

**CITY OF MASON
REGULAR CITY COUNCIL MEETING
MINUTES OF MAY 3, 2010**

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, Ferris, Johnson, Naeyaert, Tornholm, Waltz
Absent: Councilmember: None
Also present: Martin Colburn, City Administrator
Eric Smith, Finance Director/Treasurer
Deborah Cwierniewicz, Deputy City Clerk
Ken Baker, DPW Superintendent
Michelle Wallo, Asst. Finance Director/Treasurer
Dennis McGinty, City Attorney

ANNOUNCEMENTS

None.

PEOPLE FROM THE FLOOR

David Trout of 3612 Josephine Lane stated that he was representing the Kiwanis Club of Mason. The members of the club make up the directors of the Kiwanis Village, a non-profit senior/disabled senior housing project. Kiwanis Village is protesting a water bill with the City of Mason. Mr. Trout explained the details of the water bill and protest for the 6-15-09 through 9-15-09 billing period. He asked Council to authorize the City Administrator to negotiate with Kiwanis Village and assure that there would not be an interruption of service until resolution can be made. It was the consensus of Council to have the City Administrator and City Attorney address the dispute and submit a report to Council with the outcome.

INTRODUCTIONS

None.

PRESENTATIONS

None.

PUBLIC HEARING

FY 2010-2011 Budget

Clark opened the public hearing at 7:40 p.m.

Administrator Colburn spoke regarding the following Budget goals: maintain public safety, clean water and sanitary services, provide a balanced budget with minimal reduction in fund surplus balances, do not spend down the fund surplus balances during these times of economic uncertainty, keep the City's 13.25 mill levy stable, and make appropriate increases to recover the cost of services.

Clark closed the public hearing at 7:45 p.m.

MOTION by Bruno, second by Johnson,
to consider Resolution No. 2010-17 read.

MOTION APPROVED UNANIMOUSLY

Resolution No. 2010-17 was introduced by Tornholm and seconded by Johnson. A brief discussion ensued.

**CITY OF MASON
CITY COUNCIL RESOLUTION 2010- 17
ADOPTION OF THE FY 2010-2011 BUDGET
MAY 3, 2010**

WHEREAS, the City Council of the City of Mason did hold a public hearing on the proposed 2010-2011 fiscal year budget on Monday, May 3, 2010 as prescribed by law;

NOW THEREFORE BE IT RESOLVED, that the proposed 2010-2011 Operating Budget is filed with the City Clerk, providing for the sums of \$11,255,050 to expend for municipal purposes of the General Fund, Special Revenue Funds, Capital Project Funds, Trust and Agency Funds, Enterprise Funds, Intergovernmental funds, and Special Assessment Funds for the 2010-2011 fiscal year, and the said amount of \$2,969,835 shall be raised by taxes, or a levy of 13.25 mills, upon real and personal property of the City of Mason; and

RESOLVED FURTHER, that whereas the Downtown Development Authority (DDA) budget for 2010-2011 is forwarded to the City Council for its approval, and whereas the captured State Taxable Valuation for the DDA District is \$3,064,840 the sum of \$40,610 shall be placed in the DDA Fund along with other taxing jurisdictions' appropriate tax dollar amounts, and together this money will be used for future public improvements within the District, and bond payments; and

RESOLVED FURTHER, that whereas the Local Development Finance Authority (LDFA) budget for 2010-2011 is forwarded to the City Council for its approval, and whereas the captured State Taxable Valuation for the LDFA District is \$40,455,680; the sum of \$160,460 shall be placed in the LDFA Fund along with other taxing jurisdictions' appropriate tax dollar amounts, and together this money will be used for future public improvements within the District, and bond payments; and

RESOLVED FURTHER, that the 2010-2011 Governmental Fund Budgets shall be automatically amended on July 1, 2010 to re-appropriate encumbrances outstanding and reserved on June 30, 2010; and

NOW, THEREFORE, BE IT FINALLY RESOLVED, that the City Council of the City of Mason hereby adopts the 2010-2011 proposed fiscal year budget which is currently on file in the office of the City Clerk.

RESOLUTION APPROVED UNANIMOUSLY

CONSENT AGENDA

It was the consensus of Council to remove Item 8(C) *Resolution No. 2010-18 - A Resolution to Award Large Diameter Sanitary Sewer, Clean, Televis, Inspect, Repair and Rehabilitation Project* from the Consent Agenda.

