

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, January 6, 2014

7:00 p.m. Executive Session - Personnel - City Administrator's Evaluation & Contract

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. Consent Agenda
 - A. Approval of Minutes
 - Regular Council Meeting: December 16, 2013
 - B. Approval of Bills
7. Regular Business
 - A. Resolution 2014-01 – City Council and Planning Commission Meeting Dates
 - B. Resolution 2014-02 – City Administrator Performance Evaluation for Calendar Year 2013
 - C. Resolution 2014-03 – City Administrator Employment Contract Amendment #12
8. Unfinished Business
9. New Business
10. Correspondence
11. Liaison Reports
12. Councilmember Reports
13. Administrator's Report
 - Alaiedon Township Fire Services Contract In Force
14. Adjournment

**CITY OF MASON
REGULAR CITY COUNCIL MEETING
MINUTES OF DECEMBER 16, 2013**

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

Present: Councilmembers: Brown, Bruno, Clark, Ferris, Mulvany, Naeyaert
Absent: Councilmember: Droscha (excused)
Also present: Martin A. Colburn, City Administrator
Deborah J. Cwierniewicz, City Clerk
Eric Smith, Finance Director/Treasurer
David Haywood, Zoning & Development Director
John Stressman, Chief of Police
Dennis McGinty, City Attorney

ANNOUNCEMENTS

None.

PEOPLE FROM THE FLOOR

None.

PUBLIC HEARING

Application for a Michigan Economic Development Corporation (MEDC) Community Development Block Grant (CDBG) for 124 and 140 East Ash Street

Mayor Clark opened the public hearing at 7:34 p.m.

Bruce Johnston, City Housing Consultant, spoke regarding the two-year process of bringing together five to six funding sources for the rehabilitation of 124 and 140 East Ash Street, properties that are determinable signs of blight. He thanked staff for their assistance.

Martin Colburn, City Administrator, addressed matters of the process and project requirements as listed on the MEDC application.

Mayor Clark closed the public hearing at 7:42 p.m.

Resolution No. 2013-51 – Resolution Authorizing the Application for a Michigan Economic Development Corporation (MEDC) Community Development Block Grant (CDBG) Designated for the Properties at 124 and 140 East Ash Street, for Removal of the “Slum and Blighted Area”

MOTION by Naeyaert, second by Brown,
to consider Resolution No. 2013-51 read.

MOTION APPROVED UNANIMOUSLY

Resolution No. 2013-51 was introduced by Naeyaert and seconded by Brown.

**CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2013-51
A RESOLUTION AUTHORIZING THE APPLICATION FOR A MICHIGAN ECONOMIC
DEVELOPMENT CORPORATION (MEDC) COMMUNITY DEVELOPMENT BLOCK
GRANT (CDBG) DESIGNATED FOR THE PROPERTIES AT 124 AND 140 EAST ASH
STREET, FOR REMOVAL OF THE “SLUM AND BLIGHTED AREA”**

December 16, 2013

WHEREAS, the City of Mason is concerned about the economic viability of slum and blighted area within its corporate limits; and

WHEREAS, the slum and blighted area projects a negative visual image of the community, and the proposed project will clearly eliminate objectively determinable signs of blight and will be strictly limited to eliminating specific instances of blight (spot blight); and

WHEREAS, the economic, social, physical, and cultural well-being of the City is adversely affected by the conditions of this slum and blighted area as described in the Community Development Plan in Part II of the MEDC CDBG Application; and

WHEREAS, no project costs, including CDBG and Non-CDBG costs, will be incurred prior to a formal grant award, completion of the environmental review procedures and formal, written authorization to incur costs has been provided by our CDBG Project Manager; and

WHEREAS, this Resolution serves as the City of Mason's local authorization to submit the Michigan CDBG Application; and

WHEREAS, Martin Colburn, Mason City Administrator, will be the person authorized to sign the Part II Application, all its attachments, and to sign the Grant Agreement.

NOW THEREFORE BE IT RESOLVED, that the Mason City Council does hereby authorize the City of Mason to apply for an MEDC CDBG, and gives City Administrator Martin Colburn full signature authority.

RESOLUTION APPROVED UNANIMOUSLY

MOTION by Naeyaert, second by Bruno, to amend the Agenda by moving Items No. 8(C) Mayoral Appointments to City Boards and Commissions, and 8(D) City Council Appointments to City Boards and Commissions, to Items No. 7(D) and 7(E), listing the remaining items accordingly.

