

**CITY OF MASON  
REGULAR CITY COUNCIL MEETING  
MINUTES OF APRIL 5, 2010**

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

Present: Councilmembers: Bruno, Clark, \*Ferris, Johnson, Tornholm, Waltz  
Absent: Councilmember: Naeyaert  
Also present: Martin Colburn, City Administrator  
Eric Smith, Finance Director/Treasurer  
Deborah Cwierniewicz, Deputy City Clerk  
Sam Bibler, POTW Supervisor  
Marco Broggio, DDA Executive Director  
Kathy Revels, Administrative Services Director  
Mark Howe, Building Authority Board Member/Asst Fire Chief

**ANNOUNCEMENTS**

None.

\*Ferris arrived at 7:31 p.m.

**PEOPLE FROM THE FLOOR**

Al Shulien of 725 East Ash Street, representing the Friends of Rayner Park, urged Council to do whatever they could do to save Rayner Park.

Jon Droscha of 218 Peachtree Place stated that as co-owner of Dairy Hill located at 601 East Ash Street he is often asked about the future of Rayner Park and asked Council to verify the facts for him to inform those who ask. Council confirmed that Ingham County has officially closed Rayner Park, and the City is having discussions with the County regarding Rayner Park. Mr. Droscha asked Council to consider maintaining Rayner Park as a park. Mr. Droscha stated that he thinks the City could make it the premier park in Ingham County, and would also acquire three soccer fields, a softball diamond, a new disc golf course, and it could be used to complete the Hayhoe Riverwalk loop. He expressed various concerns if the park is left closed and unattended.

Paul Rogers of 814 West Grand River, Howell, Michigan, introduced himself and informed Council that he is a State Senate candidate for the 22<sup>nd</sup> District.

Tony Klain of 810 South Barnes Street stated that he was a committee member of the Friends of Rayner Park group and supported keeping the park open. He would be willing to volunteer to help with park maintenance if the City accepted the park.

Sam Chrome of 822 Roosevelt spoke regarding City policy for the Hayes and Bond Park baseball fields. He asked Council to consider changing the current policy and to remove tournament fees. He stated that the Nazarene Church is going to have softball, baseball, and soccer fields at their new complex. Mr. Chrome stated that non-profit groups will be applying for grants through the Major League Baseball Fund to build the sport fields there. He stated the grant would require City involvement and asked the Council to be involved in the process. In addition, he stated that he supports the City saving Rayner Park adding that the City should approach the Major League Baseball Fund to help maintain the fields at Rayner Park. Mayor Clark asked the City Administrator to provide a report at the next regular meeting regarding the softball fields.

## **INTRODUCTIONS**

Clark introduced Marco Broggio, DDA Executive Director.

## **PRESENTATIONS**

### **Michigan Rural Water Association – Wastewater Utility of the Year 2010 Award**

Mayor Clark and Administrator Colburn presented Sam Bibler, Publicly Owned Treatment Works (POTW) Superintendent, the “Wastewater Utility of the Year 2010” sign awarded by the Michigan Rural Water Association to the Mason Waste Water Treatment Plant. Johnson stated that the late Mr. Rolland Olney must posthumously be thanked in recognition of his efforts which made the project a reality.

## **CONSENT AGENDA**

It was the consensus of Council to remove Item 8(B) *Approval of Bills*, and Item 8(F) *Motion – Street Closure Request for the Sun Dried Music Festival*, from the Consent Agenda.

MOTION by Tornholm, second by Bruno,  
to approve the Consent Agenda as follows:

- A. Approval of Minutes – Regular Council Meeting: March 15, 2010**
- B. Resolution No. 2010–11 – A Resolution In Support of Federal and State Efforts to Prevent the Asian Carp from Infiltrating the Great Lakes**

**CITY OF MASON  
CITY COUNCIL RESOLUTION NO. 2010-11  
A RESOLUTION IN SUPPORT OF FEDERAL AND STATE EFFORTS TO  
PREVENT THE ASIAN CARP FROM INFILTRATING THE GREAT LAKES  
April 5, 2010**

**WHEREAS**, the City of Mason wishes to express its unified support for all aggressive efforts to stop the Asian carp from entering Lake Michigan; and

