

**CITY OF MASON
REGULAR CITY COUNCIL MEETING
MINUTES OF JANUARY 19, 2004**

Whipple called the meeting to order at 7:30 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, Whipple
Absent: Councilmembers: Naeyaert, Preadmore
Also present: Martin Colburn, City Administrator
Kathy Revels, Finance Director
Joe Dean, DPW Director
Bill Potter, City Engineer
Deborah Stein, Deputy City Clerk

Whipple informed the Council that Councilmember Preadmore notified him that he was called out of town on business and requested to be excused from tonight's meeting.

MOTION by Helbig, seconded by Johnson,
To excuse Councilmember Preadmore from tonight's meeting.
MOTION APPROVED UNANIMOUSLY

APPROVAL OF MINUTES - REGULAR COUNCIL MEETING: January 5, 2004

The Regular Meeting Minutes of January 5, 2004 were approved as submitted.

APPROVAL OF BILLS

MOTION by Bruno, seconded by Clark,
To approve the payment of bills in the amount of \$92,897.17 as
submitted.
MOTION APPROVED UNANIMOUSLY

PEOPLE FROM THE FLOOR

Barb DePue of 817 S. Lansing asked if there was a city ordinance pertaining to sidewalk snow removal. She commented that children are walking through snow-covered sidewalks to school. She asked what was planned for sidewalks on Holt Street between Elm and Oak streets because the school children are walking in the street.

Whipple commented that there is a snow removal ordinance that only pertains to downtown business owners.

REGULAR BUSINESS

Resolution No. 2004-07 Mayoral Appointment for the Traffic Commission

The City Council appointed Clark to the Traffic Commission in 2003. In 2004 he was elected Mayor Pro Tem, which also serves as an appointed member to the Planning

Commission. A Planning Commission member may not serve on another commission.

Resolution No 2004-07 was introduced by Helbig and seconded by Bruno.

**CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2004-07**

MAYORAL APPOINTMENT FOR THE TRAFFIC COMMISSION

January 19, 2004

WHEREAS, the Mason City Council determined to appoint a member of the Council as liaison to the Traffic Commission; and

WHEREAS, Liaison to the Traffic Commission, Leon Clark, was elected Mayor Pro Tem as a result of the Council's annual election of Mayor and Mayor Pro Tem; and

WHEREAS, the City Council does hereby remove Leon Clark as Traffic Commission Liaison.

BE IT HEREBY RESOLVED, that the Mayor, with confirmation by the City Council, does hereby make the following appointment, for the term January 19, 2004 through December 31, 2006.

Traffic Commission

Neal Johnson
(City Council Liaison)

2006

RESOLUTION APPROVE UNANIMOUSLY

Resolution No. 2004-08 Liquor License Recommendation

Whipple requested to abstain from the matter regarding the liquor license recommendation. He informed the Council that he owns the building located at 160 W. Maple. He is the landlord for the tenant currently holding the liquor license being considered for transfer, subsequently making Whipple the applicant's prospective landlord. Although Whipple doesn't have a financial interest in the license, he would like to abstain to avoid any appearance of impropriety relating to the decision. At this time, Whipple relinquished control of the meeting to the Mayor Pro Tem.

MOTION by Bruno, seconded by Johnson,
To approve Mayor Whipple's request to abstain from the matter of City
Council Resolution No. 2004-08.

MOTION APPROVED UNANIMOUSLY

Resolution No. 2004-08 was introduced by Bruno and seconded by Johnson.

Applicant Ron Sheele was asked what he would do to improve the past practice of the establishment he was buying. Mr. Sheele stated he would be implementing professional training offered through the State for himself and the employees, and that he intends to maintain a positive working relationship with the Mason Police Department.

Req ID # 234219

STATE OF MICHIGAN
DEPARTMENT OF CONSUMER & INDUSTRY SERVICES
LIQUOR CONTROL COMMISSION

RESOLUTION 2004-08

At a Regular meeting of the City of Mason

called to order by Mavor Whipple on January 19, 2004 at 7:30 P.M.

The following resolution was offered:

Moved by Helbig and supported by Bruno

That the request from RONALD SHEELE ENTERPRISE, LLC TO TRANSFER OWNERSHIP OF 2003 CLASS C LICENSED BUSINESS, LOCATED AT 160 W. MAPLE, MASON, MI 48854, INGHAM COUNTY, FROM MIKTON, INC.

be considered for Approval

APPROVAL DISAPPROVAL

Yeas: (4) Bruno, Clark, Helbig Johnson Yeas: _____

Nays: (0) Nays: _____

Absent: (2) Naeyaert, Preadmore Absent: _____

Abstain: (1) Whipple

It is the consensus of this legislative body that the application be:

Recommended for issuance

State of Michigan _____)

§

County of Ingham _____)

I hereby certify that the foregoing is a true and complete copy of a resolution offered and

adopted by the City of Mason at a Regular

meeting held on 1/19/04



(Signed) Mark Collins

201 W. Ash Street, Mason, MI 48854

RESOLUTION APPROVED

At this time, Whipple reassumed control of the meeting.

