

**CITY OF MASON**

201 West Ash St.  
Mason, MI 48854-0370

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

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**AGENDA**

**CITY COUNCIL WORKSHOP  
MASTER PLAN**

**COUNCIL CHAMBERS**

**Monday, July 1, 2013**

**6:00 p.m.**

# 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: City Council

FROM: David E. Haywood, Zoning & Development Director 

RE: Master Plan Update – Definition of Terms; “City”, “Rural”, “Suburban”

DATE: June 28, 2013

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### Definition of “city”:

**city** “the City of Mason, Michigan.”  
– *Charter of Mason, Michigan*

**city** “An incorporated place that has combined its governmental functions with a county or sub-county entity but contains one or more other incorporated places that continue to function as local governments with the consolidated government.”  
– *U.S. Census Bureau*

**city** “1. A center of population, commerce and culture. 2a. An incorporated US municipality with definite boundaries and legal powers set forth in a charter granted by the state...”  
– *Webster’s II New College Dictionary, 3<sup>rd</sup> ed. 2005.*

### Definition of “rural” and “rural area”:

**rural** “1. Of or relating to the country; RUSTIC. 2. Of or relating to people who live in the country. 3. Of or relating to farming: AGRICULTURAL.”  
– *Webster’s II New College Dictionary, 3<sup>rd</sup> ed. 2005.*

**rural** “A sparsely developed area where the land is primarily used for farming, forestry, resource extraction, very low-density residential uses (one unit per 10 acres or less), or open space use. (Renton, Wash.)”  
– *A planners Dictionary, 2004.*

**rural area** “A sparsely developed area, with a population density of fewer than 100 persons per square mile, where the land is undeveloped or primarily used for agricultural purposes.”  
– *The Latest Illustrated Book of Development Definitions, 2004.*

**Definition of “suburb”, “suburban” and “suburban area”:**

**suburban** “1. A usually residential area or community outlying a city. 2. The usually residential region around a large city; ENVIRONS.”

– *Webster’s II New College Dictionary*, 3<sup>rd</sup> ed. 2005.

**suburban area** “A city’s outlying area, usually characterized by lower population and residential densities.”

– *A planners Dictionary*, 2004.

**suburban area** “The low-to medium-intensity development patterns which surround the downtown or other more intense, urban areas of the city.

– *A planners Dictionary*, 2004.

**suburban area** “Low- to medium-development patterns that surround the urban areas of a city. The suburbs are often residential in character with single-family detached houses as the primary use of land. Increasingly, the suburbs contain employment and service centers as well as residential areas. The automobile historically determines the form of the suburbs.

– *A planners Dictionary*, 2004.

**suburban area** “A predominantly low-density residential area located immediately outside of an urban area or city and associated with it physically and socioeconomically. Comment: Suburban areas have population densities ranging from 500 to 1,000 persons per square mile.”

– *The Latest Illustrated Book of Development Definitions*, 2004.

**Definition of “urban” and “urban area”**

**urban** “Of, or relating to, or constituting a city. 2. Characteristic of the city or city life.

– *Webster’s II New College Dictionary*, 3<sup>rd</sup> ed. 2005.

**urban** “Of, relating to, characteristic of, or constituting a city. Urban areas are generally characterized by moderate and higher density residential development (i.e., three or more dwellings per acre), commercial development, as well as the availability of public services required for that development, specifically central water and sewer, and extensive road network, public transit, and other such services (e.g., safety and emergency response). Development not providing such services may be nonurban or rural.”

– *A planners Dictionary*, 2004.

**urban** “An area used intensively for residential, urban recreational, or conservation parklands, commercial, industrial, institutional, or governmental purposes or an area undergoing development for any of these purposes.”

– *A planners Dictionary*, 2004.

**urban** “All population and territory within the boundaries of urbanized areas and the urban portion of places outside of urbanized area that have a decennial census population of 2,500 or more.”

– *U.S. Census Bureau*

**urban area** “A highly developed area that includes, or is appurtenant to, a central city or place and contains a variety of industrial, commercial, residential, and cultural uses.”

– *The Latest Illustrated Book of Development Definitions, 2004.*

# CITY OF MASON

201 West Ash St.  
Mason, MI 48854-0370

**Master Plan Workshop 6:00 PM**

City Hall 517-676-8155  
Fax 517-676-1330

## CITY COUNCIL MEETING - COUNCIL CHAMBER Monday, July 1, 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
7. Consent Agenda
  - A. Approval of Minutes – Regular Council Meeting: June 17, 2013
  - B. Approval of Bills
  - C. Motion - Street Closure Request for Mark Street—Annual Mark Street Neighborhood Independence Day Celebration
8. Regular Business
  - A. First Reading and Adoption – Ordinance No. 190-A-2013- An Ordinance to Amend Sections 26-161 and 26-163 of Article IV- Fireworks- of Chapter 26 – Fire Prevention and Protection- of the Code of the City of Mason
  - B. Resolution 2013-31- Resolution to Accept a Thirty (30) Foot Permanent Sewer and Water Easement from Capital Regional Airport Authority at Mason Jewett Airport
  - C. Resolution 2013-32- A Resolution Choosing Dace Koenigsknecht as Artist for Lansing Economic Area Partnership \$10,000 Art Grant
9. Unfinished Business
10. New Business
11. Correspondence
12. Liaison Reports
13. Councilmember Reports
14. Administrator's Report
  - Community Entry Welcome Sign
  - Street and Road Projects
15. Adjournment

**CITY OF MASON  
REGULAR CITY COUNCIL MEETING  
MINUTES OF JUNE 17, 2013**

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Clark called the meeting to order at 7:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan. Brown 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  
Kerry Minshall, Fire Chief  
Eric Smith, Finance Director  
John Stressman, Police Chief  
Police Officer Jordan Murdock

**ANNOUNCEMENTS**

- Councilmember Ferris announced the Blood Drive at the St. James Church in Mason on June 27
- Mayor Clark announced the Open House from WOW was June 19 from 3-6 PM

**PEOPLE FROM THE FLOOR**

Barb Tornholm of 703 Roosevelt, commented on the Master Plan and the preservation efforts of Mason's historic houses.

