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: Deborah Stuart, City Administrator

DATE: May 13, 2016

RE: Mason City Council and Mason Public Schools
Joint Recognition Ceremony

Please note that prior to our regularly scheduled meeting we will be participating in the Joint Recognition Ceremony with Mason Public Schools. Details are provided below:

DATE: Monday, May 16, 2016

EVENT TIME: 6:30 pm
(Please plan to arrive by 6:15 pm)

EVENT LOCATION: Mason High School Auditorium
(City Council Members will meet in the Auditorium at the stage.)

Please also note that this a different location from previous years. Looking forward to a great night recognizing students, school staff, and community members for outstanding accomplishments!

CITY OF MASON

201 West Ash St.
Mason, MI 48854-0370

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

Mason City Council and Mason Public Schools

Joint Recognition Ceremony

6:30 PM
Mason High School Auditorium

CITY COUNCIL MEETING - COUNCIL CHAMBER

Monday, May 16, 2016

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: May 4, 2016
   B. Approval of Bills in Amount of $ 126,210.37
   C. Motion – Amend the 2015-2016 Fiscal Year Budget
7. Regular Business
8. Unfinished Business
   A. Motion – Introduction and First Reading – Mobile Food Vending Regulation Ordinance
   B. Resolution – Adoption of FY 2016-2017 Budget
   C. Motion – Authorizing the City Administrator to Proceed with Amended Terms for Rayner Park
9. New Business
10. Correspondence
    A. Monthly Revenue and Expenditure Report
    B. City Attorney's Report
    C. Letter from Jena Keller
    D. Letter from Roger Bauer
11. Liaison Reports
12. Councilmember Reports
13. Administrator's Report
14. Adjournment

CITY OF MASON
REGULAR CITY COUNCIL MEETING
MINUTES OF MAY 4, 2016

Mayor Waltz called the meeting to order at 7:32 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan. Mayor Pro Tem Brown led the Pledge of Allegiance and offered the invocation.

Present: Councilmembers: Brown, Bruno, Clark, Droscha, Ferris, Mulvany, Waltz
Absent: Councilmember: None
Also present: Deborah S. Stuart, City Administrator
Deborah J. Cwiertniewicz, City Clerk
Eric Smith, Finance Director/Treasurer

ANNOUNCEMENTS

- Don Jacot, a Mason resident, was recognized at a ceremony held at the American Legion Post 148 where he was presented with the Legion of Honor medal. Mr. Jacot was inducted into the French Legion of Honor for his part in liberating France from Nazi occupation during WWII.
- National Day of Prayer – Courthouse Lawn – May 5, 2016

PEOPLE FROM THE FLOOR

None.

PRESENTATION

Don Heck, Wolverine Engineering, and Casey Collings, Great Lakes Engineering – Columbia Street Sidewalk Over the Bridge

Don Heck of Wolverine Engineering and Casey Collings of Great Lakes Engineering were asked to inform Council regarding the report submitted to the City by Great Lakes Engineering concerning providing a pedestrian crossing on the West Columbia Street bridge over US-127. A brief discussion ensued.

PUBLIC HEARING

Fiscal Year 2016-2017 Budget

Waltz opened the public hearing at 7:56 p.m. Being there were no comments from the public, Waltz closed the public hearing at 7:57 p.m.

Adoption of the Fiscal Year 2016-2017 Budget

A brief discussion was held to defer consideration of the Budget to give residents on social media that may not have had an opportunity to make a comment, could be given another opportunity to review it. It was asked that the Budget documents be placed on the City Face Book page.

> MOTION by Bruno, second by Droscha,
> to defer adoption of FY 2015-2016 Budget until May 16, 2016 City Council meeting.
> MOTION APPROVED

CONSENT AGENDA

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

A. Approval of Minutes – Regular Council Meeting: April 18, 2016

B. Resolution – Adoption of the Tri-County Regional Hazard Mitigation Plan

CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2016-11
ADOPTION OF THE TRI-COUNTY REGIONAL HAZARD MITIGATION PLAN
May 4, 2016

WHEREAS, the City of Mason recognizes that the threat that natural, social, and technological hazards pose to people and communities and that undertaking hazard mitigation actions will reduce the potential harm to people and property from future hazard occurrences;

WHEREAS, this plan has been adopted by Clinton, Eaton and Ingham Counties and Delta Charter Township as a required condition of future funding for various Federal Emergency Management Agency (FEMA) disaster mitigation programs;

WHEREAS, the Tri-County Regional Planning Commission will note this adoption in the regional Plan and submit a copy of this adoption resolution to the Michigan State Police Emergency Management Division and to Federal Emergency Management Agency (FEMA) officials along with adoptions of the Plan from other participating municipalities in Clinton, Eaton, and Ingham Counties in Michigan.

NOW THEREFORE BE IT RESOLVED, that the City of Mason adopts the Tri-County Regional Hazard Mitigation Plan as an official plan.

C. Authorization of License Agreement with Consumers Energy

CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2016-12
AUTHORIZATION OF LICENSE AGREEMENT WITH CONSUMERS ENERGY
May 4, 2016

WHEREAS, the City of Mason accepted a gift from the Hayhoe family on May 21, 2001 to build the Hayhoe Trail;

WHEREAS, the City Council authorized licenses and agreements necessary to build the trail on July 1, 2002;

WHEREAS, the MDOT funding for the Jefferson Street Trailhead requires a longer license agreement with Consumers energy;

WHEREAS, Consumers Energy and the City of Mason have negotiated terms that meet the requirements of the funding source.

NOW THEREFORE BE IT RESOLVED, that the Mason City Council authorizes the City Administrator to negotiate and execute the final terms of a License Agreement with Consumers Energy consistent with this resolution.

MOTION APPROVED

REGULAR BUSINESS

Motion – Amend the 2015-2016 Fiscal Year Budget

MOTION by Brown, second by Droscha,
to amend 2015-2016 Fiscal Year budget as presented.
MOTION APPROVED

Motion – Approval of Bills

Stuart stated that the approval of the bills was placed under regular business for this meeting because one of the expenses required a budget amendment.

MOTION by Droscha, second by Bruno,
to approve the bills in the amount of $43,588.64.
MOTION APPROVED

UNFINISHED BUSINESS

Brown requested an update regarding the sidewalk project on the Columbia Street bridge over US-127 from the City Administrator at the May 16, 2016, meeting. Clark inquired on the status of the Rayner Park purchase agreement. Stuart gave a brief update and stated that she will provide a report at a later Council meeting.

NEW BUSINESS

MOTION by Droscha, second by Droscha,
to consider Resolution No. 2015-16 read.
MOTION APPROVED

Resolution No. 2015-16 was introduced by Bruno and seconded by Clark.

CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2016-13
HONORING CITY OF MASON PUBLIC SERVANTS
DURING PUBLIC SERVICE RECOGNITION WEEK
MAY 4, 2016

WHEREAS, the residents of Mason value the dedicated and hardworking men and women who deliver valuable government service to the City every day;

WHEREAS, City of Mason employees deliver critical resources and services that residents have come to depend on;

WHEREAS, these employees help make life better for the residents of Mason and ensure that our government is the best in the State;

WHEREAS, Mason residents recognize the significant challenges these public servants encounter on a daily basis;

WHEREAS, City of Mason public servants deserve our thanks and appreciation throughout the year.

BE IT HEREBY RESOLVED, that the Mason City Council, on behalf of the residents of the City of Mason, expresses deep gratitude for the commitment shown by City employees every day of the year and honors our public servants during Public Service Recognition Week, May 1 – 7, 2016.

RESOLUTION APPROVED

CORRESPONDENCE

All correspondence was distributed.

LIAISON REPORTS

- Droscha informed Council regarding Traffic Commission business.
- Ferris informed Council that Legacy Trees can still be purchased.

- Mulvany informed Council regarding Historic District Commission business.
- Waltz informed Council regarding Downtown Development Authority business.

COUNCILMEMBER REPORTS

Ferris informed Council regarding the Ingham County Parks Commission meeting.

ADMINISTRATOR'S REPORT

Stuart informed the Commission regarding current City business. She informed Council of the upcoming meeting regarding assessment and feasibility of the Ingham County Jail location and was asked to provide materials from that meeting at next regular Council meeting. She commended City Clerk Cwiertniewicz for administering a successful election.

ADJOURNMENT

The meeting adjourned at 8:24 p.m.

Deborah J. Cwiertniewicz, City Clerk

Michael F. Waltz, Mayor

INVOICE APPROVAL BY INVOICE REPORT FOR CITY OF MASON
EXP CHECK RUN DATES 05/03/2016 - 05/18/2016
BOTH JOURNALIZED AND UNJOURNALIZED
BOTH OPEN AND PAID
COUNCIL REPORT

MONDAY, MAY 16, 2016

Vendor Code / Invoice / GL Number	Vendor Name / Invoice Description / GL Description		Amount
07800	BLUE CROSS BLUE SHIELD OF MICHIGAN		
GRP#7024944DIV#001	JUNE RETIREES HEALTH INS - CITY EXPENSE		
101-855.00-874.001	JUNE RETIREES HEALTH INS - CITY EXPENSE	6,327.66	
GRP#7029499710DIV#00	JUNE HEALTH INS - CITY EXPENSE		
750-000.00-231.015	JUNE HEALTH INS - CITY EXPENSE	17,228.89	
		VENDOR TOTAL:	23,556.55
06474	CONSUMERS ENERGY		
MAY 2016	WTP ELECTRICITY 3/22 - 4/21		
592-559.00-920.000	WTP ELECTRICITY 3/22 - 4/21	7,847.89	
MAY 2016	GAS & ELECTRICITY 3/20 - 4/19		
101-265.00-920.000	GAS & ELECTRICITY 3/20 - 4/19	5,040.65	
MAY 2016	ELECTRICITY 3/24 - 4/22		
592-555.00-920.000	ELECTRICITY 3/24 - 4/22	8,163.62	
MAY 2016	STREET LIGHTS 4/1 - 4/30		
101-448.00-926.000	STREET LIGHTS 4/1 - 4/30	6,441.11	
		VENDOR TOTAL:	27,493.27
07786	GEE FARMS		
6406	22 LEGACY TREES		
101-271.00-757.000	QUERCUS MACROCARPA 2"/28"	300.00	
101-271.00-757.000	2.25"/28" LIRIODENDRON TULIPIFERA	300.00	
101-271.00-757.000	2 - 2"/28" LIRIODENDRON TULIPIFERA	800.00	
101-271.00-757.000	3 - QUERCUS COCCINEA	1,125.00	
101-271.00-757.000	CELTIS OCCIDENTAILS	235.00	
101-271.00-757.000	8 DELIVERY & PLANTING FEE	2,200.00	
101-271.00-757.000	2 - ACER SACCHARUM	600.00	
101-271.00-757.000	10 - ACER SACCHARUM (GREEN MOUNTAIN)	3,000.00	
101-271.00-757.000	PLATANUS OCC. (BLOODGOOD)	325.00	
101-271.00-757.000	QUERCUS IMBRICARIA	300.00	
		9,185.00	
		VENDOR TOTAL:	9,185.00
05221	MCGINTY, HITCH, HOUSEFIELD, PERSON,		
MAY 2016	APRIL LEGAL FEES		
101-266.00-826.000	APRIL LEGAL FEES	6,092.91	
		VENDOR TOTAL:	6,092.91
07550	RIETH-RILEY CONSTRUCTION CO INC		
PAY EST 1	2016 ASH STREET SIDEWALKS PAY ESTIMATE #1		
202-451.00-970.211	2016 ASH STREET SIDEWALKS PAY ESTIMATE 1	42,783.89	
		VENDOR TOTAL:	42,783.89
05363	WOLVERINE ENGINEERS INC		
20160252	MASON 2016 STREETS ENGINEERING, CONSTRUCTION, OBSERVATION		
203-451.00-970.211	2016 STREETS ENGINEER,CONSTRUCT,OBSERVE	5,813.58	
592-548.00-965.211	2016 STREETS ENGINEER,CONSTRUCT,OBSERVE	2,051.85	
592-558.00-970.919	2016 STREETS ENGINEER,CONSTRUCT,OBSERVE	9,233.32	
		17,098.75	
		VENDOR TOTAL:	17,098.75
		TOTAL - ALL VENDORS:	126,210.37

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

Deborah Stuart

Deborah Stuart
City Administrator

CITY OF MASON

STAFF AGENDA REPORT TO CITY COUNCIL

Meeting Date: May 16, 2016 **Agenda Item:** 6C

AGENDA ITEM
Motion: Amendment to the 2015-2016 Fiscal Year Budget

EXHIBITS
Proposed Accumulative Budget Amendments

STAFF REVIEW
Finance Director

SUMMARY STATEMENT
The Budget Amendment document attached is a cumulative document. The approval date is entered as the amendment is approved by Council. At fiscal year end, these changes will be integrated into the final budget amendment document that will be presented for approval.

There are three amendments within this request. They include miscellaneous expenses for the Executive Position search, board of review attendance was higher than anticipated, and a contract employee for recording meetings.

