

**CITY OF MASON  
REGULAR CITY COUNCIL MEETING  
MINUTES OF MARCH 1, 2004**

Whipple called the meeting to order at 7:35 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan. Naeyaert led the Pledge of Allegiance and offered the invocation.

Present: Councilmembers: Clark, Johnson, Naeyaert, Preadmore, Whipple  
Absent: Councilmembers: Bruno, Helbig  
Also present: Martin Colburn, City Administrator  
Kathy Revels, Finance Director  
Joe Dean, DPW Director  
Deborah Stein, Deputy City Clerk

**APPROVAL OF MINUTES - REGULAR COUNCIL MEETING: February 16, 2004**

The Regular Meeting Minutes of February 16, 2004 were approved as presented.

**APPROVAL OF BILLS**

MOTION by Naeyaert, second by Preadmore,  
To approve the payment of bills in the amount of \$155,527.16 as submitted.  
MOTION APPROVED UNANIMOUSLY

MOTION by Johnson, second by Preadmore,  
To excuse the absence of Council Member Helbig due to personal reasons.  
MOTION APPROVED UNANIMOUSLY

MOTION by Clark, second by Preadmore,  
To amend the agenda by moving Item No. 7A to Item No. 5B.  
MOTION APPROVED UNANIMOUSLY

**EXECUTIVE SESSION**

MOTION by Clark, second by Johnson,  
To adjourn to executive session to consider the acquisition of property.  
ROLL CALL VOTE: Yes (5) Clark, Johnson, Naeyaert, Preadmore, Whipple  
No (0)  
Absent (2) Bruno, Helbig  
MOTION APPROVED UNANIMOUSLY

The meeting adjourned to executive session at 7:40 p.m. and reconvened at 7:53 p.m.

**PEOPLE FROM THE FLOOR**

None.

**REGULAR BUSINESS**

**Resolution No. 2004-13 Acceptance of the Streets and Public Utilities for Franklin Farms**  
**Resolution No. 2004-13** was introduced by Naeyaert and seconded by Preadmore.

**CITY OF MASON  
CITY COUNCIL RESOLUTION NO. 2004-13**

**ACCEPTANCE OF PUBLIC UTILITY AND ACCESS EASEMENTS FOR  
FRANKLIN FARMS DEVELOPMENT, PHASES I AND II**

**March 1, 2004**

**WHEREAS**, the developer, Esquire Development & Construction, Inc., has constructed sanitary sewers, storm sewers and a water system in the Franklin Farms Development as recorded in the Ingham County Register of Deeds, Liber 3035, Page 31; and

**WHEREAS**, the City of Mason desires to obtain permanent easements from Esquire Development & Construction, Inc. for the sanitary sewer and water systems, and portions of the storm sewer system, and for the access to Municipal Well No. 6, as described in the grant of easement documents; and

**WHEREAS**, the above-described utilities have been constructed as per the City of Mason's Development Standards, inspected and approved by the City Engineer;

**NOW THEREFORE BE IT RESOLVED**, that the Mason City Council does hereby accept the above-described utilities constructed in Phases I and II of the Franklin Farms Development as public infrastructure, and the easement for access to Well No. 6

RESOLUTION APPROVED UNANIMOUSLY

**Resolution No. 2004-14 Acceptance of Utility and Well Access Easements for Franklin Farms**  
**Resolution No. 2004-14 was introduced by Naeyaert and seconded by Johnson.**

**CITY OF MASON  
CITY COUNCIL RESOLUTION NO. 2004-14**

**ACCEPTANCE OF PUBLIC IMPROVEMENTS FOR  
FRANKLIN FARMS DEVELOPMENT, PHASES I AND II**

**March 1, 2004**

**WHEREAS**, the developer, Esquire Development & Construction, Inc., has constructed streets, sanitary sewers, storm sewers and a water system in the Franklin Farms Development as recorded in the Ingham County Register of Deeds, Liber 3035, Page 31; and

**WHEREAS**, it is in the City of Mason's best interest to accept Northbrook Street, Franklin Farms Drive, Lavonne Street and the sanitary sewer, storm sewer and water systems within street right of way, as public infrastructure; and

**WHEREAS**, the above-described streets and utilities have been constructed as per the City of Mason's Development Standards, inspected and approved by the City Engineer;

**NOW THEREFORE BE IT RESOLVED**, that the Mason City Council does hereby accept the above-described streets and utilities constructed in Phases I and II of the Franklin Farms Development as public infrastructure.