Jan Whitmore of 451 Shadow Lane reported that after complaining to WOW the second time, there was a discount on her bill.

Police Chief John Stressman introduced the newest Police Officer Jordan Murdock.

**PRESENTATIONS**

MOTION by Naeyaert, second by Droscha,  
to add Cheryl Lyons to the agenda for a Presentation.

**MOTION APPROVED UNANIMOUSLY**

- Christian Andersen, System Manager at WOW and Mike Cronan, Engineer Technician at WOW, gave an update and reported that to date, 24% of Mason residents had filed a complaint and on average received a \$14.00 credit. They also reported on WOW's community involvement efforts and stated they will be volunteering with the Mason Community Garden efforts, the Mason Chamber of Commerce events and the Sun Dried Music Festival.
- Cheryl Lyons, Head Librarian at the Mason Public Library, gave an overview of the Capital Area District Library's Annual Report.
- Stewart Powell, on behalf of the Art Selection Committee, presented the Committee's recommendation of Dace Koenigsnecht as the artist for the Lansing Economic Area Partnership \$10,000 grant.

**CONSENT AGENDA**

MOTION by Naeyaert, second by Droscha,  
to approve the Consent Agenda with the inclusion of the Agenda Items No. 8 (B-G) of  
Regular Business as follows:

- A. Approval of Minutes – Regular Council Meeting: June 3, 2013
- B. Approval of Bills: \$61,074.36
- C. Resolution No. 2013-22 – Fireworks Display Agreement

**CITY OF MASON  
CITY COUNCIL RESOLUTION NO. 2013-22  
FIREWORKS DISPLAY AGREEMENT  
June 17, 2013**

**BE IT HEREBY RESOLVED**, by the Mason City Council of the City of Mason that it does hereby grant permission to the Mason Fire Department and the Dansville Fire Department, Township of Ingham, to hold a fireworks display on the evening of July 4, 2013 in conjunction with the annual Fourth of July celebration at the Ingham County Fairgrounds.

**FURTHER RESOLVED**, that the lease agreement with the Ingham County Fairgrounds be signed by the Mayor and the City Administrator on behalf of the City of Mason for the use of the facilities that day.

- D. Resolution No. 2013-23 – Designate Authorizing Signatories

**CITY OF MASON  
CITY COUNCIL RESOLUTION 2013-23  
DESIGNATE AUTHORIZING SIGNATORIES  
June 17, 2013**

**BE IT HEREBY RESOLVED**, that Mason State Bank and Dart National Bank, as designated depositories of the City of Mason, be, and it is hereby requested, authorized, and directed to honor checks, drafts, or other orders for the payment of money drawn in the City's name, including those payable to the individual order of any persons whose names appear thereon as signers thereof, when bearing or purporting to bear the facsimile signatures of the two following names: Martin A. Colburn, City Administrator; Eric E. Smith, Finance Director/Treasurer, and the above banks shall be entitled to honor and charge the City of Mason for such checks, drafts, or other orders, regardless of by whom or by what means the actual or purported facsimile signatures thereon may have been affixed thereto, if such signature resembles the facsimile specimens duly certified to or filed with the above banks by the Clerk of the City of Mason.

- E. Resolution 2013-24 – Amend the 2012-2013 Fiscal year Budget

**CITY OF MASON  
CITY COUNCIL RESOLUTION 2013-24  
AMEND THE 2012-2013 FISCAL YEAR BUDGET  
June 17, 2013**

**BE IT HEREBY RESOLVED** by the City Council of the City of Mason that the 2012-2013 fiscal year Budget is hereby amended as per the attached "Exhibit A."

- F. Resolution 2013-25- Return Delinquent Water and Sewer Bills to the July 2013 Tax Roll

**CITY OF MASON  
CITY COUNCIL RESOLUTION 2013-25  
RETURN DELINQUENT WATER AND SEWER BILLS TO THE JULY 2013 TAX ROLL  
June 17, 2013**

**BE IT HEREBY RESOLVED** by the City Council of the City of Mason that the City Treasurer is hereby authorized to return the attached "Exhibit A" entitled Delinquent Water and Sewer Bills, to the July 2013 Tax Roll, pursuant to Mason City Code Section 82-246 (a).

**G. Resolution 2013-26 – Levy 1% Tax Administration Fee**

**CITY OF MASON  
CITY COUNCIL RESOLUTION 2013-26  
LEVY 1% TAX ADMINISTRATION FEE  
June 17, 2013**

**BE IT HEREBY RESOLVED** by the City Council of the City of Mason that the City Treasurer is to levy a 1% tax administration fee on all Ingham County, Mason Public School, Ingham Intermediate School, State Education, Capital Area District Library and Lansing Community College taxes levied on the July and December 2013 tax rolls of the City of Mason;

**FURTHER RESOLVED**, that the City Treasurer is hereby authorized to collect 4% interest on any taxes that remain unpaid from the July tax roll after August 31, 2013 and 3% penalty from the December tax roll after February 14, 2014.

**H. Resolution 2013-27 – Return Miscellaneous Bills to the July 2013 Tax Roll**

**CITY OF MASON  
CITY COUNCIL RESOLUTION 2013-27  
RETURN MISCELLANEOUS BILLS TO THE JULY 2013 TAX ROLL  
June 17, 2013**

**BE IT HEREBY RESOLVED** by the City Council of the City of Mason that the City Treasurer is hereby authorized to return the attached "Exhibit A" entitled Miscellaneous Bills, to the July 2013 Tax Roll.

MOTION APPROVED UNANIMOUSLY

**REGULAR BUSINESS**

**First Reading – Ordinance No. 194 — An Ordinance granting to Consumers Energy Company, its successors and assigns, the right, power and authority to construct, maintain and commercially use electric lines consisting of towers, masts, poles, crossarms, guys, braces, feeders, transmission and distribution wires, transformers and other electrical appliances on, under, along and across the highways, streets, alleys, bridges, waterways, and other public places, and to do a local electric business in the City of Mason, Ingham County, Michigan, for a period of thirty years.**

City Attorney McGinty proposed that the second reading of the Ordinance be postponed until the July 15 agenda, to allow time for inspection.