Annual Police Department Report

Police Chief Robert McCormick presented the 2003 Annual Mason Police Department Report. He stated that the additions of in-car videos and less than lethal weapons have proved to significantly improve the officers' performance. Equipping police cars with cameras have reduced in- court appearances. Judges request the tape as evidence and "witness" the event for themselves. He displayed the less than lethal weapons that officers have received training on this past year.

MOTION by Clark, seconded by Bruno,
To accept the 2003 Annual Mason Police Department Report and place
it on file.

MOTION APPROVED UNANIMOUSLY

Bid – Tree Service

Dean commented briefly on the bids submitted for the city tree service. He stated that he was recommending the low bidder with reservations. Powers Tree Service doesn't have experience working with a municipality or anything comparable to it. The company rents some of the equipment required to service the city. Bruno stated that in an emergency situation the contractor is required to respond within 72 hours and he doesn't feel that Powers would be able to meet this requirement if they are relying on rented equipment. He felt that Ayles Tree Service should be awarded the bid. Discussion ensued; it was stated that Powers has the equipment necessary to respond in an emergency situation and that Ayles' bid is over budget.

MOTION by Helbig, seconded by Clark,

To award the 2004 Tree Program contract to Powers Tree Service for the amount of \$13,585.50.

Vote: Yes (4) Clark, Helbig, Johnson, Whipple

No (1) Bruno

Absent (2) Naeyaert, Preadmore

MOTION APPROVED

Discussion – Okemos Street

Dean gave a brief overview of the Okemos Street project. It is planned to narrow the current 44' wide street to 36' from the city limits through the intersection of Jefferson and Columbia streets; as well as replace all water mains, spot repair the sanitary sewer, and install sidewalks. Determination of the condition of the culvert will be made when it is exposed and can be more carefully examined. The 12" water main that was extended from N. Jefferson Street stops short of Okemos Street, and office buildings have been built since then. The City is currently negotiating with Mr. Oesterle to obtain an easement to complete the installation of water main to Okemos Street. Discussion ensued regarding ¾" water services to a one-inch. Whipple asked that staff provide a recommendation at the next meeting. Staff recommended completing the project in one year. Revels stated that the project could be financed internally or by getting a short-term note from a local bank.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

All correspondence was distributed. The Mason Area Chamber of Commerce provided examples of the banners as described in their letter. Whipple commented that he received a letter from Senator Garcia thanking him for coordinating Mason's first *Make a Difference Day*. He commended city staff for their hard work and efforts in coordinating the event.

Discussion was held regarding the letter submitted by Ingham County Drain Commissioner Lindermann. Colburn commented that according to Lindermann, a funding formula would not be established. He recommended opting in with a \$5,000 partnership with Ingham County to cover the costs for the first few years. Bruno suggested opting in with initial \$1,000 participation. Whipple stated that participating with other municipal agencies for this technology would be beneficial. However, an equitable financial participating plan should be in place. Council took no action.

LIAISON REPORTS

Clark informed the Council on the following Planning Commission business.

- Greenpark Townhomes was approved for Preliminary Site Plan. They will be requesting a Payment In Lieu of Taxes (PILOT) for the project. However, the Council's request to improve Orchard Lane and to include another ingress/egress for the project was not addressed on the plans.
- Independent Bank was approved for Preliminary Site Plan review.
- A request to reconsider the speed limit on Kipp Road was given to the Traffic Commission.
- Changes to the Master Plan recommended by Council were approved and are being incorporated into the plan.

ADMINISTRATOR'S REPORT

Colburn informed the Council on the following items.

- Representative Byrum has invited the City Council to attend a reception at her offices January 27 at 5:30 pm to hear Governor Granholm's second State of the State Address at 7:00 pm.
- Various routes are being considered for Hayhoe Riverwalk, Phase II. Bruno suggested considering the city owned property that extends from the Wastewater Treatment Plant to Howell Road and follows the creek. Colburn stated that the Riverwalk Homeowner's Association would need to be contacted regarding the use.
- The Budget Workshop is scheduled for April 14 & 15 at 6:00 pm.
- SSAB has indicated that a site on their property can be used to locate a new well for the city. The School District will look for a location as soon as weather permits.

PEOPLE FROM THE FLOOR

None.

EXECUTIVE SESSION

MOTION by Clark, seconded by Helbig,
To adjourn to executive session to discuss an attorney/client privileged communication.

ROLL CALL VOTE: Yes (5) Bruno, Clark, Helbig, Johnson, Whipple

No (0)

Absent (2) Naeyaert, Preadmore

MOTION APPROVED UNANIMOUSLY

The meeting adjourned at 10:05 pm.

Martin A. Colburn, City Clerk

Russell W. Whipple, Mayor