MOTION APPROVED UNANIMOUSLY

CONSENT AGENDA

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

- A. Motion – Approval of Minutes – Regular Council Meeting: December 2, 2013
- B. Motion – Approval of Bills - \$78,380.26
- C. Motion – Request to be Excused – City Council Member Jon Droscha
 - Excuse the absence of Councilmember Droscha from the December 16, 2013 meeting.
- D. Resolution No. 2013-53 – Mayoral Appointments to City Boards and Commissions

**CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2013-53
MAYORAL APPOINTMENTS TO CITY BOARDS AND COMMISSIONS
December 16, 2013**

BE IT HEREBY RESOLVED, that the Mayor, with confirmation by the City Council, does hereby make the following appointments/reappointments to the specified boards and commissions of the city and that each term shall commence January 1, 2014 and expire on December 31 of the year noted.

Building Code	Ken Brown	2016
	Eric Harter	2016
Board of Ethics	Kathleen Dean	2016
	William H. Noud, Jr.	2016
Dangerous Buildings Hearing Officer	Bruce Johnston	2016
Downtown Development Authority	Michelle Wall	2017

Historic District Commission	Loren Shattuck	2016
	Mark Cummings	2016
Planning Commission	Seth Waxman	2016
	Tim Fisher	2016
Traffic Commission	Jeff Haueter	2016
	Joe Ghinelli (DDA	2016
	Representative)	2014
	Roger Bauer	2016
Tree Commission	Jim Duthie	2016

E. Resolution No. 2013-54 – City Council Appointments to City Boards and Commissions

**CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2013-54
CITY COUNCIL APPOINTMENTS TO CITY BOARDS AND COMMISSIONS
December 16, 2013**

BE IT HEREBY RESOLVED, that the City Council of the City of Mason does hereby make the following appointments/reappointments to the specified boards and commissions of the City and that each term shall commence January 1, 2014 and expire on December 31 of the year noted:

Board of Review	Larry Briggs	2016
Building Authority	Mark Howe	2016
Cemetery Board	Scott Shattuck	2016
Election Commission	Elaine Ferris	2015
Local Development Finance Authority	Mark Howe (<i>filling unexpired term</i>)	2015
Utility Rate Study Committee	Angela Newton	2016
	Shirley Richards	2016
Zoning Board of Appeals	Douglas Crips	2016
	Bob McCormick	2016
	Harry Spenny	2016

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

No (1) Bruno

Absent (1) Droscha

MOTION APPROVED

REGULAR BUSINESS

Resolution No. 2013-38A – Approval of Application for Industrial Facilities Tax Exemption Certificate and Industrial Facilities Exemption Agreement with Efficiency Production, Inc.

City Council granted a twelve year tax abatement to Efficiency Production, Inc. (EPI) September 16, 2013, by Resolution No. 2013-38. The resolution was submitted with the IFT application to the State of Michigan Tax Commission for its consideration and approval. Staff was informed by the Tax Commission that required language for an IFT resolution was updated two years ago, which must be inserted and approved by City Council for its consideration of the tax abatement request. McGinty reported to Council regarding the language and action that needed to be taken.

MOTION by Naeyaert, second by Brown,
to consider Resolution No. 2013-38A read.

MOTION APPROVED UNANIMOUSLY

Resolution No. 2013-38A was introduced by Naeyaert, seconded by Brown.

CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2013-38A
APPROVAL OF APPLICATION FOR INDUSTRIAL FACILITIES
EXEMPTION CERTIFICATE AND INDUSTRIAL FACILITIES
EXEMPTION AGREEMENT WITH EFFICIENCY PRODUCTION, INC.
December 16, 2013

WHEREAS, the State of Michigan has enacted 1974 PA 198 allowing industrial property owners property tax abatement under certain conditions; and

WHEREAS, Efficiency Production, Inc. ("EPI") has submitted an application to the City for tax abatement pursuant to Act 198, whereby property taxes would be abated or reduced on new industrial facilities to be acquired by the applicant consisting of machinery, equipment, and fixtures of approximately \$180,445 and real property improvements and additions of approximately \$775,000, as set forth in the applicant's application to the City Clerk dated July 16, 2013; and

WHEREAS, the City Council has adopted Council Resolution No. 1992-37, after a public hearing on July 6, 1992, duly noticed by publication, to establish Industrial Development District No. 3 pursuant to Act 198 to encompass the land and territory within which the Applicant proposes to acquire and maintain the building, land improvements, machinery and equipment to be acquired by the Applicant; and