**WHEREAS**, Asian carp was brought to the United States from Taiwan in 1972;

**WHEREAS**, Asian carp was classified as an invasive species by the United States Department of the Interior in 2007 under the Lacey Act; and

**WHEREAS**, Asian carp have proven to be remarkably effective at adapting to and reproducing in the freshwaters of the United States of America; and

**WHEREAS**, this invasive species insatiably consumes forty percent (40%) of its own body weight each day and can grow to weigh one-hundred pounds (100 lbs.); and

**WHEREAS**, the rapid expansion of this invasive species has shown to decrease the abundance of indigenous mussels, other invertebrates and fish species; and

**WHEREAS**, Asian carp have migrated north via the Mississippi River and now threaten the Great Lakes ecosystem; and

**WHEREAS**, recent studies have conservatively associated more than 800,000 jobs with the Great Lakes; and

**WHEREAS**, the sport and commercial fishing of indigenous species and the associated fisheries in the Great Lakes are valued at more than \$7 billion; and

**WHEREAS**, the Great Lakes provide one-fifth (1/5) of the world's freshwater; and

**NOW, THEREFORE, BE IT RESOLVED** the Mason City Council hereby urges the United States Congress and the State of Michigan to take all necessary precautions to protect the Great Lakes from Asian carp and

the eventual disaster and devastation that an invasion of this species would pose to the Great Lakes ecosystem, and ultimately, the economies of the Great Lakes States.

**C. Resolution No. 2010-12 – A Resolution to Award the Bid for the Construction of a Communication Tower**

**CITY OF MASON  
CITY COUNCIL RESOLUTION NO. 2010-12  
A RESOLUTION TO AWARD THE BID FOR THE  
CONSTRUCTION OF A COMMUNICATION TOWER  
April 5, 2010**

**WHEREAS**, the City of Mason must maintain a communications tower for public safety; and

**WHEREAS**, the existing tower is damaged beyond repair and must be replaced; and

**WHEREAS**, a bid was publicly advertised and opened March 23, 2010 for the construction of a communication tower and subsequently evaluated by Central Solutions, Inc.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mason City Council does hereby award the bid to Northern Tower Erection, the qualified low bidder, in the amount of \$77,751.96.

**D. Resolution No. 2010-13 – A Resolution to Approve the Continuing Disclosure Agreement and to Authorize the City Administrator to Execute the Agreement on Behalf of the City of Mason**

**CITY OF MASON  
CITY COUNCIL RESOLUTION NO. 2010-13  
A RESOLUTION TO APPROVE THE CONTINUING DISCLOSURE  
AGREEMENT AND TO AUTHORIZE THE CITY ADMINISTRATOR TO  
EXECUTE THE AGREEMENT ON BEHALF OF THE CITY  
April 5, 2010**

A regular meeting of the City Council (the "City Council") of the City of Mason, Ingham County, Michigan (the "City"), was held in the City Hall, 201 West Ash Street, Mason, Michigan, on Monday, the 5th day of April, 2010, at 7:30 o'clock in the evening.

Present: Council Members: Bruno, Clark, Ferris, Johnson, Tornholm, Waltz

Absent: Council Member: Naeyaert

The following preamble and resolution were offered by Council Member Tornholm and supported by Council Member Bruno.

**WHEREAS:**

1. The City of Mason Building Authority (the "Building Authority") is in the process of issuing its bonds, designated as the "2010 Building Authority Bonds" (the "Bonds"), to finance the cost of acquiring, constructing, equipping and furnishing a city hall and police station building, together with necessary and related improvements and site improvements (the "Project"); and

2. The City Council previously adopted a resolution on April 20, 2009 to approve the Building Authority's proposed bond issue and to approve a related Full Faith and Credit General Obligation - Limited Tax Contract of Lease between the City and the Building Authority; and

3. Because the Bonds will be issued in the principal amount that exceeds One Million Dollars (\$1,000,000), it is necessary for the City, on behalf of the Building Authority, to disclose certain information regarding the City pursuant to federal securities law, and to agree to provide annual and periodic disclosure of such information to the market; and

4. In order to memorialize the City's agreement to provide annual and periodic disclosure of information, it is necessary for the City to enter into and execute a Continuing Disclosure Agreement in

substantially the form as attached hereto as **Exhibit A**; and

5. The City Council desires to approve the Continuing Disclosure Agreement in substantially the form as attached hereto as **Exhibit A**, and to authorize the City Administrator or a designee thereof to execute the Continuing Disclosure Agreement on behalf of the City.

