

**CITY OF MASON  
REGULAR CITY COUNCIL MEETING  
MINUTES OF NOVEMBER 21, 2005**

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

Present: Councilmembers: Bruno, Clark, Coady, Johnson, Mulvany, Naeyaert, Whipple  
Also present: Martin Colburn, City Administrator  
Kathy Revels, Finance Director/Treasurer  
Dennis McGinty, City Attorney  
Joe Dean, DPW Director  
Dennis O'Brien, Cemetery & Parks Superintendent  
Deborah Cwiertniewicz, Deputy City Clerk

**APPROVAL OF MINUTES - REGULAR COUNCIL MEETING: November 7, 2005**

The Minutes of November 7, 2005 were approved as corrected.

**APPROVAL OF BILLS**

MOTION by Whipple, second by Coady,  
To approve the payment of bills in the amount of \$77,424.21 as submitted.  
MOTION APPROVED UNANIMOUSLY

**PEOPLE FROM THE FLOOR**

None.

**REGULAR BUSINESS**

**Resolution No. 2005-54 – Acceptance of Orchard Lane Utilities As Public Infrastructure**

MOTION by Whipple, second by Bruno,  
To consider Resolution No. 2005-54 as read with the following amendment: In the last paragraph, following the last word of the sentence, *infrastructure*, insert "*and does hereby authorize the City Administrator to execute the Performance Guarantee Agreement included by reference as part of this resolution.*"  
MOTION APPROVED UNANIMOUSLY

**Resolution No. 2005-54** was introduced by Mulvany and seconded by Whipple.

MOTION by Whipple, second by Johnson,  
To amend Section (D) of the Financial Guarantee of Performance by striking the last word of the paragraph, "*City*" and insert "*owner to the city.*"

Discussion ensued. The city has determined to perform the work for the amount of the Financial Guarantee of Performance.

VOTE:

Yes (0)

No (7) Bruno, Clark, Coady, Mulvany, Johnson, Whipple, Naeyaert

MOTION FAILED

**CITY OF MASON  
CITY COUNCIL RESOLUTION NO. 2005-54  
ACCEPTANCE OF ORCHARD LANE UTILITIES  
AS PUBLIC INFRASTRUCTURE  
November 21, 2005**

**WHEREAS**, Orchard Lane, sanitary sewer, drinking water and storm sewer systems have been constructed on private property currently owned by GREEN PARK TOWNHOMES LIMITED DIVIDEND HOUSING ASSOCIATION LIMITED PARTNERSHIP; and

**WHEREAS**, the City of Mason desires to obtain permanent ownership of Orchard Lane from GREEN PARK TOWNHOMES LIMITED DIVIDEND HOUSING ASSOCIATION LIMITED PARTNERSHIP; and

**WHEREAS**, the above described street and utilities have been constructed to standards acceptable to the City of Mason; and

**WHEREAS**, a Performance Guarantee Agreement in the amount of \$5,000 is required to complete three driveway approaches; and

**WHEREAS**, the warranty Quit Claim Deed has been reviewed and approved by the City's attorney;

**NOW THEREFORE BE IT RESOLVED**, that the Mason City Council does hereby accept Orchard Lane and utility systems within as public infrastructure and does hereby authorize the City Administrator to execute the Performance Guarantee Agreement included by reference as part of this resolution.

Yes (7) Bruno, Clark, Coady, Johnson, Mulvany, Naeyaert, 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, November 21, 2005 the original of which is part of the City Council minutes.

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

RESOLUTION APPROVED UNANIMOUSLY

**Resolution No. 2005-57 – Change Authorization for the Standard Streetlighting Contract Between the City and Consumers Energy Company**

**Resolution No. 2005-57** was introduced by Whipple and seconded by Mulvany.

**CITY OF MASON  
CITY COUNCIL RESOLUTION NO. 2005-57  
CHANGE AUTHORIZATION FOR THE  
STANDARD STREETLIGHTING CONTRACT  
BETWEEN THE CITY AND CONSUMERS ENERGY COMPANY  
November 21, 2005**

**WHEREAS**, it is hereby deemed advisable to authorize Consumers Energy Company to make changes in the streetlighting service as provided in the Standard Streetlighting Contract between the Company and the City of Mason, dated October 28, 1977, in accordance with the Authorization for Change in Standard Streetlighting Contract for Work Order Number 06326066 for the installation of one (1) streetlight on Trillium Drive near the intersection with Hull Road, heretofore submitted to and considered by the Council;

**NOW THEREFORE BE IT RESOLVED**, that the Mayor and City Clerk be and are authorized to execute such authorization for change on behalf of the City of Mason.

