

**CITY OF MASON  
REGULAR CITY COUNCIL MEETING  
MINUTES OF DECEMBER 6, 2004**

Whipple called the meeting to order at 7:33 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan. Whipple led the Pledge of Allegiance and offered the invocation.

Present: Councilmembers: Bruno, Clark, Johnson, Naeyaert, Preadmore, Whipple  
Absent: Councilmembers: Coady-Helbig  
Also present: Martin Colburn, City Administrator  
Kathy Revels, Finance Director/Treasurer  
Joe Dean, DPW Director  
Dennis McGinty, City Attorney  
Deborah Cwierniewicz, Deputy City Clerk

**APPROVAL OF MINUTES - REGULAR COUNCIL MEETING: November 15, 2004**

MOTION by Preadmore, seconded by Naeyaert,  
To approve the Regular Meeting Minutes of November 15, 2004 as corrected.

**MOTION APPROVED UNANIMOUSLY**

**APPROVAL OF BILLS**

MOTION by Bruno, seconded by Preadmore,  
To approve the payment of bills in the amount of \$142,131.89 as submitted.

**MOTION APPROVED UNANIMOUSLY**

**PEOPLE FROM THE FLOOR**

None.

**REGULAR BUSINESS**

**Public Hearing – Temple Street Improvements**

Whipple opened and closed the public hearing at 7:41 p.m.

**Public Hearing – Rayner Creek Utilities District**

Mayor Whipple opened the public hearing at 7:42 p.m.

Cynthia Hyaduck of 1120 E. Ash cited the written letter that she submitted for the record and stated objection to the proposed utility assessment because she will not receive any benefit from the sewer line that will run over 260' south of her property.

Mark Rigg, Sr. Pastor of Mason First Church of the Nazarene cited the written letter he submitted for the record stating objection to the proposed utility assessment. He stated that the church will be constructing two buildings next year on the 44 acre parcel that

includes most of proposed District 6. The assessment, determined by acreage, is estimated at \$220,556. At their planning stage, the city didn't have plans for utilities for the annexed property and the church budgeted \$18,000 for a mound sewage system. The church has been sold and the proposed utilities will not be installed in time to meet their construction schedule. It will be necessary to install the mound system and the subsequent utility line will create the hardship of an additional expense. Pastor Rigg feels that the assessment is not equitable because the sewer would service two buildings, not the entire acreage. He requested that the city either end the sewer line at the border of District 5 and District 6, or if the line must be installed through District 6, the church requested that the assessment would not exceed their budgeted \$18,000. Whipple asked what the plans were for the 44 acres. Pastor Rigg explained that Phase I *consists of two buildings, a 33,000 sq. ft. church facility and a 100' x 75' pole construction building for a youth center.* A Master Site Plan includes plans for the community, softball fields, tennis courts, a park for horse shoes, volleyball, etc. He intends to have one of the finest soccer facilities in Ingham County to *support* a Christian Athletic Association *and* provide venues where Sundays will not have to be sacrificed to accommodate youth athletics. Whipple asked if he were aware that the city is currently rewriting the sewer code that would require anyone that is within a specific distance to available sewer to connect to it. Pastor Rigg responded that he was not aware.

Ron Smalley, Real Estate Broker representing David Cannon and Hamid Servanti, stated that his clients support the special assessment district. However, they do not feel that the estimated costs are fair or equitable; they feel it is inflated by 50%, and should be spread over a 20 year period of time. They requested that the Council reconsider the proposed assessment.

Carl Woodard of 616 E. Columbia, and Mason First Church of the Nazarene Board Member, asked about the proposed requirements for sewer connection. Whipple stated that the proposed sewer code would require a connection by people that live within a specified distance of the available sewer. Mr. Woodard asked how the special assessment district is determined and if service is planned to the east of District No. 6. Whipple explained the special assessment process and stated that there are no plans to extend the sewer to the east because that property is not within the city boundaries.

Norm Hatt of 535 N College Rd asked if a water line would be installed. Whipple stated that a water line is not part of the assessment or planned for at this time.

Ron Miles of 5100 Harper, First Church of the Nazarene member, asked about the time table for the special assessments as well as other aspects of the process. Whipple explained the assessment process.

Whipple closed the public hearing at 8:34 p.m.

### **Special Assessment Resolution No. 3, Project No. 2005-3, Temple Street Improvements**

Special Assessment Resolution No. 3, Project No. 2005-3 was introduced by Clark and

seconded by Bruno.

Bruno stated that he has been opposed to this special assessment from the onset. He feels that the funds should be used for streets that need maintenance and/or improvements. He feels it is not the right time to construct a street due to the expected state shared revenue cuts.

#### **CITY OF MASON**

#### **2005 SOUTH TEMPLE STREET EXTENSION SPECIAL ASSESSMENT RESOLUTION NO. 3 PROJECT NO. 2005-3**

At a regular meeting of the City Council of the City of Mason, Ingham County, Michigan (the "City"), held in the City Hall, 201 West Ash Street, Mason, Michigan, on Monday, the 6th day of December, 2004, at 7:30 o'clock, p.m.

Present: Council Members: Bruno, Clark, Johnson, Naeyaert, Preadmore, Whipple

Absent: Council Member: Coady-Helbig

**WHEREAS**, the City Council of the City of Mason, pursuant to the provisions of Chapter 66 of the City's Code of Ordinances and the relevant provisions of the City Charter, did on Monday, the 15th day of November, 2004, adopt resolutions tentatively approving the installation and construction of certain street improvements (the "Project," described below), and the establishment of a special assessment district therefor for the purpose of defraying all or a portion of the cost of the Project, which Project and special assessment district therefor are more specifically hereinafter described; and

**WHEREAS**, this City Council did meet in the City Council Chambers, City Hall, 201 West Ash Street, Mason, Michigan, on Monday, the 6th day of December, 2004, at 7:30 o'clock, p.m., the time, date and place set by the City Council to conduct a public hearing to hear any objections to the Project and to the proposed special assessment district therefor; and

**WHEREAS**, preliminary plans and estimates of cost of said Project are on file with the City Clerk and have been since Monday, December 6, 2004.

#### **NOW, THEREFORE, BE IT RESOLVED THAT:**

1. The City Council hereby determines to make the following described street improvements:

The installation and construction of the South Temple Street extension, including street, sidewalk, curb and gutter, street lighting, storm drain and water main improvements, seeding, fertilizing and mulching in the public right-of-way of the following properties: Parcel numbers 33-19-10-09-400-001, 33-19-10-09-400-002, and 33-19-10-09-400-003.

2. The City Council hereby approves the plans and estimate of cost for the Project in the sum of \$1,250,000, as prepared and presented by the City's Engineers, Wolverine Engineers and Surveyors, Inc., Mason, Michigan, and approves the additional estimated sum of \$113,700 to defray legal, financing and administrative costs. Of the estimated total cost of \$1,250,000, the City Council determines to assess \$807,861.93 of that amount against benefiting property owners in the City.

3. The City Council determines that the special assessment district for the Project shall consist of the lots and parcels of land in the area of the City described in **Exhibit**

A, attached hereto and incorporated herein by reference, and excluding all streets and other land deemed not benefited.

4. The City Council hereby directs the City Assessor to make, and report to the City Council within thirty (30) days from the date of this resolution, a special assessment roll in which shall be described all of the parcels of land to be assessed as set forth with the names of the owners thereof, if known, and the total amount to be assessed against each parcel of land, which amounts shall be such relative proportion of the whole sum to be levied against all parcels of land in the special assessment district as, on a front foot basis, the benefit to such parcel bears to the total benefit of all parcels of land in the special assessment district, all in accordance with Section 66-7 of the City's Code of Ordinances, and subject to review and modification by the City Council.

