

**CITY OF MASON
REGULAR CITY COUNCIL MEETING
MINUTES OF JANUARY 5, 2004**

Whipple called the meeting to order at 7:32 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan. Helbig led the Pledge of Allegiance and offered the invocation.

Present: Councilmembers: Bruno, Clark, Helbig, Johnson, Naeyaert, Preadmore,
Whipple

Also present: Martin Colburn, City Administrator
Kathy Revels, Finance Director
Deborah Stein, Deputy City Clerk

APPROVAL OF MINUTES - REGULAR COUNCIL MEETING: December 15, 2003

The Regular Meeting Minutes of December 15, 2003 were approved as adjusted.

APPROVAL OF BILLS

MOTION by Preadmore, seconded by Naeyaert,
To approve the payment of bills in the amount of \$193,951.96 as submitted.
MOTION APPROVED UNANIMOUSLY

UNFINISHED BUSINESS

Bruno thanked the engineering firm for removing the orange tape from the Riverwalk. He stated that he has enjoyed serving the community last year and is looking forward to this year.

Helbig stated that she enjoyed serving on the council as Mayor Pro Tem. She volunteered to direct an ad hoc committee to address the library issues.

MOTION by Naeyaert, seconded by Preadmore,
To amend the agenda by adding "Item No. 9H, Library Improvement Ad
Hoc Committee," under "Regular Business."
MOTION APPROVED UNANIMOUSLY

Johnson commended the DPW for the awesome job they did removing snow Christmas morning.

ADJOURN SINE DIE

Election of Mayor and Mayor Pro Tem

MOTION by Preadmore, seconded by Naeyaert,
To adjourn sine die.
MOTION APPROVED UNANIMOUSLY

The gavel was handed to Colburn for the election of Mayor and Mayor Pro Tem. Colburn opened the floor for nominations.

NOMINATION by Preadmore, seconded by Naeyaert,
To nominate Russ Whipple as Mayor.

ROLL CALL VOTE: Whipple (7) Clark, Whipple, Helbig, Naeyaert, Bruno,
Preadmore, Johnson

WHIPPLE ELECTED MAYOR UNANIMOUSLY

NOMINATION by Bruno, seconded by Naeyaert,
To nominate Leon Clark as Mayor Pro Tem.

ROLL CALL VOTE: Clark (7) Whipple, Helbig, Naeyaert, Johnson,
Preadmore, Clark, Bruno

CLARK ELECTED MAYOR PRO TEM UNANIMOUSLY

PEOPLE FROM THE FLOOR

Jim Mulvany, Planning Commission Member, commended Administrator Colburn for his leadership of the City, and his staff for their support and efforts.

REGULAR BUSINESS

Resoluion No. 2004-01 City Council & Planning Commission Meeting Dates

Resolution No. 2004-01 was introduced by Preadmore and seconded by Johnson.

CITY OF MASON CITY COUNCIL RESOLUTION NO. 2004-01

ESTABLISHMENT OF CITY COUNCIL AND PLANNING COMMISSION MEETING DATES FOR THE YEAR 2004

January 5, 2004

BE IT HEREBY RESOLVED by the City Council of the City of Mason that the following are the dates of the regular City Council meetings for the calendar year 2004, and that said meetings are to be held on the first and third Mondays of each month, with two holiday exceptions scheduled as *Tuesday meetings:

January 5 and 19	July *6 and 19
February 2 and 16	August 2 and 16
March 1 and 15	September *7 and 20
April 5 and 19	October 4 and 18
May 3 and 17	November 1 and 15
June 7 and 21	December 6 and 20 and;

BE IT FURTHER RESOLVED, that the following are the dates of the regular Planning Commission meetings for the calendar year 2004, and that said meetings are to be held on the second Tuesday after the first Monday of the respective months:

January 13	May 11	September 14
February 10	June 15	October 12
March 9	July 13	November 9
April 13	August 10	December 14 and;

BE IT FURTHER RESOLVED, that these meetings will be held in the City Council Chamber, City Hall, 201 W. Ash Street, Mason, Michigan, with the City Council's meetings to commence at 7:30 p.m. and the Planning Commission's meetings to commence at 6:30 p.m.; and

BE IT FURTHER RESOLVED, that the City Clerk shall cause these dates to be published in a local newspaper.