Yes (7) Bruno, Clark, Coady, Johnson, Mulvany, Naeyaert, 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, November 21, 2005 the original of which is part of the City Council minutes.

\_\_\_\_\_  
City Clerk  
City of Mason  
Ingham County, Michigan

RESOLUTION APPROVED UNANIMOUSLY

**Motion – Tree Trimming Contract**

In response to a question to clarify, O'Brien explained the cost of transplanting trees as presented in the proposal submitted by Ayles Tree Service.

MOTION by Bruno, second by Clark,  
To approve the proposal as submitted by Ayles Tree Service for the year 2006.  
MOTION APPROVED UNANIMOUSLY

**Bid – Assessing Contract**

Colburn stated that he and Revels consulted Doug Stover, Ingham County Equalization Director, regarding fulfilling the city assessor position. Those discussions, the work that was done in the last five years, and the work that is currently being done under contract, presented the opportunity to privatize this city service. In the spirit of trying to build a different and better financial picture for the next budget season, they have chosen to take a look at this approach, and of the two bids received, they are recommending to enter into an agreement with HSC Services, Inc. for contracted assessing services for one year.

Motion by Whipple, second by Coady,  
To allow the City Administrator to sign an agreement with HSC in the amount of \$40,800 for contracted assessing services.

Discussion ensued. In response to Johnson asking if HSC's references had been checked, Revels stated yes. Mulvany asked if the new policy to reassess the entire city on a four-year cycle would continue, Colburn responded that Mr. Stover stated that Mason is in good shape and could continue with maintenance. He added that in 1999, the State of Michigan contacted the City regarding their concern that Mason was behind because the "override" mode (a standard formula used to estimate increased property value) was being used rather than physical assessments. An aggressive three-year method was instituted and completed by the City Assessor. A three-year contract was then entered into with Landmark Appraisal Company to follow through with that approach.

Johnson asked what was included in the bid request and Revels responded. He also asked why Landmark didn't bid for the contract and Revels stated that she didn't know. Bruno quoted a report submitted to Council 8-2-04 from the finance department, recommending Land Mark Appraisal because of dissatisfaction with HRC and he asked what had changed? Revels stated that there had been a miscommunication at that time. Currently, the working relationship is good. Clark asked if the city planned to reassess a quarter of the city each year so that it doesn't

fall behind again. Colburn stated that it was planned to be done in four years, but had been completed in three years, so the three year plan will be maintained. Bruno asked if the attorney had reviewed the contract and McGinty stated that he had not. Colburn stated that it was similar to filling a personnel position, and because it was for only one year, he proceeded forward.

**ROLL CALL VOTE:**

Yes (4) Coady, Mulvany, Whipple, Naeyaert

No (3) Bruno, Clark, Johnson

**MOTION APPROVED**

**UNFINISHED BUSINESS**

None.

**NEW BUSINESS**

Whipple informed Council that he attended the soccer event that evolved from NBC's program, Three Wishes. They granted the wish of Magen Salmon to meet with professional soccer player Brandy Chastaine. The Mason Heat Soccer Team spent the day being coached by Ms. Chastaine and then played against the Williamston team.

**CORRESPONDENCE**

All correspondence was distributed.

**LIAISON REPORTS**

- Coady informed Council that the Library ad hoc committee will have a report to present before the end of the year.
- Clark informed Council regarding Planning Commission business.
- Whipple informed Council regarding the Zoning Ordinance Review Committee progress.
- Naeyaert informed Council that she presented the issue of dumpsters located in alleyways to the Downtown Development Authority and asked if they had a plan to manage them. They responded that there are plans for those located on Ingham Court. Beyond that, the Council could make a determination for dumpsters in city alleyways.

**ADMINISTRATOR'S REPORT**

Colburn informed the Council on current city business.

**PEOPLE FROM THE FLOOR**

None.

**ADJOURNMENT**

The meeting adjourned at 8:35 p.m.

---

Martin A. Colburn, City Clerk

---

Robin C. Naeyaert, Mayor