**NOW, THEREFORE, BE IT RESOLVED THAT:**

1. The Continuing Disclosure Agreement for the Bonds is hereby approved in its substantial form as attached hereto as **Exhibit A**, and the City Administrator or a designee thereof is hereby authorized to execute the Continuing Disclosure Agreement on behalf of the City.

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

**EXHIBIT A**

**CITY CONTINUING DISCLOSURE AGREEMENT**

\$ \_\_\_\_\_

**CITY OF MASON BUILDING AUTHORITY  
COUNTY OF INGHAM  
STATE OF MICHIGAN**

**2010 BUILDING AUTHORITY BONDS  
(GENERAL OBLIGATION - LIMITED TAX)  
(FEDERALLY TAXABLE - BUILD AMERICA BONDS - DIRECT PAYMENT)**

This Continuing Disclosure Agreement (the "Agreement") is executed and delivered by City of Mason, County of Ingham, State of Michigan (the "City"), on behalf of itself and the City of Mason Building Authority, County of Ingham, State of Michigan (the "Issuer"), in connection with the issuance of the Issuer's \$ \_\_\_\_\_ 2010 Building Authority Bonds (General Obligation - Limited Tax) (Federally Taxable - Build America Bonds - Direct Payment) (the "Bonds"). The Bonds are being issued pursuant to a resolution adopted by the City Council of the City on April 20, 2009 and a resolution adopted by the Commission of the Issuer on February 10, 2010 (the "Resolution"). The City covenants and agrees as follows:

**SECTION 1. Purpose of the Disclosure Agreement.** This Agreement is being executed and delivered by the City for the benefit of the Bondholders and in order to assist the Participating Underwriters in complying with the Rule. The City acknowledges that this Agreement does not address the scope of any application of Rule 10b-5 promulgated by the SEC pursuant to the 1934 Act to the Annual Reports or notices of the Listed Events provided or required to be provided by the City pursuant to this Agreement.

**SECTION 2. Definitions.** In addition to the definitions set forth in the Resolution, which apply to any capitalized term used in this Agreement unless otherwise defined in this Section, the following capitalized terms shall have the following meanings:

"Annual Report" shall mean any Annual Report provided by the City pursuant to, and as described in, Sections 3 and 4 of this Agreement.

"Bondholder" means the registered owner of a Bond or any person which (a) has the power, directly or indirectly, to vote or consent with respect to, or to dispose of ownership of, any Bonds (including any person holding Bonds through nominees, depositories or other intermediaries), or (b) is treated as the owner of any Bond for federal income tax purposes.

"Dissemination Agent" means any agent designated as such in writing by the City and which has filed with the City a written acceptance of such designation, and such agent's successors and assigns.

"EMMA" shall mean the MSRB's Electronic Municipal Market Access which provides continuing disclosure services for the receipt and public availability of continuing disclosure documents and related information required by Rule 15c2-12 promulgated by the SEC.

"Listed Events" shall mean any of the events listed in Section 5(a) of this Agreement.

"MSRB" shall mean the Municipal Securities Rulemaking Board.

"1934 Act" shall mean the Securities Exchange Act of 1934, as amended.

"Official Statement" shall mean the final Official Statement for the Bonds dated \_\_\_\_\_, 2010.

"Participating Underwriter" shall mean any of the original underwriters of the Bonds required to comply with the Rule in connection with the offering of the Bonds.

"Resolution" shall mean the resolution duly adopted by the Issuer authorizing the issuance, sale and delivery of the Bonds.

"Rule" shall mean Rule 15c2-12 promulgated by the SEC pursuant to the 1934 Act, as the same may be amended from time to time.

"SEC" shall mean the Securities and Exchange Commission.

"State" shall mean the State of Michigan.