RESOLUTION APPROVED UNANIMOUSLY

Resolution No. 2004-02 City Council Appointment to the Zoning Board of Appeals

Resolution No. 2004-02 was introduced by Clark and seconded by Bruno.

**CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2004-02**

CITY COUNCIL APPOINTMENTS TO CITY BOARDS

January 5, 2004

BE IT HEREBY RESOLVED by the City Council of the City of Mason, that it does hereby make the following appointment, for the term January 5, 2004 through December 31, 2007.

Zoning Board of Appeals	John Heckaman (Alternate)	2005
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Local Development Finance Authority	Sue Parsons	2007
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RESOLUTION APPROVED UNANIMOUSLY

Resolution No. 2004-03 Mayoral Appointment for the Dangerous Building Hearing Officer

Resolution No. 2004-03 was introduced by Preadmore and seconded by Johnson.

**CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2004-03**

**MAYORAL APPOINTMENT FOR THE
DANEROUS BUILDING HEARING OFFICER**

January 5, 2004

BE IT HEREBY RESOLVED that the Mayor, with confirmation by the City Council, does hereby make the following appointment, for the term January 5, 2004 through December 31, 2007.

Dangerous Building Hearing Officer	John Heckaman	2007
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RESOLUTION APPROVED UNANIMOUSLY

Resolution No. 2004-04 Resolution to Adopt Cafeteria Plan Premium Reduction Option Plan Document

Resolution No. 2004-04 was introduced by Johnson and seconded by Preadmore.

**CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2004-04**

RESOLUTION TO ADOPT A CAFETERIA PLAN PREMIUM REDUCTION OPTION PLAN DOCUMENT

January 5, 2004

WHEREAS, The City of Mason deems it to be in the best interest of its employees to adopt, amend or restate its Cafeteria Plan under Section 125 of the Internal Revenue Code of 1986, as amended;

NOW THEREFORE BE IT RESOLVED, that the Administrator of the City of Mason shall have the authority to:

- 1) execute this Adoption Agreement and Amended Cafeteria Plan, and other documents and agreements as may be necessary to implement the Plan;
- 2) appoint a plan administrator for such plan, and change such administrator from time to time with the advice and consent of the Mason City Council;
- 3) contract with BASIC to provide assistance to the plan administrator in establishing and maintaining such plan; and

BE IT FURTHER RESOLVED, that the City Clerk is directed to enter a copy of this Adoption Agreement and this Cafeteria Plan, as amended, into the records of The City of Mason, and into the minutes of this meeting.

RESOLUTION APPROVED UNANIMOUSLY

Resolution No. 2004-05 Standard Streetlighting Contract Between the City and Consumers Energy Company

Resolution No. 2004-05 was introduced by Johnson and seconded by Preadmore.

**CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2004-05**

**ADDITIONS TO THE
STANDARD STREETLIGHTING CONTRACT
BETWEEN THE CITY AND CONSUMERS ENERGY COMPANY**

January 5, 2004

WHEREAS, that 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 dated as of November 17, 2003, 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.

RESOLUTION APPROVED UNANIMOUSLY

Resolution No. 2004-06 City Administrator Performance Evaluation Process

An ad hoc committee comprised of Mayor Whipple and Councilmembers Naeyaert and Johnson was formed to establish an annual evaluation process for the City Administrator. A brief discussion ensued regarding the proposed process.

Resolution No. 2004-06 was introduced by Preadmore seconded by Johnson.

CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2004-06
January 5, 2004

CITY ADMINISTRATOR PERFORMANCE EVALUATION PROCESS

WHEREAS, it is the responsibility of the City Administrator to properly administer the affairs of the city and it is the responsibility of the City Council to verify that the City Administrator is performing the duties of the office in a manner consistent with the law and the expectations of the City Council; and

WHEREAS, in order to establish and maintain an effective relationship between the City Council and the City Administrator, it is essential that the City Council establish an ongoing structured process for evaluating the job performance of the City Administrator in accomplishing the goals of the City Council and in carrying out assigned responsibilities as prescribed by state statute, city charter, city ordinance, and action of the City Council; and

WHEREAS, a meaningful process for evaluating the job performance of the City Administrator should allow discussion of the strengths and weaknesses of the City Administrator as demonstrated by past actions with the objective of continuous improvement in the effectiveness of job performance, and should allow the City Council and the City Administrator to clarify and refine respective roles, relationships, expectations, and responsibilities, as well as identify specific objectives of the City Council; and

WHEREAS, an objective and thorough analysis of job performance is a prerequisite for the determination of appropriate and justifiable compensation and benefit levels for the City Administrator;

NOW THEREFORE, BE IT RESOLVED, that the City Council shall conduct a formal evaluation of the job performance of the City Administrator on a yearly basis and that the City Council shall conduct the formal performance evaluation according to the following process guidelines:

1. The regular performance evaluation shall generally occur during the first quarter of each fiscal year. The process shall start on a date to be established by the City Council. Although the process is generally expected to occur on an annual basis, the City Council may initiate an evaluation at any time.

2. The performance evaluation process shall be conducted during public meetings unless such evaluation is requested in closed session by the City Administrator pursuant to the Open Meetings Act. If a closed session is requested, all records created as a result of the process shall be exempt from disclosure to the extent provided by law and this resolution.

3. The performance evaluation process shall include the use of a "City Administrator Self-Evaluation Form" and a "City Administrator Performance Evaluation Form", each as approved by the City Council.

4. At least one month prior to the start date established by the City Council for the performance evaluation, the City Administrator shall complete the "City Administrator Self-Evaluation Form" and distribute a completed copy to each member of the City Council along with a copy of the "City Administrator Performance Evaluation Form" and the current "Employment Contract Between the City Administrator and the City Council". Each council member shall complete the "City Administrator Performance Evaluation Form" and return completed forms to the Mayor no later than two weeks prior to the start of the scheduled evaluation.

5. The Mayor and Mayor Pro Tem shall tabulate and summarize the results of the individual council member evaluations in the form of a composite "City Administrator Performance Evaluation Form". The individual council member evaluation forms will be returned to the respective council members as soon as possible.

6. The composite "City Administrator Performance Evaluation Form" shall be distributed to each council member and the City Administrator at least three days prior to the start of the scheduled evaluation. Each individual "City Administrator Performance Evaluation Form" shall be returned to the respective council member at this time if such forms have not previously been returned.

7. The City Council shall meet with the City Administrator at the appointed time for the purpose of the following:

- a. Review and discuss the "City Administrator Self-Evaluation Form".
- b. Review and discuss the composite "City Administrator Performance Evaluation Form".
- c. Engage in general discussion regarding the job performance of the City Administrator.
- d. Develop performance objectives for the City Administrator for the upcoming twelve months.
- e. Develop the specific City Council objectives for the upcoming twelve months.
- f. Discuss revision of the Employment Contract between the City Administrator and the City Council.

8. The Mayor and Mayor Pro Tem shall be responsible for preparing a written summary of the conclusions of the City Council regarding the performance of the City Administrator, including a description of those areas where job performance has been better than expected, a description of those areas where job performance improvement is expected, and any action plans to be supported by the City Council to aid in said improvement. The written summary shall also set forth the specific objectives of the City Council for the next twelve months.

9. The written summary shall be submitted by the Mayor and Mayor Pro Tem to the City Council for approval, or approval with modification, and upon approval shall be filed, along with the "City Administrator Self-Evaluation Form" and the composite "City Administrator Performance Evaluation Form", in the personnel file of the City Administrator.

10. Upon completion of the performance evaluation process, the Mayor and Mayor Pro Tem may submit to the City Council proposed revisions to the Employment Contract between the City Administrator and the City Council.

