

201 West Ash St.  
Mason MI 48854-0370

## CITY OF MASON

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

### CITY COUNCIL - SPECIAL MEETING - COUNCIL CHAMBER

Monday, August 3, 2015

6:00 p.m.

#### Agenda

1. Call to Order
2. Roll Call
3. People from the Floor
4. Regular Business
  - Receive Public Comments in Determining Qualities Sought in Next Administrator – with MML Facilitator
  - Council to Discuss Qualities to be Included in Profile for Next Administrator – with MML Facilitator
5. Adjournment

# 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:** Mayor and City Council  
City of Mason

**FROM:** Patrick M. Price  
Acting City Administrator

**DATE:** August 3, 2015

**RE:** MML Schedule for Monday, August 3, 2015

For the Council's information, I will provide you with the written schedule of Monday's MML activities in the preparation of the Profile for the new Administrator:

**1:00 p.m. – 2:15 p.m.** - The MML Representative will conduct a public input session. At this time, the public has been invited to offer suggestions in what they think should be the qualities the new Administrator should possess. For this purpose, the City has placed an ad in our local newspaper, on the Mason Facebook and website, the Chamber of Commerce website, Channel 21 as well as sending invitations to the Mason Area Chamber of Commerce Board of Directors and our statutory-enabled Boards and Commissions: the Planning Commission, the Zoning Board of Appeals, and the Downtown Development Authority.

**2:30 p.m. – 3:30 p.m.** – The MML representative will seek input from the City Staff.

**3:30 p.m. – 4:30 p.m.** – The MML representative will seek input from the rest of the City employees. This is an invitation and not required. However, if any employee wishes to be heard, they will be encouraged to do so.

**6:00 p.m. – 7:30 p.m.** – This will be held for the purpose of hearing from the public once more, especially for those people who were unable to attend the 1:00 p.m. meeting; therefore, it is a second opportunity for the public to offer their opinions.

Once the public forum concludes and following a 5 – 10 minute recess, the Mason City Council will have its opportunity to contribute to the new Administrator's profile. Once this is concluded,

following a 5 – 10 minute recess and not before 7:30 p.m., the Mayor will call to order the regular Council Meeting scheduled for August 3, 2015. If it takes longer than 7:30 p.m., the Mayor will call to order the Council meeting at whatever time it takes.

After all the input is received, the MML Executive Search Team will put together the profile for the next City Administrator. Once this is concluded, the written profile will be sent to the City Council for approval.

# CITY OF MASON

201 West Ash Street  
Mason MI 48854-0370

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517-676-9155  
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## CITY COUNCIL SPECIAL MEETING

August 3, 2015, 6:00 p.m.

Receive Public Comments in Determining Qualities Sought in  
Next Administrator – with MML Facilitator  
Council to Discuss Qualities to be Included in Profile for Next  
Administrator – with MML Facilitator

## CITY COUNCIL MEETING – COUNCIL CHAMBER

August 3, 2015

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
    - Special Council Meeting: July 20, 2015
    - Regular Council Meeting: July 20, 2015
  - B. Approval of Bills
7. Regular Business
  - A. Introduction and First Reading – Nuisance Abatement Ordinance
  - B. Motion – Designation of Voting Delegate and Alternate for Michigan Municipal League (MML) Annual Business Meeting
  - C. Interlocal Contract for Cooperative Purchase
8. Unfinished Business
9. New Business
10. Correspondence
  - Michigan DHHS Oral Health Letter and 2014 Certificate of Appreciation
  - Letter for Excused Absence – Leon Clark
11. Liaison Reports
12. Councilmember Reports
13. Administrator's Report
14. Adjournment

**CITY OF MASON  
SPECIAL CITY COUNCIL MEETING  
MINUTES OF JULY 20, 2015**

Mayor Waltz called the special meeting to order at 6:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan, 48854.

Present: Councilmembers: Brown, Bruno, Clark, Droscha, Ferris, Mulvany, Waltz  
Absent: Councilmember: None  
Also present: Patrick M. Price, Acting City Administrator  
Deborah J. Cwiertniewicz, City Clerk  
Eric Smith, Finance Director/Treasurer  
Kathy Revels, Human Resource Coordinator

**PEOPLE FROM THE FLOOR**

None.

**REGULAR BUSINESS**

**Discussion - Executive Search Process Presentation by Kathie Grinzinger of Michigan Municipal League (MML)**

Waltz stated that a special meeting was called to permit all council members to participate with the Ad Hoc Subcommittee in the presentation by Kathie Grinzinger, Michigan Municipal League (MML) Lead Executive Recruiter. The ad hoc committee was charged with gathering information for the purpose of recommending a firm that would manage the recruitment and selection process for the vacant City Administrator position.

Ms. Grinzinger provided an MML Executive Search Proposal and a printed copy of her presentation to Council. Ms. Grinzinger detailed MML's executive search process and responded to questions relating to the time line, advertising, personal visits, and various other services included in the proposal.

