

**CITY OF MASON
REGULAR CITY COUNCIL MEETING
MINUTES OF APRIL 19, 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, Naeyaert, Tornholm, Waltz
Absent: Councilmember: None
Also present: Martin Colburn, City Administrator
Eric Smith, Finance Director/Treasurer
Deborah Cwiertniewicz, Deputy City Clerk
Dennis O'Brien, Cemetery, Parks, & Forestry Superintendent
Dennis McGinty, City Attorney

PEOPLE FROM THE FLOOR

None.

INTRODUCTIONS

Clark introduced Capital Area District Library (CADL) representatives present for the annual report presentation, Lance Warner, CADL Director, Sheryl Bass, Mason Branch Head Librarian, Sally Trout, CADL Board Member, Maureen Hirten, CADL Assistant Director.

PRESENTATIONS

Annual Report – 2009- Capital Area District Library (CADL), Head Librarian Sheryl Bass

Sheryl Bass, Head Librarian for the Mason Branch of CADL, gave a brief synopsis of the submitted 2009 Annual Report.

Proclamation – Arbor Day

Collburn read the Arbor Day proclamation.

CONSENT AGENDA

It was the consensus of Council to remove Item 8(B) *Approval of Bills*, Item 8(D) *Resolution No. 2010-15 – Appointment by the Mayor to the Downtown Development Authority*, and 8(E) *Resolution No. 2010-16 – A Resolution to Approve the Buy-Sell Agreement for 972 North Mason Street*, from the Consent Agenda.

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

- A. Approval of Minutes – Regular Council Meeting: April 5, 2010**
- B. Resolution No. 2010–14 – Appointment by the City Council to the Election Commission**

**CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2010-14
APPOINTMENT BY THE CITY COUNCIL
TO THE ELECTION COMMISSION
April 19, 2010**

BE IT HEREBY RESOLVED, that the City Council of the City of Mason does hereby appoint Elaine Ferris to the Election Commission. The term of office commences April 19, 2010 and expires on December 31, 2010.

C. Street Closure for the Sixth Annual Mason Farmers Market

MOTION APPROVED UNANIMOUSLY

*Johnson arrived at 7:54 p.m.

REGULAR BUSINESS

Approval of Bills

A brief discussion was held regarding various invoices listed for payment.

MOTION by Waltz, second by Naeyaert,
to approve the payment of bills in the amount of \$147,372.14 as submitted.
MOTION APPROVED UNANIMOUSLY

Resolution No. 2010-15 – Appointment by the Mayor to the Downtown Development Authority

MOTION by Naeyaert, second by Bruno,
to consider Resolution No. 2010-15 read.
MOTION APPROVED UNANIMOUSLY

Resolution No. 2010-15 was introduced by Bruno and seconded by Ferris. A brief discussion was held regarding appointing an individual to multiple city official positions.

**CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2010-15
APPOINTMENT BY THE MAYOR TO THE
DOWNTOWN DEVELOPMENT AUTHORITY
April 19, 2010**

WHEREAS, the resignation of Bill Philip has created a vacancy on the Downtown Development Authority; and

WHEREAS, the term of the vacancy expires on December 31, 2011;

BE IT HEREBY RESOLVED that the Mayor, with confirmation by the City Council, does hereby appoint Mark Howe to the Downtown Development Authority of the City commencing April 19, 2010 through December 31, 2011.