"State Repository" shall mean any public or private repository or entity designated by the State as a state repository for the purpose of the Rule and recognized as such by the SEC. Currently, the following is the State Repository:

Municipal Advisory Council of Michigan  
Buhl Building  
535 Griswold, Suite 1850  
Detroit, Michigan 48226  
Tel: (313) 963-0420  
Fax: (313) 963-0943  
E-Mail: mac@macmi.com

#### SECTION 3. Provision of Annual Reports.

(a) Each year, the City shall provide, or shall cause the Dissemination Agent to provide, on or prior to the 180th day after the end of the fiscal year of the City commencing with the fiscal year ending June 30, 2010, to EMMA and the State Repository an Annual Report for the preceding fiscal year which is consistent with the requirements of Section 4 of this Agreement. Currently, the Issuer's fiscal year ends on June 30. In each case, the Annual Report may be submitted as a single document or as separate documents comprising a package, and may include by specific reference other information as provided in Section 4 of this Agreement; provided, however, that if the audited financial statements of the City are not available by the deadline for filing the Annual Report, they shall be provided when and if available, and unaudited financial statements in a format similar to the financial statements contained in the Official Statement shall be included in the Annual Report.

(b) The Annual Report shall be submitted to EMMA either through a web-based electronic submission interface or through electronic computer-to-computer data connections with EMMA in accordance with the submission process, document format and configuration requirements established by the MSRB. The Annual Report shall also include all related information required by MSRB to accurately identify: (i) the category of information being provided; (ii) the period covered by the Annual Report; (iii) the issues or specific securities to which the Annual Report is related (including CUSIP number, City name, state, issue description/securities name, dated date, maturity date, and/or coupon rate; (iv) the name of any obligated person other than the City; (v) the name and date of the document; and (vi) contact information for the Dissemination Agent or the City's submitter.

(c) If the City is unable to provide to EMMA an Annual Report by the date required in subsection (a), the City shall send a notice in a timely manner to the MSRB and to the State Repository in substantially the form attached as Appendix A.

(d) If the City's fiscal year changes, the City shall send a notice of such change to the MSRB and to the State Repository in substantially the form attached as Appendix B. If such change will result in the City's fiscal year ending on a date later than the ending date prior to such change, the City shall provide notice of such change to the MSRB and to the State Repository on or prior to the deadline for filing the Annual Report in effect when the City operated under its prior fiscal year. Such notice may be provided to the MSRB and to the State Repository along with the Annual Report, provided that it is filed at or prior to the deadline described above.

SECTION 4. Content of Annual Reports. The City's Annual Report shall contain or include by reference the following:

(a) audited financial statements of the City prepared pursuant to State laws, administrative

rules and guidelines and pursuant to accounting and reporting policies conforming in all material respects to generally accepted accounting principles as applicable to governmental units as such principles are prescribed, in part, by the Financial Accounting Standards Board and modified by the Government Accounting Standards Board and in effect from time to time; and

(b) additional annual financial information and operating data as set forth in the Official Statement under "CONTINUING DISCLOSURE".

Any or all of the items listed above may be included by specific reference to other documents, including official statements of debt issues of the City or related public entities, which previously have been provided to each of the Repositories or filed with the SEC. If the document included by specific reference is a final official statement, it must be available from the MSRB. The City shall clearly identify each such other document so included by reference.

#### SECTION 5. Reporting of Significant Events.

(a) The City covenants to provide, or cause to be provided, notice of the occurrence of any of the following events with respect to the Bonds, if material, in accordance with the Rule:

- (1) principal and interest payment delinquencies
- (2) non-payment related defaults
- (3) unscheduled draws on debt service reserves reflecting financial difficulties
- (4) unscheduled draws on credit enhancements reflecting financial difficulties
- (5) substitution of credit or liquidity providers, or their failure to perform
- (6) adverse tax opinions or events affecting the tax-exempt status of the security
- (7) modifications to rights of security holders
- (8) bond calls
- (9) defeasances
- (10) release, substitution, or sale of property securing repayment of the securities
- (11) rating changes

(b) Whenever the City obtains knowledge of the occurrence of a Listed Event, the City shall as soon as possible determine if such event would constitute material information for the Bondholders, provided, that any event under Section 5(a)(1), (8), (9), (10) or (11) above (only with respect to any change in any rating on the Bonds) will always be deemed to be material.

(c) The City shall promptly cause a notice of the occurrence of a Listed Event, determined to be material in accordance with the Rule, to be electronically filed with EMMA and with the State Repository together with a material event notice cover sheet substantially in the form attached as Appendix C. In connection with providing a notice of the occurrence of a Listed Event described in Section 5(a)(9) above, the City shall include in the notice explicit disclosure as to whether the Bonds have been escrowed to maturity or escrowed to call, as well as appropriate disclosure of the timing of maturity or call.