5. When the City Assessor shall have completed the special assessment roll, she shall affix thereto her certificate, pursuant to Section 66-9 of the City's Code of Ordinances, stating that said roll was made pursuant to a resolution of the City Council, adopted on December 6, 2004, for the purpose of paying that part of the cost which the City Council decided should be paid and borne by special assessment for the Project, that in making such assessment she has, as near as may be, and according to her best judgment, conformed in all things to the directions contained in the resolution of the City Council hereinbefore referred to, and the Charter of the City relating to such assessment, and the City Assessor shall then, within thirty (30) days from the date of this resolution, report the special assessment roll with her certificate attached thereto to the City Council.

6. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be, and the same are, hereby rescinded.

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

No (1) Bruno

Absent (1) Coady-Helbig

RESOLUTION APPROVED

### **Special Assessment Resolution No. 4, Project No. 2005-3, Temple Street Improvements**

Special Assessment Resolution No. 4, Project No. 2005-3 was introduced by Bruno and seconded by Clark.

#### **CITY OF MASON**

#### **2005 SOUTH TEMPLE STREET EXTENSION SPECIAL ASSESSMENT RESOLUTION NO. 4 PROJECT NO. 2005-3**

At a regular meeting of the City Council of the City of Mason, Ingham County, Michigan (the "City"), held in the City Hall, 201 West Ash Street, Mason, Michigan, on Monday, the 6<sup>th</sup> day of December, 2004, at 7:30 o'clock, p.m.

Present: Council Members: Bruno, Clark, Johnson, Naeyaert, Preadmore, Whipple

Absent: Council Member: Coady-Helbig

**WHEREAS**, by resolutions adopted Monday, November 15, 2004, and Monday, December 6, 2004, the City Council of the City of Mason determined to install and construct the more particularly hereinafter-described street improvements (the "Project") and assess all or a portion of the cost thereof against the property deemed benefited by the Project, all in accordance with Chapter 66 of the City's Code of Ordinances and the relevant provisions of the City Charter; and

**WHEREAS**, the City Assessor has prepared and reported to the City Council a special assessment roll assessing all or a portion of the cost of the Project to the property benefited thereby with her certificate attached thereto pursuant to Section 66-9 of the City's Code of Ordinances; and

**WHEREAS**, the City Council desires to schedule a public hearing to review and hear objections to the special assessment roll.

**NOW, THEREFORE, BE IT RESOLVED THAT:**

1. The special assessment roll shall be filed with the office of the City Clerk and shall be available for public examination during regular business hours on regular business days.

2. The City Council shall meet at 7:30 o'clock in the p.m., on Monday, the 18<sup>th</sup> day of April, 2005, in the City Council Chambers, City Hall, 201 West Ash Street, Mason, Michigan 48854, for the purpose of reviewing and hearing objections to the special assessment roll.

3. The City Clerk shall cause notice of the hearing and the filing of the special assessment roll to be given to all interested property owners as provided by Chapter 66 of the City's Code of Ordinances and the relevant provisions of the City Charter. The notice as published and mailed shall be in substantially the following form:

**NOTICE OF HEARING**

**CITY OF MASON  
INGHAM COUNTY, MICHIGAN**

**NOTICE OF PUBLIC HEARING ON THE  
SPECIAL ASSESSMENT ROLL FOR THE  
SOUTH TEMPLE STREET EXTENSION SPECIAL ASSESSMENT DISTRICT 2005-3**

**TO THE RESIDENTS AND PROPERTY OWNERS OF THE CITY OF MASON, INGHAM COUNTY, MICHIGAN**, the owners of the land described below within the South Temple Street Extension Special Assessment District 2005-3, and any other interested persons:

**PLEASE TAKE NOTICE** that the City Assessor has reported to the City Council and filed in the office of the City Clerk for public examination a special assessment roll prepared by her, which roll includes all properties that are within the South Temple Street Extension Special Assessment District 2005-3, and are benefited by the proposed street improvement project generally described as follows:

The installation and construction of the South Temple Street extension, including street, sidewalk, curb and gutter, street lighting, storm drain and water main improvements, seeding, fertilizing and mulching in the public right-of-way of the following properties: Parcel numbers 33-19-10-09-400-001, 33-19-10-09-400-002, and 33-19-10-09-400-003.

The special assessment roll has been prepared for the purpose of assessing **a portion** of the costs of the acquisition and construction of the street improvement project and work incidental thereto within the special assessment district, as more particularly shown on the plans of the City's engineers, which are on file and available for public examination with the City Clerk at the City Hall, 201 West Ash Street, Mason, Michigan, within the City. The total estimated assessment thereunder is \$807,861.93.

**PLEASE TAKE FURTHER NOTICE** that the City Assessor has further reported that the assessment against each parcel of land within the special assessment district is such relative

portion of the whole sum levied against all parcels of land in the special assessment district as the benefit to such parcel bears to the total benefit to all parcels of land in the district.

**PLEASE TAKE FURTHER NOTICE** that the City Council will meet on Monday, the 18<sup>th</sup> day of April, 2005, at 7:30 o'clock, p.m., in the City Council Chambers, City Hall, 201 West Ash Street, Mason, Michigan 48854, for the purpose of reviewing the proposed special assessment roll and hearing any objections thereto. The special assessment roll may be examined at the office of the City Clerk during regular business hours of regular business days until the time of the hearing and may further be examined at the hearing.

Appearance and protest at the hearing, in person or in writing, are required in order to appeal the action of the City Council in approving the special assessment roll, and/or the amount of an assessment, to the state tax tribunal. A property owner or party in interest, or his or her agent, may appear in person at the hearing to protest the special assessment proceedings or may file his or her appearance and protest by letter and his or her personal appearance will not be required. The owner or any person having an interest in the real property who protests in person or in writing at the hearing may file a written appeal of a special assessment with the state tax tribunal within 30 days of the date the special assessment roll is confirmed by the City Council.

Further information regarding the 2005 South Temple Street extension special assessment project is available at the City Clerk's office, City Hall, 201 West Ash Street, Mason, Michigan 48854.

Dated: December 6, 2004

\_\_\_\_\_  
Martin Colburn, Clerk  
City of Mason  
Ingham County, Michigan

4. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be, and the same are, hereby rescinded.

RESOLUTION APPROVED UNANIMOUSLY

### **Special Assessment Resolution No. 3. Project No. 2005-4, Utilities District**

Special Assessment Resolution No. 3. Project No. 2005-4 was introduced by Clark and seconded by Bruno.

Discussion was held regarding the rationale of benefit for Special Assessment Roll Project No. 2005-04, District 3, Parcel #33-19-10-09-277-001 and District 6, Parcel #33-19-10-10-200-016. Removing all or portions of property that will not benefit from the assessment will be considered at the April 2005 public hearing once the project has been engineered.

Johnson questioned why the Nazarene Church was not better informed at the time of the annexation process. Colburn informed the Council that originally the church petitioned for an annexation, requesting city services for their 44 acres. He cited an October 30, 2000 letter from the Church that was forwarded to the Michigan State Boundary Commission, which stated the need for city services. The expense for utilities was too expensive for the city or the annexed property owners to fund at the time. Now, with the Development Agreement in place, those needs can be met as requested through the annexation by all parties. Colburn cited a letter from the attorney of Mr. Cannon and Mr. Servanti that stated the desire for city services and the acknowledgment that additional taxes would need to be paid for the services. Discussion ensued regarding how to manage properties that would

not participate at this time, but that will benefit from the sewer district at a future date.

**CITY OF MASON**

**2005 RAYNER CREEK SANITARY DISTRICT  
SPECIAL ASSESSMENT RESOLUTION NO. 3  
PROJECT NO. 2005-4**

At a regular meeting of the City Council of the City of Mason, Ingham County, Michigan (the "City"), held in the City Hall, 201 West Ash Street, Mason, Michigan, on Monday, the 6th day of December, 2004, at 7:30 o'clock, p.m.

