

**CITY OF MASON
REGULAR CITY COUNCIL MEETING
MINUTES OF JULY 17, 2006**

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

Present: Councilmembers: Bruno, Clark, Coady, Johnson, Mulvany, Whipple
Absent: Councilmember: Naeyaert
Also present: Martin Colburn, City Administrator
Kathy Revels, Finance Director/Treasurer
John Stressman, Police Chief
Chris Colligan, Building Inspector/Code Enforcement
Dennis McGinty, City Attorney
Deborah Cwiertniewicz, Deputy City Clerk

APPROVAL OF MINUTES - REGULAR COUNCIL MEETING: July 5, 2006

MOTION by Coady, second by Whipple,
to approve the Minutes of July 5, 2006 as corrected.
MOTION APPROVED UNANIMOUSLY

APPROVAL OF BILLS

Discussion was held regarding the protocol and distribution of the bills to the Council.

MOTION by Whipple, second by Coady,
to approve the payment of bills in the amount of \$210,415.83 as submitted.
Yes (5) Bruno, Clark, Coady, Mulvany, Whipple
No (1) Johnson
Absent (1) Naeyaert
MOTION APPROVED

PEOPLE FROM THE FLOOR

None.

REGULAR BUSINESS

Presentation – Landmark Appraisers

Scott Cunningham stated that he is the City Assessor, employed by HRC. He stated that residential assessments are being performed this year for the 2007 Assessment Roll. Johnson stated that he had asked that an explanation of the protocol and activities for residential appraisals be presented. In response, Mark MacDermaid of Landmark Appraisers gave a brief explanation.

Resolution No. 2006-25 – Recommendation to Capital Area District Library and Public by Establishing the City of Mason’s Position on the CADL Extended Millage and Additional Millage Ballot Question

Colburn commented briefly regarding a meeting that was held with the Mayor, Quenda Story-Library Board Chair, Sue Hill-Library Director, and himself on May 31, as well as a letter he received last Thursday, dated July 13, 2006 from Quenda Story. Colburn recommended that he and the Mayor attend the CADL Board Meeting to express what the public stance is. He also recommended utilizing the Lansing State Journal to make a statement regarding the public stance, either by a letter to the editor or with the “Point of View”. Discussion ensued.

Resolution No. 2006-25 was introduced by Coady and seconded by Bruno.

**CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2006-25
RECOMMENDATION TO CAPITAL AREA DISTRICT LIBRARY AND PUBLIC BY ESTABLISHING THE
CITY OF MASON’S POSITION ON THE CADL EXTENDED MILLAGE AND ADDITIONAL MILLAGE
BALLOT QUESTION
July 17, 2006**

WHEREAS, the Capital Area District Library came into existence in 1997 when Ingham County and the Lansing School District announced its decision to create an agreement for the formation of a District Library as the Capital Area District Library (CADL); and

WHEREAS, CADL has provided successful operations and services; and

WHEREAS, CADL is proposing a millage renewal for current staffing and operations as well as a millage increase of .1181 mills, totaling millage to 1.56; and

WHEREAS, this additional funding is for additional operational costs and staffing; and

WHEREAS, the City of Mason has made proposals for future strategic plans and changes in CADL policy to address the needs of Branch Libraries to include the Mason Branch Library; and

WHEREAS, there are inequities in the current policy of branch libraries building maintenance being paid for by local communities while the City of Lansing does not pay for the Main Library building costs less administrative offices; and

WHEREAS, local entities that do not provide facilities do not participate in costs of facilities used; and

WHEREAS, the City of Mason has expressed concerns of inequitable practices and policies of CADL, as well as made recommendations that CADL participate and partner financially with local governments for capital expenses at the strategic planning and community planning committee meetings; and

WHEREAS, CADL, as a government entity has an obligation by duty and sense to respond, address and correct inappropriate inequities and discriminatory practices by establishing itself with fair policies and practice.

NOW, THEREFORE BE IT RESOLVED, that the Mason City Council does not support the millage increase for additional operations and staffing.

BE IT FURTHER RESOLVED, that the current millage collected needs to reflect CADL responding to local governments by financially participating and partnering with significant capital funding for projects which house CADL’s services and operations, thus rectifying the funding inequities that exist today.

YES (6) Bruno, Clark, Coady, Johnson, Mulvany, Whipple

NO (0)

ABSENT (1) Naeyaert

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 17, 2006, the original of which is part of the Council’s minutes.