WHEREAS, the description of said property is:

PART OF NW1/4 OF SEC 16 T2NR1W CITY OF MASON PA 425 AGREEMENT
DESC AS: COM AT W 1/4 COR OF SEC 16 - S89N53'41" E ALNG EW 1/4 LN
1161.25 FT TO POB - S89N53'41"E ALNG SD 1/4 LN 762.51 FT TO WLY R/W
LN OF CONRAIL RR - N07N08'04"W ALNG SD R/W LN 498.7 FT - ALNG SD
R/W LN 157.14 FT ON CURVE TO LEFT, RAD 2861.25 FT, DELTA 03N08'48",
CHD BRG N08N41'01"W 157.12 FT - N89N53'41"W 673.73 FT - S00N4'38"E
109.89 FT - SELY 32.98 FT ALNG CURVE TO RT, RAD 75 FT TO R/W LN OF
TRILLIUM DR, SWLY ALNG SD R/W LN 44 FT ON CURVE TO RT, RAD 75 FT
CHD BRG S29N38'29"W 43.37 FT - S00N04'38"E 474.8 FT TO POB 10.742 AC.
Commonly known as 685 Hull Road, Mason, Michigan
TIN 33-19-10-16-100-017

and

WHEREAS, EPI wishes to install a new linear CNC drilling machine and support equipment to its facility on the property legally described above, the value of said personal property to be approximately \$180,445 and to construct a building addition of approximately 14,000 square feet at a cost of approximately \$775,000 for real property improvements; and

WHEREAS, EPI seeks an Industrial Facilities Exemption Certificate on the personal property for a term of twelve (12) years, as described in its Application, dated July 16, 2013; and

WHEREAS, the City Council met in public hearing on September 16, 2013, as heretofore resolved and noticed, for the purpose of considering approval of said application; and

WHEREAS, the City Council has afforded the applicant, the public, the Assessor, and all of the affected taxing units notice and an opportunity for all persons desiring to be heard, either orally or in writing, with respect to the approval of an Industrial Facilities Exemption Certificate for the applicant; and

WHEREAS, the granting of an Industrial Facilities Exemption Certificate to EPI will not substantially impede the operations or financial soundness of the City of Mason; and

WHEREAS, the aggregate SEV of real and personal property exempt from *ad valorem* taxes within the city of Mason after granting this certificate will not exceed five percent (5%) of an amount equal to the sum of the SEV of the city of Mason plus the SEV of personal and real property thus exempted; and

WHEREAS, the City Council has received and considered a proposed written agreement as required by Section 22 of Act 198 to be entered into between the City and EPI containing the requirements for approval and the terms and conditions under which the Industrial Exemption Facilities Agreement shall be issued and retained;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Mason finds and determines that the granting of the EPI Industrial Facilities Exemption Certificate considered together with the aggregate amount of certificates previously granted and currently in force under Act No. 198 of the Public Acts of 1974 and Act No. 255 of the Public Acts of 1978, shall not have the effect of substantially impeding the operation of the City of Mason, or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in the City of Mason; and

BE IT HEREBY RESOLVED, that the application of EPI for an Industrial Facilities Exemption Certificate for real and personal property improvements of \$775,000 and \$180,445, respectively, on the applicant's property located at 685 Hull Road, Mason, Michigan, as legally described above, is hereby approved for a period of twelve (12) years; and

RESOLVED FURTHER, the City of Mason and EPI shall enter into the written Agreement containing the requirement for approval and issuance of the Industrial Facilities Exemption Certificate and allowing for the revocation of the Certificate if conditions imposed by the City of Mason are not met.

RESOLVED FURTHER, that this Resolution amends and replaces the City of Mason City Council Resolution No. 2013-38, adopted September 16, 2013.

RESOLUTION APPROVED UNANIMOUSLY

Resolution 2013-52 – Approval of Cable Franchise Agreement with Comlink

Colburn informed Council regarding the proposed cable franchise agreement submitted by Comlink, who is proposing to initially serve Ingham County government.

MOTION by Naeyaert, second by Brown,
to consider Resolution No. 2013-52 read.

MOTION APPROVED UNANIMOUSLY

Resolution No. 2013-52 was introduced by Naeyaert, seconded by Brown.

**CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2013-52
A RESOLUTION APPROVING UNIFORM VIDEO
FRANCHISE AGREEMENT SUBMITTED BY COMLINK, LLC
December 16, 2013**

WHEREAS, the Uniform Video Services Local Franchise Act, 2006 PA 480 ("Act 480"), adopted by the Michigan legislature effective January 1, 2007, required the Michigan Public Service Commission to issue an order establishing a standardized form for the uniform video services local franchise agreement to use by all franchising entities in Michigan; and

WHEREAS, on December 2, 2013, the Mason City Clerk received an application from Westphalia Broadband, Inc., d/b/a Comlink, dated November 26, 2013, submitting a proposed Uniform Video Service Local Franchise Agreement to the City Clerk in the form published by the MPSC; and

WHEREAS, the City Clerk, upon the advice and recommendation of the City Attorney, has advised the applicant that the proposed franchise agreement is complete in the form required by Act 480 and the uniform franchise published by the MPSC; and

WHEREAS, the submitted franchise leaves the amount of the local franchise fee to be paid pursuant to paragraph VI - Fees, subparagraph A(ii) of the proposed franchise agreement to be an amount as established by the City as franchise entity and leaves the amount of local gross revenues to be paid as support for PEG pursuant to paragraph VIII, subparagraph A-2 of the proposed franchise agreement to be an amount as established by the City as the franchise entity; and

WHEREAS, the Mason City Council, by City Council Resolution No. 2007-35, adopted June 18, 2007, received and placed on file a Uniform Video Service Local Franchise Agreement with Millennium Digital Media Systems, LLC, a Delaware corporation, which provided an annual video service provider fee to be paid to the City of Mason at paragraph VI, subparagraphs A(ii) thereof in the amount of 3.5% of gross revenues and PEG fees to the City of Mason as support for the cost of PEG access facilities and services at paragraph VI, subparagraphs A(ii) thereof in the amount of 0%; and

WHEREAS, subsection 6(1)(a) of Act 480 stipulates that a video service provider shall pay to the franchising entity an annual video service provider fee in an amount equal to the percentage of gross revenues paid to the franchising entity by the incumbent video provider; and

WHEREAS, subsection 6(8) of Act 480 allows the franchising entity to establish a fee to be paid for PEG services in the community in an amount not to exceed the fees currently paid by the incumbent provider, not to exceed 2% of gross revenues; and

WHEREAS, pursuant to paragraph II of the Uniform Video Local Service Franchise Agreement, subsection (M), if the provider is not an incumbent video provider, the provider must note in Attachment 1 to its proposed Uniform Video Local Service Franchise Agreement, the date on which the provider expects to provide video services in the area identified under section 2(3)(e) of the Act as the City of Mason Video Service Area; and

NOW, THEREFORE, BE IT RESOLVED that:

1. The Uniform Video Service Local Franchise Agreement filed with the Clerk on December 2, 2013, by Comlink, LLC, is hereby received and placed on file.
2. Paragraph VI - Fees - on page 4 of the submitted franchise agreement shall be completed by inserting "3.5%" at subparagraph A(ii), which number shall be the percentage of gross revenues to be paid by the provider to the City of Mason during the term of the franchise agreement and that page 4 attached hereto shall be substituted for page 4 of the submitted agreement.
3. Paragraph VIII - PEG Fees - on page 6 of the submitted franchise agreement, shall be completed by inserting 0.0% as the percentage of gross revenues to be paid as support for the cost of PEG access facilities on services. Page 6 attached hereto shall be substituted for page 6 of the submitted agreement.
4. The City Administrator shall transmit to Comlink a copy of this resolution and the completed pages 4 and 6 of the franchise agreement, finding the submitted franchise agreement complete upon the provider noting on Attachment 1, page 2, the date it expects to provide video service in the designated service area.
5. Upon the applicant completing page 1 of Attachment 1 of its proposed Uniform Video Service Local Franchise Agreement by noting the date on which it expects to provide video services in the area identified on Attachment 1 as its video service area footprint, the City Administrator is authorized to execute page 9 of the Video Service Franchise Agreement and page 2 of Attachment 1 to the franchise agreement on behalf of the City of Mason and deliver executed copies to the provider.

RESOLUTION APPROVED UNANIMOUSLY

Discussion — City Hall Landscaping Proposals

Haywood spoke briefly regarding the Landscape Services at Mason City Hall Request for Proposals submitted. A brief discussion was held regarding the proposals. The matter will be incorporated in budget discussions for 2014. It was stated that Council could resume discussion of the matter in February, 2014.

