

**CITY OF MASON COUNCIL CHAMBERS
201 W. ASH ST., MASON, MICHIGAN
MASON CITY COUNCIL MINUTES
July 15, 2002**

The meeting was called to order at 7:33 p.m. by Mayor Whipple.

Present: Council Members: Soule, Naeyaert, Preadmore, Helbig, Clark, Whipple

Also present: Martin Colburn, City Administrator
Kathy Revels, Finance Director/Treasurer

Deborah Stein, Deputy Clerk

Absent: Council Member: Howe

Council Member Preadmore led in the Pledge of Allegiance and offered the invocation.

APPROVAL OF MINUTES - REGULAR COUNCIL MEETING: July 1, 2002

The Minutes of July 1, 2002 were approved as corrected.

APPROVAL OF BILLS

Motion by Soule, supported by Preadmore,

To approve the payment of the bills in the amount of \$145,568.62 as submitted.

VOTE: Yes (6) Soule, Naeyaert, Preadmore, Helbig, Clark, Whipple
No (0)

MOTION CARRIED

PEOPLE FROM THE FLOOR

- None

REGULAR BUSINESS

Presentation - Hayhoe Riverwalk - George Hayhoe

Mr. George Hayhoe presented a \$150,000 donation to complete the \$250,000 gift he and his family graciously gifted to the City for the construction of a Linear Park along the Sycamore Creek. Mr. Hayhoe thanked the council for their vision, Marty Colburn for recognizing the potential early on and his arduous work toward the goal, he thanked his family, his brother Pat, sister Nancy, brother Mike, and his mother and father (both deceased). He thanked his wife Lisa, an enthusiastic supporter from the first day. Mr. Hayhoe presented the \$150,000 check to Mayor Whipple.

Ordinance No. 137 - Refunding of 1990 Water Supply and Sewage Disposal System

Revenue

Bonds

Discussion was held on refunding the 1990 Water Supply and Sewage Disposal System Revenue Bonds to reissue at the current lower interest rate for an approximate savings of \$39,000 for the remainder of their term, to expire in 2006.

Motion by Preadmore, supported by Naeyaert,

To consider Ordinance No. 137 read for the first time.

VOTE: Yes (6) Soule, Naeyaert, Preadmore, Helbig, Clark, Whipple
No (0)

MOTION CARRIED

Resolution No. 2002-34 - Resolution of Council Appointment

Resolution No. 2002-34 was introduced by Preadmore and supported by Naeyaert

RESOLUTION OF CITY COUNCIL APPOINTMENT

July 15, 2002

BE IT HEREBY RESOLVED, that the City Council of the City of Mason does hereby make the following appointments commencing July 15, 2002, ending December 31, 2002.

Cable Commission

**Markham T. Farrell
Phil Birdsall**

Yes: (6) Soule, Naeyaert, Preadmore, Helbig, Clark, Whipple
No: (0)

CLERK'S CERTIFICATION: I hereby certify that the foregoing is a true and accurate copy of a resolution adopted by the Mason City Council at its regular meeting on July 15, 2002, the original of which is part of the City Council's minutes.

Martin A. Colburn, Clerk
City of Mason, Ingham County

Resolution No. 2002-35 - Resolution of Bid - 2002 Special Assessment Bonds

Resolution No. 2002-35 was introduced by Preadmore and supported by Naeyaert.

**CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2002-35**

2002 SPECIAL ASSESSMENT BONDS

A regular meeting of the City Council of the City of Mason, Ingham County, Michigan, was held in the City Council Chambers, 201 West Ash Street, Mason, Michigan, on Monday, the 15th day of July, 2002, at 7:30 p.m.

The meeting was called to order at 7:30 p.m. by Mayor Whipple.

Present: Council Members: Soule, Naeyaert, Preadmore, Helbig, Clark, Whipple
Absent: Council Member: Howe

The following resolution was offered by Council Member Preadmore and supported by Council Member Naeyert:

WHEREAS, the City of Mason, Ingham County, Michigan (the "Issuer") has approved the issuance of the Issuer's Sidewalk Improvement Special Assessment Bonds, Series 2002, in the aggregate principal sum of \$50,000 (the "Bonds"); and

WHEREAS, the City Council has authorized the City Clerk and Finance Director/Treasurer, or a designee thereof, to solicit bids for the purchase of the Bonds from local financial institutions, or negotiate the sale of the Bonds to a local financial institution, and the City Clerk and Finance Director/Treasurer have obtained such bids; and

WHEREAS, the negotiated bid of three percent (3%) is attached hereto as Exhibit "A".

