music Festival
7. Public Hearing
 - A. FY 2013-2014 Budget
 - Resolution No. 2013-15 – Adoption of the FY 2013-2014 Budget
8. Consent Agenda
 - A. Approval of Minutes – Regular Council Meeting: April 15, 2013
 - B. Approval of Bills
 - C. Motion – Street Closure – Mason Farmers Market Association, Inc
 - D. Motion – Street Closures – Sundried Music Festival
 - E. Motion — Request to be Excused – City Council Member Jim Mulvany
9. Regular Business
 - A. Resolution No. 2013-16 – A Resolution to Accept a Ten Foot Public Utility Easement for 710 Temple Street
 - B. Resolution No. 2013-17 – Award of the Well No. 9 Raw Water Main Project
10. Unfinished Business
11. New Business
12. Correspondence
 - Ed Sesi – WOW
13. Liaison Reports
14. Councilmember Reports
15. Administrator's Report
 - Payment Received from Hardy & Hardy Consulting
 - Gestamp
 - LEAP Art Grant
16. Adjournment

CITY OF MASON

STAFF AGENDA REPORT TO CITY COUNCIL

Meeting Date: May 6, 2013

Agenda Item No: 7(A)

AGENDA ITEM

- Public Hearing – FY 2013-2014 Budget
- Resolution 2013-15 - Adoption of the FY 2013-2014 Budget

EXHIBITS

None.

STAFF REVIEW

Finance

SUMMARY STATEMENT

The Charter of the City of Mason, Chapter 8, Section 8.4 states, "Not later than the third Monday in May, the Council shall, by resolution adopt the budget for the next fiscal year." The Council has been presented with the proposed 2013-2014 Budget. Attached is a resolution which:

- adopts the proposed 2013-2014 budget
- sets the amount of tax dollars to be collected
- sets the millage rate
- approves the DDA and LDFA budgets
- amends on July 1, 2013 the 2013-2014 budget to re-appropriate encumbrances (purchase orders) outstanding and reserved on June 30, 2013.

RECOMMENDED ACTION

Approve Resolution 2013-15.

Introduced:
Second:

**CITY OF MASON
CITY COUNCIL RESOLUTION 2013-15**

ADOPTION OF THE FY 2013-2014 BUDGET

May 6, 2013

WHEREAS, the City Council of the City of Mason did hold a public hearing on the proposed 2013-2014 fiscal year budget on Monday, May 6, 2013 as prescribed by law; now

THEREFORE BE IT RESOLVED, that the proposed 2013-2014 Operating Budget is filed with the City Clerk, providing for the sums of \$12,223,470 to expend for municipal purposes of the General Fund, Special Revenue Funds, Capital Project Funds, Trust and Agency Funds, Enterprise Funds, Intergovernmental funds, and Special Assessment Funds for the 2013-2014 fiscal year, and the said amount of \$2,879,810 shall be raised by taxes, or a levy of 13.25 mills, upon real and personal property of the City of Mason.

RESOLVED FURTHER, that whereas the Downtown Development Authority (DDA) budget for 2013-2014 is forwarded to the City Council for its approval, and whereas the captured State Taxable Valuation for the DDA District is \$1,754,086 the sum of \$23,550 shall be placed in the DDA Fund along with other taxing jurisdictions' appropriate tax dollar amounts, and together this money will be used for future public improvements within the District, and bond payments.

RESOLVED FURTHER, that whereas the Local Development Finance Authority (LDFA) budget for 2013-2014 is forwarded to the City Council for its approval, and whereas the captured State Taxable Valuation for the LDFA District is \$62,628,423; the sum of \$174,345 shall be placed in the LDFA Fund along with other taxing jurisdictions' appropriate tax dollar amounts, and together this money will be used for future public improvements within the District, and bond payments.

RESOLVED FURTHER, that the 2013-2014 Governmental Fund Budgets shall be automatically amended on July 1, 2013 to re-appropriate encumbrances outstanding and reserved on June 30, 2013.

NOW, THEREFORE, BE IT FINALLY RESOLVED, that the City Council of the City of Mason hereby adopts the 2013-2014 proposed fiscal year budget which is currently on file in the office of the City Clerk.

Yes:

No:

CLERK'S CERTIFICATION: I hereby certify that the foregoing is a true and accurate copy of a resolution adopted by the City Council at its regular meeting held Monday, May 6, 2013 the original of which is part of the Council's minutes.

Deborah J. Cwierniewicz, City Clerk
City of Mason
County of Ingham

**CITY OF MASON
REGULAR CITY COUNCIL MEETING
MINUTES OF APRIL 15, 2013**

Clark called the meeting to order at 7:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan. Mulvany led the Pledge of Allegiance and offered the invocation.

Present: Councilmembers: Brown, Bruno, Clark, Droscha, Ferris, Mulvany, Naeyaert
Absent: Councilmember: None
Also present: Martin A. Colburn City Administrator
Deborah J. Cwiertniewicz, City Clerk

ANNOUNCEMENTS

- Kiwanis Open House and Ribbon Cutting – April 28, 2013 – Celebrating 90 Years

PEOPLE FROM THE FLOOR

None.

PRESENTATION

None.

CONSENT AGENDA

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

- A. Approval of Minutes – Regular Council Meeting: April 1, 2013
- B. Approval of Bills: \$29,867.54

MOTION APPROVED UNANIMOUSLY

REGULAR BUSINESS

Motion – Farmland Development Rights Agreement Application

Colburn stated that David and Laura Cheney submitted a Farmland Agreement application to the Michigan Department of Agriculture (MDA) under the Farmland and Open Space Preservation Program. The local governing body is required to provide approval or rejection of the application. As required by the MDA, a copy of the application was forwarded to the Ingham Conservation District for review. The Conservation District met Wednesday, March 27, 2013, and had no comment on the application. Council approval permits the 40 acres of land cited in the application into the Farmland and Open Space Preservation Program for an initial period of 10 years.