Present: Council Members: Bruno, Clark, Johnson, Naeyaert, Preadmore, Whipple

Absent: Council Member: Coady-Helbig

**WHEREAS**, the City Council of the City of Mason, pursuant to the provisions of Chapter 66 of the City's Code of Ordinances and the relevant provisions of the City Charter, did on Monday, the 15th day of November, 2004, adopt resolutions tentatively approving the installation and construction of certain sanitary sewer improvements (the "Project," described below), and the establishment of a special assessment district therefor for the purpose of defraying all or a portion of the cost of the Project, which Project and special assessment district therefor are more specifically hereinafter described; and

**WHEREAS**, this City Council did meet in the City Council Chambers, City Hall, 201 West Ash Street, Mason, Michigan, on Monday, the 6th day of December, 2004, at 7:30 o'clock, p.m., the time, date and place set by the City Council to conduct a public hearing to hear any objections to the Project and to the proposed special assessment district therefor; and

**WHEREAS**, preliminary plans and estimates of cost of said Project are on file with the City Clerk and have been since December 6, 2004.

**NOW, THEREFORE, BE IT RESOLVED THAT:**

1. The City Council hereby determines to make the following described street improvements:

The installation and construction of a sanitary sewer district with the common elements of a pump station and force main which service the following properties: Parcel number 33-19-10-09-277-001, 33-19-10-09-400-002, 33-19-10-09-400-003, 33-19-10-10-100-024, 33-19-10-10-100-025, 33-19-10-10-200-015, 33-19-10-10-200-016, 33-19-10-10-301-006, 33-19-10-10-351-001, and 33-19-10-10-351-004.

2. The City Council hereby approves the plans and estimate of cost for the Project in the sum of \$1,084,000 as prepared and presented by the City's Engineers, Wolverine Engineers and Surveyors, Inc., Mason, Michigan, and approves the additional sum of not to exceed \$98,500 to defray legal, financing and administrative costs. Of the total estimated cost of \$1,084,000, the City Council determines to assess \$278,943.20 of that amount against benefiting property owners in the City.

3. The City Council determines that the special assessment district for the Project shall consist of the lots and parcels of land in the area of the City described in **Exhibit A**, attached hereto and incorporated herein by reference, and excluding all streets and other land deemed not benefited.

4. The City Council hereby directs the City Assessor to make, and report to the City Council within thirty (30) days from the date of this resolution, a special assessment roll in which shall be described all of the parcels of land to be assessed as set forth with the names of the owners thereof, if known, and the total amount to be assessed against each parcel of land, which amounts shall be such relative proportion of the whole sum to be levied against all parcels of land in the special assessment district as, on an acreage basis, the benefit to such parcel bears to the total benefit of all parcels of land in the special assessment district, all in accordance with Section 66-7 of the City's Code of Ordinances, and subject to review and modification by the City Council.

5. When the City Assessor shall have completed the special assessment roll, she shall affix thereto her certificate, pursuant to Section 66-9 of the City's Code of Ordinances, stating that said roll was made pursuant to a resolution of the City Council, adopted on December 6, 2004, for the purpose of paying that part of the cost which the City Council decided should be paid and borne by special assessment for the Project, that in making such assessment she has, as near as may be, and according to her best judgment, conformed in all things to the directions contained in the resolution of the City Council hereinbefore referred to, and the Charter of the City relating to such assessment, and the City Assessor shall then, within thirty (30) days from the date of this resolution, report the special assessment roll with her certificate attached thereto to the City Council.

6. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be, and the same are, hereby rescinded.

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

No (1) Bruno

Absent (1) Coady-Helbig

RESOLUTION APPROVED

### **Special Assessment Resolution No. 4, Project No. 2004-4, Utilities District**

Special Assessment Resolution No. 4, Project No. 2004-4 was introduced by Bruno and seconded by Clark.

#### **CITY OF MASON**

#### **2005 RAYNER CREEK SANITARY DISTRICT SPECIAL ASSESSMENT RESOLUTION NO. 4 PROJECT NO. 2005-4**

At a regular meeting of the City Council of the City of Mason, Ingham County, Michigan (the "City"), held in the City Hall, 201 West Ash Street, Mason, Michigan, on Monday, the 6<sup>th</sup> day of December, 2004, at 7:30 o'clock, p.m.

Present: Council Members: Bruno, Clark, Johnson, Naeyaert, Preadmore, Whipple

Absent: Council Member: Coady-Helbig

**WHEREAS**, by resolutions adopted Monday, November 15, 2004, and Monday, December 6, 2004, the City Council of the City of Mason determined to install and construct the more particularly hereinafter-described sanitary sewer improvements (the "Project") and assess all or a portion of the cost thereof against the property deemed benefited by the Project, all in accordance with Chapter 66 of the City's Code of Ordinances and the relevant provisions of the City Charter; and

**WHEREAS**, the City Assessor has prepared and reported to the City Council a special assessment roll assessing all or a portion of the cost of the Project to the property benefited thereby with her certificate attached thereto pursuant to Section 66-9 of the City's Code of Ordinances; and

**WHEREAS**, the City Council desires to schedule a public hearing to review and hear objections to the proposed special assessment roll.

**NOW, THEREFORE, BE IT RESOLVED THAT:**

1. The special assessment roll shall be filed with the office of the City Clerk and shall be available for public examination during regular business hours on regular business days.

2. The City Council shall meet at 7:30 o'clock in the p.m., on Monday, the 18<sup>th</sup> day of April, 2005, in the City Council Chambers, City Hall, 201 West Ash Street, Mason, Michigan 48854, for the purpose of reviewing and hearing objections to the proposed special assessment roll.

3. The City Clerk shall cause notice of the hearing and the filing of the special assessment roll to be given to all interested property owners as provided by Chapter 66 of the City's Code of Ordinances and the relevant provisions of the City Charter. The notice as published and mailed shall be in substantially the following form:

**NOTICE OF HEARING**

**CITY OF MASON  
INGHAM COUNTY, MICHIGAN**

**NOTICE OF PUBLIC HEARING ON THE  
SPECIAL ASSESSMENT ROLL FOR THE  
RAYNER CREEK SANITARY SPECIAL ASSESSMENT DISTRICT 2005-4**

**TO THE RESIDENTS AND PROPERTY OWNERS OF THE CITY OF MASON, INGHAM COUNTY, MICHIGAN**, the owners of the land described below within the Rayner Creek Sanitary Special Assessment District 2005-4, and any other interested persons:

**PLEASE TAKE NOTICE** that the City Assessor has reported to the City Council and filed in the office of the City Clerk for public examination a special assessment roll prepared by her, which roll includes all properties that are within the Rayner Creek Sanitary Special Assessment District 2005-4, and are benefited by the proposed sanitary sewer improvement project generally described as follows:

The installation and construction of a sanitary sewer district with the common elements of a pump station and force main which service the following properties: Parcel number 33-19-10-09-277-001, 33-19-10-09-400-002, 33-19-10-09-400-003, 33-19-10-10-100-024, 33-19-10-10-100-025, 33-19-10-10-200-015, 33-19-10-10-200-016, 33-19-10-10-301-006, 33-19-10-10-351-001, and 33-19-10-10-351-004.

The special assessment roll has been prepared for the purpose of assessing a portion of the costs of the acquisition and construction of the sanitary sewer improvement project and work incidental thereto within the special assessment district, as more particularly shown on the plans of the City's engineers, which are on file and available for public examination with the City Clerk at the City Hall, 201 West Ash Street, Mason, Michigan, within the City. The total estimated assessment thereunder is \$1,084,000.

**PLEASE TAKE FURTHER NOTICE** that the City Assessor has further reported that the assessment against each parcel of land within the special assessment district is such relative

portion of the whole sum levied against all parcels of land in the special assessment district as the benefit to such parcel bears to the total benefit to all parcels of land in the district.

**PLEASE TAKE FURTHER NOTICE** that the City Council will meet on Monday, the 18<sup>th</sup> day of April, 2005, at 7:30 o'clock, p.m., in the City Council Chambers, City Hall, 201 West Ash Street, Mason, Michigan 48854, for the purpose of reviewing the proposed special assessment roll and hearing any objections thereto. The special assessment roll may be examined at the office of the City Clerk during regular business hours of regular business days until the time of the hearing and may further be examined at the hearing.