RESOLUTION APPROVED UNANIMOUSLY

**Resolution No. 2004-15 Acceptance of the Public Utilities for The Landings at Rayner Ponds,**

**Phase III**

**Resolution No. 2004-15** was introduced by Naeyaert and seconded by Preadmore.

**CITY OF MASON  
CITY COUNCIL RESOLUTION NO. 2004-15  
ACCEPTANCE OF UTILITIES EASEMENTS FOR  
THE LANDINGS, PHASE III**

**March 1, 2004**

**WHEREAS**, sanitary sewer, storm sewer and water systems have been constructed in Phase III of The Landings in Rayner Ponds by The Landings Development Company, LLC; and

**WHEREAS**, the City of Mason desires to obtain permanent easements from The Landings Development Company, LLC for the sanitary sewer and water systems, and portions of the storm sewer system as described in the grant of easement; and

**WHEREAS**, the above-described utilities have been constructed as per the City of Mason Development Standards, inspected and approved by the City Engineer;

**NOW THEREFORE BE IT RESOLVED**, that the Mason City Council does hereby accept the sanitary sewer and water systems, and certain portions of the storm sewer system in Phase III of The Landings as public utilities.

**RESOLUTION APPROVED UNANIMOUSLY**

**Resolution No. 2004-16 Master Plan Adoption**

Council invited comments from the public.

Jeffrey Anderson of 3772 Lyon Road stated that he was representing the Jewett and Anderson families. They own approximately 100 acres east of the fairgrounds from Kipp Road to Ash Street and also 7.5 acres on the north side of Ash Street east of Temple Street, south of the Middle School. His family would like to continue donating/developing land to the city; however, they disagree with the master plan change indicating no commercial development east of Dairy Hill. They felt that a mixed-use designation is appropriate and they could work with the city to develop controlled commercial development. He asked the City Council to reconsider the Planning Commission decision that eliminated commercial zoning east of Dairy Hill on Ash Street in the draft Master Plan.

Discussion was held regarding further changes to the draft Master Plan.

**Resolution No. 2004-16** was introduced by Johnson and seconded by Naeyaert

**CITY OF MASON  
CITY COUNCIL RESOLUTION 2004-16  
A RESOLUTION ADOPTING THE MASTER PLAN**

**March 1, 2004**

**WHEREAS**, the City of Mason Planning Commission has prepared a new "Master Plan" to heighten its ability to guide and manage growth and development pursuant to Public Act 285 of 1931 as amended; and

**WHEREAS**, the Master Plan, including its Future Land Use Map and descriptive text, indicates desired development patterns in the City consistent with goals, objectives, policies and strategies contained in the Plan; and

**WHEREAS**, said Plan was prepared in part to assist in the understanding of City development needs so as to properly advise the Mason City Council and citizens regarding appropriate land use regulations; and

**WHEREAS**, the Planning Commission did properly notice and conduct a public hearing on the proposed Plan at its regular meeting held February 10, 2004; and

**WHEREAS**, the Mason Planning Commission did approve said Master Plan at its regular meeting held February 10, 2004 by adoption of Planning Commission Resolution 2004-03;

**THEREFORE BE IT RESOLVED**, that the Mason City Council does hereby approve the Master Plan adopted by the Planning Commission on February 10, 2004.

Yes (0)

No (5) Clark, Johnson, Naeyaert, Preadmore, Whipple

Absent (2) Bruno, Helbig

RESOLUTION FAILED

Discussion ensued regarding the list of corrections and adjustments compiled by Whipple.

MOTION by Johnson, second by Naeyaert,

To forward the list of fifteen items that the City Council compiled to the Planning Commission as justification for not approving the Master Plan draft.

MOTION APPROVED UNANIMOUSLY

#### **Bid - Pad Mount Generators for the Kipp Road Well and Franklin Farms Well**

Whipple stated that Dean was recently informed that diesel powered generators are not permitted to be located next to wells. He recommended deferring the generator bid to the next meeting to allow him to obtain more information.