(d) The City acknowledges that the "rating changes" referred to above in Section 5(a)(11) of this Agreement may include, without limitation, any change in any rating on the Bonds or other indebtedness for which the City is liable.

(e) The City acknowledges that it is not required to provide a notice of a Listed Event with respect to credit enhancement when the credit enhancement is added after the primary offering of the Bonds, the City does not apply for or participate in obtaining such credit enhancement, and such credit enhancement is not described in the Official Statement.

#### SECTION 6. Termination of Reporting Obligation.

(a) The City's obligations under this Agreement shall terminate upon the legal defeasance of the Resolution or the prior redemption or payment in full of all of the Bonds.

(b) This Agreement, or any provision hereof, shall be null and void in the event that the City (i) receives an opinion of nationally recognized bond counsel, addressed to the City, to the effect that those portions of the Rule, which require such provisions of this Agreement, do not or no longer apply to the Bonds, whether because such portions of the Rule are invalid, have been repealed, amended or modified, or are otherwise deemed to be inapplicable to the Bonds, as shall be specified in such opinion, and (ii) delivers notice to such effect to the MSRB, and to the State Repository, if any.

SECTION 7. Dissemination Agent. The City, from time to time, may appoint or engage a Dissemination Agent to assist it in carrying out its obligations under this Agreement, and may discharge any such Dissemination Agent, with or without appointing a successor Dissemination Agent.

SECTION 8. Amendment. Notwithstanding any other provision of this Agreement, this Agreement may be amended, and any provision of this Agreement may be waived to the effect that:

(a) such amendment or waiver is made in connection with a change in circumstances that arises from a change in legal requirements, a change in law or a change in the identity, nature or status of the City, or the types of business in which the City is engaged;

(b) this Agreement as so amended or taking into account such waiver, would have complied with the requirements of the Rule at the time of the primary offering of the Bonds, after taking into account any amendments or interpretations of the Rule, as well as any change in circumstances, in the opinion of independent legal counsel; and

(c) such amendment or waiver does not materially impair the interests of the Bondholders, in the opinion of independent legal counsel.

If the amendment or waiver results in a change to the annual financial information required to be included in the Annual Report pursuant to Section 4 of this Agreement, the first Annual Report that contains the amended operating data or financial information shall explain, in narrative form, the reasons for the amendment and the impact of such change in the type of operating data or financial information being provided. If the amendment or waiver involves a change in the accounting principles to be followed in preparing financial statements, the Annual Report for the year in which the change is made shall present a comparison between the financial statements or information prepared based on the new accounting principles and those prepared based on the former accounting principles. The comparison should include a qualitative discussion of such differences and the impact of the changes on the presentation of the financial information. To the extent reasonably feasible, the comparison should also be quantitative. A notice of the change in the accounting principles should be sent by the City to the MSRB and to the State Repository. Further, if the annual financial information required to be provided in the Annual Report can no longer be generated because the operations to which it related have been materially changed or discontinued, a statement to that effect shall be included in the first Annual Report that does not include such information.

SECTION 9. Additional Information. Nothing in this Agreement shall be deemed to prevent the City from disseminating any other information, using the means of dissemination set forth in this Agreement or any other means of communication, or including any other information in any Annual Report or notice of occurrence of a Listed Event, in addition to that which is required by this Agreement. If the City chooses to include any information in any Annual Report or notice of occurrence of a Listed Event in addition to that which is specifically required by this Agreement, the City shall have no obligation under this Agreement to update such information or include it in any future Annual Report or notice of occurrence of a Listed Event.

SECTION 10. Default. In the event of a failure of the City to comply with any provision of this Agreement, any Bondholder may take such actions as may be necessary and appropriate, including seeking mandamus or specific performance by court order, to cause the City to comply with its obligations under this Agreement. A default under this Agreement shall not be deemed an Event of Default under the Resolution or the Bonds, and the sole remedy under this Agreement in the event of any failure of the City to comply with the Agreement shall be an action to compel performance.

SECTION 11. Duties of Dissemination Agent. The Dissemination Agent shall have only such duties as are specifically set forth in this Agreement.