Appearance and protest at the hearing, in person or in writing, are required in order to appeal the action of the City Council in approving the special assessment roll, and/or the amount of an assessment, to the state tax tribunal. A property owner or party in interest, or his or her agent, may appear in person at the hearing to protest the special assessment proceedings or may file his or her appearance and protest by letter and his or her personal appearance will not be required. The owner or any person having an interest in the real property who protests in person or in writing at the hearing may file a written appeal of a special assessment with the state tax tribunal within 30 days of the date the special assessment roll is confirmed by the City Council.

Further information regarding the 2005 Rayner Creek sanitary sewer special assessment project is available at the City Clerk's offices, City Hall, 201 West Ash Street, Mason, Michigan 48854.

Dated: December 6, 2004

\_\_\_\_\_  
Martin Colburn, Clerk  
City of Mason  
Ingham County, Michigan

4. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be, and the same are, hereby rescinded.

RESOLUTION APPROVED UNANIMOUSLY

A brief recess was taken at 9:18 p.m. and the meeting reconvened at 9:24 p.m.

### **Motion – Deferment of Special Assessment Project No. 2005-1 and 2005-2**

A special assessment resolution for Project No. 2005-1 was approved for the 2005 Street Improvement schedule. This project determines sidewalk, curb and gutter, and driveway improvements within the City. A special assessment resolution for Project No. 2005-2 proposed the installation of streets and related improvements consisting of excavation, bituminous paving, curb and gutter and related street drainage improvements, concrete driveway approaches, and construction area restoration of Ingham Court in the public right-of-way. However, this project has not been approved for the 2005 Street Improvement schedule. Discussion was held to defer both projects to the 2006 Street Improvement schedule given that the Temple Street extension and utilities are currently being pursued for the 2005 Street Improvement schedule. Bruno felt that these projects should maintain priority because they were determined to be the priority by staff.

MOTION by Preadmore, seconded by Johnson,  
To defer Special Assessment Project No. 2005-1 and 2005-2 to the 2006-2007  
fiscal year.

Yes (5) Clark, Johnson, Naeyaert, Preadmore, Whipple

No (1) Bruno  
Absent (1) Coady-Helbig  
MOTION APPROVED

MOTION by Bruno, seconded by Johnson,  
To amend the agenda by adding Item No. 7 (G) (2) Discussion - 2005 Ingham Court  
Improvement Schedule.  
MOTION APPROVED UNANIMOUSLY

**Discussion - 2005 Ingham Court Improvement Schedule**

DDA Director, Phil Birdsall was asked to comment. He deferred to Mr. Norman Austin and Mr. Dave Rocky.

Mr. Austin stated that he is a member of the DDA appointed committee to study improvements for Ingham Court. It was the understanding of the committee that this project was part of the DDA Plan scheduled for the 2012 construction year. He cited other alleys that require more immediate attention and suggested considering one or more of them as a priority above Ingham Court. He asked that the committee be allowed to conclude their study and make a recommendation for Ingham Court.

Dave Rocky of 10 Avimore Drive encouraged the Council to put off improvements to Ingham Court until next year to allow the DDA to make a recommendation.

Tim Gaylord, DDA Chairperson, stated that the DDA plan is in place and includes Ingham Court for 2012. The DDA was not aware that the Council was planning to address improvements to the alley next year. They want to work efficiently and cost effectively on the alley with the City and he asked the Council to delay the project for one year.

Phil Birdsall, DDA Director, stated that he spoke with city staff regarding the alley reconstruction and the effect of splitting the resurfacing project and the aesthetic improvements. DPW Director Dean told him the reconstruction could wait one year. City Engineer Potter told him that it would most likely increase the total aggregate cost if the projects were separated than if they were combined. Mr. Birdsall presented several other facts to the Council and requested that the project be delayed for one year to allow the DDA to complete their evaluation and recommendation.

MOTION by Clark, seconded by Naeyaert,  
To defer any improvements to Ingham Court to 2006.  
VOTE:  
Yes (4) Clark, Naeyaert, Preadmore, Whipple  
No (2) Bruno, Johnson  
Absent (1) Coady-Helbig  
MOTION APPROVED

**Resolution No. 2004-64 City Administrator Performance Evaluation Summary**

Resolution No. 2004-64 was introduced by Clark and seconded by Bruno.

December 6, 2004  
CITY ADMINISTRATOR PERFORMANCE EVALUATION FOR FISCAL YEAR  
2003-2004

**WHEREAS**, City Council Resolution 2004-06 provides that the Council shall conduct a formal review of the job performance of the City Administrator on a yearly basis; and

**WHEREAS**, City Council Resolution 2004-06 further provides that the Council shall conduct the formal performance review according to the guidelines described therein, including use of the "City Administrator Performance Evaluation Form" and the "City Administrator Self-Evaluation Form" as defined therein; and

**WHEREAS**, on September 20, 2004, October 18, 2004 and November 15, 2004 the City Council met for the purpose of reviewing the "City Administrator Self-Evaluation Form" and the composite "City Administrator Performance Evaluation Form" for the purpose of general discussion regarding the job performance of City Administrator Martin A. Colburn, for the purpose of developing specific performance objectives for the City Administrator for the upcoming twelve months, and for the purpose of discussing revision of the Employment Contract between Administrator Colburn and the City Council; and

**WHEREAS**, at the request of Administrator Colburn, the review meetings by the City Council were held in executive session pursuant to the provisions of the Open Meetings Act;

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council remains generally satisfied with Administrator Colburn in his management of, and service to, the City of Mason. Administrator Colburn continues to generally meet the job performance expectations of the Council. The Council feels that Administrator Colburn generally leads City operations in a manner consistent with the collective goals and ideals of the Council, as well as those of the city as a whole; and

**BE IT FURTHER RESOLVED**, that the following is a summary of the performance of Administrator Colburn arranged according to the major categories listed on the composite "City Administrator Performance Evaluation Form":

***Organizational Management***

*Administrator Colburn generally exceeded Council expectations in the area of Organizational Management. He is recognized as leading the city employees by example to be effective ambassadors of the City. Complaints and inquiries from citizens and Council members receive prompt responses and the work that implements Council policy is effectively planned and organized. The Council suggests that strong consideration be given to using existing city employees as interim replacements in vacant higher level positions and to the hiring of existing city employees to permanently fill such vacant positions when appropriate. Some concern exists that city staff responses to inquiries regarding code enforcement are not as timely or effective as is expected.*

***Fiscal Management***

*Administrator Colburn generally met council expectations in the area of Fiscal Management. The city budget is a well planned and organized document that generally conforms to the objectives and policies established by the council. Staff support on the budget is recognized as excellent. Continued emphasis on maintaining a balanced budget and minimizing the use of reserves is required as the city adapts to reduced state revenue sharing. The council requests additional detailed information on budget plans during budget workshops to ensure a consistent understanding. Also, it is necessary to provide additional information in meeting packets relating to budget priorities to ensure that council members are not surprised by administrator requests. Completion of the city capital improvement plan is a priority, including a plan to deal with issues at the library building. Council requests that the list of bills requiring council approval be included with meeting packets to allow time for review prior to meetings.*

**Program Development, Management and Planning**

Administrator Colburn met council expectations in the area of Program Development, Management and Planning. The administrator is recognized for his ability to successfully juggle the many disparate responsibilities of the job. Council suggests that the administrator seek out relationships with other communities similar to Mason and that such communities may offer solutions adaptable to issues in Mason. It is imperative that the council be kept informed of the status of projects and programs to avoid as much as possible the circumstance of the council learning about problems after the public. The administrator is recognized for staying abreast of happenings with state and federal legislation but it is suggested that all available sources be utilized when possible for information regarding legislative activities.

**Relationship with City Council**

Administrator Colburn generally met council expectations in the area of managing the Relationship with City Council. The administrator is recognized for prompt responses to council member inquiries, weekly update emails, improvement in the quality of meeting minutes, and improvement in the quality of written communication generally. The council suggests, however, that additional attention is needed to ensure that all reports to the council are complete and concise. At times there has been an apparent communication breakdown between the administrator and some council members that has led to confusion on the part of council members, and subsequent discussions wherein the administrator appears defensive. The administrator needs to focus on providing accurate and concise answers to questions by council members and the public. Sometimes the short answer is best ('yes' or 'no' or 'I do not know and will find out').