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

- A. Approval of Minutes – Regular Council Meeting: April 19, 2010**
- B. Approval of Bills - \$174,636.78**
- C. Resolution No. 2010-19 – A Resolution Accepting a Water and Sewer Utility Easements Agreement between Evergreen Woods Condominiums Association and the City of Mason**

**CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2010-19
A RESOLUTION ACCEPTING A WATER AND SEWER UTILITY
EASEMENTS AGREEMENT BETWEEN EVERGREEN WOODS
CONDOMINIUMS ASSOCIATION AND THE CITY OF MASON
MAY 3, 2010**

WHEREAS, the Evergreen Woods Condominiums Association, a Michigan nonprofit corporation, is providing exclusive permanent utility easements for the purposes of a municipal water main and a municipal sanitary sewer main; and

WHEREAS, a sanitary sewer main and water main with related appurtenances was constructed to the design and specifications approved by the City of Mason and the Michigan Department of Environmental

Quality to serve the properties known as the Evergreen Woods Condominiums; and

WHEREAS, the City of Mason anticipates that private development will extend public utilities eastward and adjacent to the Evergreen Woods Condominiums; and

WHEREAS, it is in the best interest of the City of Mason to acquire a 30-foot permanent easement for maintenance of public utilities serving the Evergreen Woods Condominiums for ingress and egress to and from said easement; and

WHEREAS, the City Attorney has reviewed the easement agreement for form and the City Engineer has approved the easement description.

NOW THEREFORE BE IT RESOLVED, that the Mason City Council does hereby authorize the City Mayor and City Clerk to execute and record the easement with the Ingham County Register of Deeds on behalf of the City of Mason.

MOTION APPROVED UNANIMOUSLY

REGULAR BUSINESS

Resolution No. 2010-18 – A Resolution to Award Large Diameter Sanitary Sewer, Clean, Televis, Inspect, Repair and Rehabilitation Project

MOTION by Bruno, second by Waltz,
to consider Resolution No. 2010-18 read.

MOTION APPROVED UNANIMOUSLY

Resolution No. 2010-18 was introduced by Johnson and seconded by Tornholm. A brief discussion was held and DPW Superintendent Baker explained the priority plan to maintain the sanitary sewer system.

**CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2010-18
A RESOLUTION TO AWARD LARGE DIAMETER SANITARY SEWER,
CLEAN, TELEVIS, INSPECT, REPAIR AND REHABILITATION PROJECT
MAY 3, 2010**

WHEREAS, it is in the best interest of the City of Mason to reduce inflow and infiltration while maintaining its sanitary sewer system; and

WHEREAS, the scheduled 2009-2010 & 2010-2011 sanitary sewer Inflow and Infiltration reduction project was planned for in the Mason Capital Improvements Plan (CIP); and

WHEREAS, by reducing the inflow and infiltration within the sanitary sewer system, particularly during wet events, it reduces the city's liability of Sanitary Sewer Overflows (SSO), keeping the city compliant of our National Pollutant Discharge Elimination System (NPDES) general permit.

NOW THEREFORE BE IT RESOLVED, that the Mason City Council does hereby award the bid for the Large Diameter Sanitary Sewer, Clean, Televis, Inspect, Repair and Rehabilitation project to Down Under Municipal Services for 2010-2011 for \$118,577.40 for a multi year project and authorizes the City Administrator signature authority.

RESOLUTION APPROVED UNANIMOUSLY

UNFINISHED BUSINESS

Tornholm inquired about the status of Rayner Park. Colburn stated that he will be discussing Rayner Park with the Interim County Controller later this week and would most likely provide information at the next meeting.

NEW BUSINESS

Johnson asked Attorney McGinty about jeopardy assessments, citing a particular case. Mr.

McGinty explained the urgency of the process. A local business owner received a certified letter informing them about the jeopardy assessment. The following day a letter arrived from the attorney's office. McGinty assured that it was an error.

Discussion was held regarding the letter from Robert C. Harter of Andrews Chevrolet Sales Inc. The Federal government has directed General Motors to hear the appeals that were previously filed and disregarded. Andrews Chevrolet has a June 10, 2010 arbitration date. Mr. Harter requested a notarized letter of support from the City of Mason.

MOTION by Johnson, second by Bruno,
to direct the City Administrator to compose a letter articulating Council's support of
Andrews Chevrolet.

MOTION APPROVED UNANIMOUSLY

CORRESPONDENCE

All correspondence was distributed.

LIAISON REPORTS

Bruno informed Council regarding Tree Commission business. Waltz informed Council regarding Historic District Commission business. Clark informed Council regarding DDA business.

COUNCILMEMBERS REPORTS

Naeyaert gave a brief update regarding the process of the ad hoc committee that is reconsidering the City Administrator's evaluation procedure.

ADMINISTRATOR'S REPORT

Colburn informed the Council regarding current city business.

ADJOURNMENT

The meeting adjourned at 8:25 p.m.

Martin A. Colburn, City Clerk

Leon Clark, Mayor