**MOTION**

to consider Ordinance No. 194 read for the first time.

MOTION APPROVED UNANIMOUSLY

**Resolution No. 2013-28 – A Resolution Approving a Contract Between the City of Mason, Michigan and the Michigan Department of Transportation for Reconstruction Work Along West Columbia Street**

MOTION by Droscha, second by Brown,  
to consider Resolution No. 2013-28 read.  
MOTION APPROVED UNANIMOUSLY

Resolution 2013-28 was introduced by Brown and seconded by Naeyaert.

**CITY OF MASON  
CITY COUNCIL RESOLUTION NO. 2013-28  
A RESOLUTION APPROVING A CONTRACT BETWEEN THE CITY OF MASON, MICHIGAN  
AND THE MICHIGAN DEPARTMENT OF TRANSPORTATION FOR RECONSTRUCTION  
WORK ALONG WEST COLUMBIA STREET  
June 17, 2013**

**WHEREAS**, the Michigan Department of Transportation will provide services to reconstruct 0.48 miles of West Columbia Street on behalf of the City of Mason; and

**WHEREAS**, from the west side of Highway US-127 westerly to the west City limits, including machine grading, aggregate base, hot mix asphalt paving, storm sewer, sidewalk ramp, concrete curb and gutter, aggregate shoulder, guardrail and slope reconstruction; and

**WHEREAS**, the Michigan Department of Transportation will administer MDOT Contract Number: 13-5116, Control Section: STU 33400, Job Number: 112235; and

**WHEREAS**, the Chief Elected Officer, Mayor Leon Clark and Chief Administrative Officer, Martin Colburn, are authorized to sign said contract on behalf of the City of Mason, Michigan.

**BE IT HEREBY RESOLVED**, by the Mason City Council, that the City will contract with the Michigan Department of Transportation to complete MDOT Columbia Street Reconstruction, Contract Number: 13-5116, Control Section: STU 33400, Job Number: 112235, and authorize the Chief Elected Official Leon Clark and Chief Administrative Officer Martin Colburn to sign said contract.

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

No (2) Bruno, Clark

RESOLUTION APPROVED

**Resolution No. 2013-29 – Resolution for Changing MERS Benefits**

MOTION by Naeyaert, second by Droscha,  
to consider Resolution No. 2013-29 read.  
MOTION APPROVED UNANIMOUSLY

Resolution 2013-29 was introduced by Brown and seconded by Naeyaert.

Introduced: M. Brown  
Second: R. Naeyaert

CITY OF MASON  
CITY COUNCIL RESOLUTION NO. 2013-29

**Defined Benefit Adoption Agreement**  
(For the MERS Defined Benefit Plan)



134 Municipal Way Lansing, MI 48917 | 800.767.2308 | Fax 517.703.9711

The Employer, a participating municipality or participating court within the state of Michigan, hereby agrees to adopt and administer the MERS Defined Benefit Plan provided by the Municipal Employees' Retirement System of Michigan, as authorized by 1996 PA 220, in accordance with the MERS Plan Document, as both may be amended, subject to the terms and conditions herein.

I. Employer Name City of Mason Municipality #: 3304

II. Effective Date

Check one:

If this is the **initial** Adoption Agreement for this group, the effective date shall be the first day of \_\_\_\_\_, 20\_\_\_\_. The municipality's fiscal year is \_\_\_\_\_ through \_\_\_\_\_  
Month Year Month Month

Link this new division to division number \_\_\_\_\_ for purposes of determining contributions (Unless otherwise specified, the standard transfer/rehire rules apply)

Service credit rendered prior to the initial MERS effective date by each eligible employee shall be credited as provided as follows (choose one):

- All prior service from date of hire
- Prior service proportional to assets transferred; all service used for vesting
- Prior service and vesting service proportional to assets transferred
- No prior service but grant vesting credit
- No prior service or vesting credit

If this is an **amendment** of an existing Adoption Agreement (division number 01), the effective date shall be the first day of July 1, 2013.  
Month Year

If this is a **temporary benefit** that lasts 2-6 months, the effective dates of this temporary benefit are from \_\_\_/01/\_\_\_ through \_\_\_/\_\_\_/\_\_\_ for division number \_\_\_\_\_.  
Last day of the month

If this is to **separate employees from an existing division** (existing division number(s) \_\_\_\_\_) into a new division, the effective date shall be the first day of \_\_\_\_\_, 20\_\_\_\_.  
(Month) (Year)

**Defined Benefit Adoption Agreement**  
(For the MERS Defined Benefit Plan)

**III. Eligible Employees**

Only those Employees eligible for MERS membership may participate in the MERS Defined Benefit Plan. A copy of ALL employee enrollment forms must be submitted to MERS. The following group of employees are eligible to participate: 01 General Union

Only retirees will be in this division.

These employees are (check one or both):

- In a collective bargaining unit (attach cover page, retirement section, signature page)  
 Subject to the same personnel policy

To receive one month of service credit (check one):

- An employee shall work 10 \_\_\_\_\_ hour days.  
 An employee shall work \_\_\_\_\_ hours in a month.

All employees as classified under eligible employees, whether full or part time, who meet this criteria must be reported to MERS.

To further define eligibility, check all that apply:

- Probationary Periods** are allowed in one-month increments, no longer than 12 months. During this introductory period, the Employer will not report or provide service time for this period, including retroactively. Service will begin after the probationary period has been satisfied. The probationary period will be \_\_\_\_\_ months.
- Temporary employees** in a position normally requiring less than a total of 12 whole months of work in the position may be *excluded* from membership. These employees must be notified in writing by the participating municipality that they are excluded from membership within 10 business days of date of hire or execution of this Agreement. The temporary exclusion period will be \_\_\_\_\_ months.