**ADJOURNMENT**

The meeting adjourned at 7:21 p.m.

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Deborah J. Cwiertniewicz, City Clerk

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Mike Waltz, Mayor

**CITY OF MASON  
REGULAR CITY COUNCIL MEETING  
MINUTES OF JULY 20, 2015**

Mayor Waltz called the meeting to order at 7:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan, 48854. Councilmember Ferris led the Pledge of Allegiance and offered the invocation.

Present: Councilmembers: Brown, Bruno, Clark, Droscha, Ferris, Mulvany, Waltz  
Absent: Councilmember: None  
Also present: Patrick M. Price, Acting City Administrator  
Deborah J. Cwierniewicz, City Clerk  
Eric Smith, Finance Director/Treasurer  
John Stressman, Chief of Police

MOTION by Clark, second by Bruno,  
to amend the agenda by inserting under Consent Agenda, Agenda Item No. 7 (C) Motion  
– Street Closure Request for Maple Street – The Andy Minshall/Heather Allen Leukemia  
Fund.

MOTION APPROVED

**ANNOUNCEMENTS**

Sesquicentennial Legacy Trees are available for purchase.

**PEOPLE FROM THE FLOOR**

Jack Carmichael of 519 South Rogers invited Council to attend the Mason Town Forum on Oil and Gas Drilling and Leasing Issues, July 28, 2015, at the Mason Area Historical Museum.

**PRESENTATIONS**

None.

**CONSENT AGENDA**

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

- A. Approval of Minutes
  - Regular Council Meeting – July 6, 2015
- B. Approval of Bills: \$231,111.39
- C. Motion – Street Closure Request for Maple Street – The Andy Minshall/Heather Allen Leukemia Fund
  - to approve the street closure request submitted by Ms. Christine Ramon, Maple Street from Quality Dairy's driveway to Jefferson Street on July 26, 2015, from 11:00 a.m. – 2:00 p.m. to hold a fundraiser for the Andy Minshall/Heather Allen Leukemia Fund.

MOTION APPROVED

**REGULAR BUSINESS**

**Second Reading – Fire Code Ordinance**

MOTION by Brown, second by Droscha,  
to consider the Fire Code Ordinance read for the second time and adopted.

MOTION APPROVED

CITY OF MASON  
ORDINANCE NO. 200  
AN ORDINANCE TO ADD ARTICLE VII - FALSE SUMMONING AND  
OBSTRUCTING - TO CHAPTER 42 OF THE CODE OF THE CITY OF MASON  
BY PROHIBITING THE UNNECESSARY SUMMONING OF EMERGENCY  
PROVIDERS, THE RAISING OF A FALSE ALARM, AND THE OBSTRUCTING  
OF AND DISOBEYING FIREFIGHTERS WITHIN THE CITY OF MASON

THE CITY OF MASON ORDAINS: Article VII - False Summoning and Obstructing - of Chapter 42 of the Code of the City of Mason shall be added to read as follows:

**FALSE SUMMONING AND OBSTRUCTING**

**Sec. 42-301. Prohibited acts.**

(a) *False summoning of police or fire department or ambulance.* It shall be unlawful for any person to summon, as a joke or prank or otherwise without any good reason therefore, by telephone or otherwise, the police or fire department or any public or private ambulance to go to any address where the service called for is not needed.

(b) *False alarm fire.* It shall be unlawful for any person to:

(1) Raise a false alarm of fire at any gathering or in any public place.

(2) Ring any bell or operate any mechanical apparatus, electrical apparatus, or combination thereof, for the purpose of creating a false alarm of fire.

(3) Raise a false alarm of fire or by telephone or in person.

(c) *Firefighter; obstructing and disobeying.* It shall be unlawful for any person to, while in the vicinity of a fire or other emergency, willfully disobey any reasonable order or rule of the officer commanding any fire department, when the order or rule is given by the commanding officer or firefighter there present.

**Sec. 42-302. Rewards and reimbursements for information.**

(a) The city may offer a reward in an amount to be established by resolution of the city council for information leading to the identification and apprehension of any person who willfully violates this article. In the event of any such expense to the fire and/or police departments when their services are not needed, the offender or the parents or legal guardian of any un-emancipated minor shall reimburse the city for any rewards paid. In the event of multiple contributors of information, the reward amount shall be divided by the city in the manner it shall deem appropriate.

(b) Claims for rewards under this section shall be filed with the city in the manner specified by a resolution of the city council.

(c) No claim for reward shall be allowed unless the city investigates and verifies the accuracy of the claim and determines that the requirements of this section have been satisfied.

**Sec. 42-303. Penalties.**

(a) *Fines and imprisonment.* Any person violating this article shall be guilty of a misdemeanor punishable by imprisonment for not more than 90 days and a fine of not more than five hundred dollars (\$500).

(1) In the case of a minor, the parents or legal guardian shall be jointly and severally liable with the minor for payment of all fines and costs.

