

**CITY OF MASON
REGULAR CITY COUNCIL MEETING
MINUTES OF SEPTEMBER 20, 2004**

Whipple called the meeting to order at 7:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan. Johnson led the Pledge of Allegiance and offered the invocation.

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

Absent: Councilmembers: None

Also present: Martin Colburn, City Administrator
Kathy Revels, Finance Director
Robert McCormick, Police Chief
Joe Dean, DPW Director
Deborah J. Cwierniewicz, Deputy City Clerk

APPROVAL OF MINUTES - REGULAR COUNCIL MEETING: September 7, 2004

The Regular Meeting Minutes of September 7, 2004 were approved as submitted.

APPROVAL OF BILLS

MOTION by Preadmore, seconded by Coady-Helbig,
To approve the payment of bills in the amount of \$229,292.07 as submitted.

MOTION APPROVED UNANIMOUSLY

PEOPLE FROM THE FLOOR

Lisa Masters of 501 Carom thanked the Council for approving the street closure request for the Franklin Farms and Northbrook Subdivisions' neighborhood picnic; there were more than 100 people in attendance.

REGULAR BUSINESS

Resolution No. 2004-56 City Officer Appointment for Police Chief

Colburn commented briefly regarding the Police Chief hiring process that was followed. He stated that he offered the Police Chief position to Lt. John Stressman of the Jackson Police Department and introduced him and his wife to the Council.

Resolution No. 2004-56 was introduced by Johnson and seconded by Coady-Helbig.

MOTION by Clark, seconded by Bruno,
To defer Resolution No. 2004-56 to the next Council meeting.

Discussion ensued regarding the reasoning to defer the resolution. Clark stated that he had questions regarding the process. McGinty indicated that the merits of the appointment or the individual can not be discussed. However, as part of the City Administrator's evaluation, the city officer selection process that he followed may be discussed. Further discussion was held to vote on the resolution and discuss the process during the City Administrator's evaluation.

VOTE ON THE MOTION:

Yes (2) Bruno, Clark,

No (5) Coady-Helbig, Johnson, Naeyaert, Preadmore, Whipple

MOTION FAILED

**CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2004-56
September 20, 2004**

RESOLUTION OF CITY OFFICER APPOINTMENT

WHEREAS, in accordance with the Charter, City of Mason Michigan, Adopted June 26, 1951, Section 4.6, the Administrative Officers of the City are listed; and

WHEREAS, Section 2-84 of the CODE OF ORDINANCES OF THE CITY OF MASON, MICHIGAN states, the City Administrator shall recommend to the City Council the appointment of Police Chief:

- **POLICE CHIEF** **JOHN STRESSMAN**

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Mason does hereby appoint the above listed person as "Administrative Officer" to their respective office of Police Chief, and is charged with performing their duties and responsibilities.

YES: (5) Coady-Helbig, Johnson, Naeyaert, Preadmore, Whipple

NO: (2) Bruno, Clark

RESOLUTION APPROVED

Resolution No. 2004-51 – Recommendation to Transfer Ownership of 2003 Class C Licensed Business with Dance Permit from MDQT, Inc. to Leisure Tyme, L.L.C.
Resolution No. 2004-51 was introduced by Naeyaert and seconded by Johnson.

Reg. ID # 239795

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

CITY COUNCIL **RESOLUTION** NO. 2004-51

At a REGULAR meeting of the MASON CITY COUNCIL

called to order by MAYOR WHIPPLE on SEPTEMBER 20, 2004 at 7:30 P.M.

The following resolution was offered:

Moved by NAEYAERT and supported by JOHNSON

That the request from LEISURE TYME, L.L.C. TO TRANSFER OWNERSHIP OF 2003 CLASS C LICENSED BUSINESS WITH DANCE PERMIT, LOCATED AT 801 N. CEDAR, MASON, MI 48854, INGHAM COUNTY, FROM MDQT, INC. (STEP 1).

be considered for APPROVAL

APPROVAL **DISAPPROVAL**

Yeas: (2) BRUNO, CLARK, COADY-HELBIG, JOHNSON, NAETAERT, PREADMORE, WHIPPLE

Nays: (0)


Absent: (3)


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 MASON CITY COUNCIL at a REGULAR meeting on 9/20/04

(Signed) 
MARTIN COLBURN, CITY CLERK
201 W. ASH STREET, MASON, MI 48854




RESOLUTION APPROVED UNANIMOUSLY

Resolution No. 2004-52 – Recommendation to Transfer Ownership of 2003 Class C Licensed Business with Dance/Entertainment Permit from MDQT, Inc. to Leisure Tyme, L.L.C.