SECTION 12. Beneficiaries. This Agreement shall inure solely to the benefit of the City, the Dissemination Agent, the Participating Underwriters, and the Bondholders and shall create no rights in any other person or entity.

SECTION 13. Governing Law. This Agreement shall be construed and interpreted in accordance with the laws of the State, and any suits and actions arising out of this Agreement shall be instituted in a court of competent jurisdiction in the State. Notwithstanding the foregoing, to the extent this Agreement addresses matters of federal securities laws, including the Rule, this Agreement shall be construed and interpreted in accordance with such federal securities laws and official interpretations thereof.

CITY OF MASON  
COUNTY OF INGHAM  
STATE OF MICHIGAN

By: \_\_\_\_\_  
Its: City Administrator

Dated: \_\_\_\_\_, 2010

**APPENDIX A**

NOTICE TO THE MSRB AND TO THE STATE REPOSITORY  
OF FAILURE TO FILE ANNUAL REPORT

Name of Issuer: City of Mason Building Authority, Ingham County, Michigan

Name of City: City of Mason, Ingham County, Michigan

Name of Bond Issue: 2010 Building Authority Bonds (General Obligation - Limited Tax) (Federally  
Taxable - Build America Bonds - Direct Payment)

Date of Bonds: \_\_\_\_\_, 2010

NOTICE IS HEREBY GIVEN that the Issuer has not provided an Annual Report with respect to the  
above-named Bonds as required by Section 3 of its Continuing Disclosure Agreement with respect to the  
Bonds. The Issuer anticipates that the Annual Report will be filed by \_\_\_\_\_.

CITY OF MASON  
COUNTY OF INGHAM  
STATE OF MICHIGAN

By: \_\_\_\_\_  
Its: City Administrator

Dated: \_\_\_\_\_

**APPENDIX B**

NOTICE TO THE MSRB AND THE STATE REPOSITORY  
OF CHANGE IN ISSUER'S FISCAL YEAR

Name of Issuer: City of Mason Building Authority, Ingham County, Michigan

Name of City: City of Mason, Ingham County, Michigan

Name of Bond Issue: 2010 Building Authority Bonds (General Obligation - Limited Tax) (Federally  
Taxable - Build America Bonds - Direct Payment)

Date of Bonds: \_\_\_\_\_, 2010

NOTICE IS HEREBY GIVEN that the Issuer's fiscal year has changed. Previously, the Issuer's  
fiscal year ended on \_\_\_\_\_. It now ends on \_\_\_\_\_.

CITY OF MASON  
COUNTY OF INGHAM

STATE OF MICHIGAN

By: \_\_\_\_\_  
Its: City Administrator

Dated: \_\_\_\_\_

**APPENDIX C**

**MATERIAL EVENT NOTICE COVER SHEET**

This cover sheet and material event notice should be provided in an electronic format to the Municipal Securities Rulemaking Board and the State Repository pursuant to Securities and Exchange Commission Rule 15c2-12(b)(5)(i)© and (D).

Issuer's and/or other Obligated Person's Name: \_\_\_\_\_

Issuer's Six-Digit CUSIP Number(s): \_\_\_\_\_

or Nine-Digit CUSIP Number(s) to which this material event notice relates: \_\_\_\_\_

Number of pages of attached material event notice: \_\_\_\_\_

Description of Material Events Notice (Check One):

1. \_\_\_\_\_ Principal and interest payment delinquencies
2. \_\_\_\_\_ Non-payment related defaults
3. \_\_\_\_\_ Unscheduled draws on debt service reserves reflecting financial difficulties
4. \_\_\_\_\_ Unscheduled draws on credit enhancements reflecting financial difficulties
5. \_\_\_\_\_ Substitution of credit or liquidity providers, or their failure to perform
6. \_\_\_\_\_ Adverse tax opinions or events affecting the tax-exempt status of the security
7. \_\_\_\_\_ Modifications to rights of securities holders
8. \_\_\_\_\_ Bond calls
9. \_\_\_\_\_ Defeasances
10. \_\_\_\_\_ Release, substitution, or sale of property securing repayment of the securities
11. \_\_\_\_\_ Rating changes
12. \_\_\_\_\_ Failure to provide annual financial information as required
13. \_\_\_\_\_ Other material event notice (specify) \_\_\_\_\_

I hereby represent that I am authorized by the issuer or its agent to distribute this information publicly:

Signature: \_\_\_\_\_

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Employer: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Voice Telephone Number (\_\_\_\_\_) \_\_\_\_\_

The MSRB Gateway is [www.msrb.org](http://www.msrb.org) or through the EMMA portal at [emma.msrb.org/submission/Submission\\_Portal.aspx](http://emma.msrb.org/submission/Submission_Portal.aspx). Contact the MSRB at (703) 797-6600 with questions regarding this form or the dissemination of this notice. The cover sheet and notice may also be faxed to the MAC at (313) 963-0943.