CITY ADMINISTRATOR'S RECOMMENDED ACTION BY CITY COUNCIL
Move to amend the 2015-2016 Fiscal Year Budget as presented

City of Mason
Budget Amendments
2015/2016 Budget

	Account Number	Fund	Account Name	Original Budget	Requested Change	Amended Budget	Date of Approval
1	101-266.00-826.000	GF	Legal Fees	$90,000	$35,000	$125,000	5/4/16
	Higher than anticipated legal fees, 15/16 fines & forfeits revenue from Courts projected at $23,000						
2	101-269.00-993.000	GF	Paying Agent Fees	$0	$750	$750	5/4/16
	City Hall Bonds were refunded in 2015; new agent fees						
3	101-426.00-985.000	GF	Equipment - Capital Improvement	$0	$3,620	$3,620	5/4/16
	Hayes Park Tornado Siren Failure			$90,000	$39,370	$129,370	
4	101-101.00-956.000	GF	Misc Expenses	$5,000	$15,000	$20,000	
	Executive Position Search						
5	101-247.00-710.000	GF	Board of Review	$650	$40	$690	
	Board of Review Attendance higher than anticipated						
6	101-807.00-818.000	GF	Cable Commission - Contract Services	$0	$3,000	$3,000	
	Contract Employee for Recording Meetings			$5,650	$18,040	$23,690	

*Budget Amendment Expenditures will be offset with the estimated savings from Department 172 - Administrator

**Please note budget amendments including equipment rental, workers compensation, and other administrative expenses will be included with the final year end budget amendments

CITY OF MASON

STAFF AGENDA REPORT TO CITY COUNCIL

Meeting Date: May 16, 2016 **Agenda Item:** 8A

AGENDA ITEMS
Motion – Introduction and First Reading – Mobile Food Vending Regulation Ordinance

EXHIBITS
Proposed Mobile Food Vending Regulation Ordinance (with tracked changes)
Adopted Resolution for DDA (May 4, 2016)

STAFF REVIEW
Zoning and Development Director

SUMMARY STATEMENT
As requested, staff provided a copy of the final draft of the Mobile Food Vendor Ordinance to the Historic District Commission, Traffic Commission and Downtown Development Authority (DDA) and invited comments. Each board had clarifying questions and a few comments, with the DDA being the only board to formally suggest changes to the ordinance.

The DDA passed a resolution (attached) outlining their support for the ordinance with the following changes:

- add language that would ensure the food truck could not hold a parking spot without being in operation, actively setting up or tearing down; and
- add language that would allow the Mason business or property owner to opt out at any time, allowing the City 14 days to notice the vendor truck owner.

The attached ordinance shows recommended edits in track changes. The edits shown are intended to clarify many of the questions received and to address the recommended changes identified by the DDA.

In addition, the Planning Commission met on May 10, 2016 and discussed the issue of fees related to licensing mobile food vendors where they touched on a variety of considerations, including:

- comparable taxation rates in DDA being minimal
- the relative demands on staffing being minimal
- comparable fees for peddler permits being $100 or less
- the likely need for enforcement being minimal
- the proposed ordinance has mechanism for fines if necessary
- the proposed ordinance has a sunset clause to make adjustments as necessary

Ultimately, the Planning Commission passed a motion to recommend the City Council set fees not to exceed $200 to be considered if the ordinance is implemented. However, they recommended that government organizations, schools and non-profits would be exempt.

CITY ADMINISTRATOR'S RECOMMENDED ACTION BY CITY COUNCIL
Move to introduce the amended ordinance and read for the first time.

Introduced: _____
First Reading: _____
Second Reading: _____
Adopted: _____
Effective: _____

CITY OF MASON

MOBILE FOOD VENDING REGULATION ORDINANCE

AN ORDINANCE TO AMEND CHAPTER 10 – BUSINESSES – BY ADDING ARTICLE III, MOBILE FOOD VENDORS – WHICH DEFINES MOBILE FOOD VENDORS AND SETS FORTH REQUIREMENTS FOR COMPLIANCE

THE CITY OF MASON ORDAINS:

Chapter 10 of the Mason City Code is hereby amended by adding Article III to establish regulations for mobile food vendors, which amended, article shall read as follows:

ARTICLE III. Mobile Food Vehicle Vending

Section 10-70. Definitions

Mobile food vending means vending, serving, or offering for sale food and/or beverages from a mobile food vending unit which meets the definition of a Food Service Establishment under Public Act 92 of 2000, which may include the ancillary sales of branded items consistent with food, such as a tee shirt that bears the name of the organization engaged in Mobile Food Vending.

Mobile food vehicles means any motorized or non-motorized, trailer, or other device designed to be portable and not permanently attached to the ground from which food is vended, served or offered for sale.

Mobile food vendor means any entity engaged in the business of Mobile Food Vending; including individuals operating a food preparation stand, cart or other means of conveyance.

Section 10-71. Scope

The provisions of this article apply to mobile food vehicles engaged in the business of cooking, preparing and distributing food or beverage with or without charge on any public street or a stand open to the street. . This ordinance does not apply to vehicles which dispense food and that move from place to place and are stationary in the same location for no more than 15 minutes at a time, such as ice cream trucks, or food vending pushcarts and stands located on sidewalks.

Section 10-72. License Required

(a) It shall be unlawful for any person, including any religious, charitable or nonprofit organization, to operate within the City a mobile food vehicle without having obtained from the City Clerk a license for that purpose.

(b) A person desiring to operate a mobile food vehicle shall make written application for such license to the City Clerk. The application for a license shall be on forms provided by the City Clerk and shall include the following:

(1) Name, signature, phone number, email contact and business address of the applicant.

(2) A description of the preparation methods and food product offered for sale including the intended menu.

(3) Information on the mobile food vehicle to include year, make and model of the vehicle and dimensions, which shall not exceed 36 feet in length, and 9 feet in width.

(4) Information setting forth the proposed hours of operation, area of operations, plans for power access, water supply and wastewater disposal.

(5) Copies of all necessary license or permits issued by the Ingham County Health Department.

(6) Insurance coverage.

(c) Proof of General Comprehensive Liability policy with limits of no less than $2 million Combined Single Limit coverage issued by an insurer licensed to do business in this state and which names the City as an additional insured.

(d) Proof of Public Liability and Property Damage motor vehicle policy with limits of no less than $1 million issued by an insurer licensed to do business in this State.

~~(e) All vendors receiving a license under this ordinance shall pay the annual fee as set from time to time by the City Council.~~

~~(f)~~(e) Each mobile food vehicle license shall expire upon the expiration of this ordinance.

~~(g)~~(f) A license issued under this ordinance shall not be transferable from person to person.

~~(h)~~(g) A license is valid for one vehicle only and shall not be transferred between vehicles.

~~(i)~~(h) The license requirement for mobile food vendors shall not apply to vendors associated with special events approved by City Council or private catered events on private property.

Section 10-73. Fees

An application for a permit under this Article shall be accompanied by a fee in the amount established by resolution of the City Council. There shall be no proration of fees. Fees are non-refundable once a permit has been issued by the City Clerk. If operating on non-City property, no fee shall be charged to a business which is on the city's tax rolls whose normal business includes the sale of food and/or beverages. No one shall hire or subcontract such vendors in an attempt to evade the provisions of this Article.

Section 10-74. Regulations

(a) No operator of a mobile food vehicle shall park, stand or move a vehicle and conduct business within areas of the city where the license holder has not been authorized to operate.

(b) The customer service area for mobile food vehicles shall be on the side of the truck that faces a curb lawn or sidewalk when parked. No food service shall be provided on the driving lane side of the truck. No food shall be prepared, sold, or displayed outside of mobile food vehicles.

(c) No mobile food vehicle vendor shall provide any dining area within 10 feet of the mobile food vehicle, including but not limited to tables and chairs, booths, stools, benches or stand up counters.

(d) All mobile food vehicle vendors shall offer a waste container for public use, which the vendor shall empty at its own expense. All trash and garbage originating from the operation of mobile food vehicles shall be collected and disposed of off-site by the operators each day. Spills of food or food by-products shall be cleaned up, and no dumping of gray water on the streets is allowed.

(e) No mobile food vehicle shall make or cause to be made any unreasonable or excessive noise. The operation of all mobile food vehicles shall meet the city noise ordinance, including generators. No loud music, other high-decibel sounds, horns, or amplified announcements are allowed.

(f) Signage is only allowed when placed on mobile food vehicles. No separate free-standing signs are permitted.

(g) No flashing or blinking lights, or strobe lights are allowed on mobile food vehicles or related signage when the vehicle is parked and engaged in serving customers. All exterior lights with over 60 watts shall contain opaque, hood shields to direct the illumination downward.

(h) Mobile food vehicles when parked on public streets shall be parked in conformance with all applicable parking restrictions, unless otherwise permitted, and shall not hinder the lawful parking or operation of other vehicles, with the exception of parallel parking. Mobile food vehicles may parallel park in angled parking.

(i) A mobile food vehicle shall not be parked on the street overnight or left unattended and unsecured at any time ~~food is in the vehicle~~. At no time shall a mobile food vehicle be unattended and shall be in the process of setting up, open for business or closing up for the day. Any mobile food vehicle found to be unattended shall be considered a public safety hazard and may be ticketed and impounded.

(j) A mobile food vendor may conduct business between the hours of 6am and 2am. This restriction shall not apply to Special Event Vendors operating under a separate event permit issued by City Council. A mobile food vendor may not reserve a parking space in advance of occupying the space with a mobile food vehicle.

(k) The issuance of a mobile food vehicle license does not grant or entitle the vendor to the exclusive use of any service route or parking space to the license holder.

(l) A vendor shall not operate on private property without first obtaining written consent to operate from the affected private property owner. A private property owner shall not permit parking by a mobile food vehicle until a license has been obtained from the City Clerk.

(m) No mobile food vehicle shall use external signage, bollards, seating or other equipment not contained within the vehicle. When extended, awnings for mobile food vehicles shall have a minimum clearance of 7 feet between the ground level and the lowest point of the awning or support structure.

(n) Any power required for the mobile food vehicle located on a public way shall be self-provided and a mobile food vehicle shall not use utilities drawn from the public right-of-way. Mobile food vehicles on private property may use electrical power from the property being occupied or an adjacent property, but only when the property owner provides written consent to do so. No power cable or equipment shall be extended at or across any City street, alley or sidewalk.

(o) Mobile food vendors may not operate or sell within a residentially zoned area, except when immediately adjacent to city owned property, including parks and parking lots.

(p) Mobile food vendors may operate in City parks. The hours of operation for mobile food vendors located within City parks shall be limited to park hours.

(q) Mobile food vendors may operate only in areas where brick and mortar business establishments or property owners have not objected to mobile food vendors locating on the street in front of their businesses. The City shall~~, on an annual basis, give notice to the public and~~ maintain a list of businesses or property owners within the City that object to a mobile food vendor locating within the public right of way immediately in front of their business or property. A local business or property owner may object at any time during the year. Businesses and property owners may not object to mobile food vendors locating on the opposite side of the street. Mobile food vendor permits shall include a copy of said list. The City Clerk shall be allowed 14 days to update and distribute the

prohibited locations list to licensees. ~~However, mobile food vendors located on those segments of the east side of South Jefferson Street, East Maple Street and East Ash Street immediately adjacent to the Courthouse Square do not need prior approval from businesses located across the street.~~

Section 10-75. Enforcement

(a) Any license holder operating a mobile food vehicle in violation of any provision of this ordinance or any rules and regulations promulgated by the City shall be subject to a civil fine of $250 per day. Each day of violation shall constitute a separate and distinct offense.

(b) Once a license has been issued it may be revoked, suspended or not renewed by the City Clerk for failure to comply with the provisions of this ordinance and any rules or regulations promulgated by the City.

Section 10-76. Severability

If any portion of this Ordinance or the application thereof to any person is adjudged to be invalid by a court of competent jurisdiction, such determination shall not affect the validity of any other portion of this Ordinance, or the application to any other portion of this Ordinance to any such person or other persons.

Sunset Provision. The provisions of this ordinance shall expire one year from the date the ordinance goes into effect.

Effective Date. This ordinance shall take effect upon the expiration of 20 days after its adoption.

The foregoing Ordinance was moved for adoption by Council Member _____ and supported 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 _____ day of _____, 2016. Ordinance No. ____ declared adopted this _____ day of _____, 2016.

_____
Mike Waltz, Mayor

_____
Deborah J. Cwiertniewicz, City Clerk

_____
Thomas M. Hitch (P25558)
Mason City Attorney
601 Abbot Road, PO Box 2502
East Lansing, MI 48826-2502

CITY OF MASON
DOWNTOWN DEVELOPMENT AUTHORITY RESOLUTION

FOOD TRUCK ORDINANCE SUPPORT WITH AMENDMENTS

May 4, 2016

WHEREAS, the City Council was approached by a mobile food vendor for permission to operate in the public right of way in the City of Mason;

WHEREAS, in the absence of adequate public policy, the City Council requested that the Planning Commission develop an ordinance to regulate mobile food vending;

WHEREAS, the Planning Commission developed a draft ordinance to address the potential effects that mobile food vending may have on the community health, safety and welfare;

WHEREAS, the City Council solicited additional input from the Downtown Development Authority (DDA) regarding this ordinance, based on feedback they were receiving from Downtown property owners;

WHEREAS, the DDA reviewed the ordinance and considered the impact to the DDA District property and business owners; and

NOW THEREFORE BE IT RESOLVED, that the DDA supports adoption of the mobile food vendor ordinance with the following amendments:

- add language that would ensure the food truck could not hold a parking spot without being in operation, actively setting up or tearing down; and
- add language that would allow the Mason business or property owner to opt out at any time, allowing the City 14 days to notice the vendor truck owner.