**IV. Provisions**

Valuation Date: December 31, 2011

1. This Adoption Agreement will be implemented in conjunction with a current actuarial valuation certified by a MERS actuary that sets contribution rates.
2. Annually, the MERS actuary will conduct an actuarial valuation to determine the employers' contribution rates. Employers are responsible for payment of said contributions at the rate, in the form and at the time that MERS determines.

**Defined Benefit Adoption Agreement**  
 (For the MERS Defined Benefit Plan)

8. Early Normal Retirement

- Age 50 with 25 years of service       Age 50 with 30 years of service
- Age 55 with 15 years of service       Age 55 with 20 years of service
- Age 55 with 25 years of service       Age 55 with 30 years of service
- Any age with 20-30 yrs (in 1 yr increments) \_\_\_\_\_ years of service
- \_\_\_\_\_

9. Other

- Surviving Spouse benefit – receive RS \_\_\_\_\_% of Straight Life benefit
- Duty death or disability enhancement (add up to additional 10 years of service credit not to exceed 30 years of service)
- DROP + with \_\_\_\_\_%

10. Cost-of-Living Adjustment

<input type="checkbox"/> All <b>current</b> retirees as of effective date <input type="checkbox"/> Retirees who retire <b>between</b> ____/01/____ and ____/01/____ <i>(one time increase only)</i>	<input type="checkbox"/> <b>Future</b> retirees who retire after effective date
Increase of ____% or \$____ per month	Increase of ____% or \$____ per month
Select one: <input type="checkbox"/> Annual automatic increase <input type="checkbox"/> One-time increase	<input type="checkbox"/> Annual automatic increase
Select one: <input type="checkbox"/> Compounding <input type="checkbox"/> Non-compounding	Select one: <input type="checkbox"/> Compounding <input type="checkbox"/> Non-compounding
Employees must be retired ____ months (6-12 months, increments of 1 month)	Employees must be retired ____ months (6-12 months, increments of 1 month)

**V. Appointing MERS As The Plan Administrator**

The Employer hereby agrees to the provisions of the MERS Plan Document and this Defined Benefit Adoption Agreement, and appoints MERS as the Plan Administrator. The Employer also agrees that in the event any conflict between the MERS Plan Document and the MERS Defined Benefit Plan exists, the provisions of the Plan Document control.

**Defined Benefit Adoption Agreement**  
(For the MERS Defined Benefit Plan)

**VI. Modification Of The Terms Of The Adoption Agreement**

If the Employer desires to amend any of its elections contained in this Adoption Agreement, including attachments, the Governing Body or Chief Judge, by resolution or official action accepted by MERS, must adopt a new Adoption Agreement. The amendment of the new Agreement is not effective until approved by MERS.

**VII. Enforcement**

1. The Employer acknowledges that the Michigan Constitution of 1963, Article 9, Section 24, provides that accrued financial benefits arising under a public Employer's retirement plan are a contractual obligation of the Employer that may not be diminished or impaired, and prohibits the use of the Employer's required current service funding to finance unfunded accrued liabilities.
2. The Employer agrees that its obligations to pay required contributions are contractual obligations to its employees and to MERS and may be enforced in a court of competent jurisdiction.
3. In accordance with the Constitution and this Agreement, if at any time the balance standing to the Employer's credit in the reserve for employer contributions and benefit payments is insufficient to pay all service benefits due and payable to the entity's retirees and beneficiaries, the Employer agrees and covenants to promptly remit to MERS the amount of such deficiency as determined by the Retirement Board within thirty (30) days notice of such deficiency.
4. The Employer acknowledges that wage and service reports are due monthly, and the employee contributions (if any) and Employer contributions are due and payable monthly, and must be submitted in accordance with the MERS Enforcement Procedure for Prompt Reporting and Payment, the terms of which are incorporated herein by reference.
5. Should the Employer fail to make its required contribution(s) when due, the retirement benefits due and payable by MERS on behalf of the entity to its retirees and beneficiaries may be suspended until the delinquent payment is received by MERS. MERS may implement any applicable interest charges and penalties pursuant to the MERS Enforcement Procedure for Prompt Reporting and Payment and Plan Document Section 45A(3), and take any appropriate legal action, including but not limited to filing a lawsuit and reporting the entity to the Treasurer of the State of Michigan in accordance with MCL 141.1544(d), Section 44 of PA 436 of 2012, as may be amended.
6. The Employer acknowledges that changes to the Employer's MERS Defined Benefit Plan must be made in accordance with the MERS Plan Document and applicable law, and agrees that MERS will not administer any such changes unless the MERS Plan Document and applicable law permit same, and MERS is capable of administering same.

**Defined Benefit Adoption Agreement**

(For the MERS Defined Benefit Plan)

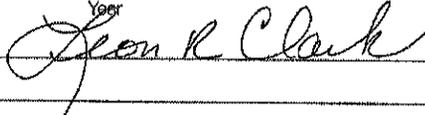
**VIII. Execution**

**Authorized Designee of Governing Body of Municipality or Chief Judge of Court**

The foregoing Adoption Agreement is hereby approved on the 17 day

of June Month, 2013 Year.

Authorized signature: \_\_\_\_\_



Title: Mayor

Witness signature: \_\_\_\_\_

**Received and Approved by the Municipal Employees' Retirement System of Michigan**

Dated: \_\_\_\_\_, 20\_\_\_\_ Year

Signature: \_\_\_\_\_  
Authorized MERS Signatory

**RESOLUTION APPROVED UNANIMOUSLY**

**Resolution No. 2013-30 – 2013-2014 Local Streets Program**

MOTION by Droscha, second by Brown,  
to consider Resolution No. 2013-30 read.

**MOTION APPROVED UNANIMOUSLY**

Resolution 2013-30 was introduced by Brown and seconded by Naeyaert.