UNFINISHED BUSINESS

None.

NEW BUSINESS

It was the consensus of Council to broadcast special meetings where business requiring action is on the agenda.

It was stated that the police department should be provided with a means of visually viewing those who are requesting service after hours at the door to City Hall.

CORRESPONDENCE

All correspondence was distributed. Discussion was held regarding a letter received from American Water Resources of Michigan informing Mason residents of their services. A special notice will be placed on the city website informing residents that the City of Mason has no association with them and no agreements.

LIAISON REPORTS

Naeyaert informed Council regarding the Planning Commission special meeting, December 19, 2013, to hold a public hearing regarding a special use permit for Phases II and III of the Landings at Rayner Ponds.

COUNCILMEMBER REPORTS

Clark informed Council that he attended the Annual New Covenant Christian School Fund Raising Banquet. They are appreciative of the city for participating with them by allowing their students to annually provide service to the City of Mason on Make a Difference Day.

ADMINISTRATOR’S REPORT

Colburn informed Council regarding city business.

EXECUTIVE SESSION - PERSONNEL - CITY ADMINISTRATOR’S EVALUATION

MOTION by Naeyaert,
to adjourn to executive session to discuss the City Administrator’s evaluation.
Yes (6) Brown, Bruno, Ferris, Mulvany, Naeyaert, Clark
No (0)
Absent (1) Droscha
MOTION APPROVED UNANIMOUSLY

The meeting adjourned to executive session at 8:35 p.m. and reconvened at 8:59 p.m.

MOTION by Naeyaert, second by Brown,
to approve the City Administrator’s performance evaluation and place it on file.
MOTION APPROVED UNANIMOUSLY

ADJOURNMENT

The meeting adjourned at 9:00 p.m.

Deborah J. Cwierniewicz, City Clerk

Leon R. Clark, Mayor

01/03/2014 10:24 AM
User: TF
DB: Mason City

INVOICE APPROVAL BY INVOICE REPORT FOR CITY OF MASON
EXP CHECK RUN DATES 12/23/2013 - 01/08/2014
BOTH JOURNALIZED AND UNJOURNALIZED
BOTH OPEN AND PAID
COUNCIL REPORT
MONDAY, JANUARY 6, 2014

Vendor Code Invoice GL Number	Vendor Name Invoice Description GL Description	Invoice Date	Amount
07800	BLUE CROSS BLUE SHIELD OF MICHIGAN		
G#7029499710DIV#0&02 750-000.00-231.015	CITY EXPENSE HEALTH INS HEALTH INS ~ CITY EXPENSE	12/27/2013	12,037.27
G#7029499DIV#0001 101-855.00-874.001	RETIRES CITY EXPENSE RETIRES CITY EXPENSE	12/27/2013	7,378.57
VENDOR TOTAL:			19,415.84
06474	CONSUMERS ENERGY		
JAN 2014 101-265.00-920.000	GAS & ELECTRICITY 11/21 - 12/19 GAS & ELECTRICITY 11/21 - 12/19	01/03/2014	5,846.84
VENDOR TOTAL:			5,846.84
07894	EXPRESS TREE SERVICES		
888 101-271.00-818.000 101-271.00-818.000	CONTRACTED TREE WORK: 34 REMOVALS & TREE TRIMMING 34 TREE REMOVALS 120 HOURS TREE TRIMMING	01/03/2014	8,300.00 9,600.00 17,900.00
VENDOR TOTAL:			17,900.00
05016	GRANGER		
DEC 2013 101-528.00-818.000	DEC REFUSE #2285 CUSTOMERS DEC REFUSE #2285 CUSTOMERS	01/03/2014	27,168.65
VENDOR TOTAL:			27,168.65
07410	SPARTAN CHASSIS		
PIC00076 101-336.00-939.000	T-808 ANNUAL SERVICE LABOR & ANNUAL SERVICE ON T-808	01/03/2014	17,096.32
VENDOR TOTAL:			17,096.32
07096	SPEEDWAY, LLC		
JAN 2014 661-568.00-731.000	DEC FUEL 2188.2 GALLONS DEC FUEL 2188.2 GALLONS	01/03/2014	6,228.10
VENDOR TOTAL:			6,228.10
05023	TRI-COUNTY REGIONAL		
2014-519 592-557.00-818.000	2014 GLRC MEMBERSHIP DUES 2014 GLRC MEMBERSHIP DUES	01/03/2014	6,104.50
VENDOR TOTAL:			6,104.50
TOTAL - ALL VENDORS:			99,760.25

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: January 6, 2014

Agenda Item: 7 (A)

AGENDA ITEM

Resolution No. 2014-01 – Resolution Establishing City Council & Planning Commission Meeting Dates for the Year 2014

EXHIBITS

None.