MOTION by Naeyaert, second by Droscha,
to approve the application of David and Laura Cheney to enter into the
Development Rights Agreement to participate in the Farmland and Open Space
Preservation Program with the Michigan Department of Agriculture.

MOTION APPROVED UNANIMOUSLY

Motion – Agreement for Exchange of Services between the City of Mason and Bruce Johnston

Bruce Johnston recently retired from the Ingham County Housing Commission where he worked on matching grants for downtown lofts and a neighborhood stabilization program on behalf of the City. Pursuing a private career, Mr. Johnston is a partner of Revitalize LLC and is currently seeking office space. Revitalize LLC is a consulting firm which specializes in grant writing, community development, housing endeavors with special purpose needs, community based public service projects, consulting for the purpose of finding funds through government funding, and funding through foundations and endowments. Staff recommended entering into an agreement that would provide furnished office space, access to city facilities, and utilities in exchange for Mr. Johnson spending at least five hours per week on promoting and representing the City of Mason in community re-development and economic development activities.

MOTION by Naeyaert, second by Brown,
to authorize the City Administrator to sign the Agreement for Exchange of
Services between Revitalize LLC and the City of Mason.

MOTION APPROVED UNANIMOUSLY

Mayoral Proclamation – Arbor Day

Clark commented on the City of Mason being named a Tree City USA by The National Arbor Day Foundation in cooperation with the National Association of State Foresters and the USDA Forest Service; this is the 22nd year Mason has received this national recognition. The city of Mason has made a commitment to further the health and welfare of the community forestry program by becoming a Tree City USA. The Tree City USA program is sponsored by The National Arbor Day Foundation in cooperation with the USDA Forest Service and the National Association of State Foresters. Officially recognizing Arbor Day meets one of the criterions set by the Foundation to maintain “Tree City” status.

The Mason Tree Commission selected Deborah Ide as the 2013 Arbor Day honoree. Ms. Ide has chosen a Red Sunset Maple tree for placement at the Pink School House for the Arbor Day Celebration.

Discussion – American Legion Statue Placement

Council discussed placement of the American Legion statues. Bruno stated that the position of American Legion Post 148 is that the statues be placed where they were originally approved, on the berm in front of city hall. Also, the Legion proposes to improve the landscape for visual appreciation of the statues by removing the current landscape on the front of the berm.

UNFINISHED BUSINESS

None.

NEW BUSINESS

Discussion was held to set a third Budget work session prior to considering approval. No action was taken.

It was brought to the attention of Council that a planning commissioner is interested in establishing smoke-free city parks.

CORRESPONDENCE

All correspondence was distributed.

LIAISON REPORTS

- Ferris informed Council regarding Tree Commission business.
- Naeyaert informed Council regarding Planning Commission business

COUNCILMEMBER REPORTS

Ferris reported on the MML Conference she attended.

ADMINISTRATOR'S REPORT

Colburn informed Council regarding City business.

ADJOURNMENT

The meeting adjourned at 8:01 p.m.

Deborah J. Cwierniewicz, City Clerk

Leon R. Clark, Mayor

05/03/2013 09:52 AM
User: TF
DB: Mason City

INVOICE APPROVAL BY INVOICE REPORT FOR CITY OF MASON

EXP CHECK RUN DATES 04/16/2013 - 05/08/2013
BOTH JOURNALIZED AND UNJOURNALIZED
BOTH OPEN AND PAID

COUNCIL REPORT
MONDAY, MAY 6, 2013

Vendor Code Invoice GL Number	Vendor Name Invoice Description GL Description	Invoice Date	Amount
07778	ALL PHASE ELECTRIC SUPPLY		
3986-530876 101-448.00-970.000	LED BULBS 27 LED BULBS	05/03/2013	2,857.95
3986-531901 101-448.00-970.000	LED BULBS 75 LED BULBS	05/03/2013	7,938.75
VENDOR TOTAL:			10,796.70
07800	BLUE CROSS BLUE SHIELD OF MICHIGAN		
GRP#7029499710DIV#00 750-000.00-231.015	HEALTH INS ~ CITY EXPENSE HEALTH INSURANCE CITY EXPENSE	04/19/2013	6,527.50
GRP#7029499710DIV#02 750-000.00-231.015	HEALTH INS CITY EXPENSE HEALTH INS CITY EXPENSE	04/19/2013	11,404.58
GRP#7029499DIV#001 101-855.00-874.001	RETIREEES - CITY EXPENSE RETIREEES - CITY EXPENSE	04/19/2013	6,437.16
VENDOR TOTAL:			24,369.24
05016	GRANGER		
APRIL 2013 101-528.00-818.000	APRIL REFUSE #2276 CUSTOMERS APRIL REFUSE #2276 CUSTOMERS	05/03/2013	26,583.68
VENDOR TOTAL:			26,583.68
07936	JC ELECTRIC LLC		
4416 592-555.00-933.000 592-555.00-933.000	TRANSFER SWITCH FAILURE LABOR & PARTS TRANSFER SWITCH FAILURE LABOR TRANSFER SWITCH FAILURE PARTS	05/03/2013	4,200.00 1,733.82 5,933.82
VENDOR TOTAL:			5,933.82
TOTAL - ALL VENDORS:			67,683.44

I hereby certify that I have reviewed the above bills and expenses and to the best of my knowledge and belief, they cover expenditures of City services and materials and are within current budget appropriations.



Martin A. Colburn
City Administrator

CITY OF MASON

STAFF AGENDA REPORT TO CITY COUNCIL

Meeting Date: May 6, 2013

Agenda Item: 8(C)

AGENDA ITEM

Motion - Street Closure – Mason Farmers Market Association, Inc.