**E. Motion – Mason Lions Club – Use of Public Right-of -Way for White Cane Drive**

**F. Consent Judgment with Regard to Esquire Development and Construction, Inc. v  
City of Mason Claim of Appeal of ZBA Decision of September 9, 2009**

MOTION APPROVED UNANIMOUSLY

**REGULAR BUSINESS**

**Approval of Bills**

A brief discussion was held regarding the repairs to the snow plow. Bruno stated that he felt the drain assessments should be charged to the major/local street fund rather than the water and sewer fund. Johnson inquired about the new phone system for City Hall. Mr. Brian Tort of Central Solutions, Inc. responded regarding the technical aspect of the phone system. Waltz inquired about the impact on the Fire Department and what affected a phone upgrade for the Fire Department. Colburn stated that upgrading the Fire Department was necessary once the decision to install digital phones was made. The Fire Department will be networked with the City and will not need a separate internet connection. An extensive discussion ensued. Mr. Tort will provide a report at a future meeting.

MOTION by Johnson, second by Waltz,  
to approve the Bills in the amount of \$71,851.36.

MOTION APPROVED UNANIMOUSLY

**Motion – Street Closure Request for the Sun Dried Music Festival**

Bruno commented that he asked to remove this item from the consent agenda to say that some time soon, Council needs to consider the waiver of fees for community events.

Marco Broggio, DDA Executive Director, asked to amend the street closure request by adding the west side of Barnes Street between Maple and Ash Streets.

MOTION by Bruno, second by Johnson,  
to approve the closure of Jefferson Street, between Maple and Ash Streets, Maple Street,  
between Jefferson and Barnes Streets, and the west side of Barnes Street between Maple  
and Ash Streets from Friday, August 27, 8:00 a.m. through Saturday, August 28, 12:00 p.m.

MOTION APPROVED UNANIMOUSLY

**UNFINISHED BUSINESS**

Johnson stated that he would like the city attorney to provide an opinion regarding building permit fees charged on the construction of personal property.

**NEW BUSINESS**

Johnson stated that he learned from various sources that the City had been warned twice by the Michigan Department of Natural Resources and Environment regarding un-permitted burning. He would like the Fire Chief to respond to the warnings and how it affects the City.

Assistant Chief Mark Howe was asked to respond. He is unaware of the information Councilmember Johnson had heard and would check with Fire Chief Minshall tomorrow.

**CORRESPONDENCE**

Distributed.

## **LIAISON REPORTS**

None at this time.

## **COUNCILMEMBERS REPORTS**

Tornholm stated that she, Rodney Jewett and Dorothy Ferris, all Historical Society members, offered to help Kathy Revels choose historical images for the new City Hall. The images depict historic city operations. She also informed Council that she is working as a census taker. Tornholm gave a brief report regarding the MML Elected Official's training that she and Councilmember Ferris attended.

## **ADMINISTRATOR'S REPORT**

Colburn introduced Michael Gresens of Thrun Law Firm, P.C. For many years, Mr Gresens has worked on bond financing transactions for the City and he currently worked with the City as Bond Counsel on the City Hall/Police Station financing project. Mr. Gresens explained bond financing for the new City Hall/ Police Station. He stated that the City has an excellent credit rating, making the transaction inviting to the bond market, which acted very favorably to the City by proposing an incredible offer, excellent terms, and very low interest rates for a 30-year bond at 4.06%. Colburn thanked Building Authority members Norm Austin and Mark Howe for their expertise and service.

Colburn informed the Council regarding current city business.

## **ADJOURNMENT**

The meeting adjourned at 8:34 p.m.

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Martin A. Colburn, City Clerk

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Leon Clark, Mayor