IT WAS MOVED by Council Member Preadmore and seconded by Council Member Naeyert that:

1. The negotiated bid of three percent (3%), for the purchase of not to exceed \$50,000 of the Bonds of the City, authorized by the City Council at meetings on March 4, 2002, and April 15, 2002, be accepted.

2. The Finance Director/Treasurer be and is hereby authorized and directed to open a special bank account with the Dart Bank of Mason, Michigan, to be designated 2002 SIDEWALK IMPROVEMENTS CAPITAL PROJECTS FUND.

3. The Finance Director/Treasurer is further directed to cause the proceeds from the sale of the above-referenced Bonds to be deposited into the herein established Capital Projects Fund and to cause any accrued interest received at the time of delivery to be transferred to the 2002 SIDEWALK IMPROVEMENTS CAPITAL PROJECTS FUND.

4. The Issuer hereby designates the Bonds of this issue as "qualified tax-exempt obligations" for purposes of deduction of interest expense by financial institutions under the provisions of the Internal Revenue Code of 1986, as amended. The Issuer further covenants to comply with existing provisions of the Internal Revenue Code of 1986, as amended, necessary to maintain the exclusion of interest on the Bonds from gross income.

5. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be, and the same are, hereby rescinded.

Yeas: Council Members (6) Soule, Naeyaert, Preadmore, Helbig, Clark, Whipple
Nays: Council Members (0) None

Absent: Council Member (1) Howe

Resolution declared adopted.

Martin A. Colburn, City Clerk
City of Mason

STATE OF MICHIGAN)

COUNTY OF INGHAM)^{ss}

I, the undersigned, the duly qualified clerk of the City of Mason, Ingham County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and complete copy of the proceedings taken by the City Council at a regular meeting held on the 15th day of July, 2002.

IN WITNESS WHEREOF, I have hereunto affixed my official signature this 15th day of July, 2002.

Martin A. Colburn, City Clerk
City of Mason

Resolution No. 2002-36 - Resolution City Administrator's Contract

Discussion was held on updating the current City Administrator's contract to match current salary and practices.

Resolution No. 2002-36 was introduced by Preadmore and supported by Howe.

**CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2002-36
July 15, 2002**

CITY ADMINISTRATOR'S EMPLOYMENT CONTRACT UPDATE

BE IT HEREBY RESOLVED by the City Council of the City of Mason that it does hereby authorize the Mayor to execute the attached contract between the City of Mason and Martin Colburn to fill the position of City Administrator/City Clerk.

YES: (6) Soule, Naeyaert, Preadmore, Helbig, Clark, Whipple

NO: (0)

CLERK'S CERTIFICATION: I hereby certify that the foregoing is a true and accurate copy of a resolution adopted by the City Council at its regular meeting held Monday, July 15, 2002, the original of which is part of the Council's minutes.

Martin A. Colburn
City of Mason
Ingham County, Michigan

Resolution No. 2002-37 - Resolution for Changing MERS Benefits, Mason City Employees Charter of Local #1390 Council #25, AFSCME, AFL-CIO

Resolution No. 2002-37 was introduced by Naeyaert and supported by Preadmore.

**CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2002-37**

**RESOLUTION FOR CHANGING MERS BENEFITS,
MASON CITY EMPLOYEES CHAPTER OF LOCAL #1390 COUNCIL #25, AFSCME, AFL-CIO**

July 15, 2002

WHEREAS, the City Council of the City of Mason has ratified an Agreement between the City of Mason and Mason City Employees, Chapter of Local #1390, Council #25, American Federation of State, County, and Municipal Employees, dated July 1, 2001 - June 30, 2004; and

WHEREAS, per the Agreement, effective July 1, 2002, the amount the employees are currently contributing into the existing pension program shall be reduced by one percent (1%) and effective July 1, 2003, the amount the employees are contributing into the program shall be reduced by an additional one percent (1%);

THEREFORE BE IT RESOLVED, that the Mason City Council does hereby authorize the City Administrator to certify the attached MERS Resolution effective July 1, 2002 and the attached MERS Resolution effective July 1, 2003.