Yes – Forsberg, Gaylord, Ghinelli, Howe, Robinson, Waltz, Wren
No – Feintuch

CITY OF MASON

STAFF AGENDA REPORT TO CITY COUNCIL

Meeting Date: May 16, 2016 **Agenda Item No:** 8B

AGENDA ITEM
Resolution - Adoption of the Fiscal Year 2016-2017 Budget

EXHIBITS
Resolution Adopting Budget
Recommended Budget for City of Mason (provided to Council on May 4, as well)
Memo – ITEM 7B - Budget Workshop Follow-up (provided to Council on May 4, as well)

STAFF REVIEW
Finance Director

SUMMARY STATEMENT
The City Council held a budget workshop meeting on April 11, 2016. On May 4, 2016 the required public hearing occurred and the City Council decided to table the adoption of the budget to allow for more consideration by the public.

The Charter of the City of Mason, Chapter 8, Section 8.4 states, "Not later than the third Monday in May, the Council shall, by resolution adopt the budget for the next fiscal year." The Council has been presented with the proposed 2016-2017 Budget. Attached is a resolution which:

- adopts the proposed 2016-2017 budget,
- sets the amount of tax dollars to be collected,
- sets the millage rate,
- approves the Downtown Development Authority and Local Development Finance Authority revenues, and
- amends on July 1, 2016 the 2016-2017 budget to re-appropriate encumbrances (purchase orders) outstanding and reserved on June 30, 2016.

CITY ADMINISTRATOR'S RECOMMENDED ACTION BY CITY COUNCIL
Approve resolution adopting the 2016-2017 budget.

Introduced:
Second:

CITY OF MASON
CITY COUNCIL RESOLUTION

ADOPTION OF THE FY 2016-2017 BUDGET

May 16, 2016

WHEREAS, the City Council of the City of Mason did hold a public hearing on the proposed 2016-2017 fiscal year budget on Wednesday, May 4, 2016 as prescribed by law.

NOW, THEREFORE BE IT RESOLVED, that the proposed 2016-2017 Operating Budget is filed with the City Clerk, providing for the sums of $15,414,810 to expend for municipal purposes of the General Fund, Special Revenue Funds, Capital Project Funds, Trust and Agency Funds, Enterprise Funds, Intergovernmental funds, and Special Assessment Funds for the 2016-2017 fiscal year, and the said amount of $2,828,170 shall be raised by taxes, or a levy of 13.25 mills, upon real and personal property of the City of Mason;

RESOLVED FURTHER, that whereas the captured State Taxable Valuation for the Downtown Development Authority (DDA) District is $2,009,379, the sum of $26,930 shall be placed in the DDA Fund along with other taxing jurisdictions' appropriate tax dollar amounts, and together this money will be used for future improvements within the District, and bond payments;

RESOLVED FURTHER, that whereas the captured State Taxable Valuation for the Local Development Finance Authority (LDFA) District is $46,880,431, the sum of $129,055 shall be placed in the LDFA Fund along with other taxing jurisdictions' appropriate tax dollar amounts, and together this money will be used for future improvements within the District, and bond payments;

RESOLVED FURTHER, that the 2016-2017 Governmental Fund Budgets shall be automatically amended on July 1, 2016 to re-appropriate encumbrances outstanding and reserved on June 30, 2016; and

NOW, THEREFORE, BE IT FINALLY RESOLVED, that the City Council of the City of Mason hereby adopts the 2016-2017 proposed fiscal year budget which is currently on file in the office of the City Clerk.

Yes ( )

No ( )

CLERK'S CERTIFICATION: I hereby certify that the foregoing is a true and accurate copy of a resolution adopted by the City Council at its regular meeting held Monday, May 16, 2016 the original of which is part of the Council's minutes.

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

Fund: 101 GENERAL FUND

DEPARTMENT	DESCRIPTION	2015-16 AMENDED BUDGET	2015-16 PROJECTED ACTIVITY	2016-17 REQUESTED BUDGET	2016-17 RECOMMENDED BUDGET
ESTIMATED REVENUES					
000.00		270,470			124,430
215.00	CLERK	6,250	14,070	500	500
254.00	TREASURER/FINANCE	5,108,225	5,091,895	5,058,110	5,008,050
271.00	FORESTRY	29,770	34,470	29,770	31,270
276.00	CEMETERY	37,200	35,625	35,625	35,625
301.00	POLICE DEPARTMENT	71,820	87,535	99,675	78,235
336.00	FIRE DEPARTMENT	174,230	170,415	175,000	180,320
528.00	REFUSE COLLECTION	355,515	357,935	359,100	359,100
747.00	COMMUNITY GARDEN	375	375	375	375
751.00	RECREATION	5,000	6,085	5,000	5,000
850.00	WORKERS COMPENSATION	52,645	75,640	77,910	77,910
TOTAL ESTIMATED REVENUES		6,111,500	5,874,045	5,841,065	5,900,815
APPROPRIATIONS					
101.00	COUNCIL	41,570	59,505	40,005	40,005
172.00	ADMINISTRATOR	286,320	232,600	234,350	242,470
209.00	ASSESSING	51,295	51,795	51,295	51,295
215.00	CLERK	141,705	151,490	155,400	142,830
247.00	BOARD OF REVIEW	650	650	650	650
254.00	TREASURER/FINANCE	501,600	494,230	522,155	522,155
260.00	TECHNOLOGY	100,445	100,445	67,445	67,445
265.00	BUILDING OFFICIAL/CITY HALL	156,315	165,065	190,620	225,780
266.00	LEGAL/ATTORNEY	90,000	120,000	100,000	100,000
268.00	PARK STREET PROPERTY	41,985	41,985	10,870	10,870
269.00	PROPERTY	461,650	458,325	429,755	429,755
271.00	FORESTRY	77,595	77,260	90,865	78,290
272.00	ADMINISTRATIVE SERVICES	272,515	159,105	261,890	143,445
276.00	CEMETERY	198,755	185,085	302,590	219,200
305.00	POLICE ADMINISTRATION	340,520	351,695	429,705	340,405
315.00	CROSSING GUARDS	24,170	24,490	28,920	28,920
316.00	POLICE PATROLLING	1,054,400	995,860	1,041,540	1,038,040
336.00	FIRE DEPARTMENT	526,460	483,555	550,110	489,345
380.00	PLANNING/ZONING OFFICIAL	126,710	120,335	133,485	130,085
426.00	CIVIL DEFENSE	1,870	1,385	1,855	1,855
428.00	DISASTER ACCOUNT	100	100	100	100
441.00	PUBLIC SERVICES	6,000	6,215	6,530	6,530
447.00	ENGINEERING	300	300	300	300
448.00	STREET LIGHTING	96,860	92,345	99,365	94,990
458.00	SIDEWALK CONSTRUCTION-REPAIR	5,085	5,575	5,090	2,090
528.00	REFUSE COLLECTION	354,715	356,360	358,230	358,230
747.00	COMMUNITY GARDEN	680	150	290	290
756.00	PARKS AND BALL DIAMONDS	171,425	206,285	239,170	210,005
758.00	PUBLIC ART	1,000			
775.00	SENIOR CITIZENS	8,085	8,085	8,090	8,090
790.00	LIBRARY	15,095	15,210	81,120	52,700
806.00	CHRISTMAS DECORATIONS	5,570	7,865	8,010	6,350
807.00	CABLE COMMISSION	315	3,915	3,920	3,920
808.00	PLANNING COMMISSION	2,950	1,600	16,460	1,085
850.00	WORKERS COMPENSATION	52,645	75,640	77,910	77,910
855.00	RETIREE BENEFITS	116,210	117,295	123,160	123,160
890.00	CONTINGENCIES	103,020	75,525	75,525	75,525
999.00	SURPLUS	674,915	957,965	734,400	576,700
TOTAL APPROPRIATIONS		6,111,500	6,205,290	6,481,175	5,900,815
NET OF REVENUES/APPROPRIATIONS - FUND 101			(331,245)	(640,110)	
	BEGINNING FUND BALANCE	2,713,698	2,713,698	2,382,453	2,382,453
	ENDING FUND BALANCE	2,713,698	2,382,453	1,742,343	2,382,453

DEPARTMENT	DESCRIPTION	2015-16 AMENDED BUDGET	2015-16 PROJECTED ACTIVITY	2016-17 REQUESTED BUDGET	2016-17 RECOMMENDED BUDGET
ESTIMATED REVENUES					
000.00		1,327,740	723,820	847,550	992,255
TOTAL ESTIMATED REVENUES		1,327,740	723,820	847,550	992,255
APPROPRIATIONS					
000.00		99,200	86,945	155,495	155,495
451.00	STREET/ROAD CONSTRUCTION	949,060	270,390	547,100	547,100
463.00	STREET MAINTENANCE	135,415	148,195	168,275	147,880
474.00	TRAFFIC SERVICES	32,675	29,190	36,530	32,030
478.00	WINTER MAINTENANCE	44,290	42,910	47,450	42,450
482.00	STREET ADMIN/GEN EXP	67,100	67,100	67,300	67,300
TOTAL APPROPRIATIONS		1,327,740	644,730	1,022,150	992,255
NET OF REVENUES/APPROPRIATIONS - FUND 202			79,090	(174,600)	
BEGINNING FUND BALANCE		915,408	915,408	994,498	994,498
ENDING FUND BALANCE		915,408	994,498	819,898	994,498

DEPARTMENT	DESCRIPTION	2015-16 AMENDED BUDGET	2015-16 PROJECTED ACTIVITY	2016-17 REQUESTED BUDGET	2016-17 RECOMMENDED BUDGET
ESTIMATED REVENUES					
000.00		685,840	946,360	635,895	635,895
TOTAL ESTIMATED REVENUES		685,840	946,360	635,895	635,895
APPROPRIATIONS					
451.00	STREET/ROAD CONSTRUCTION	429,515	687,575	361,800	361,800
463.00	STREET MAINTENANCE	143,130	146,170	168,525	158,145
474.00	TRAFFIC SERVICES	12,400	12,225	12,890	12,890
478.00	WINTER MAINTENANCE	35,205	34,800	38,995	37,270
482.00	STREET ADMIN/GEN EXP	65,590	65,590	65,790	65,790
TOTAL APPROPRIATIONS		685,840	946,360	648,000	635,895
NET OF REVENUES/APPROPRIATIONS - FUND 203				(12,105)	
BEGINNING FUND BALANCE		156,106	156,106	156,106	156,106
ENDING FUND BALANCE		156,106	156,106	144,001	156,106

DEPARTMENT DESCRIPTION	2015-16 AMENDED BUDGET	2015-16 PROJECTED ACTIVITY	2016-17 REQUESTED BUDGET	2016-17 RECOMMENDED BUDGET
ESTIMATED REVENUES				
000.00	150,150	61,810	59,480	149,800
TOTAL ESTIMATED REVENUES	150,150	61,810	59,480	149,800
APPROPRIATIONS				
000.00	150,150	89,615	149,800	149,800
TOTAL APPROPRIATIONS	150,150	89,615	149,800	149,800
NET OF REVENUES/APPROPRIATIONS - FUND 248		(27,805)	(90,320)	
BEGINNING FUND BALANCE	130,850	130,850	103,045	103,045
ENDING FUND BALANCE	130,850	103,045	12,725	103,045

DEPARTMENT	DESCRIPTION	2015-16 AMENDED BUDGET	2015-16 PROJECTED ACTIVITY	2016-17 REQUESTED BUDGET	2016-17 RECOMMENDED BUDGET
ESTIMATED REVENUES					
000.00		313,840	313,840	292,460	1,080,475
TOTAL ESTIMATED REVENUES		313,840	313,840	292,460	1,080,475
APPROPRIATIONS					
691.00	L.D.F.A.	313,840	834,635	1,080,475	1,080,475
TOTAL APPROPRIATIONS		313,840	834,635	1,080,475	1,080,475
NET OF REVENUES/APPROPRIATIONS - FUND 250			(520,795)	(788,015)	
BEGINNING FUND BALANCE		1,308,813	1,308,813	788,018	788,018
ENDING FUND BALANCE		1,308,813	788,018	3	788,018

DEPARTMENT DESCRIPTION	2015-16 AMENDED BUDGET	2015-16 PROJECTED ACTIVITY	2016-17 REQUESTED BUDGET	2016-17 RECOMMENDED BUDGET
ESTIMATED REVENUES				
000.00	40	40	40	21,940
TOTAL ESTIMATED REVENUES	40	40	40	21,940
APPROPRIATIONS				
000.00	40		21,940	21,940
TOTAL APPROPRIATIONS	40		21,940	21,940
NET OF REVENUES/APPROPRIATIONS - FUND 297		40	(21,900)	
BEGINNING FUND BALANCE	21,861	21,861	21,901	21,901
ENDING FUND BALANCE	21,861	21,901	1	21,901