**CITY OF MASON  
CITY COUNCIL RESOLUTION NO. 2013-30  
AUTHORIZATION RELEASING FUNDS FOR LOCAL STREETS CONSTRUCTION—  
NORTH STREET AND TEMPLE STREET  
June 17, 2013**

**WHEREAS**, the City of Mason went out for public bids for the construction of the local streets of North Street from Mason Street to Cedar Street, and Temple Street from East Columbia Street to Ash Street; and

**WHEREAS**, bids were received and publicly opened on May 14, 2013; and

**WHEREAS**, the low bidder is Reith-Riley Construction with a bid of \$521,502.29.

**BE IT HEREBY RESOLVED**, that the Mason City Council approves the expenditures as part of the Fiscal Year 2013-2014 budget of \$521,502.29 for the construction of North Street and Temple Street projects, and authorizes the City Administrator signature authority.

**RESOLUTION APPROVED UNANIMOUSLY**

**UNFINISHED BUSINESS**

Bruno reported that the water well has been abandoned at the Hart property, where the Michigan State University Federal Credit Union will be building a new facility. Bruno asked the status of

that abandoned well. Colburn said he would investigate and report back to the City Council.

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**NEW BUSINESS**

Brown updated the Council on the Michigan House Bill 4743 regarding fireworks, and advised that the City of Mason Ordinance 190 will need to be amended.

**CORRESPONDENCE**

All correspondence was distributed, including the Monthly Revenue and Expenditure Report.

**LIAISON REPORTS**

None.

**COUNCILMEMBER REPORTS**

None.

**ADMINISTRATOR'S REPORT**

Colburn informed Council regarding City business.

**ADJOURNMENT**

The meeting adjourned at 9:02 p.m.

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Deborah J. Cwierniewicz, City Clerk

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Leon R. Clark, Mayor

06/28/2013 09:07 AM  
User: TF  
DB: Mason City

INVOICE APPROVAL BY INVOICE REPORT FOR CITY OF MASON

EXP CHECK RUN DATES 07/01/2013 - 07/03/2013  
BOTH JOURNALIZED AND UNJOURNALIZED  
BOTH OPEN AND PAID

COUNCIL REPORT  
MONDAY, JULY 1, 2013

Vendor Code Invoice GL Number	Vendor Name Invoice Description GL Description	Invoice Date	Amount
07800	BLUE CROSS BLUE SHIELD OF MICHIGAN		
GR#7029499710DIV#01 101-855.00-874.001	CITY EXPENSE ~ RETIREES CITY EXPENSE ~ RETIREES	07/01/2013	6,923.39
GR#7029499710DIV#02 750-000.00-231.015	HEALTH INS ~ CITY EXPENSE HEALTH INS ~ CITY EXPENSE	07/01/2013	15,044.68
GRP#7029499710DIV#00 750-000.00-231.015	CITY HEALTH INS EXPENSE HEALTH INS ~ CITY EXPENSE	07/01/2013	5,868.16
VENDOR TOTAL:			27,836.23
05016	GRANGER		
JUNE 2013 101-528.00-818.000	JUNE REFUSE CHARGES FOR 2280 CUSTOMERS JUNE REFUSE CHARGES FOR 2280 CUSTOMERS	07/01/2013	26,630.40
VENDOR TOTAL:			26,630.40
07267	SHAHEEN CHEVROLET		
30208 661-000.00-202.001	PARTS, LABOR, MATERIALS FOR #801 PARTS, LABOR, MATERIALS FOR #801	07/01/2013	6,422.22
VENDOR TOTAL:			6,422.22
TOTAL - ALL VENDORS:			60,888.85

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

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June 26, 2013

Hon Mayor Leon Clark and City Council  
201 W Ash St  
Mason, MI 48854

Re: Mark Street Independence Day Celebration

I am requesting a motion by the Mason City Council to close Mark Street (from Columbia to Maple) between the hours of 8am to 10pm on July 4, 2013 for the annual Mark Street Neighborhood Independence Day Celebration.

Thank you for your consideration

Joan Colligan  
209 Mark St  
Mason, MI 48854

# CITY OF MASON

## STAFF AGENDA REPORT TO CITY COUNCIL

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**Meeting Date:** July 1, 2013

**Agenda Item:** 8(A)

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### **AGENDA ITEM**

Ordinance No. 190-A-2013- An Ordinance to Amend Sections 26-161 and 26-163 of Article IV- Fireworks- of Chapter 26 – Fire Prevention and Protection- of the Code of the City of Mason.

### **EXHIBITS**

None

### **STAFF REVIEW**

Administration

### **SUMMARY STATEMENT**

There have been many noise complaints due to fireworks in the City limits. Michigan state legislature just passed House Bill 4743 (2013), and it was signed by the Governor on June 19, 2013. Staff has suggested that the City Attorney draft an updated ordinance, which would restrict the use of consumer's fireworks to the day of, before and after a national holiday, and not between 1:00 a.m. and 8:00 a.m.

City staff, inclusive of administration, police and fire departments, has conferred on this and are recommending that the hours be restricted due to the potential disturbance and for citizens' peace of mind during the late night hours.

### **RECOMMENDED ACTION**

Move to introduce Ordinance 190-A-2013 and consider it read for the first time and adopted.

Introduced/First Reading:  
Second Reading/Adopted:  
Publication:  
Effective Date:

**CITY OF MASON  
ORDINANCE NO. 190-A-2013**

AN ORDINANCE TO AMEND SECTIONS 26-161 AND 26-163  
OF ARTICLE IV - FIREWORKS - OF CHAPTER 26 - FIRE  
PREVENTION AND PROTECTION - OF THE CODE OF THE  
CITY OF MASON.

Councilmember \_\_\_\_\_ moved the adoption of the following ordinance:

THE CITY OF MASON ORDAINS:

Sections 26-161 and 26-163 of Article IV of Chapter 26 of the Code of the City of Mason are hereby amended to read as follows:

**Sec. 26-161. Violations declared misdemeanor.**

Violations of this article are a municipal civil infraction punishable by a civil fine of not more than \$500 for each violation of this article.