EXHIBITS

- Letter from Mason Farmers Market Association, Inc., dated May 6, 2013
- Mason Farmers Market Association, Inc. Vendor Application Form and Rules

STAFF REVIEW

City Clerk

SUMMARY STATEMENT

The Mason Farmers Market Association will be holding its ninth annual farmers market and is requesting to close the center portion of the 100 block of East Maple Street between South Barnes Street and the west edge of the Ingham County Hilliard Building between the hours of 6:00 a.m. and 2:00 p.m. from July 6 through October 5. The street closure request is for the purpose of selling agricultural produce and related items.

RECOMMENDED ACTION

Move to approve the request of the Mason Farmers Market Association to use the public right-of-way by allowing the closure of East Maple Street from South Barnes Street to the center portion of the 100 block of East Maple Street, Saturday mornings, July 6, through October 5, 2013, between the hours of 6:00 a.m. and 2:00 p.m.

MASON FARMERS MARKET ASSOCIATION, INC.
417 W. Sycamore St.
Mason MI 48854

May 6, 2013

Mason City Council
City Hall
201 W. Ash
Mason, MI 48854

Honorable Mayor and City Council:

The Mason Farmer's Market Association is once again asking for permission to operate the market; and close the center portion of the 100 block of East Maple Street. As always, we will be sensitive to needs of businesses and their need for parking. The market will be blocking the street on Saturdays between 6 a.m. and 2:00 p.m. from July 6 through October 5, for its ninth year. Market rates remain the same. We arrange for a porta-john in the corner of the city lot on the west side of the Presbyterian church playground. Insurance will be arranged as in previous years. We have agreement from both the Presbyterian and Methodist Church. We also request loan of four sawhorse barriers and 8 cones for the season from DPW, which will be stored and returned after the market season ends.

Market site for the Sun Dried Festival is anticipated for that Saturday as the Austin Park pavilion. On Down Home Days in September, we will extend the market til 4 p.m. and arrange the space as usual with the Chamber.

As we do every year, there is always a free space for community organizations to publicize their programs each week. This year Jeff Collar will be sharing market master responsibilities. Please feel free to encourage community organizations to contact me for information.

Sincerely,

Elaine Ferris, President
Mason Farmers Market Assn.

cc: Barb Tornholm, Treasurer
Farm Market Board
Sun Dried Festival chair
Doug Klein, Mason Chamber

MASON FARMERS MARKET ASSOCIATION, INC.

2013 VENDOR APPLICATION FORM

Name_____

Business name (if applicable)_____

Address_____

City_____ State_____ Zip_____

Phone_____ Email_____

Please list all items you plan to sell._____

Please check your preference below.

_____seasonal vendor \$125 per space (\$150 after July 1)

_____daily vendor \$15 per space per day

_____any four weeks for \$45

Michigan Sales Tax number if applicable _____

The undersigned and all my representatives agree to abide by the
Mason Farmers Market Rules which I have reviewed.

Signed_____ Date_____

Approval_____ Date_____

Send check and form to: Mason Farmers Market Association, att: Barb Tornholm
City of Mason, 201 W. Ash, Mason MI 48854

2013 MASON FARMERS MARKET RULES

July 6 to October 5

Please note the Market will run from **9:00 AM to 1:00 PM**

1. Annual Fee: \$125.00 per space for the 2013 season if the fee is paid in full by June 1, 2013. After June 1, the fee for one space is \$150. Each space will have 10 feet of frontage and 15 feet of depth. Seasonal vendors will have the right to the same space for the entire season of the market except for Sun Dried Festival on August 24 and Down Home Days on September 14, 2013. As usual, we will be on the north side of Maple only for Down Home Days. For the Sundried Festival we will be Austin Park, 2 blocks west.

2. Daily fee: \$15.00 per space per market. The daily fee is payable for those not renting for the season. Daily spaces will be assigned on a first come, first served basis by the Market Master or appointee beginning at 8:30 am on market days. A package of any four weeks can be purchased for \$45.

3. The Market will be open to the public from 9 a.m. to 1 p.m. on each Saturday between July 6 and October 5.

4. To claim a previously assigned space, an annual vendor needs to be present by 7:30 a.m. or the space may be rented out to a daily vendor after that time. Only the Market Master or appointee can assign space. An annual vendor cannot designate who gets their space if they are not present, nor can they sublet their space.

5. Vendors are expected to have quality produce. Selling overripe, spoiled or unusable produce is not permitted. Vendors are also required to comply with all Michigan Department of Agriculture (MDA) Rules and Regulations. Contact the MDA for questions at 517/373-1060 (processed food) or 517/373-1087 (plants). A copy of the appropriate State license must accompany the vendor application for items such as perennial plants, baked goods, and maple syrup as well as other processed foods.

6. All items offered for sale **must** be home grown (grown by vendor) or farmer direct (bought from another Michigan farmer) except with express permission of the Mason Farmers Market Association. Products eligible for sale in the market include: fruits, vegetables, flowers (fresh or dried), foods and value-added products. Value-added products may include: honey, maple syrup, pie/breads/jams prepared per cottage food law specifications, and dried flowers.

7. Products purchased through a produce wholesaler, produce auction or retailer **are prohibited**. Vendors are encouraged to label their products in a location that can be clearly seen at the point of purchase.

7. Dumping of produce in the trashcans is forbidden. Vendors are required to take home everything that was not sold including boxes, bags, etc. A one-time fee of \$50 will be assessed to vendors who leave trash behind.

8. Each vendor is expected to clean his or her stall at the end of each day and to keep it neat during the period that the market is open.

9. The maximum spaces that a vendor may have are two. Other arrangements require the written permission of the Market Master.

10. Rules apply equally to seasonal and daily vendors.

12. A Vendor suspected of violating a rule may receive a verbal request to stop the violation. A Vendor who receives a written notice of a violation and who does not immediately stop the violation may lose the privilege of offering items for sale at the market and will forfeit any fee paid.