Yes (6) Bruno, Clark, Ferris, Johnson, Naeyaert, Waltz

No (1) Tornholm

MOTION APPROVED

Resolution No. 2010-16 – A Resolution to Approve the Buy-Sell Agreement for 972 North Mason Street

MOTION by Naeyaert, second by Waltz,
to consider Resolution No. 2010-16 read.
MOTION APPROVED UNANIMOUSLY

Resolution No. 2010-16 was introduced by Bruno and seconded by Ferris. Discussion ensued regarding financial and environmental issues the City would inherit with the purchase of 972 North Mason Street. The \$1,600.00 purchase price was established in consideration of the 2009 paid taxes. In accordance with the will of Ronald Wright, proceeds from the property are designated to be donated to a diabetes foundation. In accordance with the Buy/Sell Agreement, environmental assessments will be conducted. He added that the City needs to obtain ownership of North Mason Street due to environmental pollution caused by Americhem and Safety Clean, as well as an old municipal landfill the City owned and operated near this

property. McGinty stated that acquiring properties neighboring a landfill site is a precautionary measure. In the event that the Michigan Department of Natural Resources (MDNR) would require use restrictions due to the landfill environmental contaminants, compliance could be met without suing for easements. Further discussion was held regarding closing costs outlined in the agreement.

**CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2010-16
RESOLUTION TO APPROVE THE BUY/SELL AGREEMENT
FOR 972 NORTH MASON STREET
April 19, 2010**

WHEREAS, the City of Mason is seeking to purchase the residential property located at 972 North Mason Street known as Parcel ID 33-19-10-05-127-003 and legally described as:

THAT PT OF NW FRL ¼ OF SEC 5 LYING NW'LY OF MCRR EXC THE S 1 ACRE &
EXC THE N 789.5 FT THEREOF, SEC 5, T2N, R1W, CITY OF MASON, INGHAM
COUNTY, MICHIGAN; and

WHEREAS, the owner Ronald Wright passed away and the city hereby offers to purchase from Kellie Fell, Personal Representative of the Estate of Ronald J. Wright; and

WHEREAS, the agreed upon purchase price is the sum of One Thousand Six Hundred Dollars (\$1,600); and

NOW, THEREFORE, BE IT RESOLVED, that the City Council for the City of Mason Michigan does hereby authorize the City Administrator to enter into said Buy/Sell Agreement to purchase the residential property located at 972 North Mason Street, Mason, MI 48854 for the purchase price of One Thousand Six Hundred Dollars (\$1,600).

Yes (5) Clark, Ferris, Johnson, Naeyaert, Tornholm
No (2) Bruno, Waltz

MOTION APPROVED

Report – Phone System

At the request of Council, Brian Tort of Central Solutions, Inc. gave a brief summation of his submitted report regarding the new phone system installed in City Hall, the Police Department and the Fire Department offices. A lengthy discussion ensued regarding phone and data costs, particulars of the transfer from analog to digital, as well as the current installation to help employees acclimate to the system prior to moving to the new City Hall.

Discussion – Softball Fields

City policy was discussed regarding the Hayes and Bond Parks softball fields at the April 5, 2010 Council meeting during public comment. At the request of Council, Dennis O'Brien, Cemetery, Parks, & Forestry Superintendent, submitted an historic and current status of the City of Mason softball fields' administration and maintenance. Discussion ensued regarding softball tournament fees and associated administration and maintenance.

UNFINISHED BUSINESS

Johnson inquired about the status of his question for the city attorney regarding whether building permit fees include the construction of personal property. McGinty stated that it is not as easily answered as he thought it would be and he is in the midst of researching the matter.

NEW BUSINESS

None.

CORRESPONDENCE

All correspondence was distributed. Bruno asked for a City Hall project line-item tally. Smith explained the submitted revenue and expenditure report is an activity report; the Administrative Services Director has the project tally.

LIAISON REPORTS

Bruno informed Council regarding Tree Commission business. Discussion ensued regarding the Tree Commission reviewing projects and making recommendations to the Planning Commission where an applicant is required to plant trees.

Naeyaert informed Council regarding Planning Commission business. Clark informed Council regarding DDA business.

COUNCILMEMBERS REPORTS

None.

ADMINISTRATOR'S REPORT

Colburn informed the Council regarding current city business.

ADJOURNMENT

The meeting adjourned at 8:52 p.m.

Martin A. Colburn, City Clerk

Leon Clark, Mayor