MOTION by Preadmore, second by Naeyaert,

To defer the pad mount generator bid for the Kipp Road Well and Franklin Farms Well to the next meeting

MOTION APPROVED UNANIMOUSLY

#### **Request –Masonic Temple F&AM #70- Sesquicentennial Celebration Parade**

#### **Request – Memorial Day Parade**

MOTION by Clark, second by Preadmore,

To approve the Masonic Temple F&AM #70 request to hold a sesquicentennial parade Saturday, May 8, 2004 at 10:30 a.m. Also, to approve the American Legion Post 148 request to hold a Memorial Day parade Monday, May 31, 2004 at 10:00 a.m.

MOTION APPROVED UNANIMOUSLY

#### **Building Permit Summary 2003 Annual Report**

Howard commented briefly regarding the 2003 annual report for the building permit summary.

MOTION by Preadmore, second by Neayear,

To accept the Building Permit Summary 2003 Annual Report and place it on file.

MOTION APPROVED UNANIMOUSLY

#### **Discussion – MML Finance & Taxation Committee Meeting Report**

Whipple commented briefly regarding the synopsis of information he compiled as a result of data that was presented at the February 20 MML Finance and Taxation Committee meeting regarding potential changes to the MML policy statements and subsequent action that was taken.

#### **Discussion – PILOT - Green Park Townhomes**

Howard informed the Council that First Properties is proposing to develop approximately 3.5 acres zoned Multiple Family Residential (RM) located at 840 N. Columbia into 32 townhomes. They are financing the project through Michigan State Housing Development Authority (MSHDA) and part of the package involves a PILOT from the city.

Bob Kabbe of First Properties stated that the Planning Commission has given tentative preliminary site plan approval. His attempts to address Orchard Lane have been unsuccessful. The land owner for Orchard Lane declined their \$50,000 offer for the street. As an alternative to repairing the infrastructure at this time, they are willing to escrow \$50,000 and access the site from Columbia Street. He stated that the townhomes would be a good use of the property as well as provide tax revenue from a currently tax exempt parcel for the city. The site is considered contaminated and they are prepared to do an environmental cleanup, provide a sound barrier for US127, improve the utilities, and demolish the existing vacant buildings. The project would provide quality affordable housing for Mason.

Whipple indicated that the city has demonstrated in the past that it will support subsidized and affordable housing. The concern with this site is the improvements to Orchard Lane.

#### **UNFINISHED BUSINESS**

Preadmore informed the Council that his job obligations are taking him back and forth to Denver on a significant basis and should only last for the first six months of the year.

#### **NEW BUSINESS**

Naeyaert asked about the PAL program and the procedure for water and sewer past due balances for rental properties. Revels stated that PAL updates the information once a week and explained the office policy for past due bills. Naeyaert gave an update regarding the Library Ad Hoc Committee.

Johnson informed the Council regarding the school bond proposal to renovate their sports fields.

#### **CORRESPONDENCE**

All correspondence was distributed.

#### **LIAISON REPORTS**

None.

#### **ADMINISTRATOR'S REPORT**

Colburn informed the Council on the following items.

- A petition was submitted by city residents requesting the city to remove aggregate materials from 447 N. Jefferson Street and develop it into a neighborhood park or other public use.
- The Ingham County Parks Board declined to enter into an agreement [*insert* [for a sports complex] that would result in the loss of trees within the wood lot at Rayner Park.

#### **PEOPLE FROM THE FLOOR**

Randy Hicks stated that he, his wife, and Kim Dudley are the owners of Hidden Lakes Development

Co., and current owners of Orchard Lane. They are currently in negotiations with a commercial developer that wants control of ingress/egress and Orchard Lane will be an important piece of the negotiations. Their attorneys have advised them not to enter into any contracts at this time.

**EXECUTIVE SESSION**

MOTION by Clark, second by Johnson,

To adjourn to executive session to consider an attorney/client communication following a ten minute recess

ROLL CALL VOTE: Yes (5) Clark, Johnson, Naeyaert, Preadmore, Whipple

No (0)

Absent (2) Bruno, Helbig

**MOTION APPROVED UNANIMOUSLY**

The meeting adjourned to executive session at 9: 51 p.m.

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Martin A. Colburn, City Clerk

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Russell W. Whipple, Mayor