STAFF REVIEW

City Clerk

SUMMARY STATEMENT

Resolution No. 2014-01 sets the 2014 regular meeting dates for City Council and Planning Commission. Regular meeting dates that fall on a holiday are marked by an asterisk and moved to the next available date.

Due to 2014 being an election year, City Council meetings on the first Monday in August and November have been moved to the following Monday. The Council Chambers, Community Room, Conference Room and Training Room are utilized as precincts and as an Election Inspector break room in both elections. The set-up will be in place Friday before Election Day for organizing and training of Election Inspector Chairs, Electronic Poll Book Inspectors, and the Absent Voter Counting Board Inspectors.

RECOMMENDED ACTION

Move to approve Resolution No. 2014-01.

Introduced:
Second:

**CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2014-01**

**ESTABLISHMENT OF CITY COUNCIL AND PLANNING COMMISSION
MEETING DATES FOR THE YEAR 2014**

January 6, 2014

BE IT HEREBY RESOLVED by the City Council of the City of Mason that the following are the dates of the regular **City Council** meetings for the calendar year 2014, and January 5, 2015, and that said meetings are to be held on the first and third Mondays of each month, with exception of one holiday, scheduled as a *Tuesday meeting, and the meetings of August 4, 2014, and November 3, 2014, respectively moved to the following Mondays, due to the 2014 Primary and General Elections,

January 6 and 20	July 7 and 21
February 3 and 17	August 11* and 18
March 3 and 17	September 2* and 15
April 7 and 21	October 6 and 20
May 5 and 19	November 10* and 17
June 2 and 16	December 1 and 15
	January 5, 2015; now

BE IT FURTHER RESOLVED, that the following are the dates of the regular **Planning Commission** meetings for the calendar year 2014, and that said meetings are to be held on the second Tuesday after the first Monday of the respective months, with one exception of one holiday, scheduled as a *Monday meeting,

January 14	May 13	September 9
February 11	June 10	October 14
March 11	July 15	November 10*
April 15	August 12	December 9
		January 13, 2015; now

BE IT FURTHER RESOLVED, that these meetings will be held in the City Council Chamber, City Hall, 201 W. Ash Street, Mason, Michigan, with the City Council's meetings to commence at 7:30 p.m. and the Planning Commission's meetings to commence at 6:30 p.m.; now

BE IT FINALLY RESOLVED, that the City Clerk shall cause these dates to be published in a local newspaper.

Yes

No

CLERK'S CERTIFICATION: I hereby certify that the foregoing is a true and accurate copy of a resolution adopted by the Mason City Council at its regular meeting on January 6, 2014, the original of which is part of the Council's minutes.

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

CITY OF MASON
STAFF AGENDA REPORT TO CITY COUNCIL

Meeting Date: January 6, 2014

Agenda Item: 7 (B-C)

AGENDA ITEM

- Resolution No. 2014-02 – City Administrator Performance Evaluation for 2013 Calendar Year
- Resolution No. 2014-03 – City Administrator Employment Contract Amendment #12

EXHIBITS

None.

STAFF REVIEW

Honorable Mayor Clark & Mayor Pro Tem Naeyaert

SUMMARY STATEMENT

The attached resolutions conclude the City Administrator's annual evaluation process with exception of memorializing the documents for his personnel file.

RECOMMENDED ACTION

Move to approve Resolution Nos. 2014-02 and 2014-03.

Introduced:
Second:

**CITY OF MASON
CITY COUNCIL RESOLUTION NO.2014-02**

**CITY ADMINISTRATOR PERFORMANCE EVALUATION
FOR 2013 CALENDAR YEAR**

January 6, 2014

WHEREAS, City Council Resolution 2005-06 provides that the Council shall conduct a formal review of the job performance of the City Administrator on a yearly basis; and

WHEREAS, City Council Resolution 2005-06 further provides that the Council shall conduct the formal performance review according to the guidelines described therein, including use of the "City Administrator Performance Evaluation Form" and the "City Administrator Self-Evaluation Form" as defined therein; and