(2) Failure of the parents or legal guardian to make payment will result in the filing of a lien on the parents' or legal guardian's property that includes the fines and administrative costs.

(3) Upon the application and finding of indigence, the court may decline to order fines against the minor, parents, or guardian.

(b) *Restitution.* In addition to any punishment specified in this section, the court may order

any violator to make restitution to the city for the expense of the fire and/or police departments or to any ambulance provider for their services that were not needed or for any other damages or loss caused, directly or indirectly, by the violator's offense in the amount or manner determined by the court. In the case of a minor, the parents or legal guardian shall be ordered jointly and severally liable with the minor for liquidated damages in an amount equal to the cost billed by the city's police and/or fire departments.

(c) *Community service.* In lieu of, or as part of, the penalties specified in this section, a minor or adult may be required by the court to perform community service as described by the court based on the following minimum requirements:

(1) The minor or adult shall perform at least thirty (30) hours of community service.

(2) At least one parent or guardian of the minor shall be in attendance a minimum of fifty percent (50%) of the period assigned to community service.

(3) The entire period of community service shall be performed under the supervision of a community service provider approved by the chief of police. In the event that the offender violates section 42-301 of this article at a school, then the community service will be performed at said school. If the school does not approve said offender to do community service there, then it shall be performed in accordance with the rest of this section.

(4) Reasonable effort shall be made to assign a person who violates section 42-301 to a type of community service that is reasonably expected to have the most rehabilitative effect on the minor or adult.

THE CITY OF MASON FURTHER ORDAINS: That this ordinance shall become effective twenty days after its adoption, but not before it is published; and

THE CITY OF MASON FURTHER ORDAINS: That this ordinance shall be published within fifteen days after its adoption.

The foregoing Ordinance was moved for adoption by Council Member Brown and seconded by Council Member Droscha with a vote thereon being: YES (7) NO (0), at a regular meeting of the City Council held pursuant to public notice in compliance with the Michigan Open Meetings Act, on the 20<sup>th</sup> day of July, 2015.

ORDINANCE APPROVED

**Motion – Authorize Acting City Administrator to Proceed in Purchase of New Street Sweeper**

Price stated that street cleaning is one of the fundamental public serves provided by the City. He commented that the existing street sweeper was purchased in 1998 and that it is taking more employee time than it should to sweep the city streets. Consequently, it is not being done efficiently or often enough.

Discussion ensued regarding motor vehicle pool fund purchases, specifically relating to how the purchase of a street sweeper would or would not affect the purchase of a fire truck. Also discussed was whether the purchase should be considered in the next fiscal year budget as a priority purchase. Discussion on current budget considerations continued. Acting Administrator Price offered to hold a work session in the future to review budgeting relating to an enterprise fund, property tax fund, Act 51 monies, etc.

\*Mulvany stepped away from the meeting at 8:00 p.m. and returned at 8:01 p.m.

MOTION by Droscha, second by Bruno,  
to authorize the Acting City Administrator to proceed in the process of gathering  
information needed for a new street sweeper.

Yes (6) Brown, Bruno, Clark, Droscha, Mulvany, Waltz

No (1) Ferris

MOTION APPROVED

### **Discussion – MML Executive Search Team**

Waltz stated that a special meeting was held by City Council prior to the regular meeting to permit all council members to participate with the City Council Ad Hoc Subcommittee in hearing the presentation by Kathie Grinzinger, MML Lead Executive Recruiter, on the advantages of their executive search team. The ad hoc committee has been charged with gathering information and recommending a consultant firm to provide guidance and advice throughout the recruitment and selection process of filling the vacant City Administrator position.

Waltz stated that the ad hoc subcommittee met briefly following the Special Meeting to discuss their findings. He announced that there was unanimous consensus to recommend that Council utilize the MML Executive Search Team services for the purpose of securing a new city administrator.

\*Ferris stepped away from the meeting at 8:09 p.m. and returned at 8:12 p.m.

The subcommittee members spoke regarding the rationale for choosing MML. Discussion ensued about the venues and process utilized in their research, as well as concerns regarding limitations due to the ninety-day time line. It was suggested that more research needed to be done before choosing a firm to allow having a comparison of services. It was discussed that International City/County Management Association (ICMA) was considered, and like many other firms that were considered, they do not have a Michigan office, which would result in traveling and lodging expenses for the city in addition to the cost of the firm's services. ICMA recommended MML as a qualified executive search team, who will provide the advertisement to ICMA for publishing in their national bi-weekly newsletter that is disseminated to every city administrator and assistant administrator in the country.

MOTION by Bruno, second by Mulvany,  
to enter into a contract with Michigan Municipal League to perform a search  
process and secure a permanent city administrator.  
Yes (6) Brown, Bruno, Droscha, Ferris, Mulvany, Waltz  
No (1) Clark  
MOTION APPROVED

### **UNFINISHED BUSINESS**

None.