Yes: (6) Soule, Naeyaert, Preadmore, Helbig, Clark, Whipple

No: (0)

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 on Monday, July 15, 2002, the original of which is a part of the Council's minutes.

Martin A. Colburn, Clerk
City of Mason
Ingham County, Michigan

Quote - Portable Flowmeters, (ISCO)

It was discussed that three bids were submitted for two ISCO flowmeters. The meters monitor the flows in the sanitary sewer lines. The information collected is then downloaded into a computer. The meters are moved to various points in the sanitary system periodically.

Motion by Preadmore, supported by Naeyaert,

To award the bid for two ISCO flowmeters to Hamlett Engineering Sales Company in the amount of \$9,600.

VOTE: Yes (6) Soule, Naeyaert, Preadmore, Helbig, Clark, Whipple
No (0)

DOWNTOWN PARKING PERMITS

It was discussed that this item was deferred from the last meeting to allow the DDA to consider the request by Mr. Dan Schlattman to reduce the current \$25 per month fee to park overnight in municipal parking lots downtown to \$20 a year. City Administrator Colburn recommended to reduce the fee to \$100 a year per car. At their last meeting, the DDA voted to support the City Administrator's recommendation.

Motion by Helbig, supported by Soule,

To revise the overnight downtown parking permit fee to \$100 per year, per car, in the municipal parking lots downtown, charged to the landlords on a yearly basis, who are required to obtain the permit to be used by any tenant during the permit year provided that the specific car is identified and registered with the city as being the user of the permit.

VOTE: Yes (6) Soule, Naeyaert, Preadmore, Helbig, Clark, Whipple
No (0)

MOTION CARRIED

Street Closure Request - Mark Street

Discussion was held on the request from Mark Street resident Greg Rumler to close the street to traffic from 11:00 a.m. to 10:00 p.m. to hold the "Second Annual Mark Street Block Party" on Saturday, August 3, 2002. Sidewalks will remain clear for pedestrians and residents will have vehicle access. Residents will communicate with the DPW to obtain the appropriate barriers.

Motion by Preadmore, supported by Naeyaert,

To allow the closure of Mark Street on August 3, 2002 from 11:00 a.m. to 10:00 p.m. for a block party.

VOTE: Yes (6) Soule, Naeyaert, Preadmore, Helbig, Clark, Whipple
No (0)

MOTION CARRIED

UNFINISHED BUSINESS

- Mayor Whipple asked Administrator Colburn to work with Attorney McGinty and city staff to submit a recommendation on parking solutions for Devon Hills residents and changes that would be made to the ordinance now that the sidewalks are being installed.

NEW BUSINESS

- None

COUNCIL CORRESPONDENCE

- American Legion Post #148
It was discussed that a Cemetery Board meeting will be scheduled to discuss installation of gates at the Maple Grove Cemetery.

LIAISON REPORT**Cable Commission**

- The next Cable Commission meeting is July 17, 2002. Council Member Preadmore indicated that he will need to find a substitute for Cable Commission meeting because he will not be available to substitute for council Member Helbig as he had planned.

Planning Commission

- Mayor Pro Tem Soule commented that the Planning Commission is requesting the Council to meet with them at 6:00 p.m., Monday, August 19th to discuss what is in hand at that point for the master plan. It is expected that all the groups will have a written report for review.

Downtown Development Authority

- None

ADMINISTRATOR'S REPORT

Administrator Colburn commented that it was determined at the May 7, 2001 council meeting to transfer the 447 S. Jefferson property to the city's DDA and that 50% of the ultimate net profit would be given back to the city's General Fund. He stated that it appears that the legislature has found resolution to the budget woes that will not cut into State Shared Revenues. Council Member Naeyaert stated that both the House and the Senate approved the cigarette tax increase for August 1, 2002. One of the benefits of the tax increase is that revenue sharing will not be cut this year for communities like Mason. Mr. Rick Clark, V.P. Governmental Relations has indicated that he will try to make the next Cable Commission meeting to address issues with Channel 10 reception. Administrator Colburn commented that MDOT and Tri-County Planning have confirmed that the funds are secured for the City of Mason and the State Street project. The deadline for the 45-day comment period is July 17th.

PEOPLE FROM THE FLOOR

- None

ADJOURNMENT

Being there was no further business the meeting adjourned at 8:12 p.m.

Martin A. Colburn, City Clerk

Russell W. Whipple, Mayor