Contact Persons are: Elaine Ferris, Market Master 517-676-4175, ejferris@toast.net
Barb Tornholm, Treasurer 517-676-5598, btornholm@sbcglobal.net

CITY OF MASON

STAFF AGENDA REPORT TO CITY COUNCIL

Meeting Date: May 6, 2013

Agenda Item: 8(D)

AGENDA ITEM

Motion – Street Closure – Sundried Music Festival

EXHIBITS

- Written request by Pat Hicks
- Memorandum – Police Sgt. Hude, dated May 3, 2013

STAFF REVIEW

Police Department

SUMMARY STATEMENT

The Sun Dried Music Festival Incorporated organization is requesting street closures to hold the annual Sundried Music Festival in downtown Mason including, Maple Street from the Mason State Bank parking lot entrance to Barnes Street, Jefferson Street from Sycamore Street to Ash Street, Barnes Street from Sycamore to Ash Street, and Ingham Court from Jefferson Street to Mason State Bank exit driveway. The organization is also requesting the use of equipment, electrical power, and a waiver of associated permits and fees. The organization is also requesting Council to waive Section 22-6(2) of the Mason Code to allow the use of sound amplifying equipment between the hours of 10:00 p.m. Saturday, August 24, to 1:00 a.m. Sunday August 25. The organization has invited area churches to use the stage and equipment for a morning community worship service, August 25. Therefore, they are also requesting Council to waive Section 22-6(2) of the Mason Code between the hours of 9:00 a.m. and 12:00 p.m. to allow a community worship service to be held.

RECOMMENDED ACTION

Move to approve the request for the Sun Dried Music Festival Incorporated street closures as follow: Maple Street from the Mason State Bank parking lot entrance to Barnes Street, Jefferson Street from Sycamore Street to Ash Street, Barnes Street from Sycamore to Ash Street, and Ingham Court from Jefferson Street to Mason State Bank exit driveway. Also, for the use of equipment, electrical power, waiver of permits, fees and Section 22-6(2) of the Mason Code for the hours of 10:00 p.m. on August 24, to 1:00 a.m. on August 25, as well as from 9:00 a.m. – 12:00 p.m. to allow a community worship service to be held.

Good evening, my name is Pat Hicks, and I'm here representing the members of the Sun Dried Music Festival Incorporated organization. I'm currently the Vice President of the non-profit that was established last year. I have been involved with the Festival since its beginning and a committee member for the last three years. We have been working on organizing the Festival since January, and we are well on our way to producing an event that we hope is bigger and better than last years.

Along with last year's event, the Festival Committee invested in the infrastructure of the Downtown area. Approximately \$1500.00 was invested in portable upgrades to the electrical system around the Court House Square. Before these upgrades, there were problems with the heavy loads on the system by some vendors. The upgraded system was designed and constructed by me and City employee Kirk Crawford, and can now be used by the Chamber when they have their events on the square. This year we will be adding a couple of water manifolds that will provide clean potable drinking water to vendors, and is accepted by the County Health Dept. These manifolds will also provide some flexibility to non-profits in the Community that may want to hook to a hydrant and have their car washes closer to their facility instead of being tied to a building as they are now.

Returning this year to the committee are Katy Sheridan, Christie English, Joel Heckler, Mark Howe, Michelle Bontrager, Karen Kouretas, Jamie Robinson, and Leon Clark. Joining us this year are Neil Sheridan, and Rebecca Jordan. Each member of the committee has taken on a specific area of organization and then recruits volunteers to accomplish their assignment. The sub committees, if you will, cover such areas as Insurance, Volunteers, Liquor License and the Beverage Tent, Entertainment, Vendors, and Security. The entire event is organized with the direct input of the Mason Police Department. This year's representative from the Police Department is Detective Rob Mentink.

For the first time since its beginning, the DDA is shifting from Event Underwriter, to Event Sponsor. The thought behind the DDA involvement has always been to step back from the event as it became established and move on to other projects. The Festival is now in the hands of the non-profit that was established for this exact purpose last year.

The second stage returns again this year, as it was very well received last year. The concept worked so well that one of the acts that premiered on the second stage last year, will be performing on the Main Stage this year. Also returning this year will be the kids play area where we hope to expand the activities available to the youth that attend. Once again there will be a variety of vendors, with the emphasis, as with the whole event, on local first. The Committee decided this year to offer an incentive to members of the Chamber of Commerce, and the DDA through a discount on the standard booth rate. The beverage tent will also be the center of the event again this year. The reason we say that the beverage tent is the center of the event is not because we want to encourage drinking only. The truth is that the tent is the largest revenue producer, and without it we would not be able to generate enough funds to sustain the festival. We take a lot of pride, and put in a lot of work to insure that this area is well managed. As far as I know, we are the only festival in the area that asks any volunteer working in the beverage area to attend alcohol management training classes, which we organize. The volunteers that allow

admission receive awareness training from the Police Department in the area of false ID recognition, and legal entry laws. The volunteer security personnel also work with the police department and provide the extra set of eyes in the beverage area, and help to enforce the non-smoking in the drinking area, and the non-drinking in the smoking area rules.

One of the additions to this year's event will be a 50 – 50 drawing that should generate a new interest, and help us raise more funds. The one big change that we are working on, is planned to happen on Sunday morning, and can only succeed with the help of the local Churches. What we are proposing is that all of the ministers, with every church in town, invite their congregations to join in one mass, community wide service on Sunday morning. If they agree, we have made arrangements with the stage and sound companies to use their equipment to accommodate the service. To accomplish this feat, we ask the City Council to approve our usual request for street closures until 4 pm on Sunday the 25th of August. If for some reason the churches don't agree with this suggestion, we will try to have the streets clear prior to the normal Sunday services. Those closures include Maple St. from the Mason State Bank parking lot entrance to Barnes St. Jefferson St. from Sycamore St. to Ash St. Both sides of Barnes St. from Sycamore to Ash St. We would also like to close Ingham Court from Jefferson St. to the Mason State Bank exit driveway. As we have every year, every effort will be made to give as much advance notice of street closures to the downtown businesses as possible. We also request for a waiver of any fees that may be required as well as turning the power on in the Downtown area. We also request the waiver of the amplified music ordinance until 1 am on the 25th of August.