BE IT FINALLY RESOLVED, that this resolution shall nullify and supercede Resolution 2001-49, Resolution 2003-12 and any other process for evaluation of the performance of the city administrator.

RESOLUTION APPROVED UNANIMOUSLY

Request to Waive the Formal Bid Process – Well No. 6, Chemical Cleaning of Well

A brief discussion was held regarding the cleaning of Well No. 6, the Franklin Well. Staff has requested that the formal bid process be waived to hire Layne-Northern to clean the well.

MOTION by Preadmore, seconded by Naeyaert,
To waive the formal bid process and to authorize the services of Layne-Northern to chemically clean Well No. 6 for the amount of \$11,021.

MOTION APPROVED UNANIMOUSLY

Discussion – Library Ad Hoc Committee

Councilmember Helbig suggested forming an ad hoc committee to study the library situation. Naeyaert indicated that she would serve on the committee as well.

MOTION by Clark, seconded by Johnson,
To form an ad hoc committee to study the operations of the library and building improvements with Councilmembers Helbig and Naeyaert as the council representatives on the committee with the City Administrator

MOTION APPROVED UNANIMOUSLY

UNFINISHED BUSINESS

- Whipple informed the Council that the Recreation Plan Ad Hoc Committee will be meeting January 26, 2004 with the County Parks Board at 6:00 p.m. to discuss the Rayner Park Ball Field proposal. Also, the County Housing Commission held an open house at the completion of their first downtown rental property rehab project located at 103 ½ E. Maple. The Mason Area Chamber of Commerce will recognize Bob Ware as Citizen of the Year and Margaret Doolittle for their Excellence in Education at their Awards Dinner this year. Also, the DDA will be recognized for their downtown improvements work including approvals for façade grants, as well as the Optimists Club for their efforts to build and complete the Skate Park.
- Clark thanked the Council for the opportunity to serve and represent the Mason community as Mayor Pro Tem.

NEW BUSINESS

- Naeyaert asked if the Hayhoe Riverwalk would be cleared of snow. Colburn indicated that staff was advised not to drive heavy equipment on the new asphalt for the first year.
- Naeyaert requested to be excused from the January 19, 2004 meeting.

MOTION by Bruno, seconded by Johnson,
To grant an excused absence to Council Member Naeyaert for the January 19, 2004 regular meeting.

MOTION APPROVED UNANIMOUSLY

CORRESPONDENCE

In addition to the distributed correspondence, a thank you note was received from Bob Ware for the holiday fruit basket.

LIAISON REPORTS

- Whipple informed the Council that the Mayor, Mayor Pro Tem, Planning Commission Chair, Vice Chair, City Administrator, and Zoning/Development Director will meet January 7, 2004 to discuss Council's proposed changes to the Master Plan.
- Helbig informed the Council that the Cable Communications Commission would be meeting January 21, 2004.
- Whipple informed the Council that the DDA will be meeting January 8, 2004.

ADMINISTRATOR'S REPORT

Colburn informed the Council on the following items.

- The Mason School Administration has requested to change the Joint Recognition Meeting to the first meeting in February.
- The Kiwanis and United Way have provided funds to continue the School Resource Officer assignment.
- Historic District Commission thanked the Council for the gift baskets, as well as the addition of the Hayhoe Riverwalk which compliment the Historic District.
- A public hearing will be held by the State Boundary Commission January 8, 2004 in the Council Chambers regarding an annexation.

PEOPLE FROM THE FLOOR

Stan Jordan of 310 E. Sycamore, Past President/Past Board Member of the Ingham County Fair Board, stated that he presented the city's sport field proposal to the Fair Board in December. They questioned if the library would be given equal consideration with the recreation plan. He was pleased to see that Council supported forming an ad hoc committee for the library tonight.

ADJOURNMENT

Being there was no further business, the meeting adjourned at 8:40 p.m.

Martin A. Colburn, City Clerk

Russell W. Whipple, Mayor