**Sec. 26-163. Use of consumer fireworks prohibited.**

No person except those persons granted a permit pursuant to Section 26-164 of this Article shall display discharge, use or ignite any consumer fireworks within the city, except that on the day preceding, the day of, or the day after a national holiday, a person may discharge, use, or ignite consumer fireworks at any time other than between the hours of 1:00 a.m. and 8:00 a.m.

The City of Mason further ordains that this ordinance is hereby declared to be immediately necessary for the preservation of the public peace, health, or safety and shall become immediately effective after its enactment upon its publication by the city clerk posting copies thereof in conspicuous locations in ten public places in the city and by the clerk immediately thereafter such posting entering in the ordinance book of the city under a record of this ordinance a certificate stating the time and place of such publication by posting of this ordinance.

Number of council members present \_\_\_\_.  
Number of affirmative votes \_\_\_\_.

The foregoing Ordinance was moved for adoption by Council Member

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\_\_\_\_\_ and seconded by Council Member \_\_\_\_\_, with a vote thereon being: YES ( ) NO ( ), at a regular meeting of the City Council held pursuant to public notice in compliance with the Michigan Open Meetings Act, on the 1<sup>st</sup> day of July, 2013.

Mason Codes declared adopted this first day of July, 2013.

\_\_\_\_\_  
Leon R. Clark, Mayor

\_\_\_\_\_  
Deborah A. Cwierniewicz, Clerk

**CITY OF MASON  
STAFF AGENDA REPORT TO CITY COUNCIL**

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**Meeting Date:** July 1, 2013

**Agenda Item:** 8(B)

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**AGENDA ITEM**

Resolution 2013-31- Resolution to Accept a Thirty (30) Foot Permanent Sewer and Water Easement from Capital Regional Airport Authority at Mason Jewett Airport

**EXHIBITS**

- Grant of Easement

**STAFF REVIEW**

Administration

**SUMMARY STATEMENT**

Lansing Community College is placing their avionics maintenance classes in their classroom/hangar located at the Mason Jewett Airport, beginning in the 2013 fall sessions. Their facilities currently do not have water and wastewater infrastructure to meet the needs of the estimated 150 students and instructors, for which they intend to expand their program.

The City of Mason and Vevay Township have an agreement that the City will provide water and sanitary services to properties within the township. It is the responsibility of the developers, working through the township, to fund the infrastructure improvements and have them built to City standards. The City will inspect the improvements to ensure they are built to the proper standards.

The owner of Mason Jewett Airport in the Capital Region Airport Authority is with whom we establish the easement, which is attached for your review. Once approved, it will be maintained until the project is complete and then they will be recorded at the Ingham County Registrar of Deeds.

**RECOMMENDED ACTION**

Move to approve Resolution 2013-31.

Introduced:  
Second:

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**CITY OF MASON  
CITY COUNCIL RESOLUTION NO. 2013-31**

**RESOLUTION TO ACCEPT A THIRTY (30) FOOT PERMANENT SEWER AND WATER  
EASEMENT FROM CAPITAL REGION AIRPORT AUTHORITY  
AT MASON JEWETT AIRPORT**

**July 1, 2013**

**WHEREAS**, on November 3, 1989, the City of Mason entered into an agreement with Vevay Township, as amended by an agreement dated August 1, 1994 (the 425 Agreement); and

**WHEREAS**, the agreement was inclusive of a tax sharing agreement, facilitating the creation and growth of the Sycamore Creek Industrial Park; 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 within the City of Mason and adjacent areas for future development inclusive of Sycamore Creek Industrial Park; and

**WHEREAS**, this agreement established provisions that properties within Vevay Township may connect to the City of Mason water and sanitary lines; and

**WHEREAS**, a sanitary sewer main and water main are being constructed parallel to the Mason Jewett Airport Service Road to service the support facilities for Lansing Community College hangar and classrooms for their avionics maintenance training program; and

**WHEREAS**, it is in the best interest of the City of Mason to acquire a thirty foot permanent easement for maintenance of public utilities at Mason Jewett Airport to provide ingress/egress to the infrastructure improvements; and

**WHEREAS**, the City Attorney has reviewed and approved the easement agreement for form and the City Engineer's office 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, July 1, 2013 the original of which is part of the City Council minutes.

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

**GRANT OF EASEMENT**

THIS AGREEMENT made this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2013 by and between **CAPITAL REGION AIRPORT AUTHORITY**, (a Michigan public body corporate), whose address is Capital Region Airport Authority, 4100 Capital City Blvd., Lansing, MI 48906, hereinafter called the "Grantor" and the **CITY OF MASON**, a Michigan municipal corporation, with its principal offices located at 201 W. Ash Street, Mason, MI 48854, hereinafter called the "Grantee."

WHEREAS, the Grantor owns the following described premises:

Being a part of the NE 1/4 (and NW 1/4) of Sec. 16, and the NW 1/4 of Sec. 15, T2N, R1W, Vevay Township, Ingham County, Michigan, described as follows: Beg. at the N 1/4 post of Sec. 16, of Vevay Township; thence N 89°45'14" E along N sec. line of said section, 2,649.34 ft. to the NE cor. of Sec. 16, (NW cor. Sec. 15); S 89°30'59" E along the N sec. line of Sec. 15, 666.94 ft., S 00°13'22" E 667.96 ft., S 89°38'32" E 440.06 ft., S 00°13'22" E 1,980.00 ft. to the E-W 1/4 line of Sec. 15; N 89°38'32" W, along said 1/4 line, 1,106.66 ft. to the W 1/4 post of Sec. 15, (E 1/4 post Sec. 16); S 89°53'35" W along E-W 1/4 line of Sec. 16, 594.86 ft.; N 00°23'23" W 957.00 ft., S 89°53'35" W 1564.76 ft. to the traveled centerline of Eden Road; N 31°11'44" W along said c/l 1,619.21 ft., "E" 346.92 ft. to the N-S 1/4 line of Sec. 16; N 00°23'23" W along said 1/4 line 234.00 ft., "W" 487.00 ft. to the traveled c/l of Eden Road; N 31°11'44" W along said c/l 77.16 ft. to the N. sec. line of Sec. 16; "E" along said Sec. line 526.52 ft. to the p.o.b.