We truly appreciate the support of the City Staff, the Police Department, and DPW workers who help with many aspects of the preparation for the Festival. We also appreciate the City Employees who work a long day on their jobs, and then come downtown to volunteer their services to help make this event successful. A special thanks to Kirk and Levi who help us deal with the electrical issues we encounter. As always, we truly appreciate the support of the City Council. Without this support, and the overwhelming support of the community, we would never be able to host this event. This year our goal is to invite between 10 and 15 thousand people to downtown Mason and show them what a great community we live in.

Thank you again, and if you have any questions I will try to answer them. With your help, and the support of the community, we look forward to a fun, safe, and successful festival again this year. See you all on August 23rd through the 25th.

RECEIVED

MAY 02 2013

MASON CITY CLERK



Mason Police Department

201 W. Ash St.
P.O. Box 370
Mason, MI 48854-0370

JOHN STRESSMAN
Chief of Police

Office: (517) 676-2458
Fax: (517) 244-9024
MASON_PD@ingham.org

MEMORANDUM

To: Martin Colburn,
City Administrator

Debra Cwierniewicz
City Clerk

From: Sgt Ed Hude *EH*

Ref: Sun Dried Music Festival Waiver of Fees Request

Date: May 3, 2013

I have reviewed Mr. Pat Hicks correspondence, received by your office May 2nd with Chief of Police John Stressman and the 2013 Event Commander Detective Robert Mentink. I have also reviewed the 2012 Mason Police Department Music Festival After Action Report as a reference for the then expended police resources. I found that during in 2012, a total of 37.5 officer hours were committed to patrolling the event (includes the 5.5 hours of supervision) at a cost of \$1,873.

It is also my understanding from department staff who have attended planning meetings for the 2013 event that it was discussed that additional officers may be needed, this because of a larger planned attendance and now a planned 50/50 raffle which will increase the security risk to cash transactions taking place. If in deed an increase in patrol activities is needed, we project an anticipated cost to the city, and the police department budget, to well over \$2,000. I do not of course include other city departments cost projections.

It is with these factors in mind that the police department recommends the City Council deny the waiver of fees requested by the Sun Dried Music Festival Committee.

CITY OF MASON
STAFF AGENDA REPORT TO CITY COUNCIL

Meeting Date: May 6, 2013

Agenda Item: 8(E)

AGENDA ITEM

Motion — Request to be Excused – City Council Member Jim Mulvany

EXHIBITS

- Letter of Request

STAFF REVIEW

City Clerk

SUMMARY STATEMENT

Council Member Mulvany is requesting be excused from the May 6, 2013.

RECOMMENDED ACTION

Move to excuse the requested absence for Council Member James Mulvany from the May 6, 2013 regular council meeting.

James E. Mulvany
122 E. South Street
Mason, MI 48854

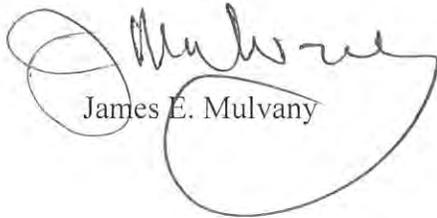
May 3, 2013

To: Mason City Council
Leon Clark , Mayor

RE: Announcement of absence for the regular meeting of May 6, 2013

This is to notify the Council that I will not be in attendance for the May 6 meeting due to planned vacation.

Sincerely yours,


James E. Mulvany

CITY OF MASON

STAFF AGENDA REPORT TO CITY COUNCIL

Meeting Date: May 6, 2013

Agenda Item: 9(A)

AGENDA ITEM

Resolution No. 2013-16 – A Resolution to Accept a Ten Foot Public Utility Easement for 710 Temple Street

EXHIBITS

- Grant of Easement

STAFF REVIEW

Zoning & Development Department

SUMMARY STATEMENT

During the summer of 2012, Dr. Corrine Garner and William Muenzenmaier constructed a medical office building at 710 Temple Street. As part of the project, it was necessary to construct a public sanitary sewer main to serve the property, extending from a stub north of the subject property on the west side of the road right-of-way of Temple Street. A public water main is currently located in the “curb lawn” between the curb and proposed sidewalk. The additional easement is necessary to maintain the required separation distance between the two mains. Additionally, Wolverine Engineering indicates that the utility standard for sewer extensions is a minimum 8 inch main located in a dedicated public easement.

The grant of easement enclosed was drafted by the City Attorney and the legal description was checked and approved by the City Engineer.

RECOMMENDED ACTION

Move to approve Resolution No. 2013-16.

Introduced:
Second:

**CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2013- 16**

A Resolution to Accept a Ten Foot Public Utility Easement for 710 Temple Street

May 6, 2013

WHEREAS, Temple Street was constructed in 2005 for the future benefit of the City of Mason and approved as a public street on September 18, 2006 by Resolution No. 2006-36; and

WHEREAS, a sanitary sewer system was constructed to the design and specifications approved by the City of Mason and the Michigan Department of Environmental Quality to serve the properties adjacent to the street and for future development; and

WHEREAS, the sanitary sewer system was constructed along the east side of Temple Street with stubs extending to the east side of the street; and

WHEREAS, a sanitary sewer main was constructed parallel to the west side of Temple Street to accommodate a medical office building at 710 Temple Street; and

WHEREAS, it is in the best interest of the City of Mason to acquire a ten foot permanent easement for maintenance of public utilities at 710 Temple Street; and

WHEREAS, the City Attorney has reviewed and approved the easement agreement for form and the City Engineer has approved the easement description.