### **NEW BUSINESS**

MOTION by Droscha, second by Brown,  
to dissolve the ad hoc subcommittee.  
MOTION APPROVED

### **CORRESPONDENCE**

All correspondence was distributed.

### **LIAISON REPORTS**

Brown informed Council regarding Planning Commission business.

### **COUNCILMEMBER REPORTS**

Brown reported that the Mason Sesquicentennial Committee information session about the time capsule had been postponed.

**ADMINISTRATOR'S REPORT**

Price informed Council regarding City business. Council thanked Mr. Price for making improvements and adjustments that boosted employee morale and had been a concern of Council for some time.

**ADJOURNMENT**

The meeting adjourned at 8:46 p.m.

\_\_\_\_\_  
Deborah J. Cwierniewicz, City Clerk

\_\_\_\_\_  
Mike F. Waltz, Mayor

INVOICE APPROVAL BY INVOICE REPORT FOR CITY OF MASON  
 EXP CHECK RUN DATES 08/01/2015 - 08/05/2015  
 BOTH JOURNALIZED AND UNJOURNALIZED  
 BOTH OPEN AND PAID  
 COUNCIL REPORT

MONDAY, AUGUST 3, 2015

Vendor Code Invoice GL Number	Vendor Name Invoice Description GL Description	Invoice Date	Amount
06474	CONSUMERS ENERGY		
AUG 15 592-555.00-920.000	ELECTRICITY 6/23 - 7/22 ELECTRICITY 6/23 - 7/22	08/03/2015	9,815.81
VENDOR TOTAL:			9,815.81
05016	GRANGER		
JULY 2015 101-528.00-818.000	JULY REFUSE #2311 CUSTOMERS JULY REFUSE #2311 CUSTOMERS	08/03/2015	28,332.86
VENDOR TOTAL:			28,332.86
05887	INGHAM COUNTY		
201508 101-000.00-202.001 101-000.00-202.001 101-000.00-202.001	JAN-JUNE ADMIN FEE, CIP FUND 20 PC'S & INSTALL NETWORK DROPS ADMIN FEE 20 NETWORK CHARGES JAN-JUNE CIP FUND 20 PC'S JAN-JUNE INSTALL NETWORK DROPS	08/03/2015	3,750.00 2,500.00 50.04 6,300.04
VENDOR TOTAL:			6,300.04
06205	KEMIRA WATER SOLUTIONS		
9017460334 592-555.00-757.000	9.61 DRY TONS FERRIC CHLORIDE 9.61 DRY TONS FERRIC CHLORIDE	08/03/2015	5,065.82
VENDOR TOTAL:			5,065.82
06869	L-3 COM MOBILE VISION INC		
0227668-IN 101-305.00-970.010 101-305.00-970.010 101-305.00-970.010	BODYVISION CAMERA SYSTEM, SWITCH & SHIPPING 12 BODYVISION CAMERA'S SWITCH, 16 PORT SHIPPING	08/03/2015	4,788.00 314.45 35.00 5,137.45
VENDOR TOTAL:			5,137.45
05197	LAYNE CHRISTENSEN COMPANY, INC		
89074989 592-000.00-202.001 592-000.00-202.001 592-000.00-202.001 592-000.00-202.001 592-000.00-202.001 592-000.00-202.001 592-000.00-202.001	WELL #8 LABOR, TRAVEL TIME, MOTOR & DRIVE LABOR & TRAVEL TIME EQUIPMENT RENT 50 HP VHS MOTOR LABOR & TRAVEL TIME DANFOSS 50HP 480VAC DRIVE LINE REACTOR FOR VFD LABOR	08/03/2015	700.00 160.00 4,031.95 660.00 4,535.00 1,175.00 1,000.00 12,261.95
VENDOR TOTAL:			12,261.95
07569	MICHIGAN METER TECHNOLOGY GROUP		
14259 592-558.00-970.001 592-558.00-970.001 592-558.00-970.001 592-558.00-970.001	METERS, RADIO'S & GASKETS 6 - 3/4" METERS 20 - 5/8" METERS 20 - R900 RADIO'S 6 - 1 1/2" DROP IN GASKETS	08/03/2015	900.00 2,140.00 1,980.00 12.48 5,032.48
VENDOR TOTAL:			5,032.48
TOTAL - ALL VENDORS:			71,946.41

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 the City services and materials and are within current budget appropriations.

*Patrick M Price*

Patrick M Price

# City of Mason

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## MEMORANDUM

**TO:** Mayor and City Council  
City of Mason

**FROM:** Patrick M. Price  
Acting City Administrator

**DATE:** August 3, 2015

**RE:** An Ordinance to Add Article V – Nuisance Abatement – to Chapter 6 of the Code of the City of Mason

Attached hereto is a proposed Ordinance to Add Article V – Nuisance Abatement – to Chapter 6 of the Code of the City of Mason by defining and prohibiting a public nuisance within the City of Mason. At this time, Chapter 6 of the Code of Ordinances deals primarily with “public nuisances” involving buildings. By adding this Amendment, the definition of Public Nuisances has been broadened by definition and examples of “public nuisance” are therein provided. The Ordinance is a good example of the City’s police powers by “protecting the health, safety, and welfare of the community.”