and

WHEREAS, the Grantee desires to obtain a permanent easement from the Grantor over, under, across, and upon a portion the above-described premises as hereinafter described for the maintenance, improvement and/or extension of municipal public sewer and water utilities with

related appurtenances; and

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

NOW, THEREFORE, IT IS MUTUALLY AGREED AS FOLLOWS:

1. In consideration of the sum of Ten Dollars (\$10.00), 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 sewer and water mains with related appurtenances, over, under, and upon the following described parcel:

Legal Description:

30-foot wide Permanent Sewer and Water Easement:

A 30 feet wide easement situated in the Northeast 1/4 of Section 16, Town 2 North , Range 1 West, Vevay Township, Ingham County, Michigan, said easement being 15 feet on each side of the following described centerline: commencing at the North 1/4 corner of said Section 16; thence South 00°23'23" East along the North-South 1/4 line of Section 16, as established in Certificate of Survey by Wolverine Engineering Company, dated July 26, 1976, and as recorded in Liber 2 of Surveys, Pages 893 through 896, Ingham County Records, a distance of 879.45 feet to the centerline of public roadway Eden Road as also established in said Certificate of Survey; Thence South 31°11'44" East along said centerline of road a distance of 928.13 feet; thence North 58°48'16" East, 33.00 feet to a point on the Northeasterly right-of-way line of Eden Road and POINT OF BEGINNING of the centerline description to the 30' wide sewer and water easement; thence along said centerline the following five (5) courses: North 88°34'15" East, 483.60 feet; North 89°59'14" East, 1227.91 feet; South 44°06'07" East, 279.92 feet to POINT "A"; South 44°06'07" East, 158.67 feet to POINT "B"; South 44°06'07" East, 21.00 feet to the POINT OF ENDING of this 30' wide easement.

Said permanent easement shall constitute a burden upon the land and shall run with the land.

2. The permanent easement granted herein is for municipal public sewer and water mains with

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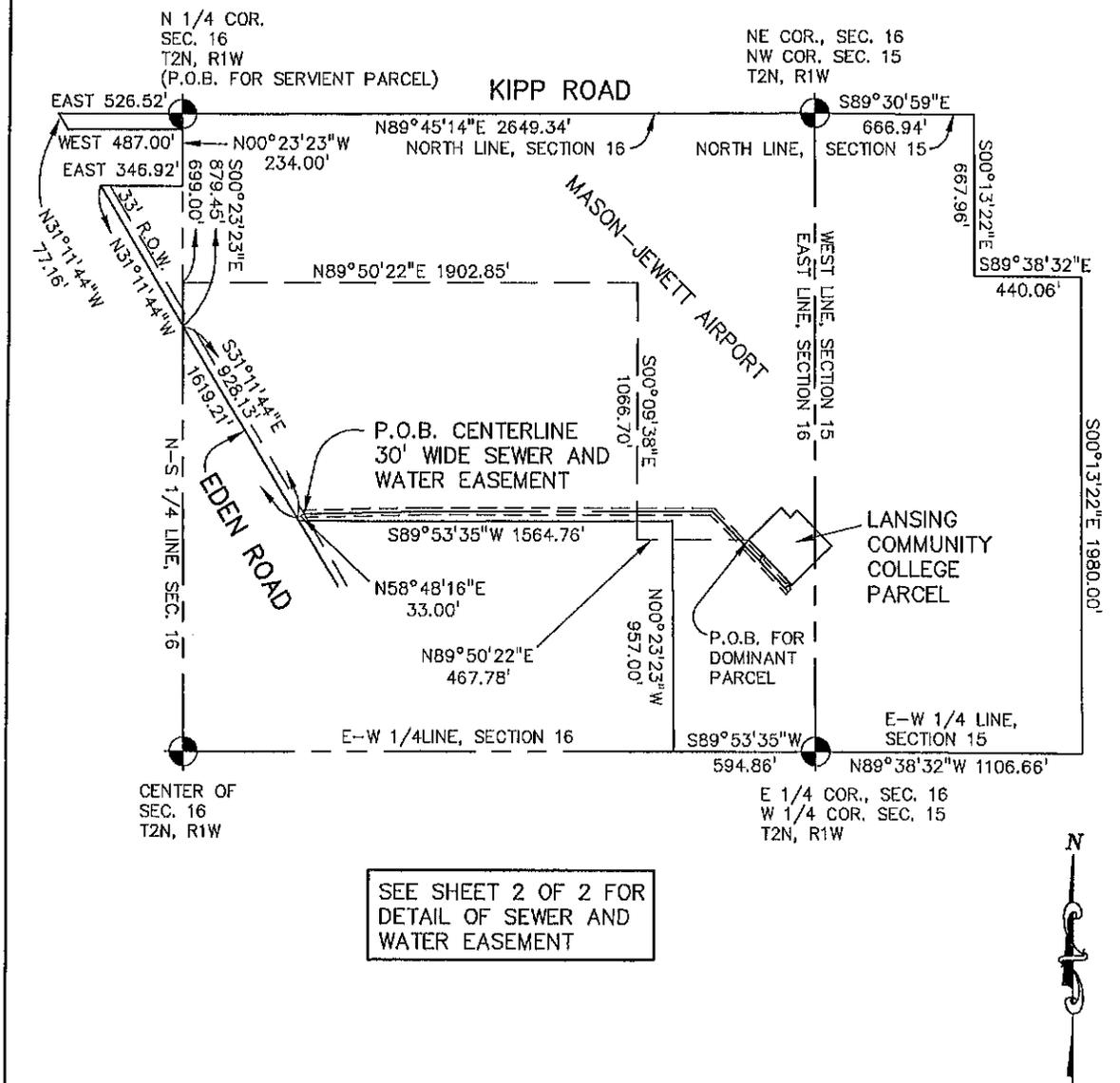
related appurtenances, including right-of-way across the foregoing premises for ingress and egress to and from said easement parcel, to allow for the inspection, maintenance, improvement, and/or extension of the municipal utilities. However, access after construction shall not compromise any existing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