DEPARTMENT DESCRIPTION	2015-16 AMENDED BUDGET	2015-16 PROJECTED ACTIVITY	2016-17 REQUESTED BUDGET	2016-17 RECOMMENDED BUDGET
ESTIMATED REVENUES				
000.00	131,615	108,555		
TOTAL ESTIMATED REVENUES	131,615	108,555		
APPROPRIATIONS				
000.00	131,615	126,090		
TOTAL APPROPRIATIONS	131,615	126,090		
NET OF REVENUES/APPROPRIATIONS - FUND 401		(17,535)		
BEGINNING FUND BALANCE	17,928	17,928	393	393
ENDING FUND BALANCE	17,928	393	393	393

DEPARTMENT	DESCRIPTION	2015-16 AMENDED BUDGET	2015-16 PROJECTED ACTIVITY	2016-17 REQUESTED BUDGET	2016-17 RECOMMENDED BUDGET
ESTIMATED REVENUES					
000.00		5,255,285	3,787,845	4,168,595	5,967,740
TOTAL ESTIMATED REVENUES		5,255,285	3,787,845	4,168,595	5,967,740
APPROPRIATIONS					
545.00	WATER & SEWER ADMINISTRATION	121,535	134,105	158,335	154,585
546.00	SEWER IMPROVEMENT	41,010	41,010	39,365	39,365
548.00	SEWER MAINTENANCE	142,850	257,475	309,225	266,750
555.00	WASTEWATER TREATMENT PLANT	2,492,485	1,482,555	3,299,835	2,830,305
556.00	WATER MAINTENANCE	413,855	444,730	510,155	484,105
557.00	STORM SEWER PROGRAM	18,495	18,470	39,280	20,795
558.00	WATER IMPROVEMENT	501,885	857,630	624,445	624,445
559.00	WATER TREATMENT PLANT	858,170	831,050	955,090	872,390
566.00	ALLOWANCE FOR DEPRECIATION	665,000	665,000	675,000	675,000
TOTAL APPROPRIATIONS		5,255,285	4,732,025	6,610,730	5,967,740
NET OF REVENUES/APPROPRIATIONS - FUND 592			(944,180)	(2,442,135)	
BEGINNING FUND BALANCE		12,850,579	12,850,579	11,906,399	11,906,399
ENDING FUND BALANCE		12,850,579	11,906,399	9,464,264	11,906,399

DEPARTMENT DESCRIPTION	2015-16 AMENDED BUDGET	2015-16 PROJECTED ACTIVITY	2016-17 REQUESTED BUDGET	2016-17 RECOMMENDED BUDGET
ESTIMATED REVENUES				
000.00	276,265	36,365	39,730	39,730
TOTAL ESTIMATED REVENUES	276,265	36,365	39,730	39,730
APPROPRIATIONS				
000.00	276,265	36,365	39,730	39,730
TOTAL APPROPRIATIONS	276,265	36,365	39,730	39,730
NET OF REVENUES/APPROPRIATIONS - FUND 612				
BEGINNING FUND BALANCE	547	547	547	547
ENDING FUND BALANCE	547	547	547	547

DEPARTMENT	DESCRIPTION	2015-16 AMENDED BUDGET	2015-16 PROJECTED ACTIVITY	2016-17 REQUESTED BUDGET	2016-17 RECOMMENDED BUDGET
ESTIMATED REVENUES					
000.00		499,930	388,540	408,955	448,410
TOTAL ESTIMATED REVENUES		499,930	388,540	408,955	448,410
APPROPRIATIONS					
567.00	SHOP & BLDG. MAINTENANCE	47,915	48,185	49,645	49,645
568.00	EQUIPMENT MAINTENANCE	180,825	173,025	208,930	199,915
901.00	EQUIPMENT-CAPITAL OUTLAY	271,190	193,935	388,350	198,850
TOTAL APPROPRIATIONS		499,930	415,145	646,925	448,410
NET OF REVENUES/APPROPRIATIONS - FUND 661			(26,605)	(237,970)	
BEGINNING FUND BALANCE		619,978	619,978	593,373	593,373
ENDING FUND BALANCE		619,978	593,373	355,403	593,373

DEPARTMENT DESCRIPTION	2015-16 AMENDED BUDGET	2015-16 PROJECTED ACTIVITY	2016-17 REQUESTED BUDGET	2016-17 RECOMMENDED BUDGET
ESTIMATED REVENUES				
000.00	60,950	21,200	19,200	19,200
TOTAL ESTIMATED REVENUES	60,950	21,200	19,200	19,200
APPROPRIATIONS				
000.00	60,950	20,760	8,210	19,200
TOTAL APPROPRIATIONS	60,950	20,760	8,210	19,200
NET OF REVENUES/APPROPRIATIONS - FUND 702		440	10,990	
BEGINNING FUND BALANCE	763,096	763,096	763,536	763,536
ENDING FUND BALANCE	763,096	763,536	774,526	763,536

DEPARTMENT DESCRIPTION	2015-16 AMENDED BUDGET	2015-16 PROJECTED ACTIVITY	2016-17 REQUESTED BUDGET	2016-17 RECOMMENDED BUDGET
ESTIMATED REVENUES				
000.00	4,175	4,100	4,100	4,100
TOTAL ESTIMATED REVENUES	4,175	4,100	4,100	4,100
APPROPRIATIONS				
000.00	4,175	600	600	4,100
TOTAL APPROPRIATIONS	4,175	600	600	4,100
NET OF REVENUES/APPROPRIATIONS - FUND 711		3,500	3,500	
BEGINNING FUND BALANCE	343,255	343,255	346,755	346,755
ENDING FUND BALANCE	343,255	346,755	350,255	346,755

DEPARTMENT DESCRIPTION	2015-16 AMENDED BUDGET	2015-16 PROJECTED ACTIVITY	2016-17 REQUESTED BUDGET	2016-17 RECOMMENDED BUDGET
ESTIMATED REVENUES				
000.00	161,095	151,980	137,360	154,450
TOTAL ESTIMATED REVENUES	161,095	151,980	137,360	154,450
APPROPRIATIONS				
000.00	161,095	167,445	154,450	154,450
TOTAL APPROPRIATIONS	161,095	167,445	154,450	154,450
NET OF REVENUES/APPROPRIATIONS - FUND 812		(15,465)	(17,090)	
BEGINNING FUND BALANCE	416,865	416,865	401,400	401,400
ENDING FUND BALANCE	416,865	401,400	384,310	401,400
ESTIMATED REVENUES - ALL FUNDS	14,978,425	12,418,500	12,454,430	15,414,810
APPROPRIATIONS - ALL FUNDS	14,978,425	14,219,060	16,864,185	15,414,810
NET OF REVENUES/APPROPRIATIONS - ALL FUNDS		(1,800,560)	(4,409,755)	
BEGINNING FUND BALANCE - ALL FUNDS	20,258,982	20,258,982	18,458,422	18,458,422
ENDING FUND BALANCE - ALL FUNDS	20,258,982	18,458,422	14,048,667	18,458,422

City of Mason

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MEMORANDUM

DATE: April 29, 2016

TO: Honorable Mayor and Council Members

FROM: Deborah Stuart, City Administrator

RE: ITEM 7B- Budget Workshop Follow-up (previously provided to Council)

Budget Workshop Follow-up:

The following information is in relation to the pending budget questions.

- **Public Art** – In 2013, the City Council adopted a policy indicating that the City MAY appropriate an amount equal to one-tenth of one percent of the City's General Fund to be accumulated and expended on public art. The policy does note that funds can be re-appropriated to any other public purposes at any time the Council deems necessary. Our history with this allocation has been:

Year	**Formula Amount**	**Appropriated Funds**	**Expended Funds**
2012/13	$4,977	0	0
2013/14	$5,110	$15,000	$10,218
2014/15	$5,310	0	0
2015/16	$5,435	$1,000	0
Proposed 2016/17	$5,775	0	
TOTAL	**$26,607**	**$16,000**	**$10,218**

  The City Council can determine if they would like to add any additional funding to this line item.
- **Contract Work for Planning Commission** – Due to time and budget constraints the sub plan estimated at $15,000 was removed from the budget. We still believe that to be the concern with this issue.
- **Contract Work for Historic District Commission** – $500 remains in the proposed budget for the historic district property database. This item has been in their budget previously at a higher amount, but has not been completed. We believe this amount will allow the project to start at least a phase of the work.
- **Generator Load Testing** – $635 remains in the proposed budget related this item. We believe there may be opportunities for cost savings to allow for this to be completed this year and there is no need for additional funding for this item.

CITY OF MASON

STAFF AGENDA REPORT TO CITY COUNCIL

Meeting Date: May 16, 2016 **Agenda Item:** 8C

AGENDA ITEM
Motion – Authorizing the City Administrator to Proceed with Amended Terms for Rayner Park

EXHIBITS
Rayner Park Executed Option Agreement (June 9, 2010)
Rayner Quit Claim Deed (provided previously to City Council)

SUMMARY STATEMENT
On June 9, 2010, Ingham County entered into a Lease/Option agreement with the City of Mason for Rayner Park. As of this date, the City has met the obligations of proper operation and maintenance of Rayner Park solely at the City's expense, including utility costs required to maintain Rayner Park in a clean, safe, sanitary and visually presentable condition.

On March 16, 2015, the City Council authorized the City Administrator to initiate the process of the purchase of Rayner Park according to the Lease/Option agreement. However, the Lease/Option Agreement did not allow for that process to initiate until January of this year.

In January 2016, the process to transfer was initiated again by the City and Ingham County has responded with their required documents. At this time the property can be transferred, if authorized by the City Council, under the current terms without approval by the County Commission.

On March 9, 2016, the City Council considered this item, but instead directed the City Administrator to renegotiate that option agreement with the County to remove restrictions related to the fencing and it remaining a public park.

In the past few months, the City Administrator has met multiple times with County staff on this issue. In those discussions, it became clear that any amendment would have to be approved by the County Commission. At this time the City Administrator would like confirmation that the following changes are agreeable to the City Council for a formal amendment request of the County:

- Removal of any reference to restrictions on fencing being erected.
- Allow for the 584 designated parking to be provided within the Park or within a .5 mile radius of the Ingham County Fairground during the Fair.
- Allow for the option for the City of Mason to lease a portion of the Park to other entities, if facilities are available to the public.

These changes will allow for the potential to lease a portion of the Park to the school for recreation facilities (i.e., tennis courts), if they ever need to expand. The City Administrator does not recommend renegotiating the restriction on the public park designation other than the lease option. While County staff is generally supportive of the changes proposed, they will likely propose some conditions to the parking outside of the Park (designated lighted pathway for example). It is unknown if the County Commission will support the changes.

RECOMMENDED ACTION
Motion – Authorizing the City Administrator and City Attorney to Proceed with Requesting the Amended Terms

LEASE/OPTION TO PURCHASE AGREEMENT
BETWEEN
COUNTY OF INGHAM
AND
CITY OF MASON
FOR
RAYNER PARK

THIS AGREEMENT, made and entered into this 9th day of June, 2010, by and between the **COUNTY OF INGHAM**, a political subdivision of the State of Michigan (hereinafter referred to as the "County"), and the **CITY OF MASON,** a municipal corporation, organized and existing under the laws of the State of Michigan (hereinafter referred to as the "City").

WHEREAS, the County has determined that it will be financially unable to continue operation of Rayner Park; and

WHEREAS, the City, in which Rayner Park is located, desires to continue Rayner Park's operation, and is interested in eventually acquiring the Rayner Park property to use for City public park purposes; and

WHEREAS, the parties are agreeable to entering an agreement that will continue to allow Rayner Park to be available for public park uses for the citizens of the City and the County.

NOW, THEREFORE, for and in consideration of the mutual covenants hereinafter contained, **IT IS HEREBY MUTUALLY AGREED,** as follows:

1. **Lease.** The County agrees to lease to the City real property located in the City of Mason, Ingham County, Michigan, commonly known as Rayner Park, legally described as set forth in the legal description, attached and incorporated by reference as Schedule A, together with all improvements, buildings, fixtures and facilities (hereafter, the "Premises"), subject to any easements, utilities, or restrictions or conditions of record. At the commencement of the Lease Term, the County shall transfer possession of the Premises in good order and condition, normal wear and tear excepted.

2. **Transfer of Personal Property.** On June 9, 2010, the County shall transfer ownership and possession to the City without cost all personal property used for Rayner Park operations and maintenance, located on the Premises. The personal property shall be "as is," without any warranty or guarantee by the County. However, any manufacturer's warranty or seller's guarantee will be assigned by the County to the City to the extent otherwise permitted The City shall maintain all personal property in good condition and repair, subject to any pre-existing conditions, and shall replace without cost to the County

with items of good quality any of the personal property that becomes inoperable, obsolete, or unusable if such item is necessary for the operation of Rayner Park in the City's reasonable discretion. The City may also install additional new personal property as it deems appropriate within the Park to enhance the Park and its operations. Unless the City exercises its option to purchase under this Agreement, whatever personal property remains at the time this Agreement expires or otherwise terminates, and any replacement personal property, but excluding any additional new personal property, shall be transferred back to County ownership and possession. In the event the City does exercise its option to purchase under Section 10 of this Agreement, ownership and possession of such personal property shall remain with the City.