As the initial step of ordinance adoption, this ordinance requires a “first reading.”

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

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**Meeting Date:** August 3, 2015

**Agenda Item:** 8A

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**AGENDA ITEM**

Motion - Introduce and First Reading – Nuisance Abatement Ordinance

**EXHIBITS**

None

**STAFF REVIEW**

Police Department  
Office of the City Attorney

**SUMMARY STATEMENT**

Before you is a recommendation from Police Chief Stressman and the Mason City Attorney to add Article V – Nuisance Abatement – to Chapter 6 of the Code of the City of Mason by defining and prohibiting a public nuisance within the City of Mason.

This ordinance is in form for introduction and first reading.

**RECOMMENDED ACTION**

Move to introduce and read for the first time the Nuisance Abatement Ordinance.

Introduced/First Reading: \_\_\_\_\_, 2015  
Second Reading/Adoption: \_\_\_\_\_, 2015  
Effective: \_\_\_\_\_, 2015

**CITY OF MASON  
ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE TO ADD ARTICLE V - NUISANCE  
ABATEMENT - TO CHAPTER 6 OF THE CODE OF THE  
CITY OF MASON BY DEFINING AND PROHIBITING A  
PUBLIC NUISANCE WITHIN THE CITY OF MASON**

THE CITY OF MASON ORDAINS: Article V - Nuisance Abatement - of Chapter 6 of the Code of the City of Mason shall be added to read as follows:

**NUISANCE ABATEMENT**

*Division 1. Generally*

**Sec. 6-210. Public nuisance defined and prohibited.**

(a) *A public nuisance* is defined as follows:

- (1) Any unreasonable interference with a common right enjoyed by the general public. It includes conduct:
  - (a) Which significantly interferes with the safety, health, comfort, peace, convenience or repose of the public;
  - (b) Offends public decency;
  - (c) Significantly interferes with, obstructs or renders dangerous any street, highway, navigable lake or stream; or
  - (d) In any way renders the public insecure in life or property;
  - (e) Which is known, or should have been known, to be of a continuing nature that produces a permanent or long-lasting, significant effect on these common rights;
- (2) Public nuisances shall include, but not be limited to, whatever is forbidden by any provision of this article, or where nuisance is referenced in Chapters 10, 18, 58, 68 and 82.

(b) No person shall commit, create or maintain any public nuisance.

**Sec. 6-211. Enumeration of nuisances.**

The following acts, services, apparatus and structures are hereby declared to be public nuisances:

- (a) The maintenance of any pond, pool of water or vessel holding stagnant water.
- (b) The pollution of any stream, lake or body of water by depositing or permitting to be deposited any refuse, toxic or industrial waste or forcing or discharging into any public or private sewer or drain any stream or gas.
- (c) Any vehicle used for any illegal purpose.
- (d) Betting, bookmaking and all apparatus used in such occupations.
- (e) All gambling devices.
- (f) Gambling houses and all houses kept for the purpose of prostitution or promiscuous sexual intercourse.
- (g) All dangerous, unguarded excavations or machinery in any public place, or left or operated on private property so as to endanger the safety of the public.
- (h) The owning, driving or moving upon any public streets and alleys of trucks or other motor vehicles that are constructed or loaded so as to permit any part of their load or contents to blow, fall or be deposited upon any street, alley, sidewalk or other public or private place, or which deposits from its wheels, tires or other parts, onto the street, alley, sidewalk or other public or private place, dirt, grease, sticky substances or foreign matter of any kind.
- (i) The placing, or causing to be placed, in or on any motor vehicle parked upon any street, alley or other public place within the corporate limits of the city, any paper, posters, signs, cards or other advertising matter.
- (j) The presence of an inoperable motor vehicle or parts of a motor vehicle on any land in violation of the terms of Division 2 of this article.

**Sec. 6-212-220. RESERVED.**

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## MEMORANDUM

**TO:** Mayor and City Council  
City of Mason

**FROM:** Patrick M. Price  
Acting City Administrator

**DATE:** August 3, 2015

**RE:** Designation of Voting Delegate for MML Annual Business Meeting

Attached hereto is a SAR, with attachment, from the City Clerk requesting that a Mason Delegate be appointed to serve as the City of Mason principal official representative to the Annual MML Meeting. Also, it is recommended that an "alternate" be appointed should the official delegate be unable to attend. Said Convention will be held in Traverse City, September 16-18, 2015. A motion appointing the delegate and the alternate is required.