WHEREAS, on December 2 and 16, 2013, the City Council met for the purpose of reviewing the "City Administrator Self-Evaluation Form" and the composite "City Administrator Performance Evaluation Form" for the purpose of general discussion regarding the job performance of City Administrator Martin A. Colburn, for the purpose of discussing revision of the Employment Contract between Administrator Colburn and the City Council; and

WHEREAS, at the request of Administrator Colburn, the review meetings by the City Council were held in executive session pursuant to the provisions of the Open Meetings Act; now

THEREFORE BE IT RESOLVED, that the City Council remains satisfied with Administrator Colburn in his management of, and service to, the City of Mason. Administrator Colburn continues to meet the job performance expectations of the Council. The Council feels that Administrator Colburn leads City operations in a manner generally consistent with the collective goals and ideals of the Council, as well as those of the City as a whole; now

BE IT FURTHER RESOLVED, that the City Council evaluated the performance of the City Administrator in fulfilling the responsibilities of the position by rating the following categories. Each category rating below is an average based upon each Council Member assigning a performance rating of 1 to 5 to a specific set of sub-categories for each category. Each performance measure uses the following scale: 5 = *Exceeds expectations*; 3 = *Meets expectations*; 1 = *Fails expectations*.

1. PROFESSIONALISM: 3.7
2. RELATIONSHIP WITH COUNCIL: 3.7
3. POLICY EXECUTION: 4.1
4. REPORTING: 4.1
5. PUBLIC RELATIONS: 4.2
6. STAFFING: 3.6
7. FISCAL MANAGEMENT: 4.0; now

BE IT FURTHER RESOLVED, that Mr. Colburn achieved an overall performance rating of 3.9 and more than met City Council expectations, and City Council commends Mr. Colburn for his outstanding performance as City Administrator; however, City Council did have concerns regarding Mr. Colburn's

dual role as City Administrator and Acting DPW Director questioning whether it was too demanding and time consuming for one individual, and determined Council would set forth specific objectives for the Administrator during the 2014-2015 budget process; now

BE IT FURTHER RESOLVED, that in accordance with City Council Resolution 2005-06, this resolution is hereby submitted by Mayor Leon R. Clark and Mayor Pro Tem Robin Naeyaert for consideration by the City Council as the written summary of the conclusions of the Council regarding the job performance of City Administrator Martin A. Colburn; now

BE IT FINALLY RESOLVED, that in accordance with City Council Resolution No. 2005-06, a copy of this resolution shall be placed in the personnel file of City Administrator Martin A. Colburn.

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, January 6, 2014, the original of which is a part of the meeting minutes.

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

Introduced:
Second:

**CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2014-03**

CITY ADMINISTRATOR EMPLOYMENT CONTRACT AMENDMENT #12

January 6, 2014

WHEREAS, City Council Resolution 2005-06 provides that the Council shall conduct a formal review of the job performance of the City Administrator on a yearly basis and further provides that upon completion of the performance evaluation process, the Mayor and Mayor Pro Tem may submit to the Council proposed revisions to the Employment Contract between the City Administrator and the City Council; and

WHEREAS, City Council hereby modifies Section 2, Salary, increasing salary paid by _____% to \$ _____; and

WHEREAS, City Council modifies the annual vacation days to be 23 days accrued annually;

NOW, THEREFORE, BE IT RESOLVED, that Mayor Leon R. Clark and Mayor Pro Tem Robin Naeyaert do hereby recommend extending the current Employment Contract between Martin A. Colburn and the City Council of the City of Mason for one year.

BE IT FURTHER RESOLVED, that the City Council does hereby authorize the Mayor to execute the Employment Contract between Martin A. Colburn and the City Council of the City of Mason incorporating the revisions proposed herein, effective January 6, 2014.

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, January 6, 2014, the original of which is a part of the meeting minutes.