3. Term and Termination. The Lease Term shall commence at 12:01 a.m. on June 9, 2010, after this Agreement is fully signed by the authorized representatives of both the County and City, and shall remain in effect through December 31, 2016, unless terminated earlier due to any of the following: (1) the City ceases using the Premises for public park purposes, or (2) the County terminates the lease and option to purchase prior to the expiration date, upon 90-days written notice, to accommodate use of the Premises in conjunction with the adjacent Ingham County Fair grounds to facilitate the operation of a State Fair.

4. Compensation and Payment. The City shall pay the County annual rent for the Premises in the nominal amount of One Dollar ($1.00). As additional consideration, the City shall otherwise expend all funds necessary for the operation and maintenance of Rayner Park, and the County shall, at no cost, reserve and retain the right to use the Premises for vehicle parking purposes in conjunction with the annual Ingham County Fair. Such reserved parking use by the County shall include all appropriate areas for parking, including but not limited to gravel areas and grass fields, allowing for the parking of approximately 584 vehicles, together with ingress and egress.

5. Operation and Maintenance of the Park. The County shall transfer responsibility for the operation and maintenance of Rayner Park to the City, to be occupied, operated and maintained during the Lease Term solely for the operation of a public park, and related and incidental purposes and programs. The City shall have the authority to determine, in its sole discretion, the days and hours of Rayner Park operation, rental rates, park policies, and all other similar operational matters, provided, however, that anything that changes the fundamental nature or purpose of Rayner Park requires County approval. The City agrees to pay, when due, the costs of any electricity, water, garbage collection, sewer, gas, telephone, snow removal and any other utilities related to the Premises. The City shall maintain Rayner Park in a clean, safe, sanitary, and sightly condition.

6. Solicitation of Public and Private Funding. The City may actively solicit governmental or non-governmental grants, donations, or other funds for the support of the operation, maintenance, and purposes of Rayner Park. The City shall have the authority to

apply for grant funding in its name during the term of this lease. The City shall be responsible for any required grant matches required for Rayner Park grants received by the City during the term of this lease.

7. **Debt Financing.** The City shall not issue any debt for Rayner Park purposes, including Capital Improvements, without prior written approval of the County, if such debt is secured in any way by the Premises.

8. **Capital Improvements.** The City may make such capital improvements as it determines necessary for the operation and maintenance of Rayner Park. Any capital improvements must be in conformity with federal, state, and local laws, rules, and regulations, and the City must obtain all required permits at its expense. Title to all capital improvements, fixtures, equipment, additions, and other property shall be and remain the property of the City during the term of this lease. Notwithstanding the foregoing, it is further agreed that if the ponds near the Park entrance require repairs and those repairs are not included as part of the applicable Drainage District assessment by the Drain Commissioner, then the City and the County shall negotiate an agreement for sharing the cost of such pond repairs.

9. **Access to Premises and Documents.** The County reserves the right to inspect, either itself or by a duly authorized agent, the Premises, or any portion, at any time upon reasonable notice to the City. The County shall have the right to inspect documents related to Rayner Park at any time upon reasonable notice to the City.

10. **Option to Purchase.**

A. Option. The County grants the City an exclusive Option to Purchase the Premises described in the attached Schedule A, with all easements, rights, structures and appurtenances. The Option to Purchase shall remain in effect from January 1, 2016 through the balance of the duration of this Lease/Option to Purchase Agreement. The purchase price for the premises under this option is ONE AND NO/100 DOLLARS ($1.00).

B. Exercise of the Option. The City may exercise its Option to Purchase under this Agreement by giving written notice signed by the City to the County at the address designated by the County in Section 16 of this Agreement.

C. Failure to Exercise the Option. If the City fails to properly exercise this Option to Purchase before this Agreement expires, this Option to Purchase shall terminate and the County shall have no further obligation to the City.

D. Inspection of Premises. The City has the right to inspect the premises prior to exercising this Option to Purchase right, including but not limited to testing for hazardous substances, make surveys and otherwise investigate the Premises to determine its

composition and suitability for its purposes. At closing, THE CITY WILL CONFIRM IN WRITING THAT IT HAS INSPECTED THE PREMISES AND AGREES TO TAKE THE PREMISES "AS IS" AND IN ITS PRESENT CONDITION AND THAT THERE ARE NO OTHER OR ADDITIONAL WRITTEN OR ORAL UNDERSTANDINGS CONCERNING THE STATUS OF TITLE OF THE PREMISES. THE COUNTY EXPRESSLY DISCLAIMS ANY AND ALL WARRANTIES ON THE PREMISES.

E. Deed Restriction/Easement. The deed that is provided pursuant to this Section 10 shall contain a restriction which limits the use of the Premises for public park purposes for a term of twenty (20) years. In the event that the City ceases to use the Premises for public park purposes during such term, the Premises shall automatically revert to the County , except that the City may transfer title, possession, or use of the premises to a recreational authority established between the City and participating municipalities pursuant to the Recreational Authorities Act, 2000 PA 321, MCL 123.1131, or similar public entity that will continue to use the Premises for public park purposes, without causing the premises to revert to the County. The deed shall also reserve for the County's benefit a permanent easement for use of the Premises for vehicle parking purposes in conjunction with the annual Ingham County Fair. Such reserved parking use by the County shall include all appropriate areas for parking, including but not limited to gravel areas and grass fields, allowing for the parking of approximately 584 vehicle, together with ingress and egress. The parties agree that the City shall have the authority to make all remaining divisions under Section 108 of the Land Division Act, Act No. 288 of the Public Acts of 1967, as amended, after the closing and transfer of title.

F. Closing. This sale shall be closed within ten (10) days after all the closing documents are prepared but no later than ninety (90) days after the County receives the notice that the City is exercising the option.

G. The Closing and Preparations for the Closing. If the City exercises the Option to Purchase, the following obligations shall be performed by the closing date:

1. The County shall obtain a professional survey of the Premises and updated legal description, and prepare the necessary Quit Claim Deed conveyance documents consistent with the survey and updated legal description to transfer its title to the City and forward them to the City for the City's review at least ten (10) days before the scheduled date of closing.

2. The closing shall be held at the Ingham County offices in Mason, Michigan, unless the parties mutually agree on some other location.

3. The County shall pay all costs necessary for preparation of the quit claim deed, and any attorney's fees incurred by the County. The City shall pay attorney's fees incurred on behalf of the City, any inspection costs initiated by City, and all recording fees and costs.

11. **Insurance.** The City shall cause to be obtained and maintained adequate insurance coverage on Rayner Park and the personal property located at Rayner Park during the lease term. The City shall only be required to obtain and maintain the same casualty and general liability insurance coverage for Rayner Park as it does for its other City properties. The City shall, on all Rayner Park insurance policies, list the County as an additional named insured, and provide the County with copies of the Certificates of Insurance upon request. The City shall be responsible for any deductible or self-insured retention relating to such insurance.

12. **Compliance with the Law.** In performing the services and activities required under this Agreement and in fulfilling the terms, conditions, obligations, covenants, agreements, and stipulations of this Agreement, the County and the City shall comply with all applicable Federal, State and local laws.

The City shall not permit the illegal use or occupancy of the Premises. The City shall obtain and maintain all required Federal, State, or local licenses or permits for operation and maintenance of Rayner Park.

13. **Termination of Agreement.** If this Agreement is terminated for any reason, title to all personal property used for operation or maintenance of Rayner Park shall remain in or revert to the County as provided in Section 2 of this Agreement. The City shall peaceably surrender and quit the Premises together with all capital improvements, in good order and condition, normal wear and tear excepted. All Rayner Park personal property shall revert to the County upon termination and become the property of the County. The Premises and personal property shall be surrendered free and clear of all liens and encumbrances. Upon termination for any reason, the City and County shall cooperate to the fullest reasonable extent in effecting the orderly and efficient transfer of the operation and maintenance of Rayner Park to the County.

14. **Civil Rights.** The City and the County mutually agree to adhere to all applicable Federal, State and local laws and regulations prohibiting discrimination. The City and County further agree that they shall not discriminate against an employee or applicant for employment with respect to hire, tenure, terms and conditions or privileges of employment, or a matter directly or indirectly related to employment because of race, color, religion, national origin, age, sex, sexual orientation, gender identity, political affiliation or beliefs, disability which is unrelated to the individual's ability to perform the duties of a

particular job or position, height, weight or marital status. A breach of this covenant shall be regarded as a material breach of this Agreement.

15. Liability.

A. Any claims, liabilities, loss or damage, lawsuits, or judgments arising out of activities by the City and/or Rayner Park during the Lease Term shall be the sole and exclusive responsibility of the City.

B. All liability to third parties, loss or damage as a result of claims, demands, costs, or judgments arising out of activities to be carried out by the City in the performance of this Agreement shall be the responsibility of the City, and not the responsibility of the County, if the liability, loss, or damage is caused by, or arises out of, the actions or failure to act on the part of the City, any subcontractor, or anyone directly or indirectly employed by the City, provided that nothing herein shall be construed as a waiver of any governmental immunity that has been provided to the City or its employees by statutes or court decisions.

C. All liability to third parties, loss, or damage as a result of claims, demands, costs, or judgments arising out of activities to be carried out by the County in the performance of this Agreement shall be the responsibility of the County and not the responsibility of the City if the liability, loss, or damage is caused by, or arises out of, the action or failure to act on the part of the County, any subcontractor, or anyone directly or indirectly employed by the County, provided that nothing herein shall be construed as a waiver of any governmental immunity by the County or its employees as provided by statute or court decisions.

D. In the event that liability to third parties, loss, or damage arises as a result of activities conducted jointly by the County and the City in fulfillment of their responsibilities under this Agreement, such liability, loss, or damage shall be borne by the County and the City in relation to each party's responsibilities under these joint activities provided that nothing herein shall be construed as a waiver of any governmental immunity by the County, the City or their employees, respectively, as provided by statute or court decisions.

16. Notices. All notices given hereunder shall be in writing and delivered personally or by certified mail to the address given below, unless a new address is provided in writing.

If to County:

Director
Ingham County Parks Department
121 East Maple Street
P.O. Box 178
Mason, MI 48854

and

County Controller
Courthouse
Mason, MI 48854

If to City:

City Administrator
City of Mason
201 West Ash Street
P.O. Box 370
Mason, MI 48854

17. **Waivers.** No failure or delay on the part of either of the parties to this Agreement in exercising any right, power or privilege hereunder shall operate as a waiver thereof, nor shall a single or partial exercise of any right, power or privilege preclude any other or further exercise of any other right, power or privilege.

18. **Agreement Modifications.** This Agreement contains all the agreements of the parties relating to Rayner Park and all modifications to this Agreement must be mutually agreed upon by the City and the County, and incorporated into written amendments to this Agreement after approval by the City Council and the County Board of Commissioners, and signed by their duly authorized representatives.

19. **Disregarding Titles.** The titles of the sections set forth in this Agreement are inserted for the convenience of reference only and shall be disregarded when construing or interpreting any of the provisions of this Agreement.

20. **Complete Agreement.** This Agreement, including the attached Schedule, contains all of the terms and conditions agreed upon by the parties hereto and no other agreements, oral or otherwise, regarding the subject matter of this Agreement or any part thereof shall have any validity or bind any of the parties hereto.

21. **Severability.** If any part of this Agreement is found by a Court or Tribunal of competent jurisdiction to be invalid, unconstitutional or beyond the authority of either party to enter into or carry out, such part shall be deemed deleted and shall not affect the validity of

the remainder of this Agreement which shall continue in full force and effect. If the removal of such provision would result in the illegality and/or unenforceability of this Agreement, this Agreement shall terminate as of the date in which the provision was found invalid, unconstitutional or beyond the authority of the parties.

22. **Certification of Authority to Sign Agreement.** The persons signing this Agreement on behalf of the parties hereto certify by their signatures that they are duly authorized to sign on behalf of said parties and that this Agreement has been authorized by said parties.

23. **Assignment or Subcontracting.** Neither of the parties to this Agreement shall assign, subcontract or otherwise transfer its duties and/or obligations under this Agreement, without the prior written consent of the other party.

24. **Effective Date.** This Agreement shall become effective as of the date upon which the last of the parties listed below has signed this Agreement.

IN WITNESS WHEREOF, the authorized representatives of the parties hereto have fully executed this instrument on the day and year first above written.

WITNESSED BY:

Date: June 15, 2010

Date: 6-15-10

Date: 6-19-2010

COUNTY OF INGHAM

Debbie De Leon, Chairperson
County Board of Commissioners

Mike Bryanton, County Clerk

CITY OF MASON

Leon Clark, Mayor

APPROVED AS TO FORM ONLY FOR INGHAM COUNTY
COHL, STOKER & TOSKEY, P.C.