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

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**Meeting Date:** August 3, 2015

**Agenda Item:** 8B

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**AGENDA ITEM**

Motion - Designation of Voting Delegate for Michigan Municipal League (MML) Annual Business Meeting

**EXHIBITS**

- MML Correspondence

**STAFF REVIEW**

Office of the City Clerk

**SUMMARY STATEMENT**

The Annual Michigan Municipal League Convention will be held in Traverse City, September 16 - 18, 2015. The annual meeting is scheduled to be held Thursday, September 17, 2015, at 12:30 a.m. in the West Bay Ballroom Dome at the Park Place Hotel. In accordance with the League Bylaws, Council is requested to designate by formal action one official who will attend the Convention as your official voting representative and one alternate. The official representative has voting privilege in the election of trustees, on policy, and other business.

**RECOMMENDED ACTION**

Move to appoint one official to serve as the City of Mason principal official representative and one other official to serve as an alternate to attend the 2015 MML Annual Meeting.



michigan municipal league

Better Communities. Better Michigan.

July 16, 2015

### Michigan Municipal League Annual Meeting Notice

(Please present at the next Council, Commission or Board Meeting)

Dear Official:

The Michigan Municipal League Annual Convention will be held in Traverse City, September 16-18, 2015. The League's "Annual Meeting" is scheduled for 12:00 pm on Thursday, September 17 in the West Bay Ballroom Dome at the Park Place Hotel. The meeting will be held for the following purposes:

1. Election of Trustees. To elect six members of the Board of Trustees for terms of three years each (see #1 on page 2).
2. Policy. A) To vote on the Core Legislative Principles document.  
In regard to the proposed League Core Legislative Principles, the document is available on the League website at <http://www.mml.org/delegate>. If you would like to receive a copy of the proposed principles by fax, please call Monica Drukis at the League at 800-653-2483.  
  
B) If the League Board of Trustees has presented any resolutions to the membership, they also will be voted on. (See #2 on page 2.)  
In regard to resolutions, member municipalities planning on submitting resolutions for consideration by the League Trustees are reminded that under the Bylaws, they must be submitted to the Trustees for their review by August 17, 2015.
3. Other Business. To transact such other business as may properly come before the meeting.

### Designation of Voting Delegates

Pursuant to the provisions of the League Bylaws, you are requested to designate by action of your governing body one of your officials who will be in attendance at the Convention as your official representative to cast the vote of the municipality at the Annual Meeting, and, if possible, to designate one other official to serve as alternate. Please submit this information through the League website by visiting <http://www.mml.org/delegate> no later than August 21, 2015.

Regarding the designation of an official representative of the member to the annual meeting, please note the following section of the League Bylaws:

"Section 4.4 - Votes of Members. Each member shall be equally privileged with all other members in its voice and vote in the election of officers and upon any proposition presented for discussion or decision at any meeting of the members. Honorary members shall be entitled to participate in the discussion of any question, but such members shall not be entitled to vote. The vote of each member shall be cast by its official representative attending the meeting at which an election of officers or a decision on any proposition shall take place. Each member shall, by action of its governing body prior to the annual meeting or any special meeting, appoint one official of such member as its principal official representative to cast the vote of the member at such meeting, and may appoint one official as its alternate official representative to serve in the absence or inability to act of the principal representative."

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## MEMORANDUM

**TO:** Mayor and City Council  
City of Mason

**FROM:** Patrick M. Price  
Acting City Administrator

**DATE:** August 3, 2015

**RE:** Interlocal Contract for Cooperative Purchasing

I did not receive the attached "Interlocal Contract for Cooperative Purchase" Resolution until late Friday. However, I would like to have this contract approved by the City Council this Monday, August 3, 2015. It appears at this time that Chief Minshall will be using the Houston-Galveston Area Council (H-GAC) for the purchase of the new fire truck and DPW Director Ken Baker wants to use it for the street sweeper. Even though H-GAC is a Texas-formed entity, it has become a national clearinghouse handling large equipment purchases for municipalities across the country. H-GAC solicits bids on a large volume basis; therefore, it is positioned to get the best prices from a large number of manufacturers, dealers, etc. I am attaching a said Resolution having the City of Mason enter into an "Interlocal Contract for Cooperative Purchasing" with the Houston-Galveston Area Council.

Attachments: as  
Cc: Tom Hitch, City Attorney  
PAP/meg



**INTERLOCAL CONTRACT  
FOR COOPERATIVE PURCHASING**

ILC  
No.: \_\_\_\_\_  
Permanent Number assigned by H-GAC

THIS INTERLOCAL CONTRACT ("Contract"), made and entered into pursuant to the Texas Interlocal Cooperation Act, Chapter 791, Texas Government Code (the "Act"), by and between the Houston-Galveston Area Council, hereinafter referred to as "H-GAC," having its principal place of business at 3555 Timmons Lane, Suite 120, Houston, Texas 77027, and \*City of Mason, a local government, a state agency, or a non-profit corporation created and operated to provide one or more governmental functions and services, hereinafter referred to as "End User," having its principal place of business at \*201 W. Ash St., Mason, Michigan 48854