Resolution No. 2004-52 was introduced by Coady-Helbig and seconded by Preadmore.

STATE OF MICHIGAN
DEPARTMENT OF CONSUMER & INDUSTRY SERVICES
LIQUOR CONTROL COMMISSION
CITY COUNCIL RESOLUTION NO. 2004-52

At a REGULAR meeting of the MASON CITY COUNCIL
called to order by MAYOR WHIPPLE on SEPTEMBER 20, 2004 at 7:30 P.M.
The following resolution was offered:
Moved by COADY-HELBIG and supported by PREADMORE
That the request from COMC, LLC TO TRANSFER OWNERSHIP OF 2003 CLASS C LICENSED BUSINESS WITH DANCE PERMIT, LOCATED AT 801 N. CEDAR, MASON, MI 48854, WICHAM COUNTY, FROM LEISURE TYME, L.L.C. (STEP II), AND ENTERTAINMENT PERMIT.
be considered for APPROVAL DISAPPROVAL
APPROVAL DISAPPROVAL
Yeas: (7) BRUNO, CLARK, COADY-HELBIG, JOHNSON, NAETART, PREADMORE, WHIPPLE Yeas: _____
Nays: (0) _____ Nays: _____
Absent: (0) _____ Absent: _____
It is the consensus of this legislative body that the application be:
RECOMMENDED for issuance
State of Michigan _____ §
County of WICHAM _____
I hereby certify that the foregoing is a true and complete copy of a resolution offered and adopted by the MASON CITY COUNCIL at a REGULAR meeting held on 9/20/04
 (Signed) Martin Colburn City Clerk
201 W. ASH STREET, MASON, MI 48854
County of WICHAM

RESOLUTION APPROVED UNANIMOUSLY

Resolution No. 2004-53 – A Resolution Approving An Amendment To The Zoning Ordinance Of The City Of Mason Rezoning Parcel # 33-19-10-08-476-038 From RS-3/Single Family Residential District To O-1/General Office District

Resolution No. 2004-53 was introduced by Preadmore and seconded by Coady-Helbig.

**CITY OF MASON
CITY COUNCIL RESOLUTION 2004-53**

**A RESOLUTION APPROVING AN AMENDMENT TO THE
ZONING ORDINANCE OF THE CITY OF MASON REZONING
PARCEL # 33-19-10-08-476-038 FROM RS-3 TO O-1**

September 20, 2004

WHEREAS, a request has been received from the prospective purchasers of 1.95 acres of property on south Cedar Street, along the curve immediately east of Vision Village and north of Kipp Road, to rezone the property; and

WHEREAS, the property is currently zoned RS-3 / Single Family Residential; and

WHEREAS, the request is to rezone it to O-1/Office; and

WHEREAS, a public hearing on the request was noticed and held by the Planning Commission at its regular meeting on September 14, 2004, with testimony received and public input solicited;

THEREFORE BE IT RESOLVED that the Mason City Council does hereby approve an amendment to the Zoning Ordinance of the City of Mason, Section 94-62, rezoning parcel #33-

19-10-08-476-038 from RS-3 to O-1 as requested and as recommended by the Planning Commission.

RESOLUTION APPROVED UNANIMOUSLY

Resolution No. 2004-54 – A Resolution Approving an Amendment to the Zoning Ordinance of the City of Mason Rezoning Foxcroft Farms #2 from RM/Multiple Family Residential District to RS-3/Single Family Residential

Resolution No. 2004-54 was introduced by Johnson seconded by Coady-Helbig.

**CITY OF MASON
CITY COUNCIL RESOLUTION 2004-54**

**A RESOLUTION APPROVING AN AMENDMENT TO THE
ZONING ORDINANCE OF THE CITY OF MASON REZONING
FOXOCROFT FARMS NO. 2 FROM RM TO RS-3**

September 20, 2004

WHEREAS, a request has been initiated by City Council to rezone the properties known as Foxcroft Farms #2, a single family subdivision consisting of 33 parcels along Middlebury Lane, Foxview Lane and the west side of Peachtree Place, being lots 56 through 88; and

WHEREAS, the properties are currently zoned RM / Multiple Family Residential; and

WHEREAS, the request is to rezone the properties to RS-3 / Single Family Residential; and

WHEREAS, the City Council concurs with the Planning Commission that RS-3 zoning is more consistent with the predominant land use in this subdivision; and

WHEREAS, the Planning Commission did conduct a public hearing on the request at its regular meeting held September 14, 2004, with testimony received and public comment solicited;

THEREFORE BE IT RESOLVED that the Mason City Council does hereby approve an amendment to the Zoning Ordinance of the City of Mason, Section 94-62, rezoning Foxcroft Farms No. 2 Subdivision from RM to RS-3.