By: _____
Timothy M. Perrone

APPROVED AS TO FORM ONLY FOR THE CITY OF MASON:

By: _____

MASON City ATTORNEY

SCHEDULE A

LEGAL DESCRIPTION

A part of the West ½ of Section 9, Town 2 North, Range 1 West, City of Mason, Ingham County, Michigan described as: the West 625 feet of that part of the Northeast ¼ of said Section 9 lying South of Ash St., aka Highway M-36, except beginning at Southeast corner of said West 625 feet, thence North 225 feet, thence Southwesterly to point on East-West ¼ line of said Section 9, 85 feet West of the point of beginning, thence East 85 feet to the point of beginning. Also the West 540 feet of the Southeast ¼ of said Section 9. Also the East 300 feet of the South 1350 feet of the West 840 feet of Southeast ¼ of said Section 9. Also the East 75 feet of the South 885 feet of the West 915 feet of Southeast ¼ of said Section 9.

59.9 acres more or less

N:\Client\Ingham\Controller\Agreements\Rayner Park\Co. Rayner Park.Agr 6-14-10 final.wpd

Vendor: 05164 INGHAM COUNTY TREASURER Check #: 00000065608 07/21/10

Date	Invoice	Description/Detail	Amount
07/20/10	JULY 10	RAYNER PARK LEASE OPTION PAYMENT	1.00

Total: 1.00

DETACH THIS VOUCHER BEFORE DEPOSITING

THIS CHECK IS PROTECTED BY MICROPRINTING, VOID PANTOGRAPH & BLEED THRU NUMBERING

MASON STATE BANK
MASON, MICHIGAN

COMMON CASH FUND
VOID AFTER 120 DAYS

CITY OF MASON
201 W. ASH ST.
MASON, MICHIGAN 48854

065608
00000065608

74-967
724

Date: 07/21/10

1.00

PAY ***One and NO/100 Dollars**********

TO THE ORDER OF

INGHAM COUNTY TREASURER
PO BOX 215

MASON MI 48854

⑈065608⑈ ⑆072403677⑆ 1 100 11 0⑈

QUIT CLAIM DEED

The **COUNTY OF INGHAM,** a political subdivision of the State of Michigan, whose address is Courthouse, P.O. Box 319, Mason, Michigan 48854 ("Grantor"), quitclaims to the **CITY OF MASON**, a Michigan municipal corporation, whose address is 201 W. Ash St., P.O. Box 370, Mason, Michigan 48854 ("Grantee"), the following described premises situated in the City of Mason, County of Ingham, and State of Michigan, to wit:

See legal description, attached as Exhibit A and incorporated by reference (hereafter, "the Premises"),

for the full consideration of One and No/100 Dollar ($1.00).

1. This conveyance is made for the purpose of allowing Grantee to use the Premises for public park purposes, such that this transfer is restricted to public park purposes only, for a period of twenty (20) years. In the event that the Premises transferred here, or any portion of it, ceases to be used for public park purposes only during the twenty-year period, then title to the Premises will automatically revert to Grantor, except that Grantee may transfer title, possession, or use of the Premises to a recreational authority established between Grantee and participating municipalities pursuant to the Recreational Authorities Act, 2000 PA 321, MCL 123.1131, or similar public entity that will continue to use the Premises for public park purposes.

2. Grantor reserves an easement for use of the Premises for vehicle parking purposes in conjunction with the annual Ingham County Fair. Such reserved parking use by the County shall include all appropriate areas for parking, including but not limited to gravel areas and grass fields, allowing for the parking of approximately 584 vehicles, together with ingress and egress. Any fencing erected on the Premises shall not interfere with vehicle ingress and egress for parking. This reserved easement is permanent and runs with the land.

3. Grantee shall have the authority to make all remaining divisions under Section 108 of the Land Division Act, 1967 PA 288, as amended.

4. This instrument is exempt from real estate transfer taxes pursuant to MCL 207.505(a) and (h)(i) and MCL 207.526(a) and (h)(i).

COUNTY OF INGHAM

Dated this ___ day of _____, 2016.

_____
By: Kara Hope, Chairperson
County Board of Commissioners

_____
Barb Byrum, County Clerk

STATE OF MICHIGAN)
COUNTY OF INGHAM)

The foregoing instrument was signed before me, a Notary Public, this ___ day of _____, 2016, by the County of Ingham, by Kara Hope, Chairperson, County Board of Commissioners, and Barb Byrum, County Clerk.

_____
, Notary Public
Ingham County, Michigan
Acting in Ingham County, Michigan
My commission expires:_____

Instrument Drafted by:
Timothy M. Perrone (P37940)

Business Address:
601 N. Capitol Avenue, Lansing, MI 48933

Recording Fee: _____

When recorded return to: Grantee

Tax Parcel #

Send subsequent tax bills to: Exempt

REVENUE AND EXPENDITURE REPORT FOR CITY OF MASON

PERIOD ENDING 04/30/2016

GL NUMBER	DESCRIPTION	2015-16 AMENDED BUDGET	YTD BALANCE 04/30/2016 NORMAL (ABNORMAL)	ACTIVITY FOR MONTH 04/30/2016 INCREASE (DECREASE)	AVAILABLE BALANCE NORMAL (ABNORMAL)	% BDGT USED
Fund 101 - GENERAL FUND						
Revenues						
000.00		270,470.00	0.00	0.00	270,470.00	0.00
215.00	CLERK	6,250.00	7,097.29	142.88	(847.29)	113.56
254.00	TREASURER/FINANCE	5,108,225.00	4,600,418.74	128,437.29	507,806.26	90.06
271.00	FORESTRY	29,770.00	34,470.00	0.00	(4,700.00)	115.79
276.00	CEMETERY	37,200.00	28,190.00	4,275.00	9,010.00	75.78
301.00	POLICE DEPARTMENT	71,820.00	73,104.47	4,715.83	(1,284.47)	101.79
336.00	FIRE DEPARTMENT	174,230.00	131,276.24	3,839.00	42,953.76	75.35
528.00	REFUSE COLLECTION	355,515.00	357,991.52	102.96	(2,476.52)	100.70
747.00	COMMUNITY GARDEN	375.00	460.00	240.00	(85.00)	122.67
751.00	RECREATION	5,000.00	4,766.70	730.00	233.30	95.33
850.00	WORKERS COMPENSATION	52,645.00	75,643.00	17,564.00	(22,998.00)	143.69
TOTAL Revenues		6,111,500.00	5,313,417.96	160,046.96	798,082.04	86.94
Expenditures						
101.00	COUNCIL	41,570.00	47,344.07	52.29	(5,774.07)	113.89
172.00	ADMINISTRATOR	286,320.00	206,289.45	13,808.08	80,030.55	72.05
209.00	ASSESSING	51,295.00	43,573.67	5,783.43	7,721.33	84.95
215.00	CLERK	141,705.00	115,284.80	10,923.04	26,420.20	81.36
247.00	BOARD OF REVIEW	650.00	690.00	0.00	(40.00)	106.15
254.00	TREASURER/FINANCE	501,600.00	441,256.12	32,271.74	60,343.88	87.97
260.00	TECHNOLOGY	100,445.00	35,200.39	572.87	65,244.61	35.04
265.00	BUILDING OFFICIAL/CITY HALL	156,315.00	136,049.05	10,097.12	20,265.95	87.04
266.00	LEGAL/ATTORNEY	90,000.00	92,819.40	900.00	(2,819.40)	103.13
268.00	PARK STREET PROPERTY	41,985.00	10,866.09	10,866.09	31,118.91	25.88
269.00	PROPERTY	461,650.00	458,292.18	0.00	3,357.82	99.27
271.00	FORESTRY	77,595.00	63,534.55	2,263.29	14,060.45	81.88
272.00	ADMINISTRATIVE SERVICES	272,515.00	152,424.85	2,631.06	120,090.15	55.93
276.00	CEMETERY	198,755.00	154,537.89	9,523.67	44,217.11	77.75
305.00	POLICE ADMINISTRATION	340,520.00	293,342.36	21,149.40	47,177.64	86.15
315.00	CROSSING GUARDS	24,170.00	19,360.57	1,406.59	4,809.43	80.10
316.00	POLICE PATROLLING	1,054,400.00	899,475.39	60,350.73	154,924.61	85.31
336.00	FIRE DEPARTMENT	526,460.00	416,523.55	12,730.17	109,936.45	79.12
380.00	PLANNING/ZONING OFFICIAL	126,710.00	103,213.37	9,543.61	23,496.63	81.46
426.00	CIVIL DEFENSE	1,870.00	1,382.50	0.00	487.50	73.93
428.00	DISASTER ACCOUNT	100.00	0.00	0.00	100.00	0.00
441.00	PUBLIC SERVICES	6,000.00	5,469.03	284.55	530.97	91.15
447.00	ENGINEERING	300.00	300.00	0.00	0.00	100.00
448.00	STREET LIGHTING	96,860.00	72,017.31	5,157.63	24,842.69	74.35
458.00	SIDEWALK CONSTRUCTION-REPAIR	5,085.00	5,543.36	0.00	(458.36)	109.01
528.00	REFUSE COLLECTION	354,715.00	299,535.44	28,430.94	55,179.56	84.44
747.00	COMMUNITY GARDEN	680.00	45.27	0.56	634.73	6.66
756.00	PARKS AND BALL DIAMONDS	171,425.00	173,068.93	11,535.61	(1,643.93)	100.96
758.00	PUBLIC ART	1,000.00	0.00	0.00	1,000.00	0.00
775.00	SENIOR CITIZENS	8,085.00	7,535.00	125.00	550.00	93.20
790.00	LIBRARY	15,095.00	10,500.43	370.00	4,594.57	69.56
806.00	CHRISTMAS DECORATIONS	5,570.00	7,697.01	0.00	(2,127.01)	138.19
807.00	CABLE COMMISSION	315.00	2,415.00	0.00	(2,100.00)	766.67
808.00	PLANNING COMMISSION	2,950.00	425.80	0.00	2,524.20	14.43
850.00	WORKERS COMPENSATION	52,645.00	75,643.00	0.00	(22,998.00)	143.69
855.00	RETIREE BENEFITS	116,210.00	107,687.99	9,764.01	8,522.01	92.67
890.00	CONTINGENCIES	103,020.00	50,525.00	0.00	52,495.00	49.04
999.00	SURPLUS	674,915.00	794,047.34	51,458.28	(119,132.34)	117.65

PERIOD ENDING 04/30/2016

GL NUMBER	DESCRIPTION	2015-16 AMENDED BUDGET	YTD BALANCE 04/30/2016 NORMAL (ABNORMAL)	ACTIVITY FOR MONTH 04/30/2016 INCREASE (DECREASE)	AVAILABLE BALANCE NORMAL (ABNORMAL)	% BDGT USED
Fund 101 - GENERAL FUND						
Expenditures						
TOTAL Expenditures		6,111,500.00	5,303,916.16	311,999.76	807,583.84	86.79
Fund 101 - GENERAL FUND:						
TOTAL REVENUES		6,111,500.00	5,313,417.96	160,046.96	798,082.04	86.94
TOTAL EXPENDITURES		6,111,500.00	5,303,916.16	311,999.76	807,583.84	86.79
NET OF REVENUES & EXPENDITURES		0.00	9,501.80	(151,952.80)	(9,501.80)	100.00

PERIOD ENDING 04/30/2016

GL NUMBER	DESCRIPTION	2015-16 AMENDED BUDGET	YTD BALANCE 04/30/2016 NORMAL (ABNORMAL)	ACTIVITY FOR MONTH 04/30/2016 INCREASE (DECREASE)	AVAILABLE BALANCE NORMAL (ABNORMAL)	% BDGT USED
Fund 202 - MAJOR STREETS FUND						
Revenues						
000.00		1,327,740.00	546,956.34	86,566.80	780,783.66	41.19
TOTAL Revenues		1,327,740.00	546,956.34	86,566.80	780,783.66	41.19
Expenditures						
000.00		99,200.00	0.00	0.00	99,200.00	0.00
451.00	STREET/ROAD CONSTRUCTION	949,060.00	239,655.58	9,359.15	709,404.42	25.25
463.00	STREET MAINTENANCE	135,415.00	120,168.96	9,011.83	15,246.04	88.74
474.00	TRAFFIC SERVICES	32,675.00	20,676.70	3,002.40	11,998.30	63.28
478.00	WINTER MAINTENANCE	44,290.00	34,142.29	8,522.97	10,147.71	77.09
482.00	STREET ADMIN/GEN EXP	67,100.00	67,100.00	0.00	0.00	100.00
TOTAL Expenditures		1,327,740.00	481,743.53	29,896.35	845,996.47	36.28
Fund 202 - MAJOR STREETS FUND:						
TOTAL REVENUES		1,327,740.00	546,956.34	86,566.80	780,783.66	41.19
TOTAL EXPENDITURES		1,327,740.00	481,743.53	29,896.35	845,996.47	36.28
NET OF REVENUES & EXPENDITURES		0.00	65,212.81	56,670.45	(65,212.81)	100.00