**WITNESSETH**

**WHEREAS**, H-GAC is a regional planning commission and political subdivision of the State of Texas operating under Chapter 391, Texas Local Government Code; and

**WHEREAS**, pursuant to the Act, H-GAC is authorized to contract with eligible entities to perform governmental functions and services, including the purchase of goods and services; and

**WHEREAS**, in reliance on such authority, H-GAC has instituted a cooperative purchasing program under which it contracts with eligible entities under the Act; and

**WHEREAS**, End User has represented that it is an eligible entity under the Act, that its governing body has authorized this Contract on \* \_\_\_\_\_ (Date), and that it desires to contract with H-GAC on the terms set forth below;

**NOW, THEREFORE**, H-GAC and the End User do hereby agree as follows:

**ARTICLE 1: LEGAL AUTHORITY**

The End User represents and warrants to H-GAC that (1) it is eligible to contract with H-GAC under the Act because it is one of the following: a local government, as defined in the Act (a county, a municipality, a special district, or other political subdivision of the State of Texas or any other state), or a combination of two or more of those entities, a state agency (an agency of the State of Texas as defined in Section 771.002 of the Texas Government Code, or a similar agency of another state), or a non-profit corporation created and operated to provide one or more governmental functions and services, and (2) it possesses adequate legal authority to enter into this Contract.

**ARTICLE 2: APPLICABLE LAWS**

H-GAC and the End User agree to conduct all activities under this Contract in accordance with all applicable rules, regulations, and ordinances and laws in effect or promulgated during the term of this Contract.

**ARTICLE 3: WHOLE AGREEMENT**

This Contract and any attachments, as provided herein, constitute the complete contract between the parties hereto, and supersede any and all oral and written agreements between the parties relating to matters herein.

**ARTICLE 4: PERFORMANCE PERIOD**

The period of this Contract shall be for the balance of the fiscal year of the End User, which began \* 07/01/2015 and ends \* 06/30/2016. This Contract shall thereafter automatically be renewed annually for each succeeding fiscal year, provided that such renewal shall not have the effect of extending the period in which the End User may make any payment due an H-GAC contractor beyond the fiscal year in which such obligation was incurred under this Contract.

**ARTICLE 5: SCOPE OF SERVICES**

The End User appoints H-GAC its true and lawful purchasing agent for the purchase of certain products and services through the H-GAC Cooperative Purchasing Program. End User will access the Program through HGACBuy.com and by submission of any duly executed purchase order, in the form prescribed by H-GAC to a contractor having a valid contract with H-GAC. All purchases hereunder shall be in accordance with specifications and contract terms and pricing established by H-GAC. Ownership (title) to products purchased through H-GAC shall transfer directly from the contractor to the End User.

*(over)*

**ARTICLE 6: PAYMENTS**

H-GAC will confirm each order and issue notice to contractor to proceed. Upon delivery of goods or services purchased, and presentation of a properly documented invoice, the End User shall promptly, and in any case within thirty (30) days, pay H-GAC's contractor the full amount of the invoice. All payments for goods or services will be made from current revenues available to the paying party. In no event shall H-GAC have any financial liability to the End User for any goods or services End User procures from an H-GAC contractor.

**ARTICLE 7: CHANGES AND AMENDMENTS**

This Contract may be amended only by a written amendment executed by both parties, except that any alterations, additions, or deletions to the terms of this Contract which are required by changes in Federal and State law or regulations are automatically incorporated into this Contract without written amendment hereto and shall become effective on the date designated by such law or regulation.

H-GAC reserves the right to make changes in the scope of products and services offered through the H-GAC Cooperative Purchasing Program to be performed hereunder.

**ARTICLE 8: TERMINATION PROCEDURES**

H-GAC or the End User may cancel this Contract at any time upon thirty (30) days written notice by certified mail to the other party to this Contract. The obligations of the End User, including its obligation to pay H-GAC's contractor for all costs incurred under this Contract prior to such notice shall survive such cancellation, as well as any other obligation incurred under this Contract, until performed or discharged by the End User.

**ARTICLE 9: SEVERABILITY**

All parties agree that should any provision of this Contract be determined to be invalid or unenforceable, such determination shall not affect any other term of this Contract, which shall continue in full force and effect.

**ARTICLE 10: FORCE MAJEURE**

To the extent that either party to this Contract shall be wholly or partially prevented from the performance within the term specified of any obligation or duty placed on such party by reason of or through strikes, stoppage of labor, riot, fire, flood, acts of war, insurrection, accident, order of any court, act of God, or specific cause reasonably beyond the party's control and not attributable to its neglect or nonfeasance, in such event, the time for the performance of such obligation or duty shall be suspended until such disability to perform is removed; provided, however, force majeure shall not excuse an obligation solely to pay funds. Determination of force majeure shall rest solely with H-GAC.

**ARTICLE 11: VENUE**

Disputes between procuring party and Vendor are to be resolved in accord with the law and venue rules of the State of purchase.