NOW THEREFORE BE IT RESOLVED, that the Mason City Council does hereby authorize the City Mayor and City Administrator to execute and record the easement with the Ingham County Register of Deeds on behalf of the City of Mason.

Yes

No

CLERK'S CERTIFICATION: I hereby certify that the foregoing is a true and accurate copy of a resolution adopted by the City Council at its regular meeting held Monday, May 6, 2013, the original of which is part of the City Council minutes.

Deborah J. Cwierniewicz, City Clerk
City of Mason
Ingham County, Michigan

GRANT OF EASEMENT

THIS AGREEMENT, made this 30th day of April, 2013, by and between WJME PHASE II, LLC, a Michigan limited liability company, whose principal offices are located at 212 E. Grand River, Lansing, MI 48906 ("Grantor") and the City of Mason, a Michigan municipal corporation, with its principal offices located at 201 W. Ash Street, Mason, MI 48854 ("Grantee").

WHEREAS, the Grantor is the owner of the following described premises in the city of Mason, Ingham County, Michigan:

A part of the Northeast 1/4 and the Southeast 1/4 of Section 9, T2N, R1W, City of Mason, Ingham County, Michigan, described as commencing at the East 1/4 corner of Section 9; thence N89°41'01"W 491.01 feet along the East-West 1/4 line; thence along the west line of Temple Street the following (3) courses; thence N00°03'13"W 44.99 feet; thence northwesterly 222.14 feet along the arc of a 217.00 foot radius curve to the left whose chord bears N29°22'50"W 212.57 feet; thence N58°42'26"W 5.14 feet to the point of beginning; thence S31°17'16"W 271.10 feet; thence S69°47'05"W 124.04 feet; thence N43°56'27"W 85.62 feet; thence N31°17'16"E 346.36 feet to the west line of Temple Street; thence S58°42'26"E 160.00 feet to the point of beginning containing 1.25 acres of land more or less.

Commonly known as 710 Temple Street, Mason, Michigan

TIN 33-19-10-09-279-001

and

WHEREAS, the Grantee desires to obtain a permanent easement from the Grantor over, under, across, and upon the above-described premises for the maintenance, improvement and

construction of municipal utilities with related appurtenances; and

WHEREAS, these parties desire to enter into such an agreement for such permanent easement for municipal utilities with related appurtenances.

NOW, THEREFORE, IT IS MUTUALLY AGREED AS FOLLOWS:

1. In consideration of One Dollar (\$1), the receipt of which is acknowledged, and the prospective benefits to the Grantor to be derived by reason of the locating, improving, extending and/or maintaining municipal utility systems, the Grantor hereby grants, conveys, and warrants to the Grantee, its successors and assigns, a permanent easement for municipal utilities with related appurtenances, over, under, and upon the following described parcels:

LEGAL DESCRIPTION: 10' Wide Easement for Public Utilities:

Ten foot wide area for an easement for public utilities, the perimeter of the area being described as commencing at the East 1/4 corner of Section 9, T2N, R1W, City of Mason, Ingham County, Michigan; thence N89°41'01"W 491.01 feet along the East-West 1/4 line; thence along the west line of Temple Street the following (3) courses; N00°03'13"W, 44.99 feet and northwesterly 222.14 feet along the arc of a 217.00 foot radius curve to the left whose chord bears N29°22'50"W, 212.57 feet and N58°42'26"W, 5.14 feet to the POINT OF BEGINNING; thence S31°17'16"W, 10.00 feet; thence N58°42'26"W, parallel with the west line of Temple Street, 160.00 feet; thence N31°17'16"E, 10.00 feet to the west line of Temple Street; thence S58°42'26"E, along said west line of Temple Street, 160.00 feet to the point of beginning.

The above easement is further described in the survey attached hereto as Exhibit A. Said permanent easement shall constitute a burden upon the land and shall run with the land. This instrument is exempt from state real estate transfer tax pursuant to MCL 207.526(a) and from county real estate transfer tax pursuant to MCL 207.505(a);

2. The permanent easements granted herein are for municipal utilities with related

appurtenances, including right-of-way across the foregoing premises for ingress and egress to and from said easement parcel, to allow for the inspection, maintenance, improvement, and/or extension of the municipal utilities. However, access after construction shall, except in case of emergency, be with permission of Grantor, which permission shall not unreasonably be withheld.