PERIOD ENDING 04/30/2016

GL NUMBER	DESCRIPTION	2015-16 AMENDED BUDGET	YTD BALANCE 04/30/2016 NORMAL (ABNORMAL)	ACTIVITY FOR MONTH 04/30/2016 INCREASE (DECREASE)	AVAILABLE BALANCE NORMAL (ABNORMAL)	% BDGT USED
Fund 203 - LOCAL STREETS FUND						
Revenues						
000.00		685,840.00	661,763.76	21,443.09	24,076.24	96.49
TOTAL Revenues		685,840.00	661,763.76	21,443.09	24,076.24	96.49
Expenditures						
451.00	STREET/ROAD CONSTRUCTION	429,515.00	554,391.76	6,814.92	(124,876.76)	129.07
463.00	STREET MAINTENANCE	143,130.00	123,517.08	5,970.38	19,612.92	86.30
474.00	TRAFFIC SERVICES	12,400.00	6,783.29	1,657.24	5,616.71	54.70
478.00	WINTER MAINTENANCE	35,205.00	22,783.57	4,381.98	12,421.43	64.72
482.00	STREET ADMIN/GEN EXP	65,590.00	65,590.00	0.00	0.00	100.00
TOTAL Expenditures		685,840.00	773,065.70	18,824.52	(87,225.70)	112.72
Fund 203 - LOCAL STREETS FUND:						
TOTAL REVENUES		685,840.00	661,763.76	21,443.09	24,076.24	96.49
TOTAL EXPENDITURES		685,840.00	773,065.70	18,824.52	(87,225.70)	112.72
NET OF REVENUES & EXPENDITURES		0.00	(111,301.94)	2,618.57	111,301.94	100.00

PERIOD ENDING 04/30/2016

GL NUMBER	DESCRIPTION	2015-16 AMENDED BUDGET	YTD BALANCE 04/30/2016 NORMAL (ABNORMAL)	ACTIVITY FOR MONTH 04/30/2016 INCREASE (DECREASE)	AVAILABLE BALANCE NORMAL (ABNORMAL)	% BDGT USED
Fund 248 - DOWNTOWN DEVELOPMENT AUTHORITY						
Revenues						
000.00		150,150.00	61,806.89	25.64	88,343.11	41.16
TOTAL Revenues		150,150.00	61,806.89	25.64	88,343.11	41.16
Expenditures						
000.00		150,150.00	50,023.45	342.64	100,126.55	33.32
TOTAL Expenditures		150,150.00	50,023.45	342.64	100,126.55	33.32
Fund 248 - DOWNTOWN DEVELOPMENT AUTHORITY:						
TOTAL REVENUES		150,150.00	61,806.89	25.64	88,343.11	41.16
TOTAL EXPENDITURES		150,150.00	50,023.45	342.64	100,126.55	33.32
NET OF REVENUES & EXPENDITURES		0.00	11,783.44	(317.00)	(11,783.44)	100.00

PERIOD ENDING 04/30/2016

GL NUMBER	DESCRIPTION	2015-16 AMENDED BUDGET	YTD BALANCE 04/30/2016 NORMAL (ABNORMAL)	ACTIVITY FOR MONTH 04/30/2016 INCREASE (DECREASE)	AVAILABLE BALANCE NORMAL (ABNORMAL)	% BDGT USED
Fund 250 - LOCAL DEV. FINANCE AUTHORITY						
Revenues						
000.00		313,840.00	1,647,297.01	516.34	(1,333,457.01)	524.88
TOTAL Revenues		313,840.00	1,647,297.01	516.34	(1,333,457.01)	524.88
Expenditures						
691.00	L.D.F.A.	313,840.00	84,500.53	12,474.96	229,339.47	26.92
TOTAL Expenditures		313,840.00	84,500.53	12,474.96	229,339.47	26.92
Fund 250 - LOCAL DEV. FINANCE AUTHORITY:						
TOTAL REVENUES		313,840.00	1,647,297.01	516.34	(1,333,457.01)	524.88
TOTAL EXPENDITURES		313,840.00	84,500.53	12,474.96	229,339.47	26.92
NET OF REVENUES & EXPENDITURES		0.00	1,562,796.48	(11,958.62)	(1,562,796.48)	100.00

PERIOD ENDING 04/30/2016

GL NUMBER	DESCRIPTION	2015-16 AMENDED BUDGET	YTD BALANCE 04/30/2016 NORMAL (ABNORMAL)	ACTIVITY FOR MONTH 04/30/2016 INCREASE (DECREASE)	AVAILABLE BALANCE NORMAL (ABNORMAL)	% BDGT USED
Fund 297 - ECONOMIC DEVELOPMENT COMM.						
Revenues						
000.00		40.00	35.50	3.49	4.50	88.75
TOTAL Revenues		40.00	35.50	3.49	4.50	88.75
Expenditures						
000.00		40.00	0.00	0.00	40.00	0.00
TOTAL Expenditures		40.00	0.00	0.00	40.00	0.00
Fund 297 - ECONOMIC DEVELOPMENT COMM.:						
TOTAL REVENUES		40.00	35.50	3.49	4.50	88.75
TOTAL EXPENDITURES		40.00	0.00	0.00	40.00	0.00
NET OF REVENUES & EXPENDITURES		0.00	35.50	3.49	(35.50)	100.00

PERIOD ENDING 04/30/2016

GL NUMBER	DESCRIPTION	2015-16 AMENDED BUDGET	YTD BALANCE 04/30/2016 NORMAL (ABNORMAL)	ACTIVITY FOR MONTH 04/30/2016 INCREASE (DECREASE)	AVAILABLE BALANCE NORMAL (ABNORMAL)	% BDGT USED
Fund 351 - PARK STREET PROPERTY						
Revenues						
000.00		0.00	10,866.09	10,866.09	(10,866.09)	100.00
TOTAL Revenues		0.00	10,866.09	10,866.09	(10,866.09)	100.00
Expenditures						
000.00		0.00	10,866.09	10,866.09	(10,866.09)	100.00
TOTAL Expenditures		0.00	10,866.09	10,866.09	(10,866.09)	100.00
Fund 351 - PARK STREET PROPERTY:						
TOTAL REVENUES		0.00	10,866.09	10,866.09	(10,866.09)	100.00
TOTAL EXPENDITURES		0.00	10,866.09	10,866.09	(10,866.09)	100.00
NET OF REVENUES & EXPENDITURES		0.00	0.00	0.00	0.00	0.00

PERIOD ENDING 04/30/2016

GL NUMBER	DESCRIPTION	2015-16 AMENDED BUDGET	YTD BALANCE 04/30/2016 NORMAL (ABNORMAL)	ACTIVITY FOR MONTH 04/30/2016 INCREASE (DECREASE)	AVAILABLE BALANCE NORMAL (ABNORMAL)	% BDGT USED
Fund 401 - CAPITAL IMPROVEMENT FUND						
Revenues						
000.00		131,615.00	69,544.55	(27,823.24)	62,070.45	52.84
TOTAL Revenues		131,615.00	69,544.55	(27,823.24)	62,070.45	52.84
Expenditures						
000.00		131,615.00	87,085.32	1,153.00	44,529.68	66.17
TOTAL Expenditures		131,615.00	87,085.32	1,153.00	44,529.68	66.17
Fund 401 - CAPITAL IMPROVEMENT FUND:						
TOTAL REVENUES		131,615.00	69,544.55	(27,823.24)	62,070.45	52.84
TOTAL EXPENDITURES		131,615.00	87,085.32	1,153.00	44,529.68	66.17
NET OF REVENUES & EXPENDITURES		0.00	(17,540.77)	(28,976.24)	17,540.77	100.00

PERIOD ENDING 04/30/2016

GL NUMBER	DESCRIPTION	2015-16 AMENDED BUDGET	YTD BALANCE 04/30/2016 NORMAL (ABNORMAL)	ACTIVITY FOR MONTH 04/30/2016 INCREASE (DECREASE)	AVAILABLE BALANCE NORMAL (ABNORMAL)	% BDGT USED
Fund 592 - WATER/SEWER FUND						
Revenues						
000.00		5,255,285.00	2,433,032.96	238,080.46	2,822,252.04	46.30
TOTAL Revenues		5,255,285.00	2,433,032.96	238,080.46	2,822,252.04	46.30
Expenditures						
545.00	WATER & SEWER ADMINISTRATION	121,535.00	114,600.69	10,418.98	6,934.31	94.29
546.00	SEWER IMPROVEMENT	41,010.00	41,010.96	0.00	(0.96)	100.00
548.00	SEWER MAINTENANCE	142,850.00	257,554.21	24,118.86	(114,704.21)	180.30
555.00	WASTEWATER TREATMENT PLANT	2,492,485.00	846,858.26	49,219.68	1,645,626.74	33.98
556.00	WATER MAINTENANCE	413,855.00	369,416.07	27,052.23	44,438.93	89.26
557.00	STORM SEWER PROGRAM	18,495.00	17,807.48	2,000.00	687.52	96.28
558.00	WATER IMPROVEMENT	501,885.00	571,620.70	48,024.66	(69,735.70)	113.89
559.00	WATER TREATMENT PLANT	858,170.00	777,756.82	24,003.63	80,413.18	90.63
566.00	ALLOWANCE FOR DEPRECIATION	665,000.00	0.00	0.00	665,000.00	0.00
TOTAL Expenditures		5,255,285.00	2,996,625.19	184,838.04	2,258,659.81	57.02
Fund 592 - WATER/SEWER FUND:						
TOTAL REVENUES		5,255,285.00	2,433,032.96	238,080.46	2,822,252.04	46.30
TOTAL EXPENDITURES		5,255,285.00	2,996,625.19	184,838.04	2,258,659.81	57.02
NET OF REVENUES & EXPENDITURES		0.00	(563,592.23)	53,242.42	563,592.23	100.00

PERIOD ENDING 04/30/2016

GL NUMBER	DESCRIPTION	2015-16 AMENDED BUDGET	YTD BALANCE 04/30/2016 NORMAL (ABNORMAL)	ACTIVITY FOR MONTH 04/30/2016 INCREASE (DECREASE)	AVAILABLE BALANCE NORMAL (ABNORMAL)	% BDGT USED
Fund 612 - MASON BUILDING AUTHORITY						
Revenues						
000.00		276,265.00	36,362.92	0.02	239,902.08	13.16
TOTAL Revenues		276,265.00	36,362.92	0.02	239,902.08	13.16
Expenditures						
000.00		276,265.00	36,362.50	0.00	239,902.50	13.16
TOTAL Expenditures		276,265.00	36,362.50	0.00	239,902.50	13.16
Fund 612 - MASON BUILDING AUTHORITY:						
TOTAL REVENUES		276,265.00	36,362.92	0.02	239,902.08	13.16
TOTAL EXPENDITURES		276,265.00	36,362.50	0.00	239,902.50	13.16
NET OF REVENUES & EXPENDITURES		0.00	0.42	0.02	(0.42)	100.00

PERIOD ENDING 04/30/2016

GL NUMBER	DESCRIPTION	2015-16 AMENDED BUDGET	YTD BALANCE 04/30/2016 NORMAL (ABNORMAL)	ACTIVITY FOR MONTH 04/30/2016 INCREASE (DECREASE)	AVAILABLE BALANCE NORMAL (ABNORMAL)	% BDGT USED
Fund 661 - MOTOR VEHICLE POOL						
Revenues						
000.00		499,930.00	370,818.96	39,458.07	129,111.04	74.17
TOTAL Revenues		499,930.00	370,818.96	39,458.07	129,111.04	74.17
Expenditures						
567.00	SHOP & BLDG. MAINTENANCE	47,915.00	43,983.43	646.44	3,931.57	91.79
568.00	EQUIPMENT MAINTENANCE	180,795.00	144,371.66	12,287.60	36,423.34	79.85
901.00	EQUIPMENT-CAPITAL OUTLAY	271,220.00	90,421.23	5,996.10	180,798.77	33.34
TOTAL Expenditures		499,930.00	278,776.32	18,930.14	221,153.68	55.76
Fund 661 - MOTOR VEHICLE POOL:						
TOTAL REVENUES		499,930.00	370,818.96	39,458.07	129,111.04	74.17
TOTAL EXPENDITURES		499,930.00	278,776.32	18,930.14	221,153.68	55.76
NET OF REVENUES & EXPENDITURES		0.00	92,042.64	20,527.93	(92,042.64)	100.00

PERIOD ENDING 04/30/2016

GL NUMBER	DESCRIPTION	2015-16 AMENDED BUDGET	YTD BALANCE 04/30/2016 NORMAL (ABNORMAL)	ACTIVITY FOR MONTH 04/30/2016 INCREASE (DECREASE)	AVAILABLE BALANCE NORMAL (ABNORMAL)	% BDGT USED
Fund 702 - RAYNER BOND FUND						
Revenues						
000.00		60,950.00	14,254.16	698.17	46,695.84	23.39
TOTAL Revenues		60,950.00	14,254.16	698.17	46,695.84	23.39
Expenditures						
000.00		60,950.00	20,758.38	(28,976.24)	40,191.62	34.06
TOTAL Expenditures		60,950.00	20,758.38	(28,976.24)	40,191.62	34.06
Fund 702 - RAYNER BOND FUND:						
TOTAL REVENUES		60,950.00	14,254.16	698.17	46,695.84	23.39
TOTAL EXPENDITURES		60,950.00	20,758.38	(28,976.24)	40,191.62	34.06
NET OF REVENUES & EXPENDITURES		0.00	(6,504.22)	29,674.41	6,504.22	100.00

