

**CITY OF MASON
REGULAR CITY COUNCIL MEETING
MINUTES OF JANUARY 17, 2005**

Naeyaert called the meeting to order at 7:38 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan. Bruno led the Pledge of Allegiance and offered the invocation.

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

Also present: Martin Colburn, City Administrator
Eric Smith, Asst. Finance Director
Dennis McGinty, City Attorney
Deborah Cwierniewicz, Deputy City Clerk

APPROVAL OF MINUTES - REGULAR COUNCIL MEETING: January 3, 2005

MOTION by Whipple, second by Clark,
To amend the January 3, 2005 minutes by striking the last sentence in the
bulleted paragraph at the top of the page (4).
MOTION APPROVED UNANIMOUSLY

The Regular Meeting Minutes of January 3, 2005 were approved as amended.

APPROVAL OF BILLS

MOTION by Bruno, second by Johnson,
To approve the payment of bills in the amount of \$63,582.90 as submitted.
MOTION APPROVED UNANIMOUSLY

PEOPLE FROM THE FLOOR

Don Vickers, Ingham County Commissioner from District 16 spoke to various issues of interest to Mason residents.

REGULAR BUSINESS

Resolution No. 2005-03 MDOT Performance and Indemnification Agreement

Resolution No 2005-03 was introduced by Bruno and seconded by Clark and approved unanimously.

[THIS RESOLUTION MAY BE VIEWED AT THE CITY CLERK'S OFFICE UPON REQUEST]

Resolution No. 2005-04 Riverwalk, Phase VI (postponed)

Colburn informed the Council that the Planning Commission approved Phase VI for Riverwalk, with the condition that a 20' wide recreational easement be included and shown on the site plan along lots 92, 93, and 94. Mr. Dennis Forsberg requested that Resolution No. 2005-04 be deferred to a date following a meeting that will be held this week to discuss the easement that he feels should be addressed through the home owners association. Phase VI is the final phase for the Riverwalk development.

MOTION by Johnson, second by Bruno,
To defer action to the next regular meeting scheduled February 7, 2005.
MOTION APPROVED UNANIMOUSLY

**Resolution No. 2005-05 A Resolution Honoring George D. Goodman As He Retires
As Executive Director of the Michigan Municipal League**

Resolution No 2005-05 was introduced by Bruno and seconded by Clark

**CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2005-05**

**A RESOLUTION HONORING GEORGE D. GOODMAN AS HE RETIRES AS EXECUTIVE
DIRECTOR OF THE MICHIGAN MUNICIPAL LEAGUE**

January 17, 2005

WHEREAS, George D. Goodman has served the Michigan Municipal League as Executive Director for 22 years; and

WHEREAS, he served as Mayor of Ypsilanti, Michigan from 1972-1982 and President of the Michigan Conference of Mayors for 1976-77; and

WHEREAS, in 1987, his considerable expertise was recognized when he was one of seven persons across the country who were recognized by Common Cause with its Public Service Achievement Award; and

WHEREAS, in 1998, he was selected as a Fellow of the National Academy of Public Administration, which is chartered by Congress to provide advice and counsel on all matters of public policy; and

WHEREAS, he has been instrumental in the development of the Michigan Black Caucus; and

WHEREAS, he has held numerous civic leadership roles including Chair of the United Way of Michigan, Board Member of Starr Commonwealth and of Youth for Understanding, and Chair of the Washtenaw County Community College Foundation; and

WHEREAS, he has served as President of the Michigan Municipal League Foundation since its inception in 1991; and

WHEREAS, he has served as a Board Member of the National League of Cities and of Public Technology, Inc., the technology arm of the National League of Cities, the International City/County Management Association, and the National Association of Counties; and

WHEREAS, he has actively promoted sharing of Michigan's local government expertise with local officials in developing nations throughout the world through exchange programs; now

THEREFORE BE IT RESOLVED, that the City Council of the City of Mason does hereby recognize and acknowledge the contributions and efforts made by George D. Goodman over his many years of dedicated service to Michigan's cities and villages; and

BE IT FURTHER RESOLVED, that a copy of this resolution be presented to George D. Goodman on the occasion of his retirement from the Michigan Municipal League.

RESOLUTION APPROVED UNANIMOUSLY

Resolution No. 2005-06 City Administrator Performance Evaluation Process

Resolution No 2005-06 was introduced by Clark and seconded by Bruno

Whipple explained suggested changes to the proposed performance evaluation process for the city administrator. Discussion ensued.

MOTION by Mulvany, second by Bruno,
To defer Resolution No. 2005-06 to the next meeting.
VOTE: Yes (4) Bruno, Coady-Helbig, Mulvany, Naeyaert
No (3) Clark, Johnson, Whipple
MOTION APPROVED

MOTION by Coady-Helbig, second by Johnson,
To schedule a City Council workshop prior to the February 7, 2005 meeting
to work on the evaluation process for the city administrator.

It was discussed that the Joint Recognition Ceremony is scheduled for February 7th at 6:30 p.m.