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

RESOLUTION APPROVED

Resolution No. 2006-26 – A Resolution Recommending that the City Council Approve a Request Draw on a Cash Bond to Install Required Site Improvements at 558 N. Cedar Street (Mason Plaza)

Discussion was held regarding the failure of Vlahakis Companies, on behalf of NUCO to install site improvements according to the special use permit and site plans, approved by the City Council January 20, 2006. Resolution No. 2006-26 was introduced by Mulvany and seconded by Coady. Johnson requested to abstain from this item due to a financial conflict.

Motion by Mulvany, second by Coady,
to allow Councilmember Johnson to abstain from this issue due to financial reasons.
MOTION APPROVED UNANIMOUSLY

**CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2006-26
A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL APPROVE A REQUEST DRAW
ON A CASH BOND TO INSTALL REQUIRED SITE IMPROVEMENTS AT 558 N. CEDAR
STREET (MASON PLAZA)
July 17, 2006**

WHEREAS, NUCO, LLC, was issued a special use permit and site plan approval for a community commercial center (Mason Plaza) located at 558 N. Cedar Street, Mason, with the condition that the site improvements shown on the approved site plan dated January 20, 2006 are completed; and

WHEREAS, Vlahakis Companies, on behalf of NUCO, submitted a construction schedule indicating that the site improvements would be completed by April 15, 2006; and

WHEREAS, a site inspection was conducted on July 11, 2006. Upon inspection it was observed that the following site improvements shown on the approved site plan were not completed:

1. Pedestrian walkway striping from the building to the Cedar Street sidewalk.
2. Handicap signage at the appropriate barrier free parking spaces.
3. The parking space striping at the west end of the parking lot.
4. Two stop signs at the east end of the parking area to control truck traffic; and,

WHEREAS, after repeated site plan violation notices pursuant to Section 94-98(d) for failure to install the above-described improvements on May 11 and 31, 2006, corrective action was not taken by the property owner (NUCO, LLC) or property manager (Vlahakis Companies); and,

WHEREAS, the City of Mason did receive a cash bond in the amount of \$10,000.00 for the installation of the above-described improvements on March 21, 2006; and,

WHEREAS, the City Council has the authority to authorize the use of said cash surety pursuant to Section 94-100(c) and 74-163(1)(d) where the proprietor of a development fails to complete required site improvements.

NOW THEREFORE BE IT RESOLVED, that the City Council approves the request to draw on the cash bond submitted by Vlahakis Companies to install the required site improvements described in this resolution at 558 N. Cedar Street (Mason Plaza), Mason.

Yes (5) Bruno, Clark, Coady, Mulvany, Whipple
No (0)
Abstain (1) Johnson
Absent (1) Naeyaert

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 17, 2006, the original of which is part of the City Council minutes.

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

RESOLUTION APPROVED UNANIMOUSLY

Traffic Control Order 02-2006 - Making Orchard Lane A Stop Street At W. Columbia Street

Motion by Whipple, second by Johnson,
to approve TCO 02-2006,
MOTION APPROVED UNANIMOUSLY

Traffic Control Order 03-2006 – Extending Speed Limit on Barnes Street

Motion by Whipple, second by Johnson,
to approve TCO 03-2006,
MOTION APPROVED UNANIMOUSLY

Traffic Control Order 04-2006 - Setting Speed Limits for City Owned Parks

Motion by Whipple, second by Johnson,
to approve TCO 04-2006,
MOTION APPROVED UNANIMOUSLY

Report – Code Enforcement Update – Chris Colligan, Code Enforcement Officer

Chris Colligan reported to the Council regarding general and specific code enforcement issues as well as the code enforcement protocol and procedures.

UNFINISHED BUSINESS

None.

NEW BUSINESS

- Clark stated that the Flea Market parking on Lansing Street is burdening the neighborhood and asked that it be investigated.
- Clark stated that there is sidewalk missing on Peachtree Place where the property owner had informed the city that they were making improvements; however, if they didn't, they would install the sidewalk. Staff will investigate.
- Mulvany stated that he was informed that there is broken and caved in sidewalk on S. Barnes Street, south of South Street. Staff will investigate.
- Johnson stated that it was great to see the Farmer's Market open this weekend.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

- Coady informed Council regarding Planning Commission business. Specific discussion was held regarding the 8.08 acres rezoned on Temple Street.
- Clark informed Council regarding DDA business.

ADMINISTRATOR'S REPORT

Colburn informed the Council regarding current city business. .

PEOPLE FROM THE FLOOR

Elaine Ferris, Friends of the Library President, informed the Council that the Friends of the Library are holding another fund raiser. She also provided statistical information regarding libraries and their users.

ADJOURNMENT

Being that there was no further business the meeting adjourned at 9:04 p.m.

Martin A. Colburn, City Clerk

Leon Clark, Mayor