PERIOD ENDING 04/30/2016

GL NUMBER	DESCRIPTION	2015-16 AMENDED BUDGET	YTD BALANCE 04/30/2016 NORMAL (ABNORMAL)	ACTIVITY FOR MONTH 04/30/2016 INCREASE (DECREASE)	AVAILABLE BALANCE NORMAL (ABNORMAL)	% BDGT USED
Fund 711 - CEMETERY TRUST FUND						
Revenues						
000.00		4,175.00	4,180.61	436.33	(5.61)	100.13
TOTAL Revenues		4,175.00	4,180.61	436.33	(5.61)	100.13
Expenditures						
000.00		4,175.00	0.00	0.00	4,175.00	0.00
TOTAL Expenditures		4,175.00	0.00	0.00	4,175.00	0.00
Fund 711 - CEMETERY TRUST FUND:						
TOTAL REVENUES		4,175.00	4,180.61	436.33	(5.61)	100.13
TOTAL EXPENDITURES		4,175.00	0.00	0.00	4,175.00	0.00
NET OF REVENUES & EXPENDITURES		0.00	4,180.61	436.33	(4,180.61)	100.00

PERIOD ENDING 04/30/2016

GL NUMBER	DESCRIPTION	2015-16 AMENDED BUDGET	YTD BALANCE 04/30/2016 NORMAL (ABNORMAL)	ACTIVITY FOR MONTH 04/30/2016 INCREASE (DECREASE)	AVAILABLE BALANCE NORMAL (ABNORMAL)	% BDGT USED
Fund 812 - SPECIAL ASSESSMENT FUND						
Revenues						
000.00		161,095.00	34,862.29	95.72	126,232.71	21.64
TOTAL Revenues		161,095.00	34,862.29	95.72	126,232.71	21.64
Expenditures						
000.00		161,095.00	155,441.03	5,893.75	5,653.97	96.49
TOTAL Expenditures		161,095.00	155,441.03	5,893.75	5,653.97	96.49
Fund 812 - SPECIAL ASSESSMENT FUND:						
TOTAL REVENUES		161,095.00	34,862.29	95.72	126,232.71	21.64
TOTAL EXPENDITURES		161,095.00	155,441.03	5,893.75	5,653.97	96.49
NET OF REVENUES & EXPENDITURES		0.00	(120,578.74)	(5,798.03)	120,578.74	100.00
TOTAL REVENUES - ALL FUNDS		14,978,425.00	11,205,200.00	530,413.94	3,773,225.00	68.63
TOTAL EXPENDITURES - ALL FUNDS		14,978,425.00	10,279,164.20	566,243.01	4,699,260.80	68.63
NET OF REVENUES & EXPENDITURES		0.00	926,035.80	(35,829.07)	(926,035.80)	100.00

McGINTY, HITCH, HOUSEFIELD, PERSON,
YEADON & ANDERSON, P.C.

MEMORANDUM

TO: Mason City Council

FROM: Thomas M. Hitch, City Attorney

RE: **CITY ATTORNEY REPORT**

DATE: May 11, 2016

The following is my report to the City Council on several issues in which our office has been engaged:

1. ***Marcia O'Brien and Richard O'Brien v City of Mason, et al***

As I advised the Council in my last report, Marcia and Richard O'Brien have filed suit against the City of Mason and Sgt. Mark Reckling as it related to an event which occurred on August 30, 2015. We received correspondence from our insurer which indicated that, since the O'Briens were seeking additional relief other than damages, the insurer would only defend those damage portions of the lawsuit. The O'Briens are seeking a declaratory judgment that the acts were unconstitutional and seeking an injunction that would require the City to further train police officers as it relates to citizen involvement in the monitoring of governmental and police action.

Given this, it is necessary that I take a more active role in this litigation. Unlike the *Randy Joy v City of Mason* matter (in which only damages are being sought), I will need to become involved and oppose, along with defense counsel for the insurer, the other forms of relief that are being sought by the O'Briens. I will be filing an appearance in the federal court and my name will be added to any of the pleadings filed by counsel for the insurer.

2. ***Attendance at Council meeting***

I will be attending this Council meeting. I met with Deb Stuart and Eric Smith to review attorneys fees and will participate in a discussion concerning the attorneys fees over the last two fiscal years.

bks

Mason City Council May 12, 2016

I am writing this letter out of my concern for the food trucks being able to park in downtown Mason. I have owned Salon 130 for 10 years. In my opinion having food trucks downtown will have a negative impact on downtown business. Here are my reasons and thoughts to consider.

Almost every day for the past 10 years my customers have complained about the lack of parking.

Food trucks could take up 15-20 parking spaces therefore having a negative impact on my business.

I have many elderly clients that already have a difficult time crossing the street or finding a place to park. if they have to park further away that is a concern for me.

I think it is great that we have a food truck in Mason. One food truck is fine but multiple food trucks is asking for trouble.

Parking away from downtown would be a better option.

Why would the City of Mason want to take business away from the restaurants that are in Mason, that pay taxes and contribute to the community?

Thank you for your time and consideration,

RECEIVED
MAY 12 2016
CITY ADMINISTRATOR

Jena Keller

Owner Salon 130

Mason City Council

201 W. Ash St

Mason, MI 48854

RECEIVED
MAY 03 2016
MASON CITY CLERK

RECEIVED
MAY 02 2016
CITY ADMINISTRATOR

Dear Council members,

Please accept my resignation from the Mason Traffic Commission. It has been an honor to have served on this commission for many years, and I thank you for the opportunity you gave me to do so.

Sincerely,

Roger Bauer

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: Deborah Stuart, City Administrator

DATE: May 12, 2016

RE: ITEM 13: City Administrator's Report

Outstanding Employees

- Fire Chief Minshall was recognized this week by the Brothers of Mason Lodge 70 as their Citizen of the Year for 2016. We are excited to see people in the community recognizing the great work of one of our leaders in our organization. Please congratulate the Chief the next time you see him.

City Council Follow-up

Legal Fees: The City Council requested a review of our legal fees due to increasing cost to the City. Attached you will find a summary document of how the fees are distributed based on type. Mr. Hitch and I are planning to discuss the document in more detail with the City Council at your meeting.

Columbia Street Sidewalk and Bridge: While it is the desire of the Council to provide a safe walkway on West Columbia Street from Goodman to Hayes Park, this is not possible due to concerns about liability and lack of authority to add sidewalk to the bridge or the approach to the bridge.

Staff plans to pursue sidewalk placement on the southern side of Columbia Street from Goodman to South Corbin Street. However, it should be noted that Summerwood is responsible to put in the sidewalk as part of their development. Based on our sidewalk policy, this project would also require payment of a portion of the sidewalk by some of the property owners in this area. We will be working with the property owners to determine if they would support a sidewalk agreement outside of the special assessment process to expedite the sidewalk installation. If they don't agree or we are

not able to secure their permission by July, this project will be delayed until next construction season and we will have to go through the hearing of necessity to provide the property owners with appropriate notice to comment prior to being assessed.

I want to be clear that I do not support any work on Columbia Street east of Corbin as the work would create a greater liability for the City. The City Council should not direct City staff to do something that we do not have permission to do on property that is part of the ROW by MDOT.

Construction Update (as of May 12, 2016)

East Street (Rieth Riley):

- Pavement base course placed
- Structures to be adjusted
- Final/Top course of pavement to be placed later in season

Rogers Street (Rieth Riley):

- Water service connection construction in progress
- Main Line Water Main final connections to begin week of May 16th

E. Oak Street (Rieth Riley):

- Main Line Water Main testing underway
- Water service connection construction to begin week of May 16th

Cherry Street (Rieth Riley):

- Sewer Construction to begin week of May 16th
- Expect school bus route disruption during sewer construction – coordination with school completed

Equipping of Well Nos. 9 & 10 (Birkmeier Well Drilling):

- Site work underway.

City of Mason
Legal Fee Summary
Fiscal Year 2014/15

	Retainer	Ordinance Drafting	Code Administration	Public Works	Real Estate	Code Enforcement	Police Trials	Collections	Taxes and Assessments	Tax Tribunal	Misc Expenses	Monthly Total	Misc and Other Category Detail
July 2014	171.27	91.00	39.00	377.00	52.00	-	4,631.25	39.00	-	728.00	1,118.00	**7,246.52**	FOIA - Stacy, Hude
August 2014	277.66	-	-	26.00	-	52.00	2,535.00	234.00	-	1,750.00	2,093.00	**6,967.66**	Reckling PPO, ATT Franchise
September 2014	214.72	-	-	195.00	-	104.00	3,968.25	-	-	574.00	1,066.00	**6,121.97**	CC Mtg., ATT Franchise
October 2014	153.19	104.00	26.00	520.00	91.00	130.00	4,446.00	26.00	-	1,232.00	299.00	**7,027.19**	CC Mtg., Audit Response
November 2014	152.14	728.00	-	26.00	-	26.00	4,767.75	-	-	406.00	715.00	**6,820.89**	CC Mtg.
December 2014	156.92	169.00	390.00	845.00	-	143.00	3,480.75	52.00	156.00	1,106.00	624.00	**7,122.67**	CC Mtg.
January 2015	163.19	91.00	-	26.00	78.00	65.00	4,270.00	65.00	-	504.00	1,027.00	**6,289.19**	CC Mtg.
February 2015	97.07	39.00	26.00	-	-	-	3,529.50	39.00	-	28.00	871.00	**4,629.57**	CC Mtg.
March 2015	159.01	988.00	-	-	-	507.00	4,650.75	104.00	-	756.00	78.00	**7,242.76**	CC Mtg.
April 2015	191.51	-	-	-	78.00	494.00	5,625.75	26.00	-	1,316.00	156.00	**7,887.26**	CC Mtg.
May 2015	86.25	91.00	299.00	-	208.00	403.00	6,072.00	52.00	-	942.00	1,313.00	**9,466.25**	CC Mtg., Ambulance Blood Draws
June 2015	266.29	741.00	3,380.00	52.00	39.00	182.00	4,894.50	-	39.00	1,431.00	2,652.00	**13,676.79**	CC Mtg., City Manager Contract
FY Total	**2,089.22**	**3,042.00**	**4,160.00**	**2,067.00**	**546.00**	**2,106.00**	**52,871.50**	**637.00**	**195.00**	**10,773.00**	**12,012.00**	**90,498.72**	
	2.31%	3.36%	4.60%	2.28%	0.60%	2.33%	58.42%	0.70%	0.22%	11.90%	13.27%	100.00%	

Note: Revenue from fines and forfeitures for year ended 6/30/15 totaled $16,090.58

City of Mason
Legal Fee Summary
Fiscal Year 2015/16

	Retainer	Ordinance Drafting	Code Administration	Public Works	Real Estate	Code Enforcement	Police Trials	Collections	Taxes and Assessments	Tax Tribunal	Misc Expenses	Monthly Total	Misc and Other Category Detail
July 2015	86.25	377.00	-	-	-	208.00	6,820.25	-	-	1,260.00	3,562.00	**12,313.50**	CC Mtg., Esquire Development
August 2015	226.28	2,652.00	1,950.00	-	104.00	26.00	5,762.25	-	-	675.00	481.00	**11,876.53**	CC Mtg, Manager Contract, Oil Drilling
September 2015	103.50	39.00	923.00			260.00	4,732.50	78.00		1,690.00	1,820.00	**9,646.00**	CC Mtg., Oil Drilling
October 2015	149.20	26.00	923.00			1,885.00	3,641.00			1,443.00	338.00	**8,405.20**	CC Mtg.
November 2015	150.96	117.00	468.00			143.00	4,784.25			923.00	78.00	**6,664.21**	CC Mtg., Stormwater Mngmt,Adult Foster Care
December 2015	147.95					169.00	4,650.75			458.00	897.00	**6,322.70**	City Manager contract
January 2016	201.85	26.00				416.00	6,925.25			4,023.00	325.00	**11,917.10**	City Manager search, CC Mtg.
February 2016	143.04	1,105.00	104.00		39.00	585.00	4,397.25			2,467.00	195.00	**9,035.29**	CC Mtg, Oil & Gas,
March 2016	139.93	104.00		52.00	663.00	338.00	4,670.25	26.00		607.00	1,027.00	**7,627.18**	Campaign Fin.,Water Quality, Oil & Gas.
April 2016	151.55	78.00			464.00	1,183.00	4,446.00				975.00	**7,297.55**	Campaign Fin.
	1,500.51	**4,524.00**	**4,368.00**	**52.00**	**1,270.00**	**5,213.00**	**50,829.75**	**104.00**	**-**	**13,546.00**	**9,698.00**	**91,105.26**	
	1.65%	4.97%	4.79%	0.06%	1.39%	5.72%	55.79%	0.11%	0.00%	14.87%	10.64%	100.00%	

Note: Revenue from fines and forfeitures through 4/30/16 total $21,437.42.