**THIS INSTRUMENT HAS BEEN EXECUTED IN TWO ORIGINALS BY THE PARTIES HERETO AS FOLLOWS:**

\* City of Mason

Name of End User (*local government, agency, or non-profit corporation*)

\* 201 W. Ash St.

Mailing Address

\* Mason MI 48854

City State ZIP Code

\*By: \_\_\_\_\_

Signature of chief elected or appointed official

\* Pat Price, Acting City Administrator 07/15/2015

Typed Name & Title of Signatory Date

*Houston-Galveston Area Council*

3555 Timmons Lane, Suite 120, Houston, TX 77027

By: \_\_\_\_\_

Executive Director

Attest: \_\_\_\_\_

Manager

Date: \_\_\_\_\_

*\*Denotes required fields*

# City of Mason

201 W. Ash St.  
P.O. Box 370  
Mason, MI 48854-0370  
[www.mason.mi.us](http://www.mason.mi.us)



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

## MEMORANDUM

**TO:** Mayor and City Council  
City of Mason

**FROM:** Patrick M. Price  
Acting City Administrator

**DATE:** July 31, 2015

**RE:** Michigan DHHS Oral Health Letter and 2014 Certificate of Appreciation

Attached hereto is a letter from the Michigan Department of Health and Human Services (DHHS) Oral Health Department and a 2014 Certificate of Appreciation – 50 year Award from the US Centers for Disease Control and Prevention for contributions made by the City of Mason on behalf of community water fluoridation.



RECEIVED

JUL 13 2015

RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF HEALTH AND HUMAN SERVICES  
LANSING

CITY ADMINISTRATOR

NICK LYON  
DIRECTOR

July 8, 2015

Mr. Martin Colburn, City Administrator  
City of Mason  
P.O. Box 370  
201 West Ash  
Mason, MI 48854

The Michigan Department of Health and Human Services Oral Health is pleased to present the City of Mason with the **2014 Certificate of Appreciation-50 Year Award** from the U.S. Centers for Disease Control and Prevention (CDC) for contributions made on behalf of community water fluoridation.

Fluoridation is the adjustment of fluoride in the water to a level that is optimal for preventing tooth decay. This award recognizes those communities that have maintained a community water fluoridation program for the last 50 years.

"Water fluoridation is one of the most effective means we have for preventing and controlling tooth decay throughout a person's life. In fact, our latest studies show that even in an environment where people have access to multiple sources of fluoride, such as fluoride toothpaste and professional dental treatments, fluoridation continues to prevent at least 25 percent of tooth decay in children and adults," states Christine Farrell, RDH, BSDH, MPA, Oral Health Program Director of Michigan. "We congratulate those water systems that have maintained high quality standards for fluoridation for the last 50 years."

Community water fluoridation has been recognized by CDC as one of 10 great public health achievements of the 20th Century. CDC recommends water fluoridation as a safe, effective, and inexpensive method of preventing decay. In fact, every \$1 invested in fluoridation saves at least \$38 in costs for dental treatment.

Please share this with your community, water system personnel and city, township or village council.

If you have any questions or would like assistance in releasing this information to the public via a press release, please contact Susan Deming, Education/Fluoridation Coordinator, MDHHS at [demings@michigan.gov](mailto:demings@michigan.gov) or call 517 373-3624.

***Michigan consistently exceeds the CDC recommendations for community water supplies by having 90% of our population on community water systems accessing fluoridated water. These awards demonstrate the commitment to quality by these community water systems. Water fluoridation benefits all residents of a community and it has demonstrated its effectiveness in preventing tooth decay throughout one's lifetime.***

**Association of State and Territorial Dental Directors**

**Centers for Disease Control and Prevention**

# **CERTIFICATE OF APPRECIATION**

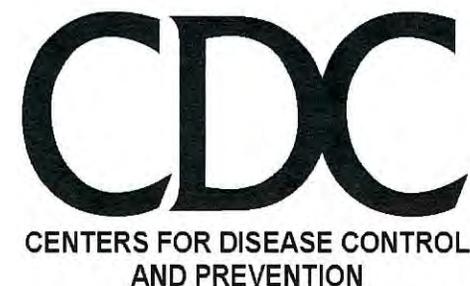
**50 Year Award, 1964 - 2014**

**Mason, Michigan**

*for contributions made  
on behalf of  
community water fluoridation*



American Dental Association  
[www.ada.org](http://www.ada.org)



July 30, 2015

The Honorable Mayor Waltz  
201 W Ash Street  
Mason MI 48854

Honorable Mayor Waltz and Mason City Council Members,

I, Leon Clark, am requesting, as per Section 5.2(3) of the City of Masons' Charter, to be excused from the Council Meeting of August 3, 2015. I will be out of town on that date. If need be, I can be reached by phone at 517-285-1931. Thank you.

Respectfully submitted,

A handwritten signature in cursive script that reads "Leon Clark, mg". The signature is written in dark ink and is positioned above the printed name.

Leon Clark