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

MEMORANDUM

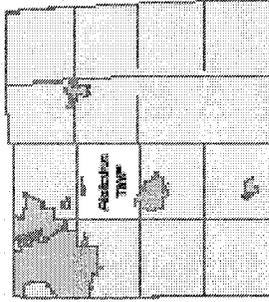
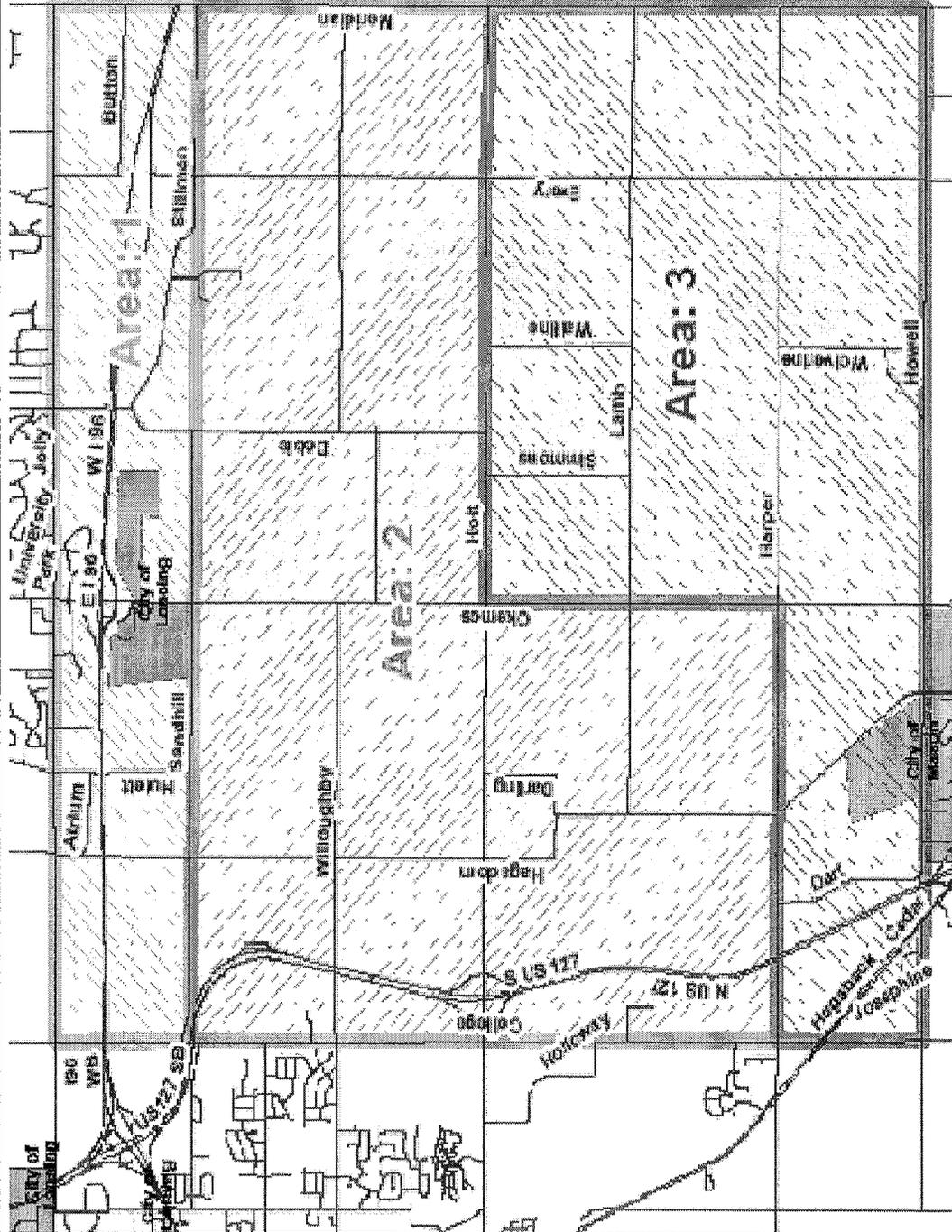
TO: Honorable Mayor and Council Members
FROM: Martin Colburn, City Administrator
DATE: January 6, 2014
RE: City Administrator's Report

Alaiedon Township Fire Services Contract In Force

The City of Mason has sub contracted through Delhi Township to provide fire protection services to a southern tier of Alaiedon Township. This is inclusive of fire protection and rescue. The Agreement is not inclusive of inspections or plan review. Attached is the map of service areas distributed between Meridian Township providing the northern tier of protection, Delhi Township the central tier and the City of Mason providing services for the southern tier.

Appendix A

Alaiedon Response Areas



Legend

Cities

Fire Areas

1. Mendota Township

2. Dehl Township Fire

3. Mason Fire

1 inch = 5,000 feet



This map is provided for informational purposes only. It is not intended for use in any legal proceeding. The fire department is not responsible for any loss or damage that may occur as a result of using this map. The fire department is not responsible for any loss or damage that may occur as a result of using this map.

Map Source: Google Earth, 2008

Map Project: Emergency Response Plan, 2011