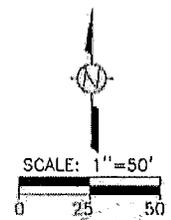
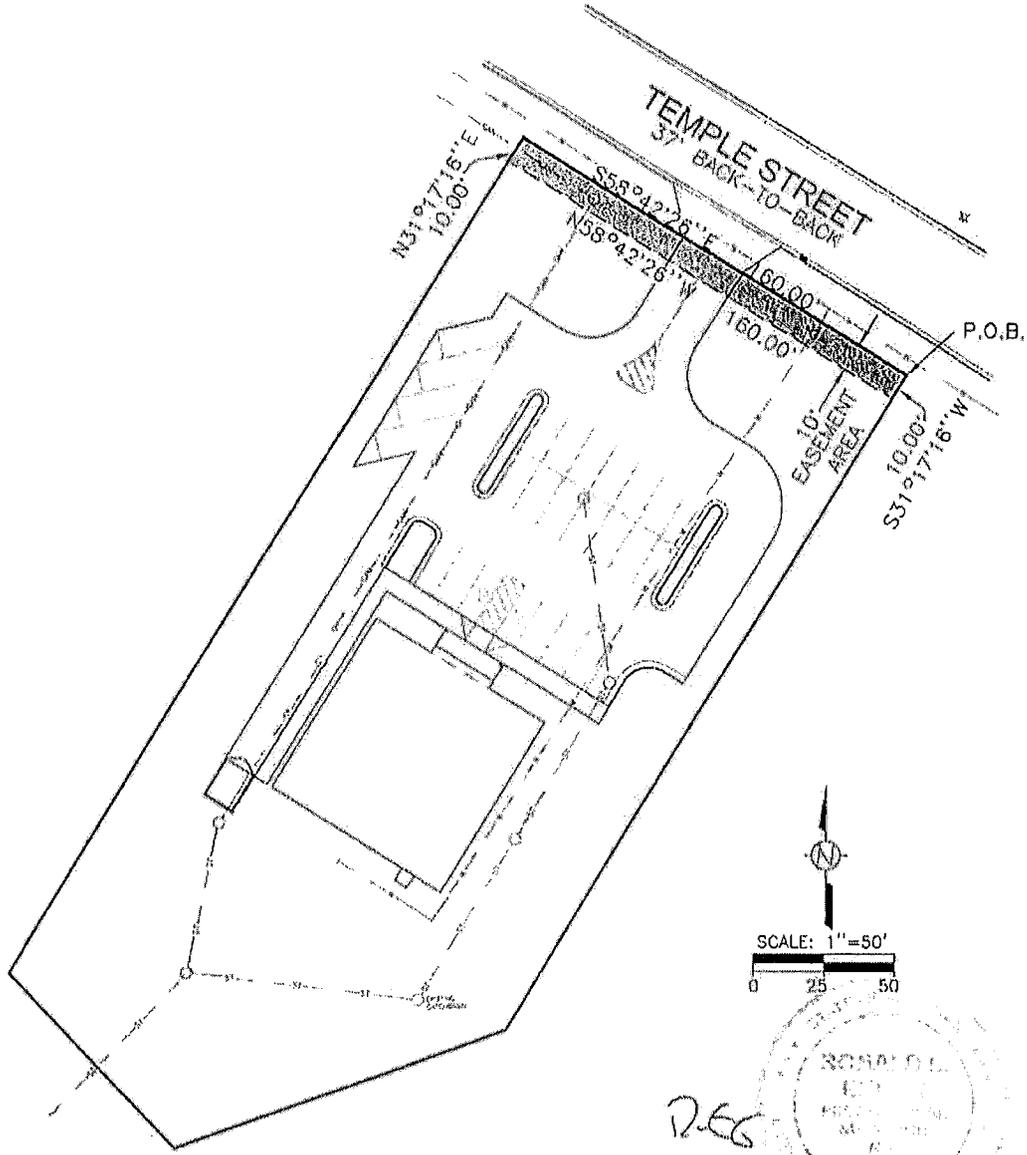
3. The Grantee has the right, pursuant to this Grant of Easement, to cut, trim, or remove vegetation, paving materials, or other property placed within said easement parcel as necessary for the installation, inspection, maintenance, replacement, or improvements of the aforementioned municipal utilities. All work will be performed in a workmanlike manner and in a manner which will cause the least interference with the surface of the easement area and, except in cases of emergency, shall be with permission of Grantor, such permission shall not be unreasonably withheld. Restoration of landscaped areas shall be the responsibility of the Grantor. Damage to pavement, curb and gutter, and sidewalk will be repaired by the Grantee to a condition equal to the existing condition prior to such work.

4. No structure, fence, public or private utility, other than the described herein, shall be placed over, on, or under the easement without the Grantee's permission. The Grantee has the right, pursuant to this Grant of Easement, to remove any structure, fence, or other obstacle in said Easement. Restoration of any structure, fence, or other obstacle placed within the easement area after the date of execution of this easement shall be the responsibility of the Grantor or its successors or assigns. Restoration of any structure, fence, or other obstacle placed within the easement area prior to the execution of this easement shall be the responsibility of the Grantee or its successors or assigns.

5. The Grantor covenants that it is lawfully seized and possessed of the premises herein

LEGAL DESCRIPTION: 10' Wide Easement for Public Utilities

Ten foot wide area for an easement for public utilities, the perimeter of the area being described as commencing at the East 1/4 corner of Section 9, T2N, R1W, City of Mason, Ingham County, Michigan; thence N89°41'01"W 491.01 feet along the East-West 1/4 line; thence along the west line of Temple Street the following (3) courses: N0°03'13"W, 44.99 feet and northwesterly 222.14 feet along the arc of a 217.00 foot radius curve to the left whose chord bears N29°22'50"W, 212.57 feet and N58°42'26"W, 5.14 feet to the POINT OF BEGINNING; thence S31°17'16"W, 10.00 feet; thence N58°42'26"W, parallel with the west line of Temple Street, 160.00 feet; thence N31°17'16"E, 10.00 feet to the west line of Temple Street; thence S58°42'26"E, along said west line of Temple Street, 160.00 feet to the point of beginning.



REG
3-15-13

RONALD L. [unclear]
[unclear]
[unclear]
[unclear]

CE CONSULTING ENGINEERS
805 N. CEDAR PO BOX 87
MASON, MICHIGAN 48854-0087
517-676-6565

10' WIDE UTILITY EASEMENT
710 TEMPLE STREET
CITY OF MASON
INGHAM COUNTY
MICHIGAN

MARCH 15, 2013

JOB NO. 33-2528
SHEET 1 OF 1

CITY OF MASON

STAFF AGENDA REPORT TO CITY COUNCIL

Meeting Date: May 6, 2013

Agenda Item: 9(B)

AGENDA ITEM

Resolution No. 2013-17 – Approval to Award the Raw Water Main Installation Project to Concord Excavating & Grading Inc.

EXHIBITS

- Letter of Recommendation From The City Engineer Dated April 16, 2013.