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 in all cases shall be with permission of Grantor, such permission shall not be unreasonably withheld. Restoration of landscaped areas shall be the responsibility of the Grantee. Damage to pavement, curb and gutter, sidewalk and fencing will be repaired by the Grantee to a condition equal to the existing condition.
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. Grantor covenants that it is lawfully seized and possessed of the premises herein described





# EXHIBIT



REVISIONS:  
4-23-13 (TW)-CORR. TYPOS  
6-3-13 (TW)-PER CITY REVIEW

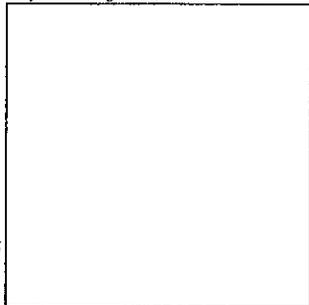
THIS IS NOT A BOUNDARY SURVEY.

**LEGEND**

- x- - Fence
- - - Line Not To Scale

Terry L. Wiegman, P.S. No. 39100

<b>BENCHMARK SURVEYING, LLC</b> 9851 MISSAUKEE LANE, HASLETT, MI 48840 (517) 339-3228 * FAX (517) 339-3229	
For: LANSING COMMUNITY COLLEGE Location: MASON-JEWETT AIRPORT S. EDEN ROAD, MASON, MI	Sheet <u>1</u> of <u>2</u> 0 200 400 600  SCALE: 1" = 600'
Drawn by: TW     Dwg. No. 11-005ESMT	Date: _____ Field work by: _____ Date of field work: _____ 11-005 Proj. No. _____





# CITY OF MASON

## STAFF AGENDA REPORT TO CITY COUNCIL

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**Meeting Date:** July 1, 2013

**Agenda Item:** 8(C)

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### **AGENDA ITEM**

Resolution 2013-32- A Resolution Choosing Dace Koenigsknecht as Artist for Lansing Economic Area Partnership \$10,000 Art Grant

### **EXHIBITS**

Dace Koenigsknecht's Proposal

### **STAFF REVIEW**

Administration

### **SUMMARY STATEMENT**

Stewart Powell, on behalf of the Art Selection Committee, made the recommendation that the City Council approve Dace Koenigsknecht as the artist for the \$10,000 LEAP grant. The Art Selection Committee reviewed the individual and group scores of all artists' proposals and Mr. Koenigsknecht was the unanimous choice by the committee, as they graded and chose an artist based on Visibility (25 points), Design (25 points), Experience (20 points), Durability (20 points) and Cost (10 points).

### **RECOMMENDED ACTION**

Move to approve Resolution 2013-32.

Introduced:  
Seconded:

**CITY OF MASON  
CITY COUNCIL RESOLUTION NO. 2013-32**

**A RESOLUTION CHOOSING DACE KOENIGSKNECHT AS ARTIST FOR  
LANSING ECONOMIC AREA PARTNERSHIP \$10,000 ART GRANT**

**JULY 1, 2013**

**Whereas**, the Lansing Economic Area Partnership (LEAP) established a Public Art Grant program, the first of its kind in Mid-Michigan; and

**Whereas**, the City of Mason accepted the LEAP \$10,000 grant and adopted a Public Art Policy; and

**Whereas**, an Art Selection Committee of seven members was formed with the purpose of reviewing the artists' proposals and making a recommendation to City Council; and

**Whereas**, the Art Selection Committee reviewed the individual and group scores of all artists' proposals and Dace Koenigsknecht was the unanimous choice by the committee, as they graded and chose an artist based on Visibility (25 points), Design (25 points), Experience (20 points), Durability (20 points) and Cost (10 points); and

**Whereas**, the City of Mason will enter into a binding contract with Dace Koenigsknecht, commissioning him to create his artwork in stainless steel;

**Now, Therefore, Be it Resolved**, that the City of Mason gives signature authority to City Administrator Martin Colburn, in order to enter into said contract.

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, July 1, 2013, the original of which is part of the City Council minutes.

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

# 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:** July 1, 2013  
**RE:** City Administrator's Report

### Community Entry Welcome Sign

The Mason Optimist's have facilitated the creation of a new welcoming sign into the City. It has been placed with permission of City Limits, on their front lawn. This required an MDOT permit, which the City acquired. Through the individual leadership and facilitation of Optimist Larry Miller, the participating members helping pay for this structure included Mason Optimists, Mason Rotary Club, American Legion, Mason Area Chamber of Commerce, Kiwanis Club, Lions Club and the Masons. They have used the City model of other entry signs, as well as recognizing the multiple nonprofit organizations that provide service throughout the community. Attached is a photo of the sign. It was constructed by Mason's own industry of H&H Welding and Sign Smith. A great thank you goes out to Larry Miller, the Mason Optimists, and all of the nonprofit organizations that provide services throughout the community year-round.

### Street and Road Projects

MDOT initiated the West Columbia project on Monday, June 17, 2013. This is inclusive of a total reconstruct from the US 127 bridge to the City limits, of approximately a half mile distance. There is also significant storm drain components as part of this project. Only local traffic is allowed in the area. No through traffic should attempt to take this route. The detour will be marked beginning at the intersection of Columbia Street and Cedar Street, continuing north to College Road, then south on College Road to the intersection of College Road and Columbia Road.

Temple Street from Ash Street north to East Columbia Street will have construction begin Monday, July 15. Reith Riley, our contractor, will also be installing our 12 inch water main, looping the water system. Their intent is to have the bituminous base course in by August 26 and the bituminous top course completed by September 7. The North Street project is scheduled to begin September 9. The bituminous top course is scheduled to be completed by September 30 and the projects wrapped up and completed no later than November 4, as per our contract. Weather and unforeseen circumstances are always taken into consideration in regard to the completion of the project.



WELCOME TO  
MASON

FOUNDED  
IN 1865