RESOLUTION APPROVED UNANIMOUSLY

Resolution No. 2004-55 – A Resolution Approving an Amendment to the Zoning Ordinance of the City of Mason Rezoning 23 Acres on West Columbia, Parcel No. 33-10-10-0-7-200-018 From A-1/Agricultural (Vevay Township Zoning Designation) to RS-3/Single Family Residential

Resolution No. 2004-55 was introduced by Johnson seconded by Coady-Helbig.

**CITY OF MASON
CITY COUNCIL RESOLUTION 2004-55**

**A RESOLUTION APPROVING AN AMENDMENT TO THE ZONING
ORDINANCE OF THE CITY OF MASON REZONING 23 ACRES ON
WEST COLUMBIA, PARCEL # 33-10-10-07-200-018 FROM A-
1/AGRICULTURAL (VEVAY TOWNSHIP ZONING DESIGNATION) TO
RS-3/SINGLE FAMILY RESIDENTIAL**

September 20, 2004

WHEREAS, a request for rezoning has been received from the prospective purchaser of property

on west Columbia consisting of 23 acres immediately west of Coventry Woods; and

WHEREAS, the property was recently annexed into the City under a P.A. 108 Urban Cooperation Agreement with Vevay Township; and

WHEREAS, the property is currently zoned A-1/Agricultural under Vevay Township zoning; and

WHEREAS, the request is to rezone it to RS-3/Single Family Residential under City of Mason zoning; and

WHEREAS, a public hearing was noticed and held on the request at the Planning Commission's regular meeting on September 14, 2004, with testimony received and public comment solicited;

THEREFORE BE IT RESOLVED that the Mason City Council does hereby approve an amendment to the Zoning Ordinance of the City of Mason, Section 94-62, rezoning Foxcroft Farms No. 2 Subdivision from RM to RS-3.

THEREFORE BE IT RESOLVED that the Mason City Council does hereby approve an amendment to the Zoning Ordinance of the City of Mason, Section 94-62, rezoning the property to RS-3 as requested.

RESOLUTION APPROVED UNANIMOUSLY

Proposed Five-Year Street Improvement Plan

Dean spoke briefly to the Five-Year Street Improvement Plan.

MOTION by Bruno, seconded by Preadmore,
To accept the Five-Year Street Improvement Plan submitted by the DPW Director.

Discussion was held to include Ingham Court and Temple Street in the plan. It was discussed that Ingham Court is in the DDA Plan for 2007-2008 and that it should be included in the City plan for 2005-2006. Whipple recommended including Ingham Court and Temple Street in the 2005-2006 plan.

MOTION by Naeyaert, seconded by Bruno,
To amend the Five-Year Street Improvement Plan by including Ingham Court, to be built to city street standards, in the in the 2005-2006 budget year.

VOTE ON THE AMENDMENT:

Yes (7) Bruno, Clark, Coady-Helbig, Johnson, Naeyaert, Preadmore, Whipple
No (0)

MOTION APPROVED UNANIMOUSLY

VOTE ON THE AMENDED MOTION:

Yes (6) Bruno, Clark, Coady-Helbig, Johnson, Naeyaert, Preadmore
No (1) Whipple

MOTION APPROVED

UNFINISHED BUSINESS

Coady-Helbig-commented that Down Home Days and the Car Show brought a lot of business to town. Clark added that the baseball tournament brought a lot of people to town as well.

NEW BUSINESS

None.

CORRESPONDENCE

All correspondence was distributed.

LIAISON REPORTS

Clark informed the Council regarding Planning Commission business. Whipple informed the Council regarding Downtown Development Authority business.

ADMINISTRATOR'S REPORT

Colburn informed the Council on current city issues. A brief discussion was held regarding the survey that will be conducted by the Library Ad Hoc Committee.

PEOPLE FROM THE FLOOR

None.

EXECUTIVE SESSION

MOTION by Clark, seconded by Coady-Helbig,

To adjourn to executive session per the request of Martin Colburn to consider the City Administrator's Evaluation.

ROLL CALL VOTE:

Yes (7) Bruno, Clark, Coady-Helbig, Johnson, Naeyaert, Preadmore, Whipple

No (0)

MOTION APPROVED UNANIMOUSLY

The meeting adjourned to executive session at 8:23 p.m.

Martin A. Colburn, City Clerk

Russell W. Whipple, Mayor