STAFF REVIEW

Public Works Department

SUMMARY STATEMENT

The first phase, drilling Well No. 9 is completed, with the approval from the State of Michigan DEQ for the site, and permitted capacity for this well (325gpm). The second phase is placing the raw water main from the treatment plant to the well and constructing the road to the site. The final phase is equipping the well. This involves building the well house, putting in the motor, pump and controls, making it operational.

The raw water main project was put out for public bid in early April with a bid opening on April 16, 2013. There were eight bidders on this project; the low bidder is Concord Excavating & Grading. Attached is a letter from the City Engineer which shows the three lowest bidders and the Engineers estimate. Staff agrees with the City Engineers recommendation to go with the low bidder Concord Excavating & Grading for the amount of \$157,739.50.

RECOMMENDED ACTION

Approve Resolution No. 2013-17.

Introduced:
Second:

**CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2013-17**

AWARD OF THE WELL No. 9 RAW WATER MAIN PROJECT

May 6, 2013

WHEREAS, staff publicly advertised bids for the well No. 9 raw water main project; and

WHEREAS, the bids were opened on April 16, 2013; and

WHEREAS, it is in the best interests of the City of Mason to award bid to the lowest qualified bidder; and

WHEREAS, the raw water main project is in the 2012/2013 budget for well No. 9; now

THEREFORE BE IT RESOLVED, that the Mason City Council does hereby approve the award of the raw water main project to Concord Excavating & Grading, Inc. for \$157,739.50

Yes

No

CLERK'S CERTIFICATION: I hereby certify that the foregoing is a true and accurate copy of a resolution adopted by the City Council at its regular meeting held Monday, May 6, 2013 the original of which is part of the City Council minutes.

Deborah J. Cwiertniewicz, City Clerk
City of Mason
Ingham County, Michigan



Wolverine Engineers & Surveyors, Inc.

312 North Street • Mason, Michigan 48854 • 517.676.9200 • Fax 517.676.9396

April 16, 2013

Mr. Martin A. Colburn, Administrator
City of Mason
201 W. Ash Street
Mason, MI 48854

RE: Well #9 Raw Watermain

Dear Mr. Colburn:

On Tuesday, April 16, 2012 bids for the City of Mason Well #9 Raw Watermain were received, opened, and publically read aloud. A total of eight (8) bids were received, ranging from a low of \$157,739.50 to a high of \$192,554.00. A summary of the three (3) bidders is provided below:

Concord Excavating	\$157,739.50	(12% under Estimate)
Lawrence M. Clark	\$162,000.00	(10% under Estimate)
Bailey Excavating	\$163,320.00	(9% under Estimate)
Engineer's Estimate	\$179,310.00	

The low bidder, Concord Excavating, is known to Wolverine Engineers & Surveyors, Inc. and has completed larger projects and designs by WESI in other municipalities.

Based upon Wolverine Engineers & Surveyors, Inc. past experience with Concord Excavating, we recommend award of the Well #9 Raw Watermain to Concord Excavating in the amount of \$157,739.50. If the City council concurs with this recommendation please execute the five (5) copies of the Notice of Award as included.

We appreciate the opportunity to work with the City on this project and look forward to the start of construction.

If you have any questions or require additional information, please do not hesitate to call.

Sincerely,

WOLVERINE ENGINEERS & SURVEYORS, INC.

Donald B. Heck, P.E.

DBH:ood
Encl.



It's that kind of experience.
wowway.com

2512 Lansing Road
Charlotte, Michigan 48813

April 16, 2013

Martin Colburn, City Administrator
City of Mason
201 W. Ash St.
P. O. Box 370
Mason, MI 48854-0370

Dear Sir or Madam,

We are writing to inform you that on May 15, 2013 National Geographic HD will be moved from our HD Pak tier to our HD Basic tier. This means that customers who have Digital Basic services and HD service will now be able to enjoy this high definition programming at no extra cost. National Geographic HD will remain on channel 404.

Should you have any questions or concerns about this change, please feel free to contact me at 517-319-3150 or esesi@wideopenwest.com.

Regards,

Ed Sesi
VP/System Manager
esesi@wideopenwest.com
517.319.3150

City of Mason

201 W. Ash St.
P.O. Box 370
Mason, MI 48854-0370
www.mason.mi.us



City Hall 517 676-9155
Police 517 676-2458
Fax 517 676-1330
TDD 1-800-649-3777

MEMORANDUM

TO: Honorable Mayor and Council Members

FROM: Martin Colburn, City Administrator

DATE: May 6, 2013

RE: City Administrator's Report

Payment Received from Hardy & Hardy Consulting

The City recently received \$8,992.60 as payment in full for the Extension of the Oil and Gas Lease, effective May 9, 2013, between the City of Mason and Northwood Energy Corporation. As you know, Northwood Energy has proceeded with activities to drill additional wells and as such, needed to extend the current Agreement. The extension provided a signing bonus of \$10 per acre, totaling \$8,992.60. These funds will be placed in the Iva Bond Fund.

Gestamp

Gestamp, a Spanish owned corporation (formerly SSAB), conducted an expansion in 2011. They expanded their facilities, which now total 538,000 square feet. The expansion was to be inclusive of the creation of more jobs within the auto manufacturing industry. They have successfully maintained their contracts as they have expanded. Currently their employment is up to 470 employees, working three shifts, six days per week. They have noticed us that they will be moving their VW contracts to West Virginia in order to accommodate additional contracts to make 26 parts for the Ford Mustang, as well as 900,000 F-150 door support beams. Gestamp management has noticed us that they are still looking for skilled trades, including tooling and maintenance staff.

LEAP Art Grant

The City's Request for Proposal announced that artists from within the three County area of Ingham, Clinton and Eaton Counties could submit proposals for a significant art piece to be placed within the City. To date, we have received six submittals, which will be reviewed by a committee and recommendations then forwarded to Mason City Council.