VOTE: Yes (0)
No (7) Bruno, Clark, Coady-Helbig, Johnson, Mulvany, Whipple, Naeyaert
MOTION FAILED

Whipple requested that Resolution No. 2005-06 be on the February 21st meeting agenda and a work shop be scheduled at 6:30 p.m. to consider the evaluation process for the city administrator.

Resolution No. 2005-07 City Council Appointment to the Election Commission

Resolution No 2005-07 was introduced by Clark and seconded by Bruno

**CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2005-07**

January 17, 2005

CITY COUNCIL APPOINTMENT

BE IT HEREBY RESOLVED that the City Council of the City of Mason does hereby make the following appointment to the Election Commission for calendar year 2005.

Election Commission
RESOLUTION APPROVED UNANIMOUSLY

Robin Naeyaert

Resolution No. 2005-08 Requirements for Reimbursement of Water & Sewer Restricted Funds

Resolution No 2005- 08 was introduced by Bruno and seconded by Clark.

**CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2005-08**

**REQUIREMENTS FOR REIMBURSEMENT
OF WATER & SEWER RESTRICTED FUNDS**

January 17, 2005

WHEREAS, pursuant to Resolution No. 2003-70 adopted by the City Council on December 15, 2003, the City Council determined to transfer \$2,000,000 from the City's account entitled "Reserve for Special Purposes - P.O.T.W. Expansion," Account Number 592-000-00-389-000 (the "Reserve Account") to the City's Water and Sewer Fund - Unrestricted Fund Balance Account; and

WHEREAS, pursuant to that same resolution, the City Council determined to remove the restriction found in Resolution 97-28 that the \$2,000,000 in funds transferred from the Reserve Account only be used "for the future expansion of the Publicly Owned Treatment Works of the City of Mason." Instead, such funds shall now be used for improvements to the City's Water Supply and Sewage Disposal System; and

WHEREAS, City Council Resolution No. 2003-71 was passed on December 15, 2003 to provide a mechanism by which the \$2,000,000 transferred from the Reserve Account shall be repaid to the Reserve Account; and

WHEREAS, the City Council now desires to remove the total cost of the sludge storage tank project, which is \$465,000, from the amount to be repaid to the Reserve Account.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Council hereby determines that of the \$2,000,000 transferred from the Reserve Account \$1,535,000 shall be repaid to the Reserve Account, with interest, by no later than December 31, 2010, using available operating funds/revenues from the City's Water Supply and Sewage Disposal System. Such funds shall be repaid to the Reserve Account in seven (7) annual installments paid on or before December 31 of each year, beginning December 2004, with interest on the unpaid principal balance at the rate of 3.0% per annum, based upon a 360-day year, 30-day month.

2. The City's Finance Director/Treasurer, or a designee thereof, is hereby authorized to take all necessary and reasonable actions to implement and fulfill the terms and requirements of this resolution.

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

Yes (6) Bruno, Clark, Coady-Helbig, Johnson, Mulvany, Naeyaert

No (1) Whipple

RESOLUTION APPROVED

Motion - Update Directory of Charges

Discussion was held regarding changes to update the Directory of Charges.

MOTION by Whipple, second by Coady-Helbig,
To approve amendments to the Directory of Charges as proposed effective
January 18, 2005.

MOTION by Whipple, second by Coady-Helbig,
To amend the motion approving amendments to the Directory of
Charges by making the effective date February 1, 2005.

MOTION by Whipple, second by Clark,
To amend the amended motion by adding a \$30 flat fee for re-
roofs to the building permit section.

VOTE TO AMEND THE MOTION:

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

AMENDMENT TO THE MOTION APPROVED UNANIMOUSLY

VOTE TO AMEND THE AMENDED MOTION:

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

AMENDMENT TO THE AMENDED MOTION APPROVED UNANIMOUSLY

VOTE ON THE AMENDED MOTION:

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

MOTION APPROVED UNANIMOUSLY

Request – POTW – Waive the Formal Bid Process – Sewage Samplers

MOTION by Bruno, second by Clark,
To waive the formal bid process and purchase three Sentinel 6T samplers
from N-Con Systems Co., Inc. for \$14,250, as quoted.

MOTION APPROVED UNANIMOUSLY

UNFINISHED BUSINESS

Tremendous accolades were spoken by all Councilmembers in honor of Ernie Lutz receiving
the Distinguished Flying Cross with Valor.

NEW BUSINESS

MOTION by Bruno, second by Clark,
To excuse Neal Johnson from the February 7, 2005 meeting.

MOTION APPROVED UNANIMOUSLY

Discussion was held to schedule a City Council retreat in February.

CORRESPONDENCE

All correspondence was distributed.

LIAISON REPORTS

Clark informed the Council regarding Planning Commission business and Naeyaert informed the Council regarding DDA business.

ADMINISTRATOR'S REPORT

Colburn informed the Council on current city business.

PEOPLE FROM THE FLOOR

None.

EXECUTIVE SESSION

MOTION by Clark, second by Helbig,

To adjourn to executive session to discuss an attorney/client privileged communication.

ROLL CALL VOTE:

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

No (0)

MOTION APPROVED UNANIMOUSLY

The meeting adjourned to executive session at 9:18 pm.

Martin A. Colburn, City Clerk

Robin C. Naeyaert, Mayor