**Public and Intergovernmental Relations**

Administrator Colburn met council expectations in the area of Public and Intergovernmental Relations. The council re-emphasizes the value of garnering information regarding state and federal legislative issues from multiple sources.

**Professional Development**

Administrator Colburn generally met council expectations in the area of Professional Development. Council requests that the administrator aid the council in identifying training opportunities for council members.

**Specific Council Objectives**

Administrator Colburn met or generally exceeded council expectations in the area of Specific Council Objectives. The administrator is particularly recognized for his efforts to improve the city web site, complete the Master Plan, complete phase I of the Hayhoe Riverwalk, develop a plan to expand baseball/softball/soccer facilities, develop a standard format for meeting minutes of council as well as boards and commissions, upgrade city water meters, implement the SCADA system, plan for additional industrial use land, and pursue potential beneficial outsourcing opportunities. Additional attention is needed to complete a plan to address SSO regulations and ensure that water/sewer bills are itemized. The following are the Specific Council Objectives established for this evaluation period:

- A. Continue to improve the city web site.
  1. Implement online access to the Mason City Code.
  2. Implement the [www.ci.mason.mi.us](http://www.ci.mason.mi.us) web address.
  3. Implement use of downloadable PDF files for minutes and all other documents available on the web site.
  4. Improve appearance of the web site.
- B. Ensure that the written information from the office of the City Administrator is of high quality and professionally prepared.
  1. Staff trained.
  2. Control processes in place.
  3. Develop standardized meeting minute format (council and boards/commissions).

- C. *Develop an action plan and finance plan to deal with ongoing Sanitary Sewer Overflow (SSO) issues.*
- D. *Implement Records Management System.*
  - 1. *Staff trained.*
  - 2. *System installed and operating.*
- E. *Develop an action plan and finance plan to upgrade all city water meters.*
- F. *Implement itemized billing for water/sewer use.*
- G. *Complete Master Plan.*
- H. *Continue study to identify a new water well site.*
- I. *Continue implementation and adjustment of the City recreation plan.*
  - 1. *Complete phase I of Hayhoe Riverwalk.*
  - 2. *Develop plan for additional softball, baseball, and soccer fields.*
- J. *Develop an ordinance banning casino gaming in the city.*
- K. *Develop and implement improved restoration standards for street and sidewalk projects.*
- L. *Study and report on possible benefits of privatization of city services (e.g. DPW activities, building inspection, plan review, etc.).*
- M. *Develop plan for establishing additional industrial use property within the city.*
- N. *Complete implementation of the SCADA system for water system monitoring and control.*

**BE IT FURTHER RESOLVED**, that the City Council does hereby establish the following specific Council objectives for Administrator Colburn for the 2004-2005 fiscal year:

- A. *Organize a council "retreat" meeting with the administrator.*
- B. *Investigate ordinance revisions to address "blighted" and "abandoned" property.*
- C. *Investigate property maintenance code possibilities specifically in relation to rental and commercial property.*
- D. *Continue to evaluate solutions to resolve water, sanitary sewer, and storm sewer regulatory issues.*
  - 1. *Develop options for water treatment to address radium standards.*
  - 2. *Investigate potential benefits of establishing city wide storm drainage district.*
  - 3. *Implement initial components of storm water IDEP & PEP programs.*
- E. *Continue to evaluate potential new water well sites.*
- F. *Develop a plan for a Rayner Creek sewer interceptor on the east side of the city.*
- G. *Complete the 5 year capital improvement plan.*
- H. *Re-evaluate the 10 year street maintenance/improvement plan, including analysis of the proper charter minimum appropriation for street capital maintenance.*
- I. *Create Title VI Plan to comply with MDOT requirements.*
- J. *Convert to BS&A software in finance and development departments.*
- K. *Continue to improve the city web site as resources allow with the goal of creating a cost effective portal for citizens to conduct business with, and find information from, the city (e.g. meeting packets for council/boards/commissions, archived records access, bill payment, permit application submission, etc.).*
- L. *Support Downtown Development Authority efforts to expand DDA district boundaries.*
- M. *Complete formal agreement with Mason Public Schools regarding the expectations and commitments associated with the School Resource Officer.*

**BE IT FURTHER RESOLVED**, that in accordance with City Council Resolution 2004-06, this resolution, along with the "City Administrator Self-Evaluation Form" and composite "City Administrator Performance Evaluation Form" attached hereto, are hereby submitted by Mayor Russell W. Whipple and Mayor Pro Tem Leon R. Clark for consideration by the City Council as the written summary of the conclusions of the Council regarding the job performance of City Administrator Martin A. Colburn; and

**BE IT FINALLY RESOLVED**, that a copy of this resolution along with the attachments referenced herein shall be placed in the personnel file of City Administrator Martin A. Colburn.

RESOLUTION APPROVED UNANIMOUSLY**CITY COUNCIL RESOLUTION 2004-64**

Attachment 1

**CITY OF MASON****City Administrator Self-Evaluation Form**

Completed by: City Administrator Martin A. Colburn

Evaluation Period: FY 2003-2004

The responses to the questions on this form shall be completed in accordance with the process guidelines for evaluation of the job performance of the City Administrator as adopted by the City Council. Additional pages may be added as needed. Responses to these questions will be attached to the final performance evaluation documents.

**1. What progress have you made in accomplishing the performance objectives established by the City Council during your last evaluation?**

SPECIFIC COUNCIL OBJECTIVES:

## A. Continue to improve the city web site.

- 1) Implement online access to the Mason City Code.
- 2) Implement the [www.ci.mason.mi.us](http://www.ci.mason.mi.us) web address.
- 3) Implement use of downloadable PDF files for minutes and all other documents available on the web site.
- 4) Improve appearance of the web site.

A major revision of the city web site was made. We enhanced the look by using more color and photos. We added links to key information such as the codified codes. Our new web address is being used universally. Forms and Council meeting minutes are downloadable on PDF files. We continue to forward new photos to be posted on the web site. We have added the city newsletter articles too, and placed them within the respective departments where they originated.

Key documents and services are accessible to the public. We have buttons that lead people to the codified code book, master plan and Preferred Access Line (PAL), assisting citizens with property assessment and utility information. I see changes on the web site as an ongoing activity.

## B. Ensure that the written information from the office of the City Administrator is of high quality and professionally prepared.

- 1) Staff trained.
- 2) Control processes in place.
- 3) Develop standardized meeting minute format (council and boards/commissions).

Both the City Administrator and Deputy Clerk have attended additional training on business writing and grammar skills. I see this as a work in progress. I will continue to stress this point in my office.

A standardized format for meeting minutes was developed and discussed at the July 21, 2003 council meeting. The Council approved it by consensus. The format developed was distributed to all staff, Boards and Commissions that provide minutes. Minutes are proofed by multiple parties for quality control.

## C. Develop an action plan and finance plan to deal with ongoing Sanitary Sewer Overflow (SSO) issues.

A presentation was made to the City Council at a Workshop March 1, 2004 explaining the current status of the SSO issues. This is a long term issue which cities nation wide are working on. Joe Dean, Public Works Director, submitted a plan for review to the Michigan Department of

*environmental Quality over a year ago. To date, we have not received a response from the state. City staff is currently gathering data to continue our analysis on the issues. The past two budgets allowed us to purchase three flow meters. They have been monitoring the system and this past spring allowed us to measure flows during a wet period. This is necessary to see the impacts of infiltration vs. normal flow rates.*

*D. Implement Records Management System.*

- 1) Staff trained.*
- 2) System installed and operating.*

*Council adopted Resolution 2004-30, records retention and disposal schedule #8. This allows the city to specifically identify the documents lifespan requirements, and provides appropriate disposal practices.*

*At the end of the fiscal year, over 165,000 documents had been entered into the records management system. The software has been established within the networked system, providing access to staff. Staff is being trained as we proceed to each department. This project continues on track and will advance department by department. I have found this system to be a useful tool in looking for historical documents on several issues.*

*E. Develop an action plan and finance plan to upgrade all city water meters.*

*The new technologies for water meters were researched and bid specifications built to purchase and install approximately 2,800 residential water meters. Staff and Council discussed the options of funding with Councils choice being fund reserves. This project was implemented and meter reads are now being accomplished by radio frequency. The new technology reduces errors and raises productivity. We expect that the water reads will be more accurate and provide better accounting of our water utilization.*

*F. Implement itemized billing for water/sewer use.*

*The utility accounts have been converted over to the new software that BS&A has provided. Beginning in July, 2004 we will start using this software. The breakout of charges include water, sewer, capital, meter, penalty and bounced check fee. We will continue to provide quarterly postcard mailings at this time.*

*G. Complete Master Plan.*

*This project has been completed. With the state law changing the process this past year, the Planning Commission had to adjust. The law allowed City Council to project input and changes. Using good will, I supported Council on making changes and helped affect compromises. I facilitated a couple of meetings with members of the Planning Commission, stressing the importance of compromise. This relieved some of the stress on both the Commission and Council, allowing completion of this project.*

*A lesson learned on this project. The original concept allowed the Planning Commission to take significant ownership as they committed to provide much of the original composing of the chapters and sections. With all due respect, next time this document is addressed, a consultant should be brought into the project early with the requirements of preparing the document.*

*H. Continue study to identify a new water well site.*

*Working with Chuck Linck, our Professional Hydrologist, an area most likely to provide a good water source was identified as the southwest quadrant of the city. Three specific properties were identified to address placing a test well. The first was on the south end of the football field, the second owned by SSAB, and the third was school property located on the west side of the city.*

*The school district reviewed both properties and determined that our requests may conflict with their needs. The SSAB location was found to be incompatible because it was compromised by an old landfill. Currently I am in discussions with property owners on the west side of the city and will continue to pursue identifying an appropriate location for the next water well.*

- I. Continue implementation and adjustment of the City recreation plan.
  - 1) Complete phase I of Hayhoe Riverwalk.*
  - 2) Develop plan for additional softball, baseball, and soccer fields.**

*Phase I of the Hayhoe Riverwalk is complete. This has been one of the most enjoyable projects to work on. I am currently working on identifying the route of Phase II.*

*As you are aware, I have been working with the Recreation Ad-Hoc Committee in securing property to place the sports complex. We have secured several acres made available to us by Ingham County. Currently, I am negotiating with neighboring property owners for the required additional land to allow this project to proceed. This is a complex project with several major components. This includes the land issues, infrastructure, a new street, a millage election and the design of the sports complex itself.*

- J. Develop an ordinance banning casino gaming in the city.*

*This has been a difficult task primarily because it is challenging to draft a code that is intended to deter a law which does not yet exist. The City Attorney and I have had several discussions regarding the effectiveness of creating code this way. We were hoping that the state legislature would come up with their language so that we only had to address this piece of code once. We are proceeding with the draft code presented to Council several weeks ago with the understanding that when the state legislature does finalize the law, we may need to adjust.*

- K. Develop and implement improved restoration standards for street and sidewalk projects.*

*This has been completed. You can see that the new standards are being used on the Okemos Street project. These turf standards are in accordance with Section 816 of the Michigan Department of Transportation Interim 203 Standard Specifications for Construction. Our engineering firm provides printed letters that are handed out to residents that explain how to water and care for the grass as it is growing. We will conduct periodic inspections and follow up on these areas.*

- L. Study and report on possible benefits of privatization of city services (e.g. DPW activities, building inspection, plan review, etc.).*

*We looked into several areas of privatization and reported back to City Council during the budget hearings. We were successful in identifying a cost savings by privatizing a portion of the Assessor's office activities. We estimate over \$40,000 in savings with this change.*

*We also studied the grass cutting for city properties and requested quotes from several landscaping firms. The data did not show a cost savings and staff also felt that we would lose significant flexibility since the crews are used on numerous other projects.*

*Privatization of building inspection and plan reviews was investigated. We found that private company's costs were noticeably more expensive by per hour costs. The service turn-around time was also extended. Typically, a citizen has a person to work with either the day they contact the city or by the next day. Currently, most inspections are completed within 24-48 hours. The private firms typically would only guarantee service within a week. We would have a lot of disgruntled citizens and contractors if a week was our response time.*

*Staff will continue to look at options and privatization. It is particularly of interest when experiencing financial short falls.*

M. *Develop plan for establishing additional industrial use property within the city.*

*The primary plan to assure this was completed was to include appropriate language in the new Master Plan. This was accomplished. The current discussion of placing a sports complex on the eastern side of town provides us an opportunity to accelerate the development with the establishment of a Special Assessment Utilities District. This will spread the cost of infrastructure to all property owners within the district instead of placing the entire cost on one developer.*

*The city also owns some property on the north side of the city that has some potential for development. I have been speaking with the State of Michigan and the U.S. Environmental Protection Agency regarding some grant and loan funds. This concept revolves around the concept of establishing a Brownfield. A Brownfield is typically property that has been exposed to some form of contamination. Historically,*

*municipal landfills were not eligible candidates for funding. However; this past year, the state law was adjusted, making allowances.*

*I believe we should proceed by formally inquiring about funding availability for initial environmental investigation. This may make it a little easier to make this property more attractive to private investment. When dealing with environmental issues, I do recommend caution. We need to be careful not to open Pandora's box.*

N. *Complete implementation of the SCADA system for water system monitoring and control.*

*This project is in place and being used. It is a fascinating tool which gives staff capabilities to analyze data they never had before. I want to invite the Council Members to take a tour of the public works to see how this tool is used.*

*The Supervisory Control and Data Acquisition system (SCADA) is linked to six wells, four lift stations and our water towers. The staff will go to the monitoring station in the morning to check the data. They can adjust the rotation of well, provide shut offs based on time or elevation of the water towers. The frequency of lift stations powering on are recorded. It can assist telling us when there is an emergency water loss or pressure loss. It can assist us on finding which sanitary line has significant infiltration during a storm event.*

*Our old hard wire system is still in place. We kept it in for redundancy and safety.*

**2. *What other job-related accomplishments have you had that were not part of the performance objectives established during your last evaluation?***

*The day to day challenges are continually met. Meeting citizens, council, staff, local, State and federal requests and requirements combined have become a very large and diverse workload. This year has had an unusual amount of large projects. Also, I have been staffing two additional Ad-Hoc committees.*

*This year I worked directly with four industry Executive Officers, providing direct support for four (4) tax abatements. This is a larger amount of requests than typical, but is a positive sign of reinvestment. The local company's supported were SSAB, EPI, MPC and INCO Graphics.*

*The security environment has changed our involvement with preparation and planning of public safety, particularly with public works infrastructure. I have been working with my management team to meet the changing needs and requirements. This has included the creation of a Vulnerability Assessment now required by federal agencies as well as implementing security advances within our own facilities.*

*Other projects where emphasis has been placed is the public works office addition, water tower, bio-solids structure and I believe the single largest street project (Okemos Street) the city has ever initiated.*

*We worked together through an annexation process which led us to successfully complete a PA425 agreement and a PA108 agreement with Vevay Township.*

*I have personally been recruiting corporations and developers to build a hotel/motel in or city. This would meet our growing needs as a community and provide a vital service. Positive headway has been made as a consortium of developers that we have been working with has proceeded with their preliminary and final site plan approvals.*

*The City of Mason participates in Michigan Week Mayor's exchange every other year. This year the exchange was with the City of Tecumseh. It appears to have been a successful event.*

**3. What obstacles or setbacks did you encounter during the past year?**

*Police Chief Robert McCormick is retiring. I was successful in convincing him to continue serving until the position is filled.*

*The school district did not allow us to utilize portions of their property for municipal wells.*

*There was an unfortunate accident resulting in the death of an employee of one of our contractors at the new water tower.*

*The continued economic situation has offered us an ongoing challenge, making us very sensitive to costs.*

**4. What do you see as your major performance objectives for the next 12 months? What can the City Council do to help you accomplish these objectives?**

- A. *Create a Title VI Plan. This is a new requirement for all agencies' that receive MDOT and federal funding.*
- B. *Develop options of water treatment to address radium standards.*
- C. *Implement initial components of storm water IDEP & PEP programs.*
- D. *Continue study to identify new water well site.*
- E. *Evaluate and develop concept for Rayner Creek Interceptor.*
- F. *Establish East Side Utilities District.*
- G. *Continue spending human resources towards regulatory issues.*
- H. *Reevaluate 10 year street plan.*
- I. *Create 5 year Capital Improvement Plan (CIP).*
- J. *Convert software programs to BS&A.*
  - 1) *General ledger*
  - 2) *Accounts Payable*
  - 3) *Accounts Receivable*
  - 4) *Payroll*
  - 5) *Utilities*
  - 6) *General Ledger*
  - 7) *Taxes*
  - 8) *Taxes – Special Assessment*
  - 9) *Building Permits*
- K. *Evaluate property maintenance ordinance options.*
- L. *Address expansion of the Downtown Development Authority.*

**5. Do you perceive any problems in your working relationship with the City Council? If so, what suggestions do you have for improving the relationship?**

*I have built a team approach, working with the Department Heads. This takes two way communication, coordination and trust. It is my desire to build on these points with the City Council. My goal is to alleviate concerns, problems or miscommunications by making myself available to work through questions and issues as they arise with individual Council Members.*

- 6. Do you have specific training needs? If so, identify those needs and briefly describe how such training will help you to excel in satisfying the requirements of your job, including the objectives of the Council?**

*I want to follow up with additional training to enhance writing skills. This is an area that City Council has expressed concern on. These skills take additional practice and emphasis. Due to budget concerns, I did not go to my annual ICMA conference this past year and I plan on looking closer to home for additional training. I will look to MML and other associated professional organizations to keep up with current influences within Michigan.*

- 7. Have you experienced any specific or general difficulties with your staff in the past year? If so, describe actions taken to address the difficulties and the results of said actions.**

*I continue to work with the state Civil Rights Division. We experience few grievances from year to year. We have implemented a driver's license review, which provides oversight that staff meet requirements of maintaining their licenses as prescribed in their job description. This is also a risk management tool.*

- 8. Have you experienced any specific or general difficulties with the local citizenry or other governmental jurisdictions in the past year? If so, describe actions taken to address the difficulties and the results of said actions.**

*Capital Area District Library – we have not been able to convince CADL to change their policy, by funding library properties. However; we have influenced them. They have agreed to provide matching funds for a survey.*

*Vevay Township – I believe that they struggle at times working with non-elected officials. I believe the differences are due to our differing forms of government. I continue to call and meet with the elected officials of Vevay Township on appropriate issues, building a professional and personal working relationship. I believe this will assist us in being more productive and conducive for future business.*

*Mason Area School District – We have had several pieces of business not proceed smoothly. This has included negotiations for property and funding a school resource officer.*

*We may not always get what we want, however, keeping the dialogue open and not personalizing the discussion will assist us to work successfully toward the next goal. I call or meet with senior school officials periodically on relative matters.*

- 9. Identify any revisions you would like in the Employment Contract between the City Administrator and the City Council.**

*I would like to address this item in Executive Session.*

- 10. Identify any other issues or comments you wish to discuss.**

*A team leader must recognize that they cannot meet the goals and objectives without the support of the rest of the organization. We have accomplished a phenomenal project oriented year. I want to thank the Department Heads for their input and support. It also takes the support of the City Council to provide the resources so that we can proceed with meeting these goals. I Thank the City Council for your continued support of the city staff, myself and the community as a whole. We are making good things happen for our community!*

City Administrator Signature: \_\_\_\_\_ DATE: July 19, 2004

*Attachment 2*

**CITY OF MASON**  
**City Administrator Performance Evaluation Form**

Evaluation Period: FY 2003-2004

CITY COUNCIL COMPOSITE FORM

**MAJOR AREAS OF RESPONSIBILITY:**

1. *Organizational Management*
2. *Fiscal Management*
3. *Program Development, Management and Planning*
4. *Relationship with City Council*
5. *Public and Intergovernmental Relations*
6. *Professional Development*
7. *Specific City Council Objectives*

**RATING SCALE:**

- 5 = Exceeds expectations*
- 3 = Meets expectations*
- 1 = Fails expectations*

**ORGANIZATIONAL MANAGEMENT**

Performance Standard:

- a. Well qualified persons are recruited and employed.
- b. Employees are appropriately placed to contribute to a high retention rate.
- c. Supervisory techniques motivate high performance.
- d. Complaints regarding employees are not common place.
- e. The organization is aware of new trends in technology.
- f. Demonstrates active consideration of new ideas to enhance efficiency and cost effectiveness.

<b>RATING</b>	<b>RESPONSIBILITY</b>
<b><u>2.6</u></b>	<b><u>Selects qualified people for appropriate positions</u></b>
<b><u>2.9</u></b>	Fosters an atmosphere of cooperation and teamwork among city employees
<b><u>3.3</u></b>	Effectively plans and organizes the work that implements city council policy
<b><u>3.6</u></b>	Effectively plans and organizes prompt responses to requests or complaints from citizens
<b><u>3.6</u></b>	Effectively plans and organizes prompt responses to inquiries by city council members
<b><u>3.1</u></b>	Maintains awareness of technological advances and analyzes potential benefits to city
<b><u>3.7</u></b>	Leads city employees by example to be effective ambassadors of the city
<b><u>3.1</u></b>	Encourages on-going training to enhance professional skills of employees
<b><u>2.6</u></b>	Appropriately responds to and promptly addresses all complaints and suggestions regarding employee performance
<b><u>3.2</u></b>	

**FISCAL MANAGEMENT**

Performance Standard:

- a. Budget preparation and management is thorough and effective.
- b. Cost-effective measures are persistently pursued.
- c. Financial reporting is accurate, timely and readily understandable.
- d. Physical facilities management is efficient.

<b>RATING</b>	<b>RESPONSIBILITY</b>
<b>3.3</b>	<b><i>Plans and organizes the preparation of an annual budget with documentation that conforms to the objectives and policies established by the City Council.</i></b>
<b>2.9</b>	Plans, organizes, and administers the adopted budget with approved revenues and expenditures.
<b>3.0</b>	Plans, organizes, and supervises the most economically optimal utilization of manpower, materials, and machinery.
<b>2.7</b>	Maintains a system of reports for Council that provides the most up-to-date data available concerning expenditures and revenues.
<b>2.7</b>	Maintains an effective plan and organization for the maintenance of facilities, buildings, equipment, and grounds owned by the City.
<b>2.9</b>	

#### PROGRAM/PROJECT DEVELOPMENT, MANAGEMENT, AND PLANNING

##### Performance Standard:

- a. On-going programs and services are fully responsive to the needs of the City.
- b. Monitoring procedures are in place and functioning.
- c. Measurable outcomes are used to the extent possible to determine success in program planning.
- d. Dependable follow through in program implementation.
- e. Effective use of available staff and council talent.
- f. An effective long term strategic plan is in operation.
- g. Annual operational plans are carried out by Staff.
- h. On-going process for monitoring to attain quality assurance in program and project implementation.
- i. Program and personnel evaluation are inter-related with the strategic planning process.
- j. Legislative knowledge is current and complete.

<b>RATING</b>	<b>RESPONSIBILITY</b>
<b>3.0</b>	<b><i>Plan and organize on-going programs and services</i></b>
<b>3.2</b>	Plan and organize the work involved by Council and Staff and the reporting of the results of analysis
<b>3.0</b>	Maintain knowledge of innovative trends in the area of services being provided by local government and incorporate that knowledge in program suggestions and research
<b>3.1</b>	Plan and organize work assigned by the Council so that it is completed in a timely and efficient manner
<b>3.0</b>	Manage implementation of programs and services approved by the Council
<b>3.3</b>	<b><i>Maintain current knowledge of new technologies, systems, methods, etc., in relation to City services and projects</i></b>
<b>3.0</b>	Keep Council advised of new and pending legislative action that might impact City operations
<b>2.7</b>	Plan and organize a process of program planning in anticipation of future needs and problems
<b>2.9</b>	Establish and maintain an awareness of activities or actions occurring within other cities or jurisdictions that may have an impact on City activities or actions
<b>3.1</b>	Plan, organize, and maintain a process for establishing community goals to be approved by the Council, including status monitoring and reporting
<b>3.0</b>	

#### RELATIONSHIP WITH CITY COUNCIL

##### Performance Standard:

- a. Materials, reports, and recommendations are clearly and convincingly presented.
- b. Communications are timely, forthright, and open.
- c. Responses to requests are prompt and complete.

- d. Recommendations are thoroughly researched.
- e. Adequate information is provided to Council to make decisions.
- f. Methods are in place to report to Council on current plans, activities, and events in the City.

<u>RATING</u>	<u>RESPONSIBILITY</u>
<b>2.7</b>	<b><i>Maintain effective written and verbal communication with Council</i></b>
<b>4.0</b>	Maintain availability to council members
<b>2.4</b>	Maintain an effective system of reporting to Council current plans and activities of Staff
<b>2.7</b>	Written communication is concise, clear, accurate, comprehensive and professional
<b>2.4</b>	Verbal communication is concise, clear, accurate, comprehensive and professional
<b>2.8</b>	

#### PUBLIC AND INTER-GOVERNMENTAL RELATIONS

##### Performance Standard:

- a. Contacts with media are timely and accurate.
- b. Publications are varied and consistently well received by the public.
- c. Feedback from the public and community leadership is positive.
- d. City has a good image with comparable organizations.
- e. Sufficient activity with municipal and professional organizations.
- f. Regarded as a leader by other municipal officials.
- g. Provides examples of good ideas from other jurisdictions.
- h. Positive relationship with leadership of surrounding cities and jurisdictions.
- i. Good cooperation with County and State agencies.

<u>RATING</u>	<u>RESPONSIBILITY</u>
<b>3.3</b>	<b><i>Effectively trains all employees how to respond in contacts with the public</i></b>
<b>3.0</b>	Ensure that an attitude of helpfulness, courtesy, and sensitivity to the public exists in all employees
<b>3.4</b>	Establish and maintain an image of the City that represents quality service, vitality, and professionalism
<b>3.4</b>	Establish and maintain liaisons with private non-governmental organizations involved in areas of concern that relate to services or activities of the City
<b>2.6</b>	Written and verbal communication is appropriate, clear, concise, accurate, and professional
<b>3.0</b>	<b><i>Maintain awareness of developments and plans in other jurisdictions that may relate to or affect City plans or activities</i></b>
<b>3.0</b>	Establish and maintain liaisons with other pertinent governmental jurisdictions
<b>3.0</b>	Maintain communications with governmental jurisdictions with which the City is involved or has interfaces
<b>3.1</b>	

#### PROFESSIONAL DEVELOPMENT

##### Performance Standard:

- a. Management techniques show evidence of innovation, imagination, and decisiveness.
- b. Demonstrated commitment to on-going training for professional skill enhancement.

<u>RATING</u>	<u>RESPONSIBILITY</u>
<b>3.1</b>	<b><i>Maintain commitment to broadening professional and personal development</i></b>
<b>3.0</b>	Demonstrate imaginative leadership initiatives
<b>2.6</b>	Ability to build cohesive relationship among staff
<b>2.4</b>	Decisiveness in leadership performance
<b>2.8</b>	

#### SPECIFIC CITY COUNCIL OBJECTIVES

##### Performance Standard:

- a. Plans and organizes budget and city operations to accomplish City Council objectives
- b. Provides timely and thorough status assessments to City Council.

<b>RATING</b>	<b>RESPONSIBILITY</b>
<b>3.8</b>	Continue to improve city web site >> Access to Mason City Code >> Implement the www.ci.mason.mi.us web address >> Use downloadable PDF files for minutes and all other documents available >> <b><i>Improve appearance of site</i></b>
<b>3.0</b>	Ensure that written information from the office of the City Administrator is of high quality and professionally prepared >> Staff trained >> Control processes in place >> Develop standardized meeting minute format (council and boards/commissions)
<b>2.6</b>	Develop an action plan and finance plan to deal with SSO issues
<b>3.1</b>	Implement Records Management System >> Staff trained. >> System installed and operating.
<b>4.0</b>	Develop an action plan and finance plan to upgrade all city water meters
<b>2.6</b>	Implement itemized billing for water/sewer use
<b>3.6</b>	Complete Master Plan
<b>2.9</b>	Continue study to identify a new water well site
<b>3.7</b>	Continue implementation and adjustment of the City Recreation plan >> Complete phase I of Hayhoe Riverwalk >> Develop plan for additional softball, baseball, and soccer fields
<b>3.7</b>	Develop an ordinance banning casino gaming in the city
<b>3.7</b>	<b><i>Develop &amp; implement improved restoration standards for street and sidewalk projects</i></b>
<b>3.8</b>	Study and report on possible benefits of privatization of some city services (DPW activities, building inspection, plan review, etc.)
<b>3.6</b>	Develop plan for establishing additional industrial use property within the city.
<b>4.0</b>	Complete implementation of the SCADA system for water system monitoring and control.
<b>3.4</b>	

Discussion was held to amend the agenda.

MOTION by Bruno, seconded by Preadmore,  
To amend the agenda by moving Regular Business Item No. 7(1) *Executive Session – Personnel – City Administrator’s Contract*, to the end of the agenda.

**MOTION APPROVED UNANIMOUSLY**

### **UNFINISHED BUSINESS**

Bruno presented the City with an Arbor Day Honoree plaque that he designed and had made from northern Michigan Red Oak. It has the wood burned etching of a tree and twenty-four name plates inscribed with each honoree’s name chosen since its inception in 1991. In addition to their name, the year that the honoree was chosen, their chosen tree and planting location is inscribed. Bruno has provided allowance for the inscription information of future honorees. The plaque will proudly hang at City Hall.

Bruno stated that March 15<sup>th</sup> the Council took action to waive competitive bids and awarded the sludge tank bid to HTH in the amount of \$400,000. An in-house loan of the city reserves paid for the sludge tank and other city projects including the water tower, water meters, and the SCADA System. He asked the Council to consider forgiving the loan to the actual purchase of the sludge tank of the amount borrowed. He stated that the

reserves are there because it is part of the planned work that would eventually be done for the expansion of the waste water plant. Discussion ensued. Revels was asked to provide an assessment of the proposed transfer at the first meeting in January.

### **NEW BUSINESS**

Whipple informed the Council regarding the Michigan Municipal League, Finance and Taxation Committee meeting.

### **CORRESPONDENCE**

All correspondence was distributed. A brief discussion was held regarding the letter received from Doug Williams requesting the city to designate the area of the Veterans Memorial Monument solely for honoring Veterans. Colburn will contact County offices to confirm whether there is an agreement between Ingham County and the Ingham County Veteran Memorial Monument Commission.

### **LIAISON REPORTS**

No reports were given.

### **ADMINISTRATOR'S REPORT**

Colburn informed the Council on current city issues.

### **PEOPLE FROM THE FLOOR**

None.

### **Executive Session – Personnel - City Administrator's Contract**

MOTION by Clark, seconded by Preadmore,  
To adjourn to executive session to consider the matter of the City  
Administrator's contract.

ROLL CALL VOTE:

YES (6) Bruno, Clark, Johnson, Naeyaert, Preadmore, Whipple

NO (0)

ABSENT (1) Coady-Helbig

**MOTION APPROVED UNANIMOUSLY**

The meeting adjourned to executive session at 10:20 p.m.

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Martin A. Colburn, City Clerk

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